

<b>Title of Report:</b>	<b>North Wessex Downs AONB Management Plan 2014-2019</b>
<b>Report to be considered by:</b>	Council
<b>Date of Meeting:</b>	22 July 2014
<b>Forward Plan Ref:</b>	C2847

**Purpose of Report:** To consider the adoption of the North Wessex Downs AONB Management Plan for 2014-2019.

**Recommended Action:** That the Council adopts the North Wessex Downs AONB Management Plan for 2014-2019 as a partnership document prepared by the North Wessex Downs AONB Council of Partners

**Reason for decision to be taken:** To meet the Council's statutory requirements under the Countryside and Rights of Way Act 2000.

**Other options considered:** None

**Key background documentation:** Countryside and Rights of Way Act 2000

<p>The proposals contained in this report will help to achieve the following Council Strategy priorities:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> <b>CSP2 – Promoting a vibrant district</b></li> <li><input checked="" type="checkbox"/> <b>CSP4 – Protecting the environment</b></li> </ul> <p>The proposals will also help achieve the following Council Strategy principles:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> <b>CSP5 - Putting people first</b></li> <li><input checked="" type="checkbox"/> <b>CSP7 - Empowering people and communities</b></li> <li><input checked="" type="checkbox"/> <b>CSP8 - Doing what's important well</b></li> </ul> <p>The proposals contained in this report will help to achieve the above Council Strategy priorities and principles by: working in partnership to conserve and enhance the natural beauty of the North Wessex Downs Area of Outstanding Natural Beauty</p>
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<b>Date Portfolio Member agreed report:</b>	25/06/14

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## Implications

- Policy:** The Management Plan will formulate this Authority's policies for the management of the AONB and for the carrying out of its functions in relation to it.
- Financial:** None arising from the production of the Management Plan. The Council of Partners already receives an annual contribution from this Authority.
- Personnel:** None
- Legal/Procurement:** The adoption of the Management Plan would meet the Council's statutory obligations under the Countryside and Rights of Way Act 2000 to adopt and review a Management Plan for the North Wessex Downs AONB every five years
- Property:** None
- Risk Management:** None

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Outcome</b> (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at <a href="http://www.westberks.gov.uk/eia">www.westberks.gov.uk/eia</a>			<input type="checkbox"/>
Not relevant to equality			<input checked="" type="checkbox"/>

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input checked="" type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>
Report is to note only		<input type="checkbox"/>

# Executive Summary

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## 1. Introduction

- 1.1 The Countryside and Rights of Way Act (2000) requires local authorities to produce management plans for Areas of Outstanding Natural Beauty (AONB) within their areas. The North Wessex Downs AONB Partnership (Council of Partners) discharges this obligation on behalf of its nine local authority partners that have a presence in the North Wessex Downs.
- 1.2 A Management Plan has to be produced and reviewed at least every five years. It supports and complements the West Berkshire Local Plan, setting out a spatial policy framework that reflects national and local issues to ensure the AONB's natural heritage, landscape and built character are conserved, the local economy is supported and use of the AONB for recreation is encouraged.

## 2. Proposals

- 2.1 The revised Plan for the next five years, 2014-2019, sets out the North Wessex Downs AONB Partnership's vision for the management of the Area and policies to implement the vision. Its primary purpose is the conservation and enhancement of the natural beauty of this nationally important designated landscape, supported by vibrant rural economies and communities.
- 2.2 The revised Management Plan has been formally approved by the AONB Council of Partners and is being recommended to each of the constituent local authorities for their formal adoption before it is submitted to the Secretary of State at the end of July 2014.
- 2.3 As a partnership document it is recognised that the AONB Management Plan may not always take the same approach to an issue as an individual authority such as West Berkshire and so it is on this basis that the Management Plan for 2014-2019 is considered fit for purpose. The Management Plan clearly sets out the approach that the AONB Council of Partners will take on particular issues, but it will be up to this Council to take that into consideration as appropriate in the decision making process.
- 2.4 The delivery of the AONB Management Plan is monitored by the Partnership through an annual review of the delivery of the AONB Business Plan, and achievements are reported through the AONB's Annual Report.

## 3. Equalities Impact Assessment Outcomes

- 3.1 The AONB Management Plan has been prepared on the Council's behalf by the North Wessex Downs AONB Council of Partners. Its impact on equalities was considered by the AONB Partnership as an integral part of the process. A separate EIA has therefore not been undertaken as part of the preparation of this report.
- 3.2 There will be no negative impact of policies on particular groups of people or disadvantaged groups. Some objectives and policies will have a positive impact e.g. through aiming to retain services within rural communities, encouraging all groups of people to celebrate and share their cultural heritage, and improving accessibility of rights of way for those with limited mobility or sensory impairments.

#### **4. Conclusion**

- 4.1 It is recommended that the Council adopts the North Wessex Downs AONB Management Plan for 2014-2019 as a partnership document prepared by the North Wessex Downs AONB Council of Partners.

# Executive Report

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## 1. Introduction

- 1.1 Preparation of a Management Plan for the North Wessex Downs AONB (AONB) is a statutory requirement placed upon the constituent local authorities by the Countryside and Rights of Way (CROW) Act 2000. The Management Plan should 'formulate the policies of the local authority for the management of the AONB and the carrying out of their functions in relation to it.' A review of the Plan is required every five years. The current Management Plan for the North Wessex Downs (2009-2014) was adopted by the Council in 2009 and so now has to be reviewed.
- 1.2 The review, production and publication of the Management Plan, together with the coordination of its delivery, has been delegated by the Council to the North Wessex Downs AONB Partnership (Council of Partners). This Partnership was formed in July 2001 to oversee the future of the AONB. It includes not only the nine constituent local authorities of the North Wessex Downs but also representatives of the local communities, the farming and rural business community, and those representing nature conservation, heritage and landscape, and recreation interests, including members of government and voluntary agencies. The Partnership is underpinned by a small AONB delivery team.

## 2. Scope and content of the Review

- 2.1 Although there is a statutory duty on constituent local authorities to review AONB Management Plans on a five yearly basis, the advice from Natural England is to undertake a 'light touch' review only, in order to avoid diverting resources away from delivery.
- 2.2 The review of the current North Wessex Downs AONB Management Plan has therefore reflected national guidance and has not been substantially re-drafted. The overall vision for the AONB, together with objectives and policies remain the same, but the Plan has been updated to take account of changing local, regional and national policy and new legislation, such as the revocation of regional strategies, publication of the National Planning Policy Framework (NPPF), the introduction of neighbourhood planning and the Community Infrastructure Levy, and to ensure that the actions for the next five years are fit for purpose. The Plan has also been redrafted to make it more concise and easily accessible.
- 2.3 The content of the Management Plan reflects the nature of the area; its economy, communities and land use management. In so doing the policies cover a diverse range of topics including: landscape, land management, biodiversity, historic environment, natural resources, development, communities, and leisure and tourism. A particular difference with the revised Plan is that the special qualities that contribute to the natural beauty of the North Wessex Downs have been highlighted.

## 3. Preparation of the Management Plan

- 3.1 The review of the Management Plan has included consultation with a range of organisations and stakeholders at various stages of the process. This began in May and June 2013 with initial informal consultation. A consultation draft of the Plan was then published between August and October 2013. In addition, arrangements were made with each constituent local authority to hold a

consultation 'surgery' event during this period. The one for West Berkshire was held in Market Street on 5th September and was well attended by officers.

- 3.2 When officers made comments on the published draft document there was some concern that although the role of the Management Plan is to set the context and framework for the AONB's approach to development it was starting to stray beyond those areas into trying to set policy, specifically in the Development chapter, where the approach contrasted with most other areas of the Management Plan. It was felt that there also needed to be a very clear distinction between the role of the Management Plan and the more detailed Position Statement on Housing which the Partnership had produced previously. These points were subsequently accepted by the AONB Partnership and the Plan underwent further modification to incorporate these and other comments into the final document. The amended Plan was then presented to the AONB Council of Partners at its meeting on 12th March 2014 where it was formally approved by the Partnership.
- 3.3 As a partnership document it is inevitably a compromise and although the points that West Berkshire officers had previously raised had been accepted in principle, the final document is still not as clear on some issues in the Development chapter as officers would have preferred. An unintentional consequence of this could be that some of the text, for instance on housing development, the Community Infrastructure Levy and minerals and waste, could be open to interpretation when being considered as part of the preparation of planning policy documents and potentially in the consideration of planning applications and appeals. Whilst there is no direct conflict with the West Berkshire Local Plan, the Management Plan is potentially more restrictive in some areas, such as housing development.
- 3.4 Although this is only considered a minor risk to the Council, in order to try and avoid any future potential ambiguity, officers have had discussions with the AONB team and have agreed that some minor factual, typographical and formatting changes could be made to the Development chapter before the final Plan is printed. This will ensure any possible risk to the Council is minimised. As a partnership document it is therefore recognised that the AONB Management Plan may not always take the same approach to an issue as an individual authority such as West Berkshire and so it is on this basis that the Management Plan for 2014-2019 is considered fit for purpose. The Management Plan clearly sets out the approach that the AONB Council of Partners will take on particular issues, but it will be up to this Council to take that into consideration as appropriate in the decision making process.

#### **4. How the Management Plan will be used by the Council**

- 4.1 The Management Plan indicates how relevant national and more local strategies will be delivered within the AONB for the benefit of the primary purpose of its designation, natural beauty. It does not set out to provide statutory planning policies for the District - that is the role of the West Berkshire Local Plan, however, as a statutory document in its own right it is a useful instrument for securing consistency across the AONB in planning matters. Along with other evidence, it is therefore an important consideration in the preparation of the West Berkshire Local Plan. Policy ADPP5 of the West Berkshire Core Strategy (2006-2026) states that 'The AONB will be managed by working in partnership with the North Wessex Downs AONB Council of Partners and by implementing the statutory North Wessex Downs AONB Management Plan'.

- 4.2 It is also used as a material consideration in the consideration of planning applications and also by inspectors at planning appeals. Despite this close relationship with the statutory planning system, though, it is important to clarify that as part of the Development Plan for West Berkshire, the Local Plan is the starting point for the consideration of all planning applications in the District. The status of the Development Plan will be used as the basis for clarifying any potential ambiguities that may arise in the future.
- 4.3 In West Berkshire it also forms a complementary plan to the Sustainable Community Strategy and provides strategic context to more local activities such as parish plans and Neighbourhood Development Plans.

## **5. Delivery of the Plan**

- 5.1 The delivery of the AONB Management Plan is monitored by the Partnership through an annual review of the delivery of the AONB Business Plan, and achievements are reported through the AONB's Annual Report.
- 5.2 Successful implementation of the Management Plan is beyond the resources of the Council of Partners and AONB team alone and will require the active collaboration and participation of all those involved in its scope. This is a plan for the geographic area of the North Wessex Downs and not for any single organisation within it. Implementation needs the support and involvement of the many organisations and individuals who play key roles in the future of the Area. Many of these have been involved in drawing up the Plan.
- 5.3 Under Section 85 of the Countryside and Rights of Way Act 2000, it is a legal duty for all relevant authorities to "have regard to" the purpose of conserving and enhancing the natural beauty of the AONB in exercising or performing any functions affecting land in the Area. These relevant authorities include all statutory bodies and all tiers of government, including parish councils and holders of public office. For West Berkshire Council, active support for the implementation of this Plan will be key to satisfying our Section 85 duty.

## **6. Adoption of the AONB Management Plan 2014-2019**

- 6.1 The Management Plan has now been formally approved by the AONB Council of Partners and is being recommended to each of the constituent local authorities for their formal adoption before it is submitted to the Secretary of State at the end of July 2014.
- 6.2 The Management Plan is accompanied by a Strategic Environmental Assessment (SEA). An SEA was completed for the previous Plan (2009-2014). SEA aims to provide protection of the environment at a strategic level and contribute to the integration of environmental considerations into the preparation and adoption of plans with a view to promoting sustainable development. An Environmental Statement (Appendix B) has been published which explains how the Plan has been influenced by the SEA process. As an update, it has been agreed that a full SEA is not required for this Plan.
- 6.3 In addition, the Partnership has undertaken and published an Appropriate Assessment (Appendix C) of the potential impact of the objectives of the Management Plan on the conservation objectives of sites of European importance

for nature conservation affected by the Plan. This is required by The Conservation (Natural Habitats, etc) (Amendment) (England and Wales) Regulations 2006. Natural England has confirmed that the Assessment complies with legislative requirements.

- 6.4 Once adopted, the AONB Management Plan will operate for a five year period. The process of reviewing the adopted plan will begin in late 2017 or early 2018 and include the Council's involvement. A reviewed and updated Management Plan for the North Wessex Downs AONB will then be published in 2019.

## **7. Conclusion**

- 7.1 It is recommended that the Council adopts the North Wessex Downs AONB Management Plan for 2014-2019 as a partnership document prepared by the North Wessex Downs AONB Council of Partners.

## **Appendices**

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Appendix A - North Wessex Downs AONB Management Plan 2014-2019

Appendix B - North Wessex Downs AONB Management Plan Strategic Environmental Assessment (SEA)

Appendix C - North Wessex Downs AONB Management Plan Appropriate Assessment

## **Consultees**

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**Local Stakeholders:** Consulted as part of the preparation of the Management Plan

**Officers Consulted:** Bryan Lyttle, Liz Alexander, Paul Hendry, Corporate Board

**Trade Union:** N/A