

Individual Executive Member Decision

Adoption of the North Wessex Downs AONB Management Plan 2019 - 2024

Committee considering report:	Individual Executive Member Decision
Date ID to be signed:	24 October 2019
Portfolio Member:	Councillor Hilary Cole
Date Portfolio Member agreed report:	20 September 2019
Forward Plan Ref:	ID3827

1. Purpose of the Report

- 1.1 To consider the adoption of the North Wessex Downs AONB Management Plan for 2019-2024.

2. Recommendation

- 2.1 That the Council adopts the North Wessex Downs AONB Management Plan for 2019-2024 as a partnership document prepared by the North Wessex Downs AONB Council of Partners

3. Implications

- 3.1 **Financial:** None arising from the production of the Management Plan. The Council of Partners already receives an annual contribution from this Authority.
- 3.2 **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.
- 3.3 **Personnel:** None
- 3.4 **Legal:** 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
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:**

4. Consultation Responses

Members:

Leader of Council:	None received
Overview & Scrutiny Management Commission Chairman:	None received
Ward Members:	Cllr Culver made comment. The AONB office have responded.
Opposition Spokesperson:	None received

Local Stakeholders: None received

Officers Consulted: Paula Amorelli (Planning)

Trade Union:

5. Other options considered

- 5.1 Not to adopt the AONB Management Plan 2019- 2024 and for West Berkshire Council to prepare its own AONB Management Plan.

6. Introduction/Background

- 6.1 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 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).
- 6.2 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, 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.
- 6.3 It is a statutory requirement to produce and review a management plan for the AONB at least every five years. The current and proposed Plan 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.
- 6.4 The revised Plan sets out the North Wessex Downs AONB Partnership's vision, over the next 5 years, for the management of the AONB with 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.

- 6.5 Extensive consultation was carried out on the Draft Plan and it is now at adoption stage. A copy of the Adoption Plan is provided at Appendix C.
- 6.6 This Adoption 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 for approval.

7. Supporting Information

- 7.1 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.
- 7.2 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.
- 7.3 The review of the Management Plan has included consultation with a range of organisations and stakeholders at various stages of the process:
- A dedicated North Wessex Downs E Bulletin circulated to residents, local businesses and individuals who had expressed an interest in the AONB by signing up to quarterly Bulletin.
 - A dedicated E Bulletin was sent to all constituent Parish Councils
 - A dedicated web page for the consultation was created and a copy of the Plan uploaded to the website with a form to complete to capture comments.
 - In accordance with Section 90 of the Countryside & Rights of Way Act 2000 Natural England was consulted.
 - Natural England on behalf of the AONB requested comments from the Environment Agency and the Forestry Commission.
 - The officers attending the Council of Partners coordinated responses from their local authorities.
- 7.4 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.
- 7.5 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 2019 - 2024 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.
- 7.6 The delivery of the AONB Management Plan is monitored by the Council of Partners through an annual review of the delivery of the AONB Business Plan whilst achievements are reported within the AONB's Annual Report.

- 7.7 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.
- 7.8 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'.
- 7.9 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.
- 7.10 In West Berkshire it also provides strategic context to more local activities such as parish plans and Neighbourhood Development Plans.
- 7.11 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.
- 7.12 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.
- 7.13 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.
- 7.14 Once adopted, the AONB Management Plan will operate for a five year period. The process of reviewing the adopted plan will begin in late 2022 or early 2023 and include the Council's involvement. A reviewed and updated Management Plan for the North Wessex Downs AONB will then be published in 2024.
- 7.15 As 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.

7.16 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.

8. Options for Consideration

8.1 Although the Management Plan is a statutory obligation there is no requirement for a plan to be provided through the AONB Office. West Berkshire Council could therefore determine to commission its own management plan. However this would be neither effective nor efficient and the Council would lose, among many other advantages, the economies of scale, expertise and value for money that a collaborative approach with the AONB office currently provides.

9. Proposals

9.1 That West Berkshire Council adopts the North Wessex Downs AONB Management Plan 2019-2024.

10. Conclusion

10.1 The North Wessex Downs AONB Management Plan proposed for adoption sets out the North Wessex Downs AONB Partnership's vision for the management of the AONB with policies to implement the vision. 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. This Management Plan presents the best option to the Council in order to fulfil its duties under section 85 of the Countryside and Rights of Way Act 2000.

Background Papers:

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval

Delays in implementation could have serious financial implications for the Council

Delays in implementation could compromise the Council's position

Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

Wards affected

Strategic Priorities Supported:

The proposals contained in this report will help to achieve the following Council Strategy priority(ies):

- PC1: Ensure our vulnerable children and adults achieve better outcomes**
- PC2: Support everyone to reach their full potential**
- OFB1: Support businesses to start, develop and thrive in West Berkshire**

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- GP1: Develop local infrastructure to support and grow the local economy**
 - GP2: Maintain a green district**
 - SIT1: Ensure sustainable services through innovation and partnerships**
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Officer details:

Name: Paul Hendry

Job Title: Countryside Manager.

Tel No: 01635 519858

E-mail Address: paul.hendry@westberks.gov.uk

11. Executive Summary

- 11.1 The Countryside and Rights of Way Act (2000) requires local authorities to produce management plans for Areas of Outstanding Natural Beauty (AONB) every 5 years. 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.
- 11.2 The Adoption Management Plan 2019 - 2024 at Appendix C 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.
- 11.3 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.
- 11.4 The Adoption 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.
- 11.5 The Management Plan clearly sets out the approach that the AONB Council of Partners will take on particular issues, and it will be up to this Council to take that into consideration as appropriate in the decision making processes relating to countryside planning matters, and the development of recreational opportunities in the AONB.
- 11.6 The delivery of the AONB Management Plan is monitored by the AONB Council of Partners through an annual review of the delivery of the AONB Business Plan whilst achievements are reported through the AONB's Annual Report.

12. Conclusion

- 12.1 It is recommended that the Council adopts the North Wessex Downs AONB Management Plan for 2019-2024 as a partnership document prepared by the North Wessex Downs AONB Council of Partners.

13. Appendices

- 13.1 Appendix A – Data Protection Impact Assessment
- 13.2 Appendix B – Equalities Impact Assessment
- 13.3 Appendix C – North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2019-2024

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	People and Place
Service:	Transport and Countryside
Team:	Countryside
Lead Officer:	Paul Hendry
Title of Project/System:	Adoption of the North Wessex Downs AONB Management Plan
Date of Assessment:	10/10/2019

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>		No
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>		No
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>		No
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>		No
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>		No
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>		No
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		No

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	Adopt AONB Management Plan 2019-2024
Summary of relevant legislation:	
Does the proposed decision conflict with any of the Council's key strategy priorities?	
Name of assessor:	
Date of assessment:	

Is this a:		Is this:	
Policy	Yes	New or proposed	No
Strategy	Yes	Already exists and is being reviewed	Yes
Function	No	Is changing	Yes
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	Conservation and protection of the AONB
Objectives:	A planning framework
Outcomes:	Joined up planning
Benefits:	Conservation of landscape, heritage and culture

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.		
(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	No impact	The plan intends to provide opportunities for all.
Disability	No impacts	It's a strategy document which aims to improve opportunities for ALL.
Gender	No impacts	It's a strategy document which

Reassignment		aims to improve opportunities for ALL.
Marriage and Civil Partnership	No impacts	It's a strategy document which aims to improve opportunities for ALL.
Pregnancy and Maternity	No impacts	It's a strategy document which aims to improve opportunities for ALL.
Race	No impacts	It's a strategy document which aims to improve opportunities for ALL.
Religion or Belief	No impacts	It's a strategy document which aims to improve opportunities for ALL.
Sex	No impacts	It's a strategy document which aims to improve opportunities for ALL.
Sexual Orientation	No impacts	It's a strategy document which aims to improve opportunities for ALL.
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: Implementation at grassroots level will be subject to further scrutiny. The intention of the plan is to protect the AONB for ALL.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: The Plan intends to provide positive opportunities for everyone, cultural, recreational and business opportunities.	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:
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Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Paul Hendry

Date: 23/09/2019

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.