

Quick guide

National Parks and AONBs in Wales

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How many National Parks and AONBs are there in Wales?

There are **three National Parks** and **five Areas of Outstanding Natural Beauty (AONB) in Wales.**

The National Parks are:

- Brecon Beacons National Park,
- Pembrokeshire Coast National Park and,
- Snowdonia National Park.

The first National Park to be designated in Wales was Snowdonia in 1951, followed by Pembrokeshire Coast in 1952 and Brecon Beacons in 1957. Together the National Parks cover approximately **20 per cent of the landmass of Wales.**¹

The five AONBs in Wales are:

- Anglesey Coast AONB,
- The Clwydian Range AONB,
- Gower AONB,
- Llŷn AONB and,
- The Wye Valley AONB, part of which crosses the border with England.

The first AONB to be designated in Wales was **the Gower in 1950**, followed by the **Llŷn in 1956**, **Anglesey Coast in 1966**, **Wye Valley in 1971** and the **Clwydian Range in 1985**. The Countryside Council for Wales (CCW) has recently consulted on **proposals to extend the Clwydian Range AONB southwards to include areas of the Dee Valley and the Vale of Llangollen**. The first part of this consultation process closed on 31 January 2011.

¹ Wales Association of National Parks, [*The National Parks of Wales*](#), (Website), [accessed 15 April 2011]

How and why are National Parks designated?

National Parks are designated under the *National Parks and Access to the Countryside Act 1949* (hereafter, the Act).² Section 5 of the Act places a duty on CCW to **designate any 'extensive tracks of country' in Wales that due to the quality of their natural beauty and the opportunities they afford for open recreation should be designated as a National Park.**

CCW must also **consider the public benefit** that would be gained by designating an area of land a National Park and seek to gain the **full endorsement of all local authorities, community council and other representative bodies** in the area.

Once CCW has decided that such an area exists and should be designated, it provides this evidence to the Welsh Government who will decide whether or not to proceed with the designation.

If the **Welsh Government decides to proceed**, draft boundaries are drawn up in consultation with the local authorities affected and a full public consultation is carried out. CCW are under a **duty to publish an official notice** of an Order setting out the draft boundaries in the London Gazette and to make copies of the Order available for public inspection.

If any **objections** are raised during the consultation process **this, in most cases, would lead to a Public Inquiry.** Consideration is then given to any comments or outcomes of the Inquiry before CCW, in consultation with the Welsh Government, decide to move to the final stage.

If a decision to proceed with the designation is taken, then a Designation Order is sent by CCW to the Welsh Government. The Welsh Government would then be required to **confirm the Order, confirm it with modifications or refuse it.**

The **last national park to be designated in Britain** was the **South Downs National Park** which covers parts of the counties of Hampshire, West and East Sussex.³ The process of designating the National Park took **over ten years to complete.** It was **designated on the 31 March 2010** however the consultation process on establishing the Park started **in 1999.**

Varying the Boundaries of a National Park

Section 45 of the Wildlife and Countryside Act 1981⁴ gives Welsh Ministers the power to **vary orders designating National Parks.**⁵ Considering proposals for varying the boundaries of a National Park is a function of the CCW. CCW is responsible for completing any assessment work in relation to the varying of a boundary and for consulting with all relevant bodies on any proposals. CCW can then make recommendations to Welsh Ministers who must confirm any proposals made.

² *National Parks and Countryside Act 1949* (c.97)

³ South Downs National Park Authority, *South Downs National Park* (Website) [accessed 15 April 2011]

⁴ *Wildlife and Countryside Act 1981*(c.69) Website [accessed 15 April 2011]

⁵ *Welsh Legislation online* Website [Accessed 11 April 2011]

What are the duties of a National Park?

All National Parks in Wales are managed by National Park Authorities (NPAs). In Wales, under Section 5(1) of the Act NPAs have **two statutory purposes** which are:

- **To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas and;**
- **To promote opportunities for the understanding and enjoyment of the special qualities of their areas to the public.⁶**

In addition, the *Environment Act 1995* places a duty on NPAs in the pursuit of their two statutory purposes to:

Seek to foster the economic and social well-being of local communities within National Parks, but without incurring significant expenditure in doing so, and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of a National Park.⁷

If there is a **conflict between the two statutory purposes** or between a statutory purpose and the duty to seek to foster the economic and social well-being of communities then **Section 11(A) of the Act** states that the NPA:

...shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.⁸

How are National Parks in Wales managed?

All National Parks in Wales are managed by NPAs. NPAs are made up of a **committee of Members**, who make **decisions on the priorities and policies** for the Park, and a Chief Executive and **staff, who are responsible for the day to day management of the Park** and carrying out the decisions made by the Members.

Members of National Park Authorities

National Park Authorities are made up of **two types of Members**, those that are **appointed from local authorities** and those that are **appointed by the Welsh Government**. The majority of a Park Authority's membership will be made up of elected members from the local authorities that are within the boundaries of the Park. About a **third of the Park Authority's Members** are appointed by the relevant Welsh Minister following a Public Appointments Process.⁹

Local authority Members will normally be appointed for four years or until the next local Government election.

Approximately a third of a Park Authority's Members are appointed by the Welsh Government to represent the national interest and to provide additional specialist skills relevant to the work of the Authority. These Members are appointed via the Welsh

⁶ *National Parks and Access to the Countryside Act 1949* (c.97)

⁷ *Environment Act 1995* (c.25)

⁸ *ibid.*

⁹ Welsh Association of National Parks, *The National Parks of Wales*, (Website), [accessed 15 April 2011]

Government's public appointment process and can usually serve a maximum of three, three-year terms.

Responsibility of NPA Members

All Members are required **to act in the interest of the National Park** and to take forward the **two statutory purposes** for which the Park has been designated, taking both the local and national interest into account. Park Members are also required to **abide by a Code of Conduct**.

What role does the Welsh Government have in the management of the National Parks?

In addition to nominating some of the Members, the Welsh Government provides each NPA with grant funding. **For 2010-11 the Welsh Government** provided the three National Parks **with £11.2 million in funding**.¹⁰ The Welsh Government issues a grant letter to each NPA setting out the priorities and actions the Government expects the Park to carry out during the financial year. **The 2010-11 grants letter** can be viewed on the **Welsh Government website [here](#)**.

The Welsh Government published a **National Parks Policy Statement in 2007** which sets out the medium-term policy actions that the Government wishes the NPAs to pursue.¹¹ The NPAs are expected to make reference to this policy statement in the exercise of their functions.

What legal competence does the Assembly and the Government have over National Parks?

Under the Act Welsh Government has **several powers in relation to National Parks** including:

- The power to confirm National Park designations,
- The power to give direction to CCW as to the order and timing of National Park designations and,
- The power with Treasury consent to acquire land in a National Park via purchase, exchange or lease.¹²

Under the ***Wildlife and Countryside Act 1981*** the Welsh Government has the power to **vary an order designating a National Park**.

Under the ***Local Government (Wales) Measure 2009*** a NPA is classified as a 'Welsh Improvement Authority' for the purposes of the Measure and is required to make arrangements to secure continuous improvement in the exercise of its functions. In

¹⁰ Welsh Assembly Government, ***National Parks in Wales: Strategic Grant Letters*** (Website), [accessed 15 April 2011]

¹¹ Welsh Assembly Government, Brecon Beacons National Park, Pembrokeshire Coast National Park and Snowdonia National Park, ***Policy Statement For The National Parks and the National Park Authorities in Wales***, March 2007 [accessed 15 April 2011]

¹² ***National Parks and Access to the Countryside Act 1949*** (c.97)

specific circumstances set out in Section 29 of the Measure where a local authority is failing to improve despite receiving assistance from Welsh Ministers, the Ministers can direct an NPA to:

- Prepare or amend an improvement plan,
- Carry out a review of its specified functions,
- Enter into specified collaboration with another improvement authority and,
- Set specified improvement objectives.

Under the Measure Welsh Ministers may, in specified circumstances, take over the delivery of some of the improvement authorities functions itself or nominate a person to take on the delivery of some functions for as long as the Welsh Ministers consider this appropriate.¹³

Welsh Ministers do not at present have the power to abolish a National Park.¹⁴

Following the result of the referendum on law making powers in Wales on 3 March 2011, the Assembly will have legislative competence over the designation and regulation of National Parks from 5 May 2011.

How and why are AONBs designated?

The power to designate Areas of Outstanding Natural Beauty (AONBs) was **originally contained in the *Natural Parks and Access to the Countryside Act 1949* but was modified by the *Countryside and Rights of Way Act 2000***.¹⁵ Under Section 82 of the *Countryside and Rights of Way Act 2000* (hereafter, the Act) CCW can designate any area in Wales (which is not already a National Park) as an AONB if the area is of such outstanding natural beauty that it should be conserved and enhanced.

Before designating an AONB **CCW must consult with every local authority whose boundaries fall within the proposed AONB** and place a notice in the London Gazette and in a local paper in each of the local authority areas affected.

Once this consultation has been carried out **CCW must send the Order to the Welsh Government** along with any representations made during the consultation. The Welsh Government can then confirm the designation, confirm it with modifications or reject it. If the Welsh Government confirms the designation with modifications or rejects the designation then it must **first consult with CCW and every local authority whose boundaries fall within the proposed AONB**.

¹³ [Local Government \(Wales\) Measure 2009](#)

¹⁴ [Wildlife and Countryside Act 1981](#) (c.69)

¹⁵ [Countryside and Rights of Way Act 2000](#) (c.37)

How are AONBs managed in Wales?

All AONBs in Wales are **hosted by local authorities** with officers that oversee the management of activities in the AONB. A number of the AONB officer posts are funded by a combination of support from local authorities and from CCW.¹⁶ **The Wye Valley AONB** is also supported by staff from the English Councils whose boundaries fall within the AONB.

Management of AONBs in Wales is also **supported by committees of key stakeholders** such as landowners, statutory agencies, community councils and conservation and recreation interests. These Committees are known as **Joint Advisory Committees in the Clwydian Range, Anglesey, Llyn, and the Wye Valley** and as the **Countryside Forum in Gower**.

What are the priorities for AONB management in Wales?

The *Countryside and Rights of Way Act 2000* places a **duty on local authorities responsible for AONBs** to develop an **AONB management plan**, in consultation with the advisory committees, which sets out the local authority's policies for the AONB and how they should be achieved. The management plans are required to address not only the environmental priorities for the AONB but also the social and economic issues in the area.¹⁷

The Act states that AONB management plans **should be revised no less than every five years**. CCW provides funding to local authorities to manage AONBs on the basis of their management plans and AONBs **are required to notify CCW of their intention to publish a management plan**.

In addition, the Act places a **duty** on all public bodies, including private utility companies, **to have regard to the purposes of conserving and enhancing the natural beauty of AONBs**. Under the Act a special duty is placed on local planning authorities who are specifically required

...to take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty or so much of it as is included in their area.¹⁸

It is important to note that an **AONB designation has the same status in planning as a National Park** but while a National Park may carry out its own planning functions this will be done by the relevant local planning authorities in the case of an AONB.

¹⁶ The National Association for Areas of Outstanding Natural Beauty and the Countryside Council for Wales, *An Introduction to Areas of Outstanding Natural Beauty*, (Website), [accessed 15 April 2011]

¹⁷ *ibid.*

¹⁸ *Countryside and Rights of Way Act 2000* (c.37)

What legal competence does the Assembly and the Government have over AONBs?

Under the *Countryside and Rights of Way Act 2000* the Welsh Government has a **number of powers over AONBs** which are listed below:

- The powers to confirm a designation Order for an AONB proposed by CCW,
- The power to confirm with modification or reject an Order for an AONB by CCW,
- The power to vary an Order designating an AONB i.e. a power to vary the boundaries of an AONB,
- The power to establish a conservation body to manage an AONB i.e. the power to establish a new independent body separate from any local authority to manage an AONB. This can only be done in consultation with CCW and if the Welsh Government is satisfied that the majority of local authorities within the AONB consent to the establishment of such a body. The Welsh Government would need to introduce an Order to establish a conservation body.
- The power to give grants to any conservation bodies established.¹⁹

While the Welsh Government has the **power to vary an Order designating an AONB it does not currently have the power to abolish an AONB.**

Following the result of the referendum on law making powers in Wales on 3 March 2011 the Assembly will have legislative competence over the designation and regulation of AONBs from 5 May 2011.

¹⁹ *ibid.*

Further information

For further information on aspects of National Parks and AONBs please contact **Nia Seaton** (nia.seaton@wales.gov.uk), Research Service.

For further information on the topics below, double click on the links.

- [Welsh Association of National Parks](#)
- [Brecon Beacons National Park Authority](#)
- [Pembrokeshire Coast National Park Authority](#)
- [Snowdonia National Park Authority](#)
- [National Association for Areas of Outstanding Natural Beauty](#)
- [Anglesey AONB](#)
- [Clwydian Range AONB](#)
- [Gower AONB](#)
- [Llyn AONB](#)
- [Wye Valley AONB](#)

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