

## **REGENERATION, COMMUNITY AND CULTURE OVERVIEW AND SCRUTINY COMMITTEE**

**3 DECEMBER 2008**

### **KENT DOWNS AREA OF OUTSTANDING NATURAL BEAUTY (AONB) MANAGEMENT PLAN**

Report from: Robin Cooper, Director of Regeneration, Community and Culture

Author: Catherine Smith, Rural Strategy Manager

#### **Summary**

This report presents a management plan for the Kent Downs Area of Outstanding Natural Beauty (AONB) for adoption by the Cabinet. The Kent Downs AONB is a statutory designation recognising a nationally protected landscape. The purpose of the designation is primarily to conserve and enhance natural beauty.

The council has a statutory duty to prepare, review and adopt a management plan for the AONB (set out in the Countryside and Rights of Way Act, 2000). The plan needs to be in place by April 2009. This plan has been prepared by the Kent Downs AONB Management Unit of behalf of partner local authorities in Medway, Kent and Bromley.

The plan presented for adoption is based fundamentally on the current Kent Downs AONB management plan. The policies in the plan are not land use planning policies; they are policies for the management of the AONB. The plan has the potential to improve the quality of life for residents living and working in and around the AONB through the conservation and enhancement of its landscapes.

#### **1. Budget and Policy Framework**

1.1 The decision is within the council's policy and budget framework. The Kent Downs Area of Outstanding Natural Beauty (AONB) is recognised as a statutory designation for a protected landscape in the Medway Local Plan. The Kent Downs AONB management plan is consistent with the aim of the Medway Community Plan to cherish and enhance Medway's urban and rural heritage and the important resources of open space, countryside and wildlife habitats. The management plan does not directly contribute to Local Area Agreements (LAA) targets, but its promotion of countryside access and non-car based travel has indirect links to health and transport target indicators.

- 1.2 The AONB management plan does not place any additional financial obligations on the council and therefore this is a matter for Cabinet.

## 2. **Background**

### *Status of AONB management plan*

- 2.1 This report concerns the statutory review of the Kent Downs AONB Management Plan that was adopted in 2004. The Kent Downs is a landscape of national and international importance. It was designated as an Area of Outstanding Natural Beauty in July 1968 under the National Parks and Access to the Countryside Act 1949. It covers 878 sq.km (326 sq.miles) stretching from the Surrey/Greater London border to the Strait of Dover. This includes areas to the south of Medway around Cuxton and Halling, Nashenden and south of the M2 near Park Wood. A map of the designated area is shown in Appendix 1.
- 2.2 The preparation and review of a Management Plan for Areas of Outstanding Natural Beauty (AONB) was made a statutory requirement for Local Authorities in the Countryside and Rights of Way (CROW) Act 2000 (part IV, Section 89). It should be noted that the policies of the Management Plan are not land use policies; they are the policies for the management of the AONB.
- 2.3 The current Kent Downs AONB management plan was produced in 2004 and adopted by all member local authorities. The current plan needs to be revised and an updated version in place by April 2009. The Kent Downs AONB Management Unit has carried out the review process on behalf of partner local authorities in Medway, Kent and Bromley and produced a revised plan. This has been a careful and thorough review, involving a detailed engagement, consultation, assessment and appraisal process. This revised plan is based fundamentally on the existing adopted AONB management plan. Medway Council has been involved throughout the review process.
- 2.4 The plan now presented for adoption is not a consultation document – the draft management plan has been agreed by the AONB Joint Advisory Committee (on which this council is represented by Councillor Maisey) to present to member authorities for formal approval. Changes are not being sought to the plan at this stage, and any changes that are requested through the adoption process should be minor in nature and not materially affect the plan, as this could result in risks in meeting the statutory timetable. The Cabinet is asked to agree an adoption date of 27 February 2009 for the revised plan.

### *Content of AONB management plan*

- 2.5 The plan contains an aspirational vision and policies that will add value to existing plans and policies. The policies address the two main purposes of the designation – the primary focus being natural beauty and the secondary consideration of economic and social issues.

Consideration is given to: landscape, biodiversity, farming, woodland and trees, historic and cultural heritage, geology and natural resources, vibrant communities, sustainable development and travel, and access, enjoyment and understanding of the AONB. The plan has the potential to improve the quality of life for residents of Medway living and working in and around the AONB through the conservation and enhancement of its landscapes. It will also act as a guide to all those that operate in the AONB to conserve and enhance its components of natural beauty.

- 2.6 The first Kent Downs AONB Management Plan 2004-2009 was identified as representing exemplary practice in the formal observations of the Countryside Agency. The revised plan is based fundamentally on the original management plan and builds on its many strengths and new consultation and engagement including with this Council. There are no major changes but improvements on the original plan include making the layout more logical, the policies clearer and the evidence base stronger.
- 2.7 The CROW Act requires the Management Plan to 'formulate the policies' for the local authorities for the management of the AONB and for carrying out their functions in relation to it. The policies in the plan are not, nor are they intended to be, planning policies and it is clearly recognised that it is for Local Planning Authorities to balance the impact of any development proposal on the AONB against all of the other material planning considerations.
- 2.8 The review has taken the opportunity to be clearer on policy wording to strengthen the policies where required, giving more precise definitions to the associated activities. There has been a rigorous process to cross reference the policies to the issues and threats identified and the aims articulated in the plan. The policy wording has been amended in some cases in order to support the objectives of the Strategic Environmental Assessment and Sustainability Appraisal.
- 2.9 The key issues and priorities identified in the original plan have been amended to reflect the feedback from consultation and new information and evidence.
- 2.10 The ultimate goal of the AONB management plan remains to ensure that the natural beauty, special character of the landscape and vitality of the communities within the Kent Downs AONB are recognised, maintained and strengthened well into the future.
- 2.11 The management plan is not reproduced in this report, due to its length but will be printed separately for Members of the committee. It can be accessed via the following weblink or provided on request.  
<http://www.kentdowns.org.uk/Management%20Plan%20Review.htm>

### **3. Advice and analysis**

- 3.1 It is considered that the Kent Downs AONB Management Plan (First Revision, 2009-14) has been prepared appropriately and fulfils the requirements of the statutory obligations placed on the council under the Countryside and Rights of Way Act.
- 3.2 The adoption of the revised management plan by April 2009 will remove risks to the council in failing to meet its statutory duties.
- 3.3 A Diversity Impact Assessment screening has been carried out on the management plan and attached at Appendix 2. It was found that the plan does not favour any particular social groups and that there are no differential impacts on local communities. The management plan is focused on landscape issues and recognises diversity in promoting access for people of all ages and backgrounds in the AONB area.
- 3.4 The AONB management plan is based on the principles of sustainable development and promotes actions to conserve and enhance the natural resources of the AONB. The management plan has been subject to a Sustainability Appraisal and Strategic Environmental Assessment. The Kent Downs AONB unit has also carried out an Appropriate Assessment, required to ensure that the objectives and the policies of the plan do not have a significant negative effect on sites which have European importance for their wildlife.

### **4. Consultation**

- 4.1 The Kent Downs AONB unit has undertaken substantial public engagement and consultation in reviewing the AONB management plan. This is in line with best practice guidance issued by the Countryside Agency. The consultation programme was set out in a Statement of Community and Stakeholder Involvement.
- 4.2 The consultation process involved:
  - Review of the existing plan – a wide consultation on the content and priorities of the existing Management Plan
  - Public and stakeholder engagement in the issues and options – updating the priorities established for the original plan
  - Expert opinion debates – a series of debates with a specialist audience to consider the existing plan and to look at where the changes in priority have occurred, to reconfirm the special characteristics of the Kent Downs, consider the issues and threats, the aims and the policies which should be included in the revised plan and to consider alternatives and justify, with evidence, their conclusions
  - Over 500 individuals and organisations fed into the review stage of the existing plan

- Draft review – A draft reviewed management plan was prepared and consulted on widely over an eight week period and consultation was actively promoted. Consultation responses were logged and the Management Plan amended to reflect the comments made. All Local Authorities made comments which are reflected in the reviewed plan
  - 53 individuals or organisations commented on the draft reviewed management plan including all key stakeholders and every relevant Local Authority.
- 4.3 Medway Council officers from a range of services, including planning, conservation, greenspaces, public rights of way, transport and tourism were consulted on the draft management plan and their comments have been incorporated into the final version.

## **5. Financial and legal implications**

- 5.1 The Kent Downs AONB Management Plan (First Revision, 2009-14) meets the council's statutory duties under Section 89 of the Countryside and Rights of Way Act (2000) to prepare and revise a management plan for Areas of Outstanding Natural Beauty. The plan does not contain land use planning policies.
- 5.2 The plan does not place any additional financial requirements upon the council. It is noted that there may be opportunities to attract additional investment to the area, based on the AONB designation.

## **6. Recommendations**

- 6.1 The Committee is requested to recommend that:
- (a) the Cabinet adopts the First Revision of the Kent Downs AONB Management Plan in fulfilment of its statutory duties under the Countryside and Rights of Way Act.
  - (b) the formal date for adoption is set at 27 February 2009.
  - (c) the Cabinet delegates authority to the Director of Regeneration, Community and Culture in conjunction with the appropriate portfolio holder(s) the responsibility to accept minor changes made by other local authorities during the adoption process.

### **Lead officer contact**

Catherine Smith, Rural Strategy Manager  
Telephone: 01634 331358 Email: [catherine.smith@medway.gov.uk](mailto:catherine.smith@medway.gov.uk)

### **Background papers**

Kent Downs Area of Outstanding Natural Beauty Management Plan, First Revision 2009-14.

Available at: <http://www.kentdowns.org.uk/Management%20Plan%20Review.htm>