

MALVERN HILLS AONB JOINT ADVISORY COMMITTEE

20 April 2018

AONB MANAGEMENT PLAN REVIEW

Background

1. Section 89 of the Countryside and Rights of Way Act 2000 (the CROW Act) created a statutory responsibility on local authorities to prepare and publish a plan that formulates their policy for the management of their AONB and for the carrying out of their functions in relation to it. Section 90 requires local authorities thereafter to review adopted and published AONB plans at intervals of not more than five years. The Malvern Hills AONB management plan was published in April 2014 and must be reviewed prior to April 2019. The current plan can be viewed at: <http://www.malvernhillsaonb.org.uk/wp-content/uploads/2015/02/FinalLowResManPlan2014-19.pdf>

2. Whilst the legal duty to review the management plan falls on local authorities in the area, these bodies have once again indicated that they wish the review to be conducted through the AONB Partnership. This seems entirely appropriate given that the AONB management plan is for the area as a whole, and is intended to be of relevance to a very broad range of interest groups and stakeholders.

Summary

3. The process of conducting the review is intended to involve a comprehensive assessment of the relevance, accuracy and achievements of the management plan and the drafting of new information that will steer the management of the AONB over the following five-year period (2019 – 2024). In making observations under S90(b) and (c), Natural England, as a statutory consultee, will look for evidence of such a process.

4. The basic requirement under Section 89 (10) is that:

- a review of the management plan is carried out;
- based on the outcome of this review, a decision is made on whether it is expedient to amend the plan;
- such amendments as are considered appropriate should be made; and
- a report should be published on the review, specifying the amendments that have been made.

5. In practice, the AONB Partnership may find that the amendments arising from the review are so significant that they will find it more expedient to re-draft and re-issue the Plan and thus publish something more ambitious and extensive than just the 'report on the review specifying any amendments' required under S89(10)(c). A revised plan that is re-launched with appropriate publicity may also be more likely to elicit partner and stakeholder support, 'ownership' and action than a review report that accompanies the old plan. Such an approach would be consistent with the

requirements of the Act, as it would exceed the basic requirement. Since 2000, it has been the norm for all AONB Partnerships to produce re-drafted and re-issued management plans.

Guidance

6. Guidance on how to write and review AONB management plans has been prepared in the past by the erstwhile Countryside Agency (CA23 and CA221). In 2012 Defra and Natural England confirmed that this guidance is still fit for purpose. In June 2012 a tripartite grouping of Defra, Natural England and the National Association for AONBs published a non-statutory steer to AONB Partnerships in taking forward the next round of management plan reviews. No new formal guidance has been issued to AONB Partnerships with regards management plan reviews since 2012 and so the guidance issued at that time still applies. Some of its key points can be summarised as follows:

- The bedrock of the plan should be the purpose of AONB designation in the context of an individual AONB's special qualities. It is accepted that the purpose of designation needs to be seen in a wider sustainable development context.
- Individual AONB Partnerships should decide on the extent of the review required. A 'light touch' approach may be taken by some whilst others may decide a comprehensive review is needed and justified.
- It is critical that reviews do not become an activity which take up a disproportionate amount of time and resources.
- The context to AONB management plans has changed to some extent and this needs to be identified and incorporated, e.g. the Natural Environment White Paper.
- The participation of a wide range of agencies, bodies and local communities is needed to shape and agree the management plan.
- Evidence and principles contained in the management plans may be reflected in local authority development plans.
- AONB bodies should screen their revised or amended management plan to evaluate whether the individual or cumulative effect of the changes being proposed is likely to be significant. This will determine whether revised plans need to be subject to Strategic Environmental Assessment (SEA).

Recognising new challenges and directions

7. Whilst no new management plan guidance has been issued by Government, in June 2017 Steve Preston Associates and the National Association for AONBs issued a useful document entitled 'AONB Management Plans: Support for their revision in England'. This document highlights significant changes in policy, legislation, issues and drivers over the past 5 years which may have a bearing on how AONBs are managed. And change continues to come.

8. It is clear that the future (in the short term at least) is characterised by great uncertainty, primarily but by no means exclusively arising from Brexit. For example, at the time of writing the Government is consulting on a review of the National Planning Policy Framework and on proposals for future agricultural policy (see

Appendix 1 for information). Both could have profound and lasting consequences for the future of AONBs.

9. Undertaking an AONB management plan review exercise and preparing a new plan which is effective and meaningful over a five year period is always a challenge. In the face of the scale of forthcoming change the task looks rather more difficult. However, whilst certainty is in short supply it should be possible to pick up on and respond to certain directions of travel/strategic priorities. The Government's recently published 25 year Environment Plan helps to identify targets including:

- Natural Capital – a move towards better understanding and valuing the many different benefits which the natural world provides for us (see AONB scoping report as discussed by the JAC on Friday 17 November 2017: <http://www.malvernhillsaonb.org.uk/wp-content/uploads/2017/12/Malvern-Hills-AONB-Natural-Capital-Scoping-Study-2017.pdf>)
- Achieving clean and plentiful water, including reducing damaging abstraction of water from rivers and groundwater.
- Delivering a growing and resilient network of land and water that is richer in plants and wildlife, including restoring protected sites to favourable condition and creating or restoring wildlife-rich habitat outside the protected site network.
- Using resources from nature more sustainably and efficiently, for example, through increasing productivity, improving soil management and ensuring that food is produced sustainably and profitably.
- Conserving and enhancing beauty, for example, by ensuring that high quality, natural spaces are available to benefit peoples' health and wellbeing and by increasing action to improve the environment from all sectors of society.
- Mitigating climate change whilst adapting to reduce its impact.
- Managing and reducing the impact of existing plant and animal diseases, lowering the risk of new ones and tackling invasive non-native species.

10. In addition to the above, Defra has asked that consideration be given to whether AONB Management Plans (and National Park Plans) could provide a framework for directing a new generation of agri-environment support in these areas after our withdrawal from the European Union. At this stage no one knows what the detailed content, structure or delivery mechanisms for such support schemes may be and it is likely that a range of pilots carried out both inside and outside of designated areas will take a number of years to complete. However, consideration during the review process of how the AONB Management Plan could be steered to respond to this sort of challenge may be prudent.

Approach and Timetable

11. An indicative programme for the management plan review is outlined in Appendix 2 and work is already underway. A webpage for this work has been created on the AONB website at: <http://www.malvernhillsaonb.org.uk/managing-the-aonb/management-plan-review-2018/>. The review will involve a number of different stages, including detailed consultation with local authority officers, landowners and practitioners in other partner bodies. However, at this stage it seems appropriate for the JAC to spend some time considering the current management plan and the

issues and challenges which a plan should address in the period 2019-2024. To help with this task please see:

Appendix 3 which contains a summary of the special characteristics of the area, as described in the current management plan.

The paper 'AONB Budget and Work Programme 2018/19' (appendix 3) for a list of the policies contained in the current management plan.

Appendix 4 for a series of questions which could be used to help structure the committee's discussions.

12. Members may recall that a paper entitled 'Mid-term review of the Malvern Hills AONB Management Plan (2014-19) was considered by the JAC at its meeting on 7 April 2017. This mid-term review focussed on progress with delivery rather than the structure and content of the plan. However, the results of that work will be factored into the larger review exercise which is now in front of us. The mid-term review work can be found at: <http://www.malvernhillsaonb.org.uk/wp-content/uploads/2015/02/Malvern-Hills-Management-Plan-Mid-Term-Final-Report.pdf>.

State of the AONB monitoring

13. Members of the JAC are reminded that each revised/new management plan is published in conjunction with a sister publication called a 'State of the AONB' report. The purpose of this sister publication is to summarise the condition of the Malvern Hills AONB through reference to a range of indicators. In so doing it provides an indication of the effectiveness of the Partnership and of the previous management plan in conserving and enhancing the area.

14. The most recent State of the AONB report can be found at:

<http://www.malvernhillsaonb.org.uk/wp-content/uploads/2015/02/2014stateofaonbpdfforwebsite.pdf>

Members have previously received presentations on the AONB Partnership's condition monitoring work, most recently in April 2017 when Professor Nick Evans from the University of Worcester presented on a report covering 10 years of landscape change in the AONB, see <http://www.malvernhillsaonb.org.uk/wp-content/uploads/2015/02/MHAONB-10-yrs-Final.pdf>

15. In response to previous discussions within the JAC a move to collect the data for the 2019 State of the AONB report has begun earlier than usual, and is now in train. This should help to ensure that the review of the management plan can be better informed by up-to-date knowledge of the condition of the area. Recently collected data such as that used to inform the 10 years of landscape change data will also be used to inform the review process.

Recommendation

1. The Committee is recommended to:

a) Note and comment on the contents of the paper, and

- b) **Contribute to the review process by debating key issues, including those raised in Appendix 4.**

Contact Points

County Council Contact Points

County Council: 01905 763763

Worcestershire Hub: 01905 765765

Email: worcestershirehub@worcestershire.gov.uk

Specific Contact Points for this report

Paul Esrich, Manager, Malvern Hills AONB Partnership

Tel: 01984 560616

Email: pesrich@worcestershire.gov.uk