

Cabinet

16 July 2014

Adoption of North Pennines AONB Management Plan



Key Decision R&ED/11/14

Report of Corporate Management Team

**Ian Thompson, Corporate Director, Regeneration and Economic
Development**

**Councillor Neil Foster, Cabinet Portfolio Holder for Economic
Regeneration and Councillor Eddie Tomlinson, Cabinet Portfolio for
Housing and Rural Issues**

Purpose

1. The Council, along with other relevant local authorities has a statutory duty as set out in Section 89 of the Countryside and Rights of Way Act 2000 to prepare and review Management Plans for the North Pennines Area of Outstanding Natural Beauty (AONB). This work is delivered on the Council's behalf by the AONB staff unit. The latest Management Plan for the North Pennines AONB has recently been reviewed and finalised to guide the management of its protected landscapes for the period 2014-19. The Council needs to adopt these Management Plans to continue to meet its statutory duties.

Background

2. Areas of Outstanding Natural Beauty (AONBs) are statutory land use designations made under the National Parks and Access to the Countryside Act 1949.
3. The primary purpose of AONB designation is to conserve and enhance the natural beauty of the area. In pursuing the primary purpose, account should be taken of the needs of agriculture, forestry other rural industries and of the economic and social needs of local communities.

Governance

4. The County Council is jointly responsible for the North Pennines AONB which lies partly within its administrative boundary in the west of the county. Accordingly, the responsible local authorities must act jointly to produce and review, on a five yearly basis, management plans for the AONB within their administrative boundaries. By agreement with the other relevant local authorities this duty is performed by the North Pennines AONB management organisation - the North Pennines AONB Partnership

serviced by a nominated member and a small unit of dedicated officers who are employed through the Durham County Council as the 'host' authority, with core funding from the relevant local authorities and Natural England. The Cabinet Member with portfolio for Housing and Rural Issues is currently Chair of the Partnership, accompanied by DCC Head of Planning and Assets and Rights of Way Manager, who is Chair for its Access and Recreation Working Group.

Process

5. The first statutory Management Plan for the North Pennines was published in 2004 with a subsequent reviewed in 2009 and the current further re-write this year. The AONB staff unit has consulted on these plans in recent months and Council officers have been involved in this process by commenting on content along with Members contributing through their membership of the Partnership.
6. The Partnership has demonstrated the successful implementation of the Management Plan for 2009-14 and has revised the contents to help conserve and enhance the special qualities of the areas for the next 5 years.

Purpose

7. The purpose of the AONB Management Plan is to highlight the special qualities of the North Pennines and present an integrated vision for its future in light of national, regional and local priorities. Acknowledging the importance of its character and natural features, the Plan sets out agreed policies or outcomes to secure the vision; identifies what needs to be done, by whom, and when and states how the condition of the AONB and the effectiveness of its management will be monitored.
8. The Plan will enable the development of projects and facilitate cooperation with statutory agencies, landowners, businesses and the local community.
9. Annual action plans will be produced to monitor and measure success and achievement. The work will be guided by the AONB Partnership, which includes a County Councillor, and its Working Groups.

Implications for the Council

10. The North Pennines is the second largest AONB in England and Wales, comprising significant areas of remote, undeveloped upland, characterised by heather moors and blanket bog and is celebrated for its tranquillity, industrial heritage, wildlife, and geo-diversity (it is Britain's first UNESCO Geopark). Given the remit of AONB designation, the stated objectives and actions of the North Pennines Management Plan raise implications for the work of the Council; its objectives and actions are of direct relevance to the following Council functions:

- **Landscape Character:** The Plan contains objectives and actions to conserve and enhance the area's distinctive landscape which are consistent with, and will help implement, the adopted County Durham Landscape Strategy (2008). The protection of the setting of the AONB from major wind turbine development is highlighted with reference made to adopted and emerging Council policy.
- **Planning:** The emerging County Durham Local Plan states that the AONB will be conserved and enhanced and that development will only be permitted where it does not adversely affect its special qualities or statutory purposes. It also requires that development should have regard to the objectives of the Management Plan. The Management Plan will therefore inform and influence proposals for new development likely to affect the AONB and will help deliver higher quality and more sustainable development.
- **Minerals Planning:** As an area rich in minerals, the North Pennines remains subject to pressure from mining and quarrying which will need to be regulated through the Council's planning functions. The County Council is the local planning authority for minerals and waste, including developments on its own land, and is responsible for ensuring that these developments conserve the character of the AONB. In preparing the forthcoming County Durham Local Plan, the County Council aims to ensure that suitable minerals and waste policies are included to facilitate this.
- **Data Management:** The North Pennines Plan includes a key objective to increase knowledge and understanding of the AONB's historic environment, and seeks to ensure that the historic environment is better recorded and understood, with the lead mining heritage of the area more innovatively conserved and interpreted. The role to be played by the County Council's Historic Environment Record (HER) will be key to this, and is specifically recognised in the Plan.
- **Highways/Public Rights of Way:** The Plan seeks to ensure that the public right of way network is maintained to a high standard – which will be done in conjunction with the Council's Access and Rights of Way Team. Actions are also supportive of sensitively designed highways schemes, and the sustainable management of verges.
- **Local Service Provision:** Actions in the Plan seek to support the maintenance and enhancement of services which are essential for sustainable rural community life, a number of which the Council are wholly or partly responsible for, including schools, public transport and broadband provision. The County Council will continue to play a key role in ensuring that suitable contributions are made to local service provision through its regeneration functions and planning policy.

11. Details of the special qualities of the AONB area is included in the draft Management Plan as well as a comprehensive list of objectives and action plans which identify lead and supporting partners. The documents can be downloaded from the North Pennines AONB website;
<http://www.northpennines.org.uk/Pages/NorthPenninesAONBDraftManagementPlan2014.aspx>.
12. The Management Plan needs to be adopted by the Council to deliver its statutory duty. Officers consider that the process followed and the content of the Management Plan is consistent with other plans and policies of the Council and will help with the development of a range of projects and assist with securing external project funding for project implementation.

Recommendations

13. Cabinet is recommended to adopt the Management Plan in keeping with the Council's statutory duty under Section 89 of the Countryside and Rights of Way Act 2000.

Contact: *Stuart Timmiss – Head of Planning & Assets*
Tel: *03000 267334*

Appendix 1: Implications

Finance –

The Council makes an annual contribution to the North Pennines AONB of £36,060 from the Planning and Assets core revenue budget. If Cabinet agree the recommendation to agree and adopt the management plans, this contribution will continue.

Staffing –

The North Pennines AONB Partnership and staffing unit carries out a statutory function on behalf of the Council and other relevant local authorities. The staff unit and partnership committee is also be given support by council officers through technical officer input on projects and issues as appropriate.

Risk –

None

Equality and Diversity / Public Sector Equality Duty –

None

Accommodation –

None

Crime and Disorder –

None

Human Rights –

None

Consultation –

Consultation has been carried out across the component Local Authorities within the AONB area and community bodies as represented in the Partnership.

Procurement –

None

Disability Issues –

None

Legal Implications –

The Council has a statutory duty under section 89(5) of the Countryside and Rights of Way Act 2000 to review the Area Of Outstanding Natural Beauty management plan before the end of the period of 5 years beginning with the date on which the initial management plan was first published and then after the first review, at intervals of not more than 5 years. Section 89(10) of the Countryside and Rights of Way Act 2000 provides that when reviewing the Management Plan, the Council shall:

- a) Determine on that review whether it would be expedient to amend the plan and what (if any) amendments would be appropriate,
- b) Make any amendments that they consider appropriate.

Officers are satisfied with the review and any amendments made and are therefore recommending adopting the Management Plan in line with obligations.