

REGENERATION, COMMUNITY AND CULTURE OVERVIEW AND SCRUTINY COMMITTEE

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

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Summary

This report informs members of consultation on a draft management plan for the Kent Downs Area of Outstanding Natural Beauty (AONB).

This is a revision to the current management plan and it is anticipated that the Council will adopt the revised plan later this year, as part of its legal duties under the Countryside and Rights of Way Act, 2000.

The revised draft plan is largely based on the current Kent Downs AONB management plan, which the council has previously agreed. The policies in the plan are not land use planning policies; they are policies for the wider management of the AONB.

1. Budget and Policy Framework

- 1.1 The decision to adopt the AONB management plan is within the council's policy and budget framework. The Kent Downs Area of Outstanding Natural Beauty is recognised as a statutory designation for a protected landscape in the Medway Local Plan 2003. The National Planning Policy Framework 2012 gives AONBs the highest status of protection in relation to landscape and scenic beauty.
- 1.2 The Kent Downs AONB management plan is consistent with the aims of the Medway Sustainable Community Strategy 2010, in particular in promoting a high quality environment and achieving recognition as a destination for heritage and tourism. Its promotion of countryside access and non-car based travel has indirect links to health and transport policies.
- 1.3 The AONB management plan does not place any additional financial obligations on the council.

2. Background

2.1 Medway has a proportion of the Kent Downs AONB within its jurisdiction. This is located to the south of Medway around Halling and Cuxton, Nashenden and south of the M2 near Park Wood. A map of the designated area is shown in Appendix 1. It is a statutory responsibility for Local Authorities to act jointly to prepare, adopt and subsequently review Areas of Outstanding Natural Beauty (AONB) Management Plans. The Countryside and Rights of Way Act 2000 also requires that the management plan formulates the policies for the local authorities for the management of the AONB and for carrying out their functions in relation to it.

Review process

2.2 The Kent Downs AONB Unit produces the management plan on behalf of its member local authorities. The current AONB management plan expires in 2014, and the Unit has carried out a review to ensure that a new plan can be in place from April 2014, in line with the statutory requirements.

2.3 A consultation draft review of the Kent Downs AONB Management Plan 2009-2014 has been prepared. It is a review of the plan which has already been adopted by all relevant Local Authorities. The revision strongly reflects the original plan (2004) and its first revision (2009), but has been subject to further engagement and consultation. There has been a rigorous assessment of the plan and its policies have been reduced in number, reviewed and clarified.

2.4 The AONB Joint Advisory Committee on 2 July approved the release of the draft management plan review for formal public consultation. Consultation will run until 18 September 2013. Following revisions made to the draft plan in response to the current consultation, Medway Council, together with the other local authorities in the Kent Downs, will need to formally approve the management plan as part of its policy framework. It is anticipated that a report will be presented to Cabinet in late 2013/early 2014.

2.5 Natural England views that the existing Kent Downs management plan represents exemplary practice and therefore much of the existing plan's ambitions and policies have not been amended. The review has focused on:

- Reporting the changes in context and reviewing and updating the plan and its policies to reflect what has changed. This included new legislation and government and other agendas such as the Marine Act, Equalities Acts, Climate Change Act, Natural Environment White Paper and, the National Planning Policy Framework.
- Reviewing and updating the plan and its policies to reflect what has been achieved, the current circumstances and likely future scenarios.
- Monitoring and reporting on the state of the Kent Downs AONB.
- Revising and testing policies in the plan.
- Carrying out a wide and inclusive engagement and consultation process.
- Considering more fully the implications of climate change.

Content of management plan

2.6 The plan restates a vision for the Kent Downs and sets out policies that will add value to existing plans and policies. The policies address the two main purposes of the designation – the primary focus being the conservation and enhancement of 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, heritage coasts, vibrant communities, sustainable development, 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.

2.7 A copy of the draft management plan and associated reports is available on the Kent Downs AONB website at:
<http://www.kentdowns.org.uk/publications/consultation-on-draft-management-plan-2013>

3. Options

3.1 The draft AONB management plan revision is presented to members for consultation comments.

4. Advice and analysis

4.1 It is considered that the draft Kent Downs AONB Management Plan (Second Revision) has been prepared appropriately and fulfils the requirements of the statutory obligations placed on the council under the Countryside and Rights of Way Act.

4.2 The adoption of the revised management plan by April 2014 will remove risks to the council in failing to meet its statutory duties.

4.3 A Diversity Impact Assessment screening (attached at Appendix 2) has been carried out on the management plan. 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. The Kent Downs AONB Unit also carried out an Equalities Impact Assessment as part of the plan preparation process.

4.4 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 of European importance for their wildlife.

4.5 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. The plan states that it does not formulate land use planning policies and confirms that it is only a component of the decision making process in planning applications. However the policies, in conjunction with relevant policies at local level, can be a material consideration.

4.6 It is worth noting that Areas of Outstanding Natural Beauty are already afforded the highest status of protection to conserve landscape and scenic beauty through the National Planning Policy Framework, 2012.

5. Risk management

5.1

Risk	Description	Action to avoid or mitigate risk	Risk rating
Lack of adoption of revised AONB management plan	Medway Council would not meet the legal duties placed on it by the CROW Act, 2000.	Work with Kent Downs AONB Unit through consultation period to secure a draft plan that is acceptable to the Council.	E3

6. Consultation

6.1 The Kent Downs AONB unit has issued the revised management plan and associated technical assessments for a period of formal public consultation over 8 weeks. This consultation runs until 18 September 2013. The unit has already undertaken substantial public engagement and consultation in producing the proposed draft revision to the management plan. This was in line with a Statement of Community and Stakeholder Involvement that established a thorough and meaningful engagement process in the plan review.

6.2 The consultation process carried out to date has 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.

6.3 The AONB unit is widely publicising the review of the management plan and now seeking comments from local authorities and a range of stakeholders with an interest in the Kent Downs AONB.

7. Financial and legal implications

7.1 The draft Kent Downs AONB Management Plan (Second Revision, 2014-19) is intended to meet the council's statutory duties under 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. In formulating the revised plan, the council has demonstrated that it has had due regard to its duties under the Equalities Act including ensuring that an Equalities Impact Assessment has been carried out.

7.2 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.

8. Recommendations

8.1 Members are requested to provide their comments to inform the consultation process on the draft management plan review for the Kent Downs AONB.

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Background papers

Kent Downs Area of Outstanding Natural Beauty Management Plan 2014 – 2019
(Second Revision Consultation Draft)

Available at:

http://www.kentdowns.org.uk/uploads/documents/Kent_Downs_AONB_Draft_Management_Plan_2013.pdf