

Bath & North East Somerset Council

MEETING	Cabinet	
MEETING	9 April 2014	EXECUTIVE FORWARD PLAN REFERENCE: E 2620
TITLE:	Mendip Hills Area of Outstanding Natural Beauty (AONB) Management Plan 2014-2019 and Cotswolds AONB Management Plan 2013-2018	
WARD:	Chew Valley South, Mendip, Bathavon North, Bathavon South, Bathavon West, Weston, Lansdown, Lambridge, Bathwick	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Mendip Hills AONB Management Plan 2014-2019 www.mendiphillsaonb.org.uk Cotswolds Management Plan 2013/18 http://www.cotswoldsaonb.org.uk/?page=management-plan-review Appendix 1 – Cotswolds AONB Management Plan Adoption Statement		

1 THE ISSUE

- 1.1 Under the Countryside and Rights of Way (CROW) Act 2000 local authorities and Conservation Boards (where applicable) are required to produce Management Plans for Areas of Outstanding Natural Beauty (AONB) within their boundaries and to review them at least every 5 years. These plans describe in more detail how the AONBs will be protected to maintain their special character. The existing Mendip Hills AONB Management Plan has been reviewed by the AONB Partnership on behalf of partner authorities and rolled forward for the period 2014-2019. The Cotswolds AONB Management Plan has been reviewed by the Cotswolds Conservation Board and rolled forward to the period 2013 – 2018.

2 RECOMMENDATION

- 2.1 The Cabinet is asked to approve the Mendip Hills AONB Management Plan 2014 – 2019 as the basis for safeguarding and managing the unique beauty and distinctive character of the AONB and to be taken into account in the preparation of the Council's Local Development documents and in the determination of planning applications.

- 2.2 The Cabinet is asked to endorse the Cotswolds AONB Management Plan 2013 – 2018 as the basis for safeguarding and managing the unique beauty and distinctive character of the AONB and to be taken into account in the preparation of the Council's Local Development documents and in the determination of planning applications.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The Council make an annual contribution to the Mendip Hills AONB Partnership, through a Memorandum of Understanding between the local authority partners and Natural England. The Council's contribution for 2013/14 amounted to £11,000 and this amount is approved in the budget for 2014/15.
- 3.2 The Council make an annual contribution to the Cotswolds Conservation Board through an agreement between the local authority partners and the Board. The Council's contribution for 2013/14 amounted to £6256 and this amount is approved in the budget for 2014/15.
- 3.3 Approval of these two Management Plans will not incur any additional expenditure.
- 3.4 The added value of AONB partnerships (including Conservation Boards) was the subject of a recent independent study by Land Use Consultants. The report findings concluded that AONB Partnerships provided a cost effective approach to managing AONBs and indicated that:

“The work being undertaken by AONB Partnerships is of growing relevance to national and local policy objectives. Concepts such as sustainable development, the ecosystems approach and the environment as an economic driver and determinant of health and wellbeing, all of which are core tenets of the AONB purpose, now have widespread acceptance in national and local policy”.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 Under the Countryside and Rights of Way (CROW) Act 2000, local authorities are required to produce and adopt management plans for AONBs within their boundaries. The Act also requires local authorities to review Management Plans every five years.
- 4.2 The legal position is different for the Cotswolds AONB as the duty rests with the Conservation Board to produce and adopt the management plan for the AONB, in consultation with the partner authorities within their boundaries. The CROW Act also requires conservation boards to review management plans every five years.
- 4.3 The purpose of the management plans is to provide a framework for coordinated management of these outstanding natural and built assets.
- 4.4 The provisions of Section 85 of the CROW Act also require local authorities to have regard to the conservation and enhancement of AONBs when carrying out their operations and statutory duties within the AONB. To demonstrate compliance with this duty, the AONB Management Plans should be taken into

consideration, where appropriate, when determining planning applications and in drafting Local Development Documents to ensure a consistent approach to policy development and to help protect the AONBs.

- 4.5 The National Planning Policy Framework (NPPF) gives 'great weight' to conserving landscape and scenic beauty in AONBs, and states that 'planning permission should be refused for major developments in [AONBs] except in exceptional circumstances...'. This means that the management plans can have significant weight in planning and other decision-making that affects the AONB.

5 THE REPORT

Mendip Hills AONB Management Plan

Background

- 5.1 The Mendip Hills AONB is a significant local landscape which has national recognition, safeguarded by statutory designation. The AONB is a key resource for both residents and visitors, providing important wellbeing, health, environmental and economic benefits.
- 5.2 The Mendip Hills AONB falls within the five local authority administrative boundaries of Somerset County Council, North Somerset Council, Bath and North East Somerset Council, Mendip District Council and Sedgemoor District Council. Elected Members from each Local Authority sit on the AONB Partnership Committee alongside representatives of other stakeholders. This Committee oversees the delivery of the Management Plan.
- 5.3 The Management Plan has been consulted on, amended and is now being presented for approval prior to sending a copy to the Secretary of State.

Current position

- 5.4 The Mendip Hills AONB Partnership agreed that the Management Plan review was to be conducted with as light a touch as possible and that the review process was manageable and economical in terms of resources required.
- 5.5 The AONB Partnership Committee approved the Draft Final Management Plan 2014-2019 at their meeting on 22nd November 2013 and recommended it to the five local authority partners for adoption, as required by the CROW Act.
- 5.6 An Annual Delivery Plan agreed by the partners will accompany the Management Plan and this will include monitoring information.
- 5.7 As the 'competent authority' under the Habitats Regulations 2010 the Mendip Hills AONB was required to assess the Management Plan to determine whether policies in the plan would affect Natura 2000 sites. The screening report concluded that the Plan is unlikely to have a significant effect on the conservation objectives of the Natura 2000 sites assessed. Therefore, a Stage 2 Appropriate Assessment was not required.
- 5.8 In order to ensure compliance with the European Directive 2001/42/EC relating to Strategic Environmental Assessment a screening report was produced. This report concluded that the plan is unlikely to result in significant effects on the environment.

5.9 The Management Plan has also been subject to an Equality Impact Assessment as required by the Equality Act 2010.

The Management Plan

5.10 The plan is broken down into a number of themes covering landscape quality, biodiversity and geo-diversity, historic environment and cultural heritage, natural resources, land management, access, recreation, tourism, development and transport, and participation

5.11 Following early consultation with key stakeholders it was accepted that the revised Plan needed to recognise new agendas and a changed context, including:

- The Natural Environment White Paper
- Defra Biodiversity 2020 Delivery Plan
- New planning legislation and National Planning Policy Framework
- National Character Area profiles
- Ecosystem goods and services and landscape-scale approach
- Public sector funding cuts

5.12 The review has resulted in a slight restructuring of themes, some rewording of current objectives and a few new objectives to take forward. These include a greater emphasis on health benefits and green infrastructure. As a result of national policy directly related to protected landscapes, the major changes have been made to the context to show the importance of the Mendip Hills in providing benefits to society (ecosystem services) and the relationship between them.

5.13 Delivery of the Management Plan is by the whole Partnership, together with others who have an interest in the area. The Plan cannot be implemented solely by the AONB Unit. It depends on the support of many stakeholders, including farmers, landowners, parish councils, trusts, volunteers, public agencies and Government organisations.

5.14 The full text of the Plan is available on the Mendip Hills AONB website www.mendiphillsaonb.org.uk

The Cotswolds AONB Management Plan

Background

5.15 The Cotswolds AONB is a significant local landscape which has national recognition, safeguarded by statutory designation. The AONB is a key resource for both residents and visitors, providing important wellbeing, health, environmental and economic benefits.

5.16 The Cotswolds Conservation Board, which includes representatives of all 15 constituent local authorities, oversees the delivery of the Management Plan.

5.17 The Plan is a statutory plan required to be produced under the provisions of section 89(1) of the Countryside and Rights of Way Act 2000 (CROW). If the Board were not charged with the requirement to produce a Management Plan the local authorities would collectively have to draft, consult and publish a plan (as with the Mendip Hills AONB Management Plan).

The management plan

5.18 The statutory purpose of the Plan is to formulate the Board's policy for the management of the A and to carry out its functions in relation to it.

5.19 The Plan as adopted differs in significant ways from the previous Plan. The revised Plan makes clear that it fulfils three functions:

- (1) Firstly, it is the statutory plan which sets out the Board's policies for the management of the Cotswolds AONB and for the carrying out of its functions in relation to it. The actions the Board itself will take to deliver the Plan's objectives are set out in the Board's three-year rolling business plan.
- (2) Secondly, it informs public bodies of the means by which they can demonstrate compliance with their statutory duty to "have regard to" the purpose of designation of the AONB when undertaking their functions.
- (3) Thirdly, it guides the engagement of public bodies, landowners, businesses and individuals in the management of the AONB. It includes information regarding available and potential delivery mechanisms. The types of actions the Board would encourage others to take individually or in partnership with others, including the Board, to deliver the Plan, are set out in the Engagement section.

5.20 The revised Plan stresses the economic and social benefits which arise from a well-managed protected landscape, and the important contribution that a resilient and dynamic rural economy makes towards providing these benefits, drawing upon the findings of an "Assessment of the economic value of the Cotswolds AONB" commissioned by the Board. It also stresses the links between the delivery of ecosystems services and the objectives of the Plan.

5.21 The seven themes of the former plan are grouped under two sections "Conserving and Managing" and "Understanding and Enjoying", based on the Board's statutory purposes. Under "Understanding and Enjoying" three new themes have been added to address:

- Heath and Well Being
- Participation
- Tourism

5.22 The Plan concludes with an Engagement section. The purpose of this is to set out the Board's view of actions other partner organisations and individuals involved in the management of the AONB could take.

5.23 A Strategic Environmental Assessment of the revised Management Plan has been prepared following consultation with Natural England, English Heritage and the Environment Agency, together with the local authorities and other organisations. Following adoption of the Plan an Environmental Statement was prepared which sets out how the SEA process has been used to refine the Plan to ensure that any adverse impacts on the environment have been minimised. A copy of the Environmental Statement is published with the Plan.

5.24 Habitat Regulations Assessment (HRA) - an assessment of the effect of the Management Plan objectives and policies sites of European importance for

nature conservation in and within 15km of the Cotswolds AONB has been undertaken as required under The Conservation (Natural Habits etc.) (Amendment) (England and Wales) Regulations 2006.

- 5.25 The Cotswolds Conservation Board adopted the Cotswolds AONB Management Plan 2013-18 on 21st March 2013. The adopted text can be downloaded at <http://www.cotswoldsaonb.org.uk/?page=management-plan-review>

6 RATIONALE

- 6.1 The adoption of a Management Plan for the Mendips Hills AONB is a statutory requirement to meet the Council's duty under the CROW Act 2000.
- 6.2 The endorsement of a Management Plan for the Cotswolds AONB enables the Council to fulfil its duties under the provisions of Section 85 of the CROW Act for local authorities to have regard to the conservation and enhancement of the AONB when carrying out their operations and statutory duties within the AONB.
- 6.3 The objectives within both plans support the priorities of this Council and also enable the Council to benefit from shared resources and access to external funding to deliver action on the ground to safeguarding and managing the unique beauty and distinctive character of these AONBs.

7 OTHER OPTIONS CONSIDERED

- 7.1 Failure to approve and have a Management Plan in place for the Mendip Hills AONB will leave the Council in breach of its statutory duty under the CROW Act 2000. Failure to adopt/endorse these two plans will undermine the Council ability to fulfil its duties to have regard to the conservation and enhancement of AONBs when carrying out its operations and statutory duties within both AONBs.

8 CONSULTATION

- 8.1 Consultation on the Mendip Hills AONB Management Plan has been undertaken with all statutory stakeholders, the Mendip Hills AONB Partnership Committee and the wider public.
- 8.2 Following an extensive series of themed and area consultation workshops on the Cotswolds Management Plan, a draft revised Plan for 2013-18 was issued by the Board for consultation purposes on 16th April 2012. The consultation closed on 14th July 2012. Copies of the consultation draft were sent to Defra, Natural England, English Heritage, the Environment Agency, Forestry Commission, local authorities, parish councils, Cotswold Warden District chairman, and partner organisations for comment.
- 8.3 Upon consideration of responses to this first consultation process, a revised draft Cotswolds Plan was issued for formal consultation for a twelve week period (12th October 2012 to 13th January 2013) with the statutory bodies, local authorities, parish councils and partner organisations.
- 8.4 The section 151 officer and the monitoring officer have been consulted

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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Background papers	The Value of AONB Partnerships - An independent assessment prepared for AONB Partnerships – LUC July 2013
Please contact the report author if you need to access this report in an alternative format	