

PTE/13/43  
Torrige Locality (County) Committee  
10 June 2013  
North Devon Locality (County) Committee  
11 June 2013

## **North Devon Areas of Outstanding Natural Beauty Management Plan Review**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.***

**Recommendation: It is recommended that the Committee:**

- (a) notes the process and timetable for undertaking the AONB Management Plan Review;**
- (b) endorses the principles set out in this report and appendix for the 2014-19 Management Plan for the North Devon AONB;**
- (c) delegates to officers the final agreement of any outstanding detailed issues for the Consultation Drafts;**
- (d) notes that the final version of the new Management Plan will be adopted through the Cabinet Member decision process in Spring 2014.**

### **1. Summary**

This report outlines the process of the Review of the Management Plan for the North Devon Areas of Outstanding Natural Beauty, and seeks the Committee's approval of the approach. Any views of the Committee will be addressed before production of the Plan.

### **2. Background**

Devon has five Areas of Outstanding Natural Beauty (AONBs) within its boundaries. Three, East Devon, North Devon and South Devon, are wholly within the county, while two, Blackdown Hills and Tamar Valley, straddle the county boundary with Somerset and Cornwall respectively.

Under the Countryside and Rights of Way Act, it is a statutory requirement for local authorities to produce Management Plans for their AONBs. It has been agreed that this will be led by the North Devon AONB Partnership on behalf of the relevant local authorities. Previous Plans were agreed and adopted for all five AONBs in 2004 and 2009 and it has now become necessary to undertake a further five year review of these Plans which need to be sent to the Secretary of State by March 2014. The Review is necessary to make sure that the Plans remain relevant to key partners in the light of changing circumstances and resources, new knowledge, and lessons learnt from implementation of previous Plans. The task of the Review is to identify amendments that are necessary to ensure the Plans remain a working document that reliably, and realistically, informs the management process itself and other processes such as the preparation of local plans at the same time taking into account on-going reduced resources for implementation.

### **3. Content of the Plans**

The County Council has set out in writing its expectations and requirements for the reviewed Plans reflecting national guidance. Defra considers that previous Guidance documents on AONB Management Plans are still fit for purpose but, together with Natural England and the

National Association for AONBs, has produced a paper outlining the collective steer to AONB Partnerships in taking forward the next round of Management Plans. The County Council supports the principles outlined in this paper in issuing its own guidance.

The County Council is promoting a 'light touch' approach building on the common format, structure and timetable agreed between the AONBs. However, the Reviews need to reflect changes in the statutory and legislative background as well as new ways of partnership working such as through the Devon Local Nature Partnership, the Devon Landscape Officers Group and Green Infrastructure Partnerships. The Reviews also need to consider their approach to current issues such as "setting", pressures from renewable energy proposals, the requirements to meet Biodiversity 20/20 and ecosystem targets and the public health and well-being agenda.

In consideration of Governance issues, and in the light of likely on going funding reductions, the Review should take into account the actions within the Devon AONBs Adaptation Plan and how these may be further developed, particularly in joint work both with other AONBs but also other Partnerships such as National Parks, World Heritage Sites and Biosphere, where relevant. One example of this is the work on the production of Highways Guidance for Protected Landscapes undertaken in 2011.

The County Council will judge the content of the Plan against the criteria in its guidance when it is formally consulted on the draft Plan and before adoption of the final reviewed Plan.

#### **4. The Process and Timetable in Devon**

The County Council has encouraged the five AONBs Partnerships in Devon to develop a consistent approach to the development of their plans and to work to a similar timetable. To this end the Partnerships have agreed a broadly similar format and structure to their Plans and adopted the same timetable.

The Consultation Drafts of the Plans are currently being prepared and the local authorities are being requested to endorse the structure and outline content of the Draft Plan for consultation. It would be normal practice for this Committee to formally agree a full draft for public consultation but due to the timetabling of meetings this is not possible. However, the Consultation Drafts will be approved by the AONB Partnerships on which DCC Members are represented prior to consultation during late summer and early autumn.

At that point the County Council will be able to submit formal comments. Account will be taken of the feedback and comments and an amended draft Final Plan will be produced for each of the AONB Partnerships by December 2013. Local authorities will be asked to adopt these Final Plans during January and February 2014. It is proposed that these will be signed off on behalf of the County Council by the Cabinet Member for the Community and Environmental Services through the delegated decision process.

#### **5. North Devon AONB Management Plan 2009-2014 Preparation**

The formal process for reviewing the Management Plan for the North Devon Areas of Outstanding Natural Beauty began in January this year with the AONB Partnership. The current policies and objectives were reviewed by the Partnership during a half day workshop. The workshop generated a significant number of changes to the existing policies and objectives resulting in the need for a more in depth revision of the Management Plan than had been envisaged. Developing the Plan is an on-going process and there will be further consultation with stakeholder groups as the document develops.

The new Management Plan needs to take account of a number of key issues, both national and local including:

- The Lawton Review
- Biodiversity 2020
- National Planning Policy Framework
- Development of the Local Plan
- Embedding the Ecosystem Services Approach
- The economic situation
- The increased landscape pressures of both onshore and offshore renewable development

The National Association of AONB's has provided guidance on some of these issues to ensure a consistency of approach where appropriate. For North Devon the new Management Plan is being developed at the same time as the Local Plan and there is close working with District Council planners to ensure consistency.

To date the policies and objectives of the Plan have been re-drafted (copies will be available at the meeting) and current work is focusing on the actions to deliver these objectives. The timetable (Appendix I) has been re-drafted to reflect the need for a more in depth review, following the Partnership Workshop. The Plan will be structured in accordance with the guidance provided by DEFRA and Natural England. As part of the Plan, it is intended to include a series of supplementary documents, produced by the AONB Team and other members of the Partnership, to support the objectives of the Plan and facilitate delivery. These will include the required Strategic Environmental Assessment, Habitats Regulations Assessment and Equality Impacts Assessment.

The next steps will be to complete the draft Delivery Plan which will then be subject to consultation with the Partnership and other major stakeholders. Thereafter there will be a formal public consultation on the whole draft Management Plan in late summer.

## **6. Financial Considerations**

The Management Plan Review is being undertaken as part of the AONB services' core functions, for which Defra contribute 75% of the funding; the remaining 25% is provided between all the local authorities on the Partner and these contributions are set out formally in a four year Memorandum of Agreement from 2011/12 to 2014/15. Costs of undertaking the Reviews are being met from these existing core budgets.

## **7. Sustainability, Carbon Impact, Equality and Public Health Considerations**

It is a requirement that AONB Management Plans are subject to a Strategic Environmental Assessment, Habitat Regulations Assessment and Equality Impact Assessment. These are being drafted and will be subject to Consultation alongside the Management Plans. This should ensure that sustainability, environmental, equality and public health issues have been fully taken into account.

## **8. Legal Considerations**

Under the CROW Act, the County Council and the relevant District Council(s) have a statutory duty for ensuring that AONB Management Plans are periodically reviewed. The current Review process meets that responsibility.

## 9. Risk Management Considerations

Risks associated with the Management Plan can be categorised as reputational, relating to not undertaking full public consultation; legal, relating to not having statutory plans in place to ensure effective management of the AONB; and financial, related to lack of strategic context for making funding bids to deliver activity.

## 10. Options/Alternatives

The County Council could have resolved to undertake the Management Plan Reviews itself or in conjunction with the relevant District Council(s). This would have ignored the existing governance structure and expertise of the AONB Partnerships.

## 11. Reasons for Recommendation/Conclusion

The Review procedure will allow the County Council to fulfil its statutory obligation and also to ensure that the Management Plan Reviews are subject to appropriate consultation.

Dave Black  
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**Electoral Divisions: Bideford South and Hartland, Northam, Braunton Rural, Ilfracombe, Combe Martin Rural**

Local Government Act 1972 - List of Background Papers

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Background Paper	Date	File Ref
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Nil

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**North Devon Coast AONB Management Strategy Review September 2012-March 2013 Timetable**

<b>Period</b>	<b>Consultation</b>	<b>Method</b>	<b>Action</b>	<b>Status</b>
Jul-2012	Discuss timetable and nature of Management Plan Review	Discuss the proposed scope of the Management Plan review and prepare draft timetable for discussion	Discussed at AONB Executive July 2012	complete
Aug-2012	Local Authorities to confirm AONB Partnership implements review	AONB Manager/Chairman to formally communicate with the local authorities to enquire if they wish the Partnership to undertake the Management Plan review	Letters sent to 3 Local Authorities in August	complete
Aug-2012	Local Authorities to confirm requirements/expectations of the review process	Formal communication from local authorities on what they would like to see addressed through the review process	Confirmation from DCC August 2013 North Devon and Torridge Autumn 2012	complete
Sep-2012	AONB team to consult Partnership on scope of the review	Prepare review briefing report for discussion at September Partnership	Scope of review discussed at September Partnership	complete
Sep-2012 - Jan-13	AONB team implements review and outlines scope of the revision/report	Carry out analysis of the Plan to determine changes or revision requirements taking into account the requirements of the local authorities and any further guidance from Natural England/DEFRA	Undertaken December 2012	complete
Jan-13	AONB team recommends scope of revision/report	Present to AONB Partnership in January 2013 for agreement of the scope of review	Workshop organised to set AONB Policies	complete
Feb - Jun 2013	AONB team undertakes the review of Policies, Objectives and Actions	AONB team to develop the 2014-19 Delivery Plan	Policies and Objectives completed, actions by June 2013	partially complete
Jun-2013	Scoping of Policies and Objectives	The scope and scale of review is to agreed requirements	Assess any revised strategy objectives and policies against the SEA	
Jun-Sep 2013	Produce reviewed/revise Draft Plan for consideration	Present to AONB Partnership in the summer of 2013 ask partners to report back to their respective organisations	Prepare new SEA, Equality Impact Assessment and Habitat Environmental Report	
Aug-Sep 2013	Formal Public Consultation Process	Develop Consultation Plan and make Draft Plan available for public consultation	Consult on Plan; Action Plan and SEA (if required)	
Nov-2013	Present Revised Plan and Action Plan to AONB Partnership	Report to Autumn AONB Partnership outlining consultation feedback and proposed amendments and changes	Update Plan post consultation	
Dec-13	Consult DEFRA and Local Authorities on Final Draft Report and Action Plan	Formal confirmation of Final Drafts and seeking final comments before seeking adoption by local authorities	Final Draft to Defra and local authorities	
Jan-Feb 2014	Local Authority and DEFRA adoption of Final Plan	Local Authority approval via Committee or Delegated approval by March 2014	Secure approval	
Mar-2014	New Management Plan adopted by Defra	Report in local papers and local authority websites	Strategy Adopted	