

AM 619/22

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 24 MARCH 2022

NATIONAL LANDSCAPES REVIEW - AUTHORITY’S CONSULTATION RESPONSE

Report by: David Illsley, Policy & Conservation Manager

1. Introduction

- 1.1 In May 2018 the Government commissioned an independent review into whether the protections for England’s 10 National Parks and 34 Areas of Outstanding Natural Beauty (AONB) remained fit for purpose. The review focused specifically on what might be done better, what changes could assist them, and whether definitions and systems - which in many cases date back to their original creation - are still sufficient.
- 1.2 In September 2019 the final report of the independent national landscapes review was published ([Landscapes review: National Parks and AONBs - GOV.UK \(www.gov.uk\)](http://www.gov.uk)). This set out 27 recommendations to the Government to positively reinforce and strengthen the role nationally protected landscapes play in the nation’s well-being.
- 1.3 In January 2022 the Government published their response to the report recommendations (see [Landscapes review \(National Parks and AONBs\): government response - GOV.UK \(www.gov.uk\)](http://www.gov.uk)). The Foreword to their response states,

“...the review highlighted a series of challenges facing our National Parks and AONBs but recognised that there are solutions and – most importantly – opportunities. The package of measures set out in this response will rise to the challenge before us and leave our protected landscapes in a better condition for future generations.”

2. Government response to the national landscapes review (January 2022)

- 2.1 The Government’s response to the recommendations of the national landscapes review is currently the subject of a 12-week consultation, closing on 9 April 2022. Implementing the response to some proposals will involve changes to primary legislation and the consultation seeks views on those changes and also all other aspects of the response. The consultation is being co-ordinated by the Government’s Department for Environment Food & Rural Affairs (Defra) and is open to all to respond to – not just those bodies centrally involved in the management of protected landscapes.
- 2.2 The Government’s response takes forward many of the recommendations contained in the final report (2019). At a workshop in February, Authority members discussed the proposals and were presented with information on how closely they followed the 2019 report recommendations. This information is therefore not repeated in detail here, but some of the main headlines from the Government’s response include:
 - Establishing a new ‘National Landscapes Partnership’. The proposed new partnership would co-ordinate the work of existing organisations at a national level, with national park authorities identified as ‘lead partners’ for local delivery. This

differs from the 2019 report recommendation to set up a new ‘National Landscapes Service’ to oversee work within all nationally designated landscapes.

- Proposals to amend the wording of the two statutory National Park purposes to: (i) provide more of a specific focus on nature recovery and biodiversity in the first purpose; and (ii) strengthening the wording of the second purpose to highlight the need to improve opportunities and remove barriers to access for all parts of society; and to clearly reference public health and wellbeing as an outcome.
- The Government has not agreed with the 2019 report recommendation of creating a new statutory purpose to foster the economic and community vitality of their area. The Government considers the introduction of a third purpose could dilute the importance of the existing statutory purposes. Instead, they intend to support the effective discharge of the existing duties.
- The Government disagree with the 2019 report proposal that all members be appointed nationally. Instead, the Government is considering removing the strict legislative requirements for a specific ratio between appointment types. The Government’s response does not adopt the 2019 report recommendation that the membership of national park authorities should be capped at 12 members.
- It is proposed to strengthen the existing statutory ‘duty of regard’ towards the National Park purposes to ensure they are given greater weight. The Government is also proposing that the wording should be made clearer with regards to the role of public bodies in preparing and implementing management plans.

3. Proposed Authority consultation response (Annex 1)

- 3.1 This report sets out the National Park Authority’s proposed response (Annex 1), which has been informed by workshop discussions with both members and staff. Our consultation response is publicly available for others to consider as they prepare their responses in advance of the 9 April consultation deadline.
- 3.2 The response focuses on the proposals most relevant to the New Forest and the work of the National Park Authority. There are several aspects of the Government’s response that are not directly relevant (for example the proposals around planning powers for AONBs) and consequently our response does not provide detailed coverage of these. The response in Annex 1 is based on the 25 consultation questions posed by the Government. Matters of particular importance are highlighted below.

Chapter 1: A more coherent national network
<p><u>Government proposals:</u></p> <ul style="list-style-type: none">- Strengthened AONBs.- The establishment of a ‘National Landscapes Partnership’.- Natural England’s role as the statutory advisor on landscapes reinvigorated.
<p><u>New Forest NPA’s recommended response:</u></p> <ul style="list-style-type: none">- Welcome the principle of nationally protected landscapes working together.- Welcome the proposal to increase the profile and reinvigorate the role of landscape in Natural England’s responsibilities. It will be necessary for Natural England to work with other bodies and Government departments (e.g. health, housing, communities, culture) relevant to the wider remit of National Parks.

Chapter 2: Nature and Climate

Government proposals:

- Amend the first statutory National Park purpose to be more specific with regards to nature recovery and explicitly mention biodiversity.
- Create a single set of purposes for National Parks and AONBs.
- Consideration being given to how the special status of protected landscapes can be reflected in environmental land management schemes’ design and delivery.

New Forest NPA’s recommended response:

- Supportive of reinforcing nature recovery, but do not want to lose the reference to ‘cultural heritage’ and ‘natural beauty’ within the wording of the first purpose.
- Any amalgamation of the legal purposes for National Parks and AONBs should retain the reference to ‘cultural heritage’.
- Important that National Parks play a clear role in relation to Local Nature Recovery Strategy development and implementation.

Chapter 3: People and Place

Government proposals:

- Amend the second statutory National Park purpose to highlight the need to improve opportunities and remove barriers to access for all parts of society; and clearly reference public health and wellbeing as an outcome
- Support national park authorities in discharging their existing duties effectively and consistently, but not to elevate the socio-economic duty to a third purpose.
- Consider making a greater range of enforcement powers available to national park authorities to help manage visitor pressures.
- Continue to monitor the use of national permitted development rights in protected landscapes; and identify future opportunities to review their use.

New Forest NPA’s recommended response:

- National Parks are places where both nature and people can thrive. Care will need to be taken to ensure that any amendments to the statutory purposes do not inadvertently create greater risk of conflicts.
- Support the Government’s intention not to elevate the existing socio-economic duty to a third purpose. Such a change would further blur the distinction between nationally protected landscapes and ‘other’ rural areas in the country.
- Cautiously welcome the proposals to manage visitor pressures through greater enforcement powers. This must be accompanied by the necessary resources.
- Urge the Government to commit to reviewing permitted development rights in nationally protected landscapes as a priority to address the problems they create.

Chapter 4: Supporting Local Delivery

Government proposals:

- Consider removing the strict legislative requirements for a specific ratio between member appointment types; review the number of members; and ensure the Chair of the Authority is appointed by the Secretary of State.
- Strengthened role for National Park Management/Partnership Plans.
- Strengthened legal ‘duty of regard’ towards the statutory National Park purposes.
- Pursue a new model to deliver increased and more diverse sources of funding.

- Consider broadening the legal competence of national park authorities to a more general power, similar to that of local authorities.

New Forest NPA’s recommended response:

- Support the majority of the measures proposed to improve local governance.
- Do not agree with the option of reducing board sizes; and it is unclear how the Secretary of State appointing the Chair will improve local governance.
- Welcome the proposed strengthening of the role for National Park Management Plans; and also the existing ‘duty of regard’ towards the Park purposes.
- Without adequate resources national park authorities will have limited capacity to perform to their potential and deliver the Government’s agenda.
- The functionally specific power of competence that National Park Authorities currently have is not adequate to allow us to respond both to the changing policy imperatives and opportunities. Given the substantial reduction in grant funding in real terms over the last decade, and the need to be more entrepreneurial, it is vitally important that we have a general power of competence in line with that of other local government bodies.

4. Conclusions

- 4.1 The Government’s response to the national landscapes review is overwhelmingly positive. It recognises the vital contribution National Parks (and AONBs) make to the lives of so many people and sets out the role of our protected landscapes in the future. The response recognises the importance of national park authorities for local delivery and the main proposals around nature & climate; people & place; and local delivery are consistent with the revised New Forest National Park Partnership Plan.
- 4.2 The foreword to the Government’s response from the Parliamentary Under Secretary of State at the Department for Environment, Food and Rural Affairs states, *“Working with National Parks and AONBs in the coming years, we will ensure our protected landscapes boost biodiversity; recognise their role in delivering Net Zero, protect us from flooding; store carbon; help communities adapt to the effects of climate change; improve the quality of people’s lives and support rural economies.”*
- 4.3 The Authority’s proposed consultation response (Annex 1) has been informed by discussions with members and staff. It sets out a broadly supportive response, but also highlights the challenges in delivering the Government’s priorities for protected landscapes without adequate finance and resources.

Recommendation:

Members endorse the consultation response (Annex 1) to the Government’s proposals on the national landscapes review for submission by the deadline of 9 April 2022, and delegate authority to the Policy & Conservation Manager to make any minor amendments to it as necessary prior to submission

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Papers: **AM 619/22** – cover paper

Annex 1 – Proposed response to the national landscapes review

Equality Impact Assessment: No detrimental impacts identified. The Government's proposals include improving opportunities and remove barriers to access for all parts of society to National Parks.