

Report to: **Council**

Date: **16<sup>th</sup> February 2023**

Title: **South Devon AONB Management Plan Extension**

Portfolio Area: **Cllr J Pearce  
Leader**

Wards Affected: **All but particularly Wembury & Brixton; Newton & Yealmpton; Charterlands; Salcombe & Thurlestone; Loddiswell & Aveton Gifford; Ermington & Ugborough; South Brent; Allington & Strete; Kingsbridge; Stokenham; Blackawton & Stoke Fleming; Dartmouth & East Dart; West Dart; Marldon & Littlehempston.**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Immediately following this meeting.

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## **RECOMMENDATION**

**That the Council confirm agreement to extend the South Devon AONB Management Plan (2019-2024) by up to 12 months to the end of 2025.**

### **1. Executive summary**

- 1.1 The Council confirmed adoption of the current South Devon AONB Management Plan (2019-2024) in February 2019.
- 1.2 A review and production process for the 2024-2029 Management Plan was due to begin in late 2022, with a new version expected to be consulted on and approved by relevant Local Authorities by 2024 at the latest.
- 1.3 Following the 'Glover' Landscapes Review 2019, the government committed to strengthen Management Plans. Defra has asked Natural England to revise its guidance on the approach to AONB Management Plans.

- 1.4 Defra has suggested that AONBs may wish to extend their current Management Plans by up to 12 months to ensure their next plans align and consider any new guidance from Natural England, new outcome-based targets and new policies to be outlined in the government's response to the Landscapes Review, all expected in 2023.
- 1.5 The South Devon AONB Core Funding Group and Partnership have agreed that this is the approach that should be taken for the South Devon AONB Management Plan and is seeking approval of this extension from the respective Local Authorities with responsibility for the South Devon AONB.

## **2. Background**

- 2.1 Under the Countryside and Rights of Way Act (2000), it is a statutory requirement for Local Authorities to produce Management Plans for AONBs in their area, and to review adopted plans at periods of not more than five years.
- 2.2 The District Council as well as the other three relevant Local Authorities delegated the authority to review and implement the South Devon AONB Management Plan for the next five years to the South Devon AONB Unit. The current Management Plan was sent to the Secretary of State in 2019 and covers the period to 31<sup>st</sup> March 2024.
- 2.3 Typically the process of Management Plan review would have commenced towards the end of 2022, with a new version to be consulted upon and approved by respective Local Authorities by 2024.
- 2.4 Soon after adoption of the existing Management Plan in 2019, there was a national review of Protected Landscapes (AONBs and National Parks) commissioned by the Government, known as the Glover Review.
- 2.5 Following a key recommendation of the Glover Review, Defra asked Natural England to revise its guidance on the key requirements, format and process of producing AONB Management Plans, to ensure that future plans meet the priorities and expectations of Government funders and sponsors, as well as those of other key stakeholders.
- 2.6 The outcome of the Natural England review and new Management Plan guidance are expected to be published in Spring 2023. Parallel work to develop an outcomes framework for all English protected landscapes is being undertaken by Defra together with developing new policies for Protected Landscapes to be outlined in the government's response to the Landscapes review.
- 2.7 To take account of these substantive changes and ensure consistency with future guidance, Defra have written to all AONBs to give them the option to delay the publication of upcoming Management Plans (due in 2023 or 2024) by up to 12 months from their planned review date.
- 2.8 Defra have suggested that AONB Partnerships could simply produce a light-touch one page review in which they commit to produce a new Management Plan after the new guidance is

produced and setting out intentions for the next Management Plan.

- 2.9 The South Devon AONB Core Funding Group and Partnership has recommended the approval of an extension of up to 12 months to the existing Management Plan to enable due consideration of new material, subject to approval of this extension from the respective Local Authorities covering the AONB. The South Devon AONB will produce light-touch review documentation later this year following the advice given by Defra.

### 3. Outcomes/outputs

- 3.1 The intended outcome of this report is to confirm Council agreement to the South Devon AONB Partnership that the existing South Devon AONB Management Plan (2019-2024) can be extended by up to 12 months to the end of 2025.

### 4. Options available and consideration of risk

- 4.1 The alternative to the proposed approach, would be to commence the review and production process for the 2024-2029 Management Plan in early 2023 as originally envisaged. This however, would commence without the benefit of the outcome of the forthcoming Natural England review and guidance on the new requirements for AONB Management Plans.
- 4.2 In the context of Defra referencing a proposal to make 'wide-ranging and significant reforms' it is considered unwise to proceed with any Management Plan review in advance of the new Natural England guidance, running the risk of significant amounts of abortive work being undertaken, and undermining relationships with communities and stakeholders.

### 5. Proposed Way Forward

- 5.1 It is recommended that Council confirm their agreement to extend the South Devon AONB Management Plan (2019-2024) by up to 12 months to the end of 2025. This allowing subsequent review with the benefit of new Natural England guidance on the production of AONB Management Plans.

### 6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>Section 89 of the Countryside and Rights of Way Act (CRoW Act, 2000) sets out the statutory requirement for Local Authorities to produce Management Plans for AONBs in their area, and to review adopted plans at periods of not more than five years.</p> <p>Defra (in their letter from Lord Benyon on 7<sup>th</sup> July 2022) advise that to comply with the CRoW Act,</p>

		<p>2000, AONBs could '<i>simply produce a light-touch review in which they commit to produce a new Management Plan after the new guidance is published.</i>'</p> <p>The Council (as well as the other constituent Local Authorities – these being Devon County Council, Plymouth City Council and Torbay Council) has delegated the authority of reviewing the Management Plan to the South Devon AONB team.</p>
Financial implications to include reference to value for money		<p>The Council makes an annual contribution of £20,749 to the South Devon AONB, and from 1 April 2023 a further £8,000 specifically for development management advice and support. This combined total along with constituent Local Authority contributions amounts to 25% of the core operating budget, a further 75% being provided by Defra.</p> <p>This contribution meets the cost of the core AONB team and their production and delivery of the AONB Management Plan. Management Plan implementation is largely achieved through externally funded project grants and other income generation activities.</p>
Risk		<p>Failure to publish a plan and submit to the Secretary of State by end of March 2024 would result in the Council failing to meet the statutory duty set out in Section 89 of the CRoW Act.</p> <p>To meet this timetable, the AONB would need to begin the review of the Management Plan later in 2022.</p> <p>As set out in this report, such a timetable would be in advance of new guidance from Natural England expected in spring 2023.</p> <p>Accordingly, the 12 month extension of the existing Management Plan and associated one-page 'light-touch review' would ensure the Council complies with the statutory duty set out in the Crow Act, 2000.</p>
Supporting Corporate Strategy		Built and Natural Environment, Climate Change and Increasing Biodiversity; Community Wellbeing
Climate Change - Carbon / Biodiversity Impact		Climate Change and Biodiversity each have their respective chapters within the existing AONB Management Plan, noting the relevance to coastal change and river flooding, agriculture, pollinators, erosion and land use.

		These will continue to be critical in future reviews, notably with issues such as nature recovery, farm and land management, and resilience to climate change being at the forefront of sustaining and supporting the changing landscape and communities of the South Devon AONB.
Comprehensive Impact Assessment Implications		
Equality and Diversity		None
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		None

**Supporting Information**

**Appendices:**

Appendix A – letter from The Rt Hon Lord Benyon at Defra to AONB Partnerships dated 7<sup>th</sup> July 2022

**Background Papers:**

None