

East Devon AONB Partnership's response to the Government Response to the Landscapes Review

East Devon AONB Partnership is the advisory body that acts on behalf of Devon County Council and East Devon District Council to guide and advise the AONB Team in the production and delivery the AONB Management Plan. This response has been approved by the AONB Partnership and signed off by the AONB Executive.

This response should be seen as sitting alongside the National Association for AONBs response, which has been developed and agreed in partnership with all AONBs teams and Partnership Chairs.

The questions and our response

Q1: Do you want your responses to be confidential

A1: No

Q2: What is your name

A2: East Devon AONB Partnership

Q3: What is your email address

A3: chris.woodruff@eastdevonaonb.org.uk

Q4: Where are you located

A4: South West

Q5: Which of the following do you identify yourself as

A5: AONB team (Partnership)

Q6: Should a strengthened first purpose of protected landscapes follow the proposals set out in Chapter 2?

A:6 Yes

Reason: We believe it is important for the term natural beauty to be retained in the first purpose but to be strengthened by the addition of biodiversity and cultural heritage. We suggest the following:

- A strengthened first purpose should include the following: To conserve, enhance and restore natural beauty, biodiversity and cultural heritage

- Keep clarity and simplicity in wording of purposes and also to avoid use of contemporary terminology (e.g. natural capital/ecosystem services etc) but retain term 'natural beauty'.

Q7: Which other priorities should be reflected in a strengthened first purpose e.g. climate, cultural heritage?

A7: We agree with the additional of cultural heritage. We believe it will be important to keep the first purpose focused on natural beauty, biodiversity and cultural heritage.

Reason: Respecting their obvious significance, we do not agree that terms such as climate, natural capital or ecosystem services should be included in the purposes as stated in our response in Q6. However, we do recognise that natural capital, ecosystem services and climate in particular will play an important part in the delivery of AONB purposes. We are both climate positive and impact positive for the environment and for the resilience of local communities. They will be articulated clearly in AONB Management Plans and reflect the NAAONB pledge on climate stated in the 2019 Colchester Declaration.

Q8: Do you support any of the following options as we develop the role of protected landscapes in the new environmental land management schemes? Tick all that apply.

- Designing the environmental land management schemes in a way that works for all farmers and land managers, including the specific circumstances for those in protected landscapes, recognising that farmers in these areas are well-placed to deliver on our environmental priorities.
- Using Local Nature Recovery Strategies to identify projects or habitats within protected landscapes.
- Monitoring the effectiveness and uptake of the new environmental land management schemes in protected landscapes. Using this to inform whether further interventions are needed to ensure we are on track for wider nature recovery ambitions.
- Creating a clear role for protected landscape organisations in the preparation of Local Nature Recovery Strategies. Our recent LNRS consultation specifically asks for views on the role of different organisations in the preparation of LNRSs, including protected landscapes.
- Building on FiPL, empowering protected landscapes to support decision-making and delivery against agreed priorities, including through dedicated project coordinators and advisers.

A8: Farming in Protected Landscapes (FiPL) has demonstrated AONBs are well positioned, able and should play a key role in coordinating, advising and convening in delivery of environmental land management schemes and in targeting, delivery and interventions. It will also be an important role for the revised AONB Management Plans to articulate projects and habitats through integrated Nature Recovery Plans currently being developed by AONB teams. FiPL has also demonstrated AONBs are able to and should play a key role in any targeting, delivery and interventions.

Q9: Do you have any views or supporting evidence you would like to input as we develop the role of protected landscapes in the new environmental land management schemes?

A9: Yes, we will provide a summary of our activity in farming and forestry. The AONBs and NAAONB have been involved in ELMS advocacy and ELMS Test and Trials projects in support of the agricultural transition and in East Devon we have a long history of engagement with the farming sector across the AONB.

Q10: Should AONBs have a second purpose relating to connecting people and places, equivalent to that of National Parks?

A10: Yes

Details: We support this proposal but with strong caveats in relation to resourcing of AONBs.

We support a second purpose of connecting people and places, with the caveat that the Sandford principle should be applied if this additional purpose is to also apply to AONBs.

Furthermore, if a second purpose is extended to AONBs and amended, it is essential that AONB Teams/Partnerships are sufficiently resourced in order that existing and revised/new functions/powers and purposes can be effectively delivered. New purposes require new resources. AONB Partnerships are well positioned to help re-shape, adapt and undertake this important work, but we cannot deliver without sufficient resources.

The NAAONB is defining this as a doubling of AONB's core budgets in this spending cycle as an immediate fix. We endorse this.

Q11: Should a strengthened second purpose of protected landscapes follow the proposals set out in Chapter 3 to improve connections to all parts of society with our protected landscapes?

A11: As above, we support this proposal but with strong caveats in relation to the Sandford principle and resourcing of AONBs. If a second purpose is extended to AONBs and amended, it is essential that AONB Teams/Partnerships are sufficiently resourced in order that existing and revised/new functions/powers and purposes can be effectively delivered. New purposes require new resources. AONB Partnerships are well positioned to help re-shape, adapt and undertake this important work, but we cannot deliver without sufficient resources.

The NAAONB is defining this as a doubling of AONB's core budgets in this spending cycle as an immediate fix. We endorse this.

Q12: Are there any other priorities that should be reflected in a strengthened second purpose?

A12: Access, understanding, enjoyment, health and wellbeing are important elements for enabling engagement with our national landscapes. As above, resources will be required in order for this to be achieved.

Q13: Do you support any of the following options to grant National Park Authorities and the Broads Authority greater enforcement powers to manage visitor pressures? Tick all that apply.

- Issue Fixed Penalty Notices for byelaw infringements
- Make Public Space Protection Orders (PSPOs)
- Issue Traffic Regulation Orders (TROs) to control the amount and type of traffic on roads



Please give reasons for your answer: We believe this is a matter for the local highway authority to confirm and respond on and is a matter of importance within and outside NPs and AONBs. There are many challenges to access in the countryside and the increasing use of electric bicycles, motorbikes and cars is reshaping how people access the countryside and their impact on it.

Q14: Should we give National Park Authorities and the Broads Authority and local highway authorities additional powers to restrict recreational motor vehicle use on unsealed routes?

- Yes
- No
- Unsure

Please give reasons for your answer: We believe this is a matter for the local highway authority to confirm and respond on and is a matter of importance within and outside NPs and AONBs. There are many challenges to access in the countryside and the increasing use of electric bicycles, motorbikes and cars is reshaping how people access the countryside and their impact on it.

Q15: For which reasons should National Park Authorities, the Broads Authority and local authorities exercise this power? (select all that apply)

- Environmental protection
- Prevention of damage
- Nuisance
- Amenity

Other (please state): We believe this is a matter for the local highway authority to confirm and respond on and is a matter of importance within and outside NPs and AONBs. There are many challenges to access in the countryside and the increasing use of electric bicycles, motorbikes and cars is reshaping how people access the countryside and their impact on it.

Q16: Should we legislate to restrict the use of motor vehicles on unsealed unclassified roads for recreational use, subject to appropriate exemptions?

- Yes – everywhere
- Yes – in National Parks and Areas of Outstanding Natural Beauty only
- Yes – in National Parks only
- No
- Unsure

Please give reasons for your answer: We believe this is a matter for the local highway authority to confirm and respond on and is a matter of importance within and outside NPs and AONBs. There are many challenges to access in the countryside and the increasing use of electric bicycles, motorbikes and cars is reshaping how people access the countryside and their impact on it.

Q17: What exemptions do you think would be required to protect the rights and enjoyment of other users e.g., residents, businesses etc?

A17: We believe this is a matter for the local highway authority to confirm and respond on and is a matter of importance within and outside NPs and AONBs. There are many challenges to access in the countryside and the increasing use of electric bicycles, motorbikes and cars is reshaping how people access the countryside and their impact on it.

Q18: What roles should AONBs teams play in the plan-making process to achieve better outcomes?

A18: AONB teams should continue to be involved in the early stages of plan making, including Local Plans, design guides, relevant Supplementary Planning Documents and other planning related guidance and policy documents. Our emphasis has been on plan and policy making rather than case work and ensuring the AONB Management Plan is seen as supporting evidence in the local plan.

Q19: Should AONB teams be made statutory consultees for development management?

- Yes
- No
- Unsure

A19: We support the principle that there is an **option** for AONB teams to be granted statutory consultee status. Many feel we already are despite there being no function beyond support/advice as in Q18. However, AONB teams/units are not an organisation in themselves although the Partnerships/boards are - but they have no status other than as an advisory body established by the LPA's; The exception being Conservation Boards.

Most AONB teams/units are employed by their host LPA and effectively employees of that body. We suggest therefore that the practicalities of granting statutory consultee status requires much further consideration as it seems likely that this function will require changes to AONB governance. (see Q21).

We also suggest that the relationship with Natural England in respect of statutory consultations in protected landscapes is carefully considered and clarified alongside any proposals for changes to AONB consultation status, given NE's existing planning role for landscape and biodiversity in these areas. For example, will it be expected that AONBs are statutory consultee on landscape and biodiversity matters in line with any changed purposes?

Furthermore, if statutory consultee status were to be agreed **and** it were for landscape and biodiversity matters, it would need significant additional resources and need also to be fully funded through specific core Defra support in order for AONBs to successfully deliver this new function.

Q20: If yes, what type of planning applications should AONB teams be consulted on?

- AONB teams should formally agree with local planning authorities which planning applications should be consulted on.
- AONB teams should be consulted on all planning applications that require an Environmental Impact Assessment and are categorised as 'major development' as well as Nationally Significant Infrastructure Projects.

Other (please state) The levels and types of consultation should be agreed through a local Planning Protocol between LPAs and the AONB team.

Q21: Which of the following measures would you support to improve local governance? Tick all that apply.

- Improved training and materials and correspondingly including the designation and funding for each Officer to have Continued Professional Development (CPD) days and secondments: a similar methodology exists for the training of school governors by head teachers and their senior colleagues
- Streamlined process for removing underperforming members
- Greater use of advisory panels
- Greater flexibility over the proportion of national, parish and local appointments
- Merit-based criteria for local authority appointments
- Reduced board size
- Secretary of State appointed chair

Other (please state) / Please give reasons for your answer:

We believe much of this is directed at NP and Conservation Boards. However, we support the principle of reviewing local governance in AONB Partnerships and the following measures:

- Nationally agreed training and materials
- Clear guidelines for terms of engagement and expectations on performance
- Use of advisory panels where locally needed
- Local flexibility over the proportion of members representing any national, district, parish and local organisation
- Local authority appointments should be jointly determined by the AONB teams and their authorities through locally agreed criteria.
- A reduced board (partnership) size should be considered as part of a governance review
- Governance change or review should be linked to any new purposes and powers

We **do not** support the following measure

- Secretary of State appointed chair. We believe it is important that AONB Chairman are locally appointed and agreed by the AONB Partnership.

Q22: Should statutory duties be strengthened so that they are given greater weight when exercising public functions?

- Yes
- No
- Unsure

Please give reasons for your answer: Yes, the Duty of Regard under CROW Act (2000) Section 85 is little used and ineffective. It should apply to Utility Companies as well as public bodies.

Q23: Should statutory duties be made clearer with regards to the role of public bodies in preparing and implementing management plans?

- Yes
- No
- Unsure

Please give reasons for your answer: Yes. AONB Management Plans do not currently hold sufficient weight. The statutory duty should apply in equal weight to preparing and implementing under CROW Act (2000) Section 89. Management Plans should be a Supplementary Planning Document and not just a material consideration, to have more clout and feature explicitly in Local Plans.

Q24: Should National Parks Authorities and the Broads Authority have a general power of competence?

- Yes
- No
- Unsure

Please give reasons for your answer: N/A to AONBs

Q25: If you have any further comments on any of the proposals in this document, please include them here.

Resources

The below statement in the government response to the Landscape Review presents a significant challenge to funding the scale of the governments ambition for national landscapes.

Response: *there is relatively limited scope to increase the core grant by the scale suggested in the [landscapes] review, or to provide longer funding settlements that extend beyond a spending review period. Therefore, the core grant does not provide the opportunity to increase funding to the scale needed to deliver our vision.*

Comment: There is a significant concern amongst the AONBs that there is a failure to accept that a doubling of AONBs core budgets is essential over the next 3 years, as an immediate fix to support implementation of immediate ambitions for nature recovery, agricultural transition, climate mitigation and increased people engagement on top of existing core activity (planning, landscape, heritage and people engagement).

Any new purposes or functions should be fully funded, immediately. Without this increase in funding, we do not believe that the government's proposals can be delivered. This is because the current AONB core budgets are already squeezed in delivering core functions (via a 2.5 FTE core team) and attracting external grant funding in order to deliver the priorities as set out in the AONB Management Plan is a time and resource intensive process that does not always succeed. A review of the AONB funding formula is long overdue; future funding should be secure but not be based on a premise of increased local authority funding.

It is easy to have an aspiration for more blended finance for protected landscapes. The harsh reality in an extremely challenging economic environment we find ourselves in, is that this is nigh on impossible for individual AONBs (or

indeed collectively through the NAAONB) to secure such finance for reasons of resources, time, skills, brand association and profile.

New name

We support the principle of renaming AONB's National Landscapes whilst retaining the strapline – an Area of Outstanding Natural Beauty for the designation and geography.

However, if a new 'ambitious' title is to be aligned with new purposes, skilled teams and robust governance, it **has** to be delivered in parallel with increased resources to enable this change.

Monitoring and management plans

Response: *By January 2023, new ambitious outcomes will be agreed for the role of protected landscapes in delivering on the government's goals for nature recovery and climate, aligned with the revised 25 Year Environment Plan and interim environmental targets under the Environment Act 2021 and the Net Zero Strategy.*

Natural England will monitor and evaluate progress against the key indicators and outcomes and will also support individual protected landscapes to translate these targets into their management plans. Developing the Natural Capital and Ecosystem Assessment (NCEA), which will provide data on habitats, natural capital, and ecosystem function. This will help to monitor progress against agreed outcomes. Natural England will produce an outcomes framework, provide annual reporting to track progress against the outcomes, and advise on where further action is needed.

Our proposed national landscapes strategy will help to align local management plans with relevant national policies and targets....

Comment: We support this direction but with caveats.

AONB Management Plans are holistic, locally created and multi-objective, following a landscape approach. The capacity to deliver contributions to national policies and targets on climate and nature will need to be resourced accordingly and balanced alongside other plan objectives and targets relating to existing and potentially extended new purposes and functions.

AONB contributions and roles in the delivery of government targets will be articulated as part of the Management Plan review which currently needs to be completed by 2024. However, given the nature of potential change resulting from this consultation, the AONB Management Plan review timetable may require rescheduling.

National Landscapes Partnership

Response: *Will establish a new **National Landscapes Partnership** to build on the existing collaboration between National Parks England and the National Association for AONBs, complemented by roles for the National Trails and National Parks Partnerships.*

We will (therefore) establish a new national landscapes partnership to build on the existing collaboration between National Parks England and the National Association for AONBs, complemented by roles for the National Trails and National Parks Partnerships. This partnership should:

- *generate additional private income through green finance initiatives and joint funding bids*
- *champion protected landscapes and run national campaigns, such as promoting tourism*
- *develop strategic partnerships and programmes with a particular focus on commercial partners*
- *create opportunities to provide training and development*

- *share knowledge and expertise to build capacity across the protected landscapes family*

Comment: There is no date for the establishment of a National Landscape Partnership. We suggest that this body should be established by early/mid 2023. One of its key roles will be, in association with key government departments, (and by that we mean not just Defra) and the National Lottery Heritage Fund, to establish a green financing strategy for National Landscapes that aligns with a longer-term grant model for AONB/NPs, and which will focus investment on the ambitions and targets being proposed in this consultation.

Response: *We are exploring the potential to include the National Trails charity as a member of the new national landscapes partnership*

Comment: We support this.

National Landscapes Strategy

Response: *Defra will provide clearer strategic direction for protected landscapes through a new **national landscape strategy**. This will set out a clear national framework to guide the development of plans and programmes by the national landscapes partnership and help to inform the development of local management plans.*

Comment: The timing of this will be relevant to AONB Management Plan reviews which are currently scheduled to be completed for March 2024. There have already been discussions suggesting it may be prudent for AONBs to consider delaying their Management Plan reviews to 2025 to synchronise with these timings.