

From: Susan Carey, Cabinet Member for Environment
Barbara Cooper, Corporate Director of Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 23 January 2020

Decision No: N/A

Subject: Statutory review of the Kent Downs Area of Outstanding Natural Beauty (AONB) Management Plan

Classification: Unrestricted

Past Pathway of Paper: N/A

Future Pathway of Paper: N/A

Electoral Division: Countywide

Summary: This report sets out the context and details of the review of the statutory Management Plan for the Kent Downs Area of Outstanding Natural Beauty (AONB). It describes the process for the review, the major changes to the Plan proposed in the review and seeks Member views before the consultation. Officers will construct a response for agreement by the Cabinet Member within the consultation timeframes. The final Management Plan will come back to the Cabinet Committee in before formal agreement by the Council.

Recommendation(s):

The Environment and Transport Cabinet Committee is asked to consider and note the need for and benefit of the AONB Management Plan, and to provide views to the Cabinet Member for Environment on the proposed areas for revision in the new draft Management Plan which will be considered in drafting Kent County Council's formal response.

1. Introduction

1.1 This report sets out the statutory background, process, main changes and timetable for the statutory review and adoption of the Kent Downs AONB Management Plan. It provides Cabinet Committee with an opportunity to comment on the main proposed changes ahead of the consultation which will require a response to be prepared and submitted on behalf of KCC.

2. Background

2.1. The Kent Downs Area of Outstanding Natural Beauty (AONB) covers around 25% of the county of Kent; it is a nationally and internationally Protected Landscape afforded equivalence in importance with the English National

Parks. The landscape of the Kent Downs is much valued by the people of Kent and supports an important rural and visitor economy. The primary purpose of AONBs is to conserve and enhance the natural beauty of the landscape.

- 2.2. The County Council has a statutory requirement through the Countryside and Rights of Way Act 2000 (CRoW Act) to act jointly with the 11 other Local Authorities which contain parts of the Kent Downs AONB to prepare, review and adopt a Management Plan for the landscape.
- 2.3. Under the Act, the Plan is required to formulate the local authorities' policies for the management of the AONB and for carrying out the associated local authorities' functions in relation to it.
- 2.4. The current Kent Downs AONB Management Plan, adopted in 2014 and available at the Kent Downs AONB website (link provided here: <https://www.kentdowns.org.uk/landscape-management/management-plan/>), is currently being reviewed. The review is being undertaken by the Kent Downs AONB Unit on behalf of the AONB Partnership. The preparation of the review has involved extensive consultation and engagement including expert input from topic groups and a wide-ranging public engagement process.
- 2.5. A revised draft Management Plan will be published for consultation in February. The window for responding to that draft Plan will be determined by the Joint Advisory Committee but will accord with best practice. The key themes of the review are shared in this report to offer Committee members the opportunity to provide views on the revised plan in advance of the full plan being available and to alert the Committee to the statutory process and the need to adopt the plan once revised. A KCC response will be pulled together taking the Committee's views on board; the final KCC response will be signed off by the Cabinet Member for Environment. The final Management Plan will be brought back to the Committee for further views when the Council is asked to sign it off.

3. The proposed revisions

- 3.1. Natural England (Government's statutory advisor on landscape) has been clear and consistent in its view that the existing Kent Downs AONB management plan and its reviews represent exemplary or best practice and therefore much of the existing plan remains in place.
- 3.2. That being said, there are considerable changes in the context in which the plan operates, including new legislation, new guidance and changes to government and other relevant agendas, to which the revised plan will seek to respond.
- 3.3. Amongst these key contextual changes is notably the recognition of the scale and impact of biodiversity loss that the country has experienced in recent decades as a result of development and other pressures. In addition, and,

linked is the urgency that has been placed upon responding to climate change impacts, particularly with the pressures of further growth.

- 3.4. To this end, Kent has witnessed and is planning for increasing development pressure locally and the planned growth of housing and population identified in the Kent Growth and Infrastructure Framework of nearly 180,000 new homes by 2031.¹ This scale of development will increasingly put pressure on the AONB itself and the setting of the area – both of which are afforded some protection through the national duty placed on local authorities to have regard to the AONB.
- 3.5 At the same time, the benefits of ‘natural capital’ particularly to health and wellbeing, as well as the value placed on our finest landscapes for recreation and tourism, are becoming increasingly recognised. This value has prompted the national Government to commission an independent review (i.e. AONBs and National Parks). This review has produced recommendations which would see the role of AONBs in these wider health and wellbeing as well as economic agendas strengthened.
- 3.6 Leaving the EU creates uncertainty but there is a considerable opportunity for the AONB Management Plan to form an important strategic framework for the new arrangements such as the new Environmental Land Management Systems (agri-environment payments) and rural economic development activity.
- 3.7 To date, the AONB Unit have engaged with partners and stakeholders, considering the existing management plan and propose areas for review, as well as the findings of a complete Landscape Character Assessment review. As part of this process, the Unit has taken forward the Strategic Environmental Appraisal (SEA) and the Sustainability Appraisal (SA) scoping as well as an Equalities Impact Assessment (EqIA).
- 3.8 The Unit are now in the process of finalising a draft Management Plan for consultation, which will take into account the above contextual changes and trends. To this end, the revised plan seeks to make a number of revisions to the current Management Plan including the following key highlights:
 - The vision has been altered to a shorter time period (20 to 10 years) in response to the scale and pace of change identified in Kent and the timetable adopted by Local Authorities to respond to the climate and ecological emergencies they have declared or recognised;
 - Reference to the global 2030 agenda for Sustainable Development, the 17 Sustainable Development Goals and places the plan in the local context of the national commitment to deliver these goals;
 - The setting of ambitious targets to achieve a net zero carbon target for the AONB area;
 - The introduction of a natural capital and ecosystems approach throughout;

¹ Kent and Medway Growth and Infrastructure Framework (2018 Update).

https://www.kent.gov.uk/data/assets/pdf_file/0018/80145/GIF-Framework-full-document.pdf

- Reference to the work happening in the south east area amongst National Landscapes to prepare a vision in response to the opportunities and threats from the growth trajectories in the London City Region;
- The potentially large investments in landscape management signalled as part of New Environmental Land Management Systems following EU Exit, intended net gain, nature recovery and natural capital plans will be referenced and the aims and principles will be updated to seek that these support, potentially augment and do not conflict with valued landscape character and strengthen resilience;
- The Kent Biodiversity Strategy (KBS) (DRAFT) is referenced and the expectations are that the Management Plan and KBS align;
- New principles will be added to promote the sustainable management of visitors, extend the defined area further into the marine environment and to promote and support further land purchases by 'protective owners' such as the National Trust as well as building partnerships with existing land owners to help take forward the conservation and enhancement of the area.
- The link between the landscape and community health and well-being will be strengthened and a new aim and principle has been added to reflect this important priority; and
- All sections will be updated and strengthened with up to date information on specific topics, including the woodland and trees chapter, which will link into the work that KCC is developing to deliver an increase to tree planting across the county (covered elsewhere on this Cabinet Committee agenda).

3.9 The full draft Management Plan will be available via the consultation which will be launched in February. In the interim, Cabinet Committee views are sought on the above areas for revision.

4. Financial Implications

4.1. Kent County Council provides a contribution to core funding to the Kent Downs AONB Partnership and hosts the AONB Unit, which is otherwise primarily supported by the Department for Environment, Food and Rural Affairs (Defra). There are no changes proposed to level of core funding with the Management Plan review, and therefore no direct financial implications.

5. Policy Framework

5.1 The AONB Management Plan directly supports the KCC strategic outcomes, and specifically the outcome that Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life.

6. Legal implications

6.1 The Countryside and Rights of Way Act (CROW Act) 2000 (sections 89 and 90) created a statutory responsibility for Local Authorities to act jointly to prepare, adopt and subsequently review Management Plans for Areas of Outstanding Natural Beauty (AONBs).

- 6.2 The Kent Downs AONB is recognised and protected nationally and internationally for its natural beauty. In recognition of this importance, a statutory requirement is placed on the council to act jointly with the other local authorities to prepare and review a management plan for the landscape. The Kent Downs AONB management plan is already recognised as ‘exemplary’ and ‘best’ practice by the Government’s statutory advisor for landscape.
- 6.3 The Kent Downs AONB Management Plan review is taken forward by the Kent Downs AONB Unit and overseen by the Kent Downs AONB Joint Advisory Committee (JAC). Kent County Council is represented at a senior level on the JAC by both an elected Member and Officer.

7. Next steps

- 7.1 The Partnership will consult on the draft management plan from launch in February for a period of at least weeks. A revised draft will be prepared in the light of consultation responses for a special JAC meeting provisionally to take place in late spring 2020.
- 7.2 Following consultation, the Partnership will finalise the Management Plan following any final local authority comments. Local authority JAC Officers and Members are required by the CRoW Act (2000) to take the plan through a formal adoption stage at each local authority and confirm with the AONB Unit.
- 7.3 Following this stage, the plan is published and deposited with the Secretary of State as required by the CRoW Act (2000.) At least 4 months are recommended for local authority partners to go through their individual adoption processes.

8. Conclusions

- 8.1 The nationally protected landscapes of the Kent Downs AONB are a great asset and vital component of the county of Kent covering around a quarter of the county and providing a green lung, much valued by local people and visitors alike. The Downs supports a substantial rural, agricultural and visitor economy.
- 8.2 The Kent Downs AONB is recognised and protected nationally and internationally for its natural beauty. In recognition of this importance, a statutory requirement is placed on the council to act jointly with the other local authorities to prepare and review a Management plan for the landscape. The Kent Downs AONB Management Plan is already recognised as ‘exemplary’ and ‘best’ practice by the Government’s statutory advisor for landscape.
- 8.3 The role of the AONB landscape in mitigating climate change, enhancing health and well-being and contributing to nature recovery in both a local and national context is increasingly apparent and emphasised in the draft revised plan.
- 8.4 Following consultation, the council is required to adopt the revised plan; it is therefore important that every effort is made to feed into the consultation and ensure that the Council is content with the revised draft.

9. Recommendation(s)

9.1 The Environment and Transport Cabinet Committee is asked to consider and note the need for and benefit of the AONB Management Plan, and to provide views to the Cabinet Member for Environment on the proposed areas for revision in the new draft Management Plan which will be considered in drafting Kent County Council's formal response.

10. Background Documents

Current Kent Downs AONB Management Plan:

<https://www.kentdowns.org.uk/landscape-management/management-plan/>

11. Contact details

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