



<u>Committee and Date</u> Shropshire Hills AONB Partnership  19 <sup>th</sup> June 2018	<u>Item</u>  <b>7</b>
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## **GLOVER REVIEW OF NATIONAL PARKS AND AONBS - INITIAL DISCUSSION ON TOPICS IN REVIEW TERMS OF REFERENCE**

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### **Summary**

This agenda item gives Partnership members an opportunity to consider the topics in the forthcoming national review of National Parks and AONBs, and potential areas on which the Partnership may wish to express views. This paper seeks to give some background information and commentary to inform discussion.

### **Recommendation**

The Partnership is recommended to comment on the issues raised.

### **Background**

A national review of National Parks and AONBs was announced in the Defra 25 Year Environment Plan in March, and in late May the Terms of Reference for this were made public (see Appendix 1). The Review is to be led by the writer and journalist Julian Glover, and is to report during 2019.

The tone and framework for the Review is very positive, about helping protected landscapes to deliver more, and potentially having more of them. It represents the biggest opportunity for positive change for the AONB family overall since the work leading up to changes in the Countryside & Rights of Way Act 2000, and potentially since the original 1949 Act.

It is likely that the Review will open a call for written evidence, followed by some invitations to discussions with the advisory panel. The Terms of Reference also mention visits by the panel. These are very unlikely to involve all AONBs and National Parks, but it is possible that our Conservation Board proposal will be of interest. The AONB Partnership is likely to be asked for its collective view on issues, but individuals involved with it may choose to make their own input.

Some areas of the Review are likely to be of greater interest to the Partnership than others, but it is felt that any options or views should be open for airing at this time given the breadth of the review.

The objectives of the Review are given below, along with some brief commentary and information in relation to recent and historic activity or positions of the Partnership :

*"In the context of meeting both local and national priorities and wider environmental governance, the Review will examine and make recommendations on:"*

1. *The existing statutory purposes for National Parks and AONBs and how effectively they are being met*

Issues here include:

- The difference between statutory purposes for AONBs and National Parks (see Appendix 2). The additional statutory purpose for National Parks to encourage enjoyment and understanding, and the additional duty to foster social and economic benefit for communities provide a rounder remit, which would be very appropriate also to AONBs.
- There is no legally accepted definition of 'natural beauty', though some relevant guidance and case law exists. The concept still has relevance, but can create perceptions that visual appearance is the focus rather than the functioning of the environment and landscape and its time-depth of cultural influence and association.
- AONB bodies especially have a very limited degree of influence over key pressures of change in the areas, meaning that effectiveness of delivering their purposes is hampered. AONB Partnership budgets are dwarfed by agri-environment spend within those areas, and the proposals for a greater AONB involvement in future farm environment schemes may help. The relatively low degree of influence of AONB organisations in planning is also a considerable factor. In addition, the expectations and potential for what AONB teams could deliver are not close to being matched by the funding available, and resourcing is a major limitation on our effectiveness.

2. *The alignment of these purposes with the goals set out in the 25-Year Plan for the Environment*

- As described above, the alignment of wording between AONB purposes and the 25 Year Plan is not as good as it should be, for largely historical reasons. There is a need to link more explicitly 'natural beauty' (if this is to be retained) with natural capital and ecosystem services, in order to recognise more fully the value of landscapes in delivering a wide range of benefits to society.
- It is notable that although the AONB remit includes heritage, which comes under the Department for Culture, Media and Sport, the stamp of the Defra environmental remit on the review appears strong. It is however stated that it is a cross-Government review. While the strong links to the 25 Year Environment Plan should be welcomed, the links of AONBs to heritage especially should also not be overlooked. The relative absence in the words published on the review so far of a strong drive for protected areas to support the economy is notable, though this would be expected to be a high priority for government, and will no doubt come through in the Review's work.

3. *The case for extension or creation of new designated areas*

- The AONB Partnership commissioned in 2006 a modern landscape study of the AONB boundary (see summary map at Appendix 3). This described the current boundary as largely fit for purpose, but identified small areas where there could potentially be scope

for changes. From this study, the Partnership developed a Management Plan policy not to pursue boundary changes for the Shropshire Hills AONB. This rationale is still felt to be valid, but individuals may have a different view. The proposal for the Review to look at simplifying the processes of designation and boundary change may be a factor.

- Proposals or suggestions for new AONB designation have previously been mooted in neighbouring or nearby areas of both Powys and Herefordshire, which could have implications for the Shropshire Hills AONB if they were to go ahead.
- People occasionally ask if the Shropshire Hills could or should become a National Park. In a few other AONBs, there is a more considerable groundswell for this, although opinions in all areas are likely to be quite divided. Given that AONBs and National Parks are deemed to have the same level of landscape quality and protection in government policy, the issue of perceived 'threat' should not probably be the main factor in any such decisions. The main implications from becoming a National Park would be greater resources and greater control over planning, as National Park Authorities are planning authorities in their own right. It is not known how likely the designation of new National Parks from AONBs is as a result of the review. Some people have previously called for all AONBs to become National Parks so there is one designation which is much more widely understood.

#### 4. How to improve individual and collective governance of National Parks and AONBs, and how that governance interacts with other national assets

- Individual governance of AONBs is where our Conservation Board proposal fits, and there is potential for the Review to result in either amended possibilities for Conservation Boards, or possible entirely new governance structures. This may require changes in secondary, or even primary, legislation. Given that potential mechanism may be different, the drivers behind our Conservation Board proposal may be of as much relevance and interest to the Review as the actual detail of what we proposed.
- Collective governance of AONBs probably involves looking at the role of the National Association for AONBs, though this is currently a charity existing mainly to advocate for AONBs and encourage networking and sharing of good practice, and plays no real 'governance' role. There have occasionally been suggestions that Defra funding for AONBs could be distributed by the Association, which would mean more of a governance role, but would probably require some changes in the set-up.
- Interaction with other national assets – it is not entirely clear what this means, but it may refer to other designations which overlap with AONBs and National Parks – including in some cases Heritage Coasts and World Heritage Sites, and in our case – SSSIs, etc.

#### 5. The financing of National Parks and AONBs

The scale of financing for National Parks and AONBs is very different, but the principle of core government funding from Defra is the same. Due to a smaller core, most AONB teams probably generate a greater proportion of their overall funding from externally funded projects than National Park authorities. There should be a strong encouragement to government to match the current positive words on helping protected areas to do

more, with continued and increased government funding. There is at least a decade of experience of concerted effort among AONBs to raise other funds, and while there have been successes and progress, it is clear that it is not at all easy to raise significant alternative funds for core costs. Most AONB teams have more sources of income now including fee earning services, trading, charitable etc, but the sums returned from these are often still small for the effort expended. Fully costing staff time involved would in many cases show a poor rate of return. Trying to source core costs elsewhere inevitably has an impact on delivery and indeed sometimes strategic direction if this has to follow the money. Raising funds for project delivery remains easier and a key part of the business model, though competition for Heritage Lottery Fund funding has increased significantly, and other funds such as WREN's Biodiversity Fund (Landfill tax) have recently closed.

6. How to enhance the environment and biodiversity in existing designations

This is to be welcomed. We have undertaken projects on most of the key habitat features of our area including rivers, woodlands, upland commons and meadows, but much biodiversity is still in decline and there is so much more which could be done. Greater involvement in new farm environment schemes would be a step forward.

7. How to build on the existing eight-point plan for National Parks and to connect more people with the natural environment from all sections of society and improve health and wellbeing

The 8 points, under three headings, of this 2016 plan were as follows:

**Inspiring Natural Environments**

1. Connect young people with nature
2. Create thriving natural environments

**Drivers of the Rural Economy**

3. National parks driving growth in international tourism
4. Deliver new apprenticeships in National Parks
5. Promote the best of British Food from National Parks

**National Treasures**

6. Everyone's National Parks
7. Landscape and Heritage in National Parks
8. Health and Wellbeing in National Parks

All of these topics are also relevant to AONBs, and positive recommendations from the Review in this area are to be welcomed.

8. How well National Parks and AONBs support communities.

When National Park authorities carry out the Park purposes they also have the duty to 'seek to foster the economic and social well-being of local communities within the national parks'. There is no such explicit duty for AONBs in general, though there is for AONB Conservation Boards.

Support for communities has in the past been delivered through things like the Sustainable Development Fund grant scheme – a Ministerial initiative whose funding became subsumed in the AONB 'single pot' of Defra funding and in most areas since lost to subsequent cuts. We, like some other AONBs, have a Community Officer and support community groups in a variety of ways, as well as a Sustainable Tourism Officer and

associated programme of work. In the past we had probably a higher degree than most AONBs of work with a socio-economic focus – including activity supporting local food and drink, and running the LEADER rural development programme. While this is very positive work, it can generate expectations around the AONB role which can become hard to meet. It can also generate questions e.g. if we oppose planning applications which people feel to have social and economic value, and it can have a direct impact on the amount of work the team can deliver on the primary purpose of conserving and enhancing natural beauty. There is therefore a need for balance, and for adequate resourcing in order to do more.

### **List of Background Papers**

Defra announcement of Review at <https://www.gov.uk/government/news/national-parks-review-launched>.

National Parks 8 Point Plan

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/509916/national-parks-8-point-plan-for-england-2016-to-2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/509916/national-parks-8-point-plan-for-england-2016-to-2020.pdf)

### **Human Rights Act Appraisal**

The information in this report is compatible with the Human Rights Act 1998.

### **Environmental Appraisal**

The recommendation in this paper will contribute to the conservation of protected landscapes.

### **Risk Management Appraisal**

Risk management has been appraised as part of the considerations of this report.

### **Community / Consultations Appraisal**

The topics raised in this paper have been the subject of earlier consultations with Partnership members.

### **Appendices**

Appendix 1 Glover Review Terms of Reference

Appendix 2 Statutory purposes for AONBs, AONB Conservation Boards and National Parks

Appendix 3 Summary map from Shropshire Hills AONB boundary study 2006

## **Review of Designated Landscapes (National Parks and AONBs): Terms of Reference**

### **Introduction:**

Our National Parks and Areas of Outstanding Natural Beauty are a great success. England is a more beautiful and more diverse place because previous generations took the care to campaign for their creation.

In 1945, the government set up a committee under Sir Arthur Hobhouse, who recommended that Britain establish national parks to preserve and enhance their natural beauty and provide recreational opportunities for all members of the public. In 1949, the National Parks and Access to the Countryside Act established these national parks, which the minister of the day described as “the most exciting Act of the post-war Parliament.” That legislation created a statutory framework for National Parks and AONBs. In brief, National Parks’ purposes are to conserve and enhance natural beauty, wildlife and cultural heritage; and promote opportunities for the understanding and enjoyment of the special qualities of national parks. For AONBs, the primary purpose is to conserve and enhance the natural beauty of the area.

Now, as the oldest National Park approaches its 70th anniversary, comes a chance to renew this mission.

That is the context in which this Review takes place. It aims not to diminish the character or independence of our designated landscapes, or to impose new burdens on them and the people who live and work in the areas they cover. Instead, its purpose is to ask what might be done better, what changes could assist them, and whether definitions and systems - which in many cases date back to their original creation - are still sufficient.

At the outset, it is also important to state one thing the review will not do: propose reductions in either the geographic extent or the protections given to England’s designated landscapes.

### **Some context:**

In January 2018 the Government published a 25-Year Plan for the Environment. It set out an approach to protect landscapes and habitats in England and committed to undertaking a Review National Parks and Areas of Outstanding Natural Beauty (AONBs).

The publication of these terms of reference to guide that Review is the next step.

### **Scope:**

The Review will consider National Parks and AONBs in England, including the role of these areas in relation to other places designated for environmental purposes. Landscapes in Wales and Scotland are under devolved administrations and therefore do not fall under the scope of this Review.

The Review will respect the cultural and visual heritage of people, farms and businesses in National Parks and Areas of Outstanding Natural Beauty.

### **Objectives:**

In the context of meeting both local and national priorities and wider environmental governance, the Review will examine and make recommendations on:

- The existing statutory purposes for National Parks and AONBs and how effectively they are being met
- The alignment of these purposes with the goals set out in the 25-Year Plan for the Environment
- The case for extension or creation of new designated areas
- How to improve individual and collective governance of National Parks and AONBs, and how that governance interacts with other national assets
- The financing of National Parks and AONBs
- How to enhance the environment and biodiversity in existing designations
- How to build on the existing eight-point plan for National Parks and to connect more people with the natural environment from all sections of society and improve health and wellbeing
- How well National Parks and AONBs support communities

Expanding on work already underway, the review will also take advice from Natural England on the process of designating National Parks and AONBs and extending boundary areas, with a view to improving and expediting the process.

### **Activity:**

The Review will be led by Julian Glover and supported by an experienced advisory group.

The Review will draw on existing evidence and that submitted by interested groups and individuals during the course of the Review. The review team will also visit people and places in a range of designated landscapes.

### **Cross-Government involvement:**

This is a cross-Government Review, with Defra providing the secretariat and appointing a lead to undertake the Review.

Recommendations will be made to the Government. Implementation will be led by the Defra Secretary of State.

### **Expected Timetable:**

The Review will report in 2019 (the 70<sup>th</sup> Anniversary of the 1949 National Parks and Access to the Countryside Act).

A more detailed timetable will be developed following commencement of the Review.

## AONB and National Park purposes

### Purposes of AONB designation

The primary purpose of designation is **to conserve and enhance natural beauty**. (Section 82 Countryside & Rights of Way Act 2000, as previously in National Parks and Access to the Countryside Act 1949)

Secondary purposes are set out in Countryside Agency guidance of 2001:

*In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry, and other rural industries and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment.*

*Recreation is not an objective of designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.*

### AONB Conservation Board Board purposes

There are additional provisions in the legislation regarding the purposes of AONB Conservation Boards:

*Section 87(1) of the Countryside & Rights of Way Act 2000 provides that a Conservation Board must have regard to two purposes in exercising their functions.*

*One purpose is to **conserve and enhance the natural beauty of the AONB**.*

*The other is **to increase the understanding and enjoyment by the public of the AONB's special qualities**.*

*However, if it appears to the Board that there is a conflict between these two purposes, it is to attach greater weight to conserving and enhancing the AONB.*

*In pursuing its purposes, section 87(2) requires a Board to seek to foster the economic and social wellbeing of the AONB's local communities.*

Defra Guidance on Conservation Boards, 2008 (emphasis added)

### National Parks in England and Wales

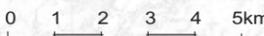
The Environment Act 1995 revised the original legislation and set out two statutory purposes for National Parks in England and Wales:

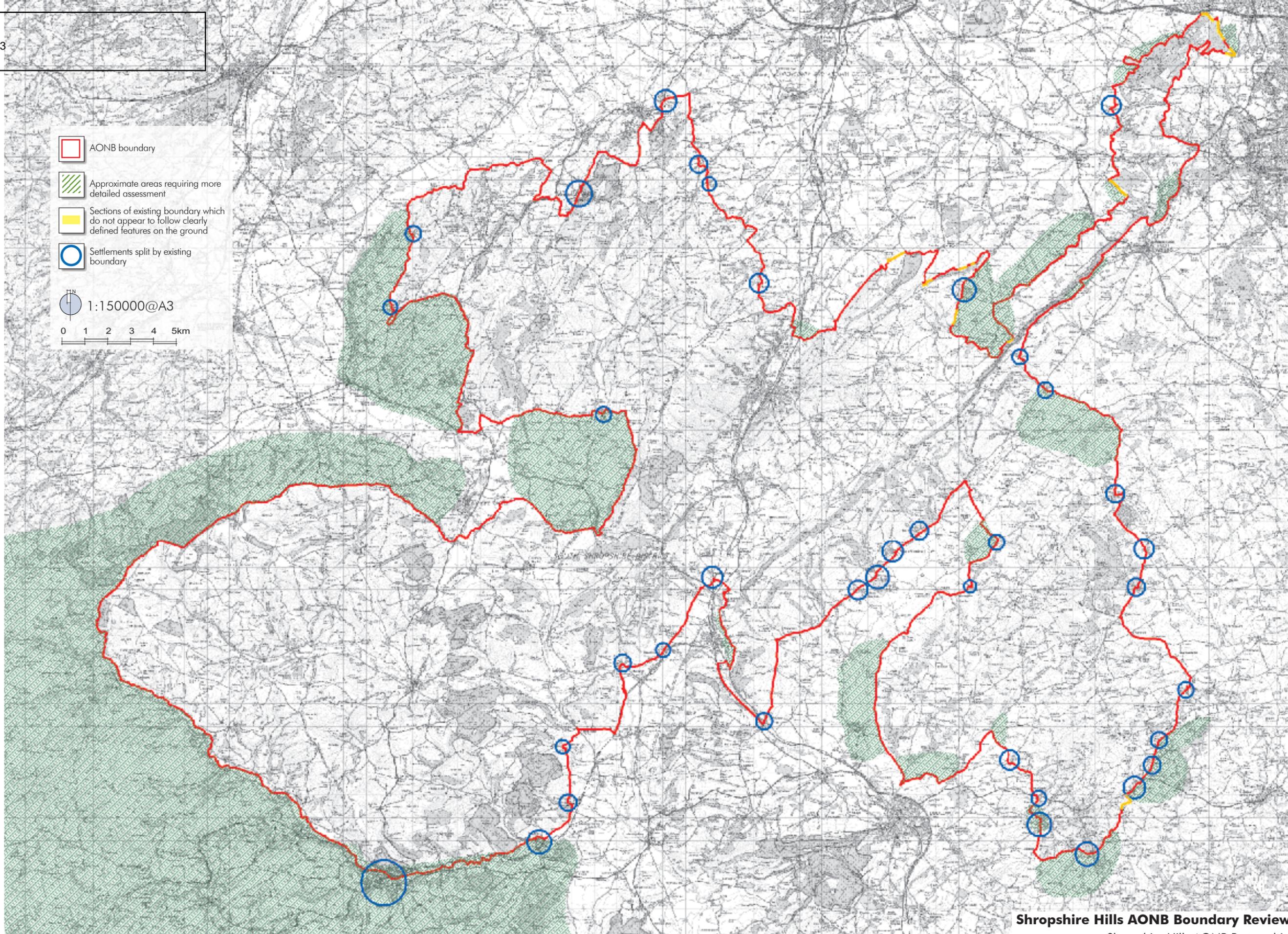
1. *Conserve and enhance the natural beauty, wildlife and cultural heritage*
2. *Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public*

When National Park authorities carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the Park.

-  AONB boundary
-  Approximate areas requiring more detailed assessment
-  Sections of existing boundary which do not appear to follow clearly defined features on the ground
-  Settlements split by existing boundary

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 0 1 2 3 4 5km



**Shropshire Hills AONB Boundary Review**

Shropshire Hills AONB Partnership  
Shropshire Hills AONB Boundary Review

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