

<b>Local Plan Panel Meeting</b>	
<b>Meeting Date</b>	3 June 2021
<b>Report Title</b>	Adoption of the Kent Downs AONB Management Plan 2021 – 2026
<b>Cabinet Member</b>	Cllr Mike Baldock, Cabinet Member for Planning Cllr Julian Saunders, Cabinet Member for Environment
<b>SMT Lead</b>	James Freeman
<b>Head of Service</b>	James Freeman
<b>Lead Officer</b>	Karen Sinclair
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	That the Panel recommends to Cabinet: <ol style="list-style-type: none"> <li>1. The Kent Downs Area of Outstanding Natural Beauty Management Plan 2021-2026 (Appendix 1) be adopted;</li> <li>2. That adoption of the Kent Downs Area of Outstanding Natural Beauty Management Plan 2021-2026 take effect on a date to be confirmed by the Kent Downs AONB Unit;</li> <li>3. That the Head of Planning be given delegated powers to agree minor changes to the Management Plan that may be put forward prior to the Plan's formal adoption.</li> </ol>

## **1 Purpose of Report and Executive Summary**

- 1.1 The Kent Downs Area of Outstanding Natural Beauty is one of 37 areas in England designated for the conservation and enhancement of the natural beauty of the landscape, biodiversity and cultural heritage.
- 1.2 Under the Countryside and Rights of Way (CRoW) Act 2000 there is a statutory requirement for local authorities to produce Management Plans for Areas of Outstanding Natural Beauty (AONB) within their boundaries and to review them every five years. Where the AONB covers more than one local authority area, then the CRoW Act requires them to act jointly in preparing a Management Plan.
- 1.3 The AONB Joint Advisory Committee (JAC) undertook a review (the third) of the Management Plan for and on behalf of the 12 constituent local authorities, publishing a draft Management Plan and supporting documents for public consultation in July 2020. The Panel considered a report on the draft Management Plan on the 3 September 2020.

- 1.4 The Management Plan has now been amended to reflect comments made during the consultation and following a final review by the JAC at its meeting on the 26 January 2021. At this meeting, the JAC also agreed that the 12 local authorities should begin their respective process to adopt the final version of the reviewed Management Plan.

## **2 Background**

- 2.1. The CRoW Act requires local authorities to review adopted and published AONB Management Plans at intervals of not more than five years, setting out the local authorities' policy approach to the management of the AONB. The CRoW Act also requires local authorities to act jointly in the preparation and review of AONB Management Plans and to 'have regard to' the purposes of AONB designation in exercising or performing any of their functions affecting land in the area.
- 2.2. The AONB Management Plan sets out a vision, aims and principles to guide the management of the Kent Downs AONB and seeks to ensure that the natural beauty and special character of the landscape and vitality of the communities within the AONB are recognised, maintained and strengthened into the future.
- 2.3. The draft Management Plan was made available for consultation between the 14 July and 7 September 2020. Comments from over 140 individual respondents were received and these have all been considered by the AONB unit. At the 3 September 2020 meeting, the Panel agreed a response to the draft Management Plan and the revised Management Plan reflects comments made by the Council or will be taken forward through the Action Plan that will be prepared following the adoption of the Management Plan.
- 2.4. Although there have been no fundamental changes to the Plan, changes have been made to provide a stronger emphasis on natural capital and nature recovery, nature based solutions to climate change, to be more clearly positive on issues of diversity and inclusion and identify how the AONB landscape and partnership can take an active part in the recovery from the impact of Covid-19. Natural England have confirmed that the revised plan conforms with relevant guidance and the statutory guidance and represents good practice.
- 2.5. At this stage further comments proposing substantive changes to the Management Plan are not being invited. However, it is recognised that there may be some minor changes, for example a change to wording to improve clarity, that would be reasonable to make. As all local authorities need to adopt the same document, and in order to ensure an effective and timely adoption process, it is recommended that delegated authority be given to the Head of Planning to consider and agree minor changes to the Plan that may be put forward by the 11 other local authorities during the course of the adoption process. Should any changes be put forward that are considered unacceptable then a further report would be brought to the Panel for consideration.

- 2.6. The adoption of the Management Plan will take effect on a date to be advised by the Kent Downs AONB Unit; this will be a date once the last of the 12 local authorities resolves to adopt the plan.

### 3 Proposals

- 3.1 The proposal is for the Kent Downs AONB Management Plan 2021 – 2026, attached as Appendix 1, to be adopted. Delegated powers to the Head of Planning to accept changes to the Management Plan is also sought, for the reasons set out in paragraph 2.5.

### 4 Alternative Options

- 4.1. The Council could decide not to adopt the reviewed Management Plan. However, the Council is required by legislation to have an up to date Management Plan in place and failure to adopt the Plan would place the Council in contravention of the statutory requirements of the Countryside and Rights of Way Act 2000.
- 4.2. For the reasons set out in the report, it is recommended that the Council adopts the reviewed Management Plan. This will ensure that up to date guidance for the management of that part of the Borough within the Kent Downs AONB is available.

### 5 Consultation Undertaken or Proposed

- 5.1. The preparation of the Management Plan has involved a wide-ranging public engagement process undertaken by the AONB Unit. The AONB Unit directly informed a wide range of individuals and organisations about the consultation and details were publicised on the Kent Downs AONB website and through other means including social media.

### 6 Implications

Issue	Implications
Corporate Plan	The AONB Management Plan supports the Council’s corporate priorities of: Investing in our environment and responding positively to global challenges (Priority 2)
Financial, Resource and Property	The Council is a funding partner of the Kent Downs AONB JAC and makes an annual revenue contribution, which is funded from the Council’s revenue budget. There are no additional financial implications arising from this report.
Legal, Statutory and Procurement	There is a statutory requirement to carry out a review of the Kent Downs AONB management plan at five year intervals and to act jointly with other local authorities within the AONB in its preparation. Failure to do so will place the Council in breach of Section 89 of the CRoW Act 2000.

	Local authorities are required to have regard to the Management Plan and to the purposes of AONB designation in carrying out their functions.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	<p>The Management Plan has been subject to a Strategic Environmental Assessment (SEA), which has provided a comprehensive assessment of potential environmental impacts, and Sustainability Appraisal (SA). The SEA and SA processes were combined into an Environment Report which was published alongside the draft Management Plan and has been updated to reflect the adoption version of the Management Plan.</p> <p>The Environment Report concluded that there was nothing in the Management Plan that would undermine the special qualities of the AONB and the implementation of the Plan, including measures to address environmental and climate change considerations, would have environmental and sustainability benefits for the Kent Downs AONB.</p>
Health and Wellbeing	The reviewed Management Plan recognises the health and wellbeing benefits that can be gained from enjoyment of the landscape and includes specific aims in this respect.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	The reviewed Management Plan has been subject to an Equality Impact Assessment (EIA). The assessment concluded that the Plan would not be expected to negatively affect any protected group. Rather it supported a range of improvements that would remove barriers and enable a wider range of people to benefit from access, understanding and enjoyment of the AONB.
Privacy and Data Protection	None identified at this stage.

## 7 Appendices

### 7.1 Appendix 1 – Kent Downs AONB Management Plan 2021 - 2026

## 8 Background Papers

Report to Local Plan Panel (3 September 2020) on the Kent Downs AONB Consultation Draft Management Plan

<https://services.swale.gov.uk/meetings/ieListDocuments.aspx?CId=216&MId=232&Ver=4>