

**Open Report on behalf of Richard Wills,
Executive Director for Environment and Economy**

Report to:	Executive
Date:	01 May 2018
Subject:	Formal Adoption of the Lincolnshire Wolds Area of Outstanding Natural Beauty Management Plan 2018-2023
Decision Reference:	I015013
Key decision?	Yes

Summary:

The Lincolnshire Wolds Area of Outstanding Natural Beauty (AONBs) was designated in 1973 on account of the area's outstanding landscape, cultural heritage and unique sense of place. AONB's are nationally protected – there are currently 46 in England, Wales and Northern Ireland – and in planning terms, their scenic beauty is on a par with National Parks (as expressed through para's 115 and 116 of the National Planning Policy Framework).

The Countryside and Rights of Way Act 2000 reaffirmed the national status of AONBs and the need for all relevant local authorities to have "due regard" for the designation when performing all of their duties. The Act provided an added responsibility on all local authorities with AONBs, to produce and review a Management Plan, including: 1) Statement of significant attributes, 2) State of the AONB Report, 3) Vision, Objectives and Policies for the area, 4) A resulting partnership Action Plan. Under the relevant EU Directive an accompanying SEA (Strategic Environmental Assessment) report may be required, depending upon the extent of the review.

The Lincolnshire Wolds Countryside Service (LWCS), hosted by Lincolnshire County Council's Environment Team, has worked closely with the Lincolnshire Wolds Joint Advisory Committee (AONB Partnership) to review the previously adopted 2013-2018 Management Plan. The Partnership's initial steer was that only a light review was necessary and in the light of the extent of the review undertaken it is not necessary to prepare an SEA.

The Council has supported the LWCS and the wider AONB Partnership through active engagement via both the JAC and the Lincolnshire Wolds Joint Management Group (JMG – funding partnership) - helping to develop the Draft AONB Management Plan 2018-23, and guide its closing review. A significant proportion of LWCS time has been undertaken in updating, and extending, the range of baseline data and reviewing relevant trends and issues, as documented within the State of the AONB Report (2017), and Peer Review

commentary. A Revised Draft Management Plan was subsequently circulated for comments during Dec '17 - Jan '18, meeting the statutory six week period of public consultation. The LCC's Environment and Scrutiny Committee reviewed the Public Consultation Draft on the 16th January 2018. The Plan was broadly welcomed by all Elected Members present and was duly endorsed, acknowledging that there would be some minor editing to follow as part of the ongoing public consultation.

Further revisions have taken place and a closing Plan recently endorsed by the Lincolnshire Wolds JAC (AONB Partnership) and validated by Natural England, enabling its final adoption by all the relevant local planning authorities – Lincolnshire County Council, and also East Lindsey District Council, West Lindsey District Council and North East Lincolnshire Council.

Recommendation(s):

That the Executive

1 notes the outcome of the review of the Lincolnshire Wolds Area of Outstanding Natural Beauty Management Plan 2013-2018 and the changes proposed to the Plan as set out in the Report;

2 formally adopts the document attached to this Report at Appendix A which incorporates the said changes as the Lincolnshire Wolds Area of Outstanding Natural Beauty Management Plan 2018-2023.

Alternatives Considered:

The Lincolnshire Wolds is the sole protected AONB within the East Midlands. Not supporting the formal adoption of the AONB Management Plan would be a breach of the Council's statutory obligations as specified via the CRoW Act 2000 legislation, in particular Part IV, Sections 82-89 which reaffirmed the purposes and functions of AONBs. Section 89 of the Act specifically highlights the requirement for appropriate local authorities to prepare, publish and regularly review a Management Plan. The Act also confirmed the powers of local authorities to have a "duty of regard" and to take appropriate action to conserve and enhance the natural beauty of AONBs.

Reasons for Recommendation:

As detailed, members of the Environment and Economy Scrutiny Committee have reviewed and endorsed the earlier Public Consultation Draft AONB Management Plan (2018-23) and have recommended the Plan's subsequent adoption.

The closing Plan has been endorsed by the Lincolnshire Wolds JAC at their recent meeting on 12th April 2018. Natural England is the statutory government consultee on all AONB and National Park matters and they have confirmed their

approval and validation of the closing documentation – thus releasing the Plan for its formal adoption from all of relevant local planning authorities – the County Council, and also East Lindsey District Council, West Lindsey District Council and North East Lincolnshire Council. (Additional note: The Environment Agency and Historic England are two of a number of organisations that have also been actively involved in the preparation of the Plan through their engagement with the JAC and other topic groups including the Lincolnshire Chalk Streams Project and the Wolds Heritage Working Group).

The Officer recommendation is to adopt the revised Lincolnshire Wolds AONB Management Plan 2018-23, thus confirming the Council's endorsement of the collaborative Vision, Strategy and Action Plan. The primary aim is to help protect and enhance the nationally protected landscape of the AONB, whilst also recognising and supporting the needs of those living, working or visiting the area.

1. Background

Under the Countryside of Rights of Way Legislation (CROW Act 2000) the Council has a statutory duty to produce and review a five yearly management plan for the Lincolnshire Wolds AONB. The legislation is clear in stating that all relevant local authorities must produce a single collaborative Plan in partnership following national guidance originally published by Countryside Agency, and subsequently updated by Natural England and the National Association for AONBs (e.g. CA23, CA 221 and NAAONB Guidance documents).

The Draft Plan has received wide media interest, including two breakfast show features on BBC Radio Lincolnshire. A total of thirty eight responses were received during the public consultation, including a number of very detailed observations from a wide range of interested parties, typically from partner organisations, local community representatives, landowners and the wider public. The consultation has been complemented by additional public feedback from the "Have Your Say" questionnaire, providing results from 160+ participants on the value of AONB designation and the issues facing the area. The review has also assessed wider unsolicited comments on the Wolds from electronic forums, notably the Wolds AONB website, Google Maps and Trip Advisor postings (over 500+ reviews). Staff attendance at a wide range of local community events, as well as the County Show, has also been very helpful in terms of providing a barometer on local views and opinions on the Lincolnshire Wolds – there is one overriding message, the Wolds AONB is a very treasured and valued place.

Lincolnshire County Council Elected Members and Officers have been regularly consulted throughout the Management Plan review process, including the opportunity for dialogue at workshop and peer review stages, as well as ongoing JAC and JMG updates. The Plan has now undergone its final consultation providing partner organisations, local landowners, local businesses and the wider public with further opportunities to help shape and influence the collaborative aspirations for safeguarding and enhancing the area.

The document is seen as a Plan for everyone with an active interest in the Lincolnshire Wolds AONB, and is holistic in scope. The Strategy (objectives and policies) and the resulting five year Action Plan is seeking to develop and support a wide range of collaborative projects to help secure sustainable development in the context of a nationally protected landscape. In short, protecting and enhancing the area's natural beauty whilst also delivering on social and economic aspirations – the Plan recognises that the Wolds AONB should not be preserved in aspic, but that the area is very much a living and working landscape with integral connections to its surrounding market towns and the wider area of Greater Lincolnshire.

The Government's aspirations for future environmental management are detailed in the recently published Defra 25 Year Plan – A Green Future: Our 25 Year Plan to Improve the Environment (2018). This publication recognises the importance of the UK's protected landscapes, including AONBs, and highlights its desire to make sure that these areas are not only conserved but enhanced for generations to come. The Lincolnshire Wolds AONB Plan accords with the Government's future goals for these areas, which includes developing opportunities to connect more people to their natural environment and furthering "natural and cultural capital".

Changes since the last Plan review:

The over-arching twenty five year Vision for the Lincolnshire Wolds AONB has remained relatively unchanged; although the accompanying Landscape Management Statement has the addition of exploring innovative approaches to land management that can help to demonstrate the area's contributions to wider goods and services, including opportunities to explore and further links with natural capital, health and well-being. This chimes with the Government's current recommendations to develop and utilise "natural capital" – recognising that our living landscapes and ecosystems provide a wide range of public goods and services.

In reviewing the previous objectives and policies some of the new expected forces for change include:

- Brexit uncertainties and its likely impact upon RDPE, agri-environment funding and general farming patterns.
- Increased focus on tourism and its contribution to the local economy e.g. linking with wider Love Lincolnshire Wolds businesses.
- An ongoing drive to secure sustainable growth, helping to positively influence future land management in planning decisions both within and immediately adjacent to the AONB.
- An increasing drive on health and well-being matters – including greater provision of multi-functional land.
- Emergence of new pests and diseases, including for example Chalara (ash dieback), Acute Oak Decline and Signal Crayfish.
- Possible implications and resourcing for a review of the current AONB boundary.

Since the last Plan there has been a significant improvement to the Lincolnshire Wolds AONB evidence base across a range of environmental, social and economic measures as evidenced within the State of the AONB - 2017 report. A number of indicators have been suggested to help monitor future progress. This work has been helped, in part, by an increase in availability of some national datasets specific to protected landscape boundaries (both AONBs and National Parks).

Objectives and policies have been reviewed thoroughly and there have been minor modifications to several, including in summary:

Natural heritage – Biodiversity Objective BO; updated to highlight links to the latest Lincolnshire Nature Strategy, Biodiversity 2020 and emerging UK environmental plans.

Biodiversity Policies BP3/BP4; slight rewording to reflect the local nature tourism offer.

Woodland Policy WP1; added the need for considering climate change adaptability in new planting options.

Arable Farmland Policy AFP3; rewording to aid clarification on future surveys for arable wildlife.

Built Heritage Policies BHP1 and BHP4; previous policies merged, revised BHP1 better reflects the need to work with all stakeholders to encourage sympathetic and innovative design (in keeping with local character).

Farming and Field Sports Policy FWP2; slight rewording to emphasise the importance of monitoring and influencing national agriculture policy.

Interpretation Objective IO; additional phrase included to highlight the benefits of raising the profile of the AONB to help support the local economy.

Planning and Development Management Policy PP1; amendments to highlight the requirement for making space for nature and tackling climate change when pushing for the highest quality of design in the context of the AONB. Likewise, similar additions to **Policy PP2** in respect of sensitive conversions to traditional buildings.

Planning and Development Management Policy PP4; minor change to wording of mineral and waste policy to help support implementation of the Lincolnshire Geodiversity Strategy.

Planning and Development Management Policy PP8; in terms of waste management/reduction, additional recognition made of helping the shift towards a circular economy.

The Action Plan has been updated for the period 2018-23, currently with a suite of proposed AONB partnership actions that align with the relevant overarching objectives and resulting policies. These are typically subjected to a more detailed

review on an annual basis by the Joint Advisory Committee (JAC); enabling some flexibility and fleet-of-foot adjustments, taking for example changes to legislation or the emergence of new funding streams over the life of the Plan. This approach will also enable post Brexit adjustments to take place, if for example there is significant change to the current land and resource management grant systems, although many schemes will be continuing until 2023.

Summary of public consultation:

Appendix 7b of the AONB Management Plan summarises all comments formally received during the public consultation. Overall the layout, content and objectives of the Plan were very well received and there was a broad consensus that the Lincolnshire Wolds AONB is a unique and special landscape.

Some of the more pertinent issues that were highlighted within the responses included:

- Links to the new Defra 25 Year Environment Plan, including furthering future "natural capital" benefits.
- Developing and applying landscape-scale approaches to wider land management to help build resilience to future changes from Brexit, climate change etc.
- A request from several parties to develop a more robust position on future oil drilling and fracking operations.
- The challenge of successfully meeting and promoting future recreation and tourism opportunities whilst safeguarding the intrinsic special qualities of the AONB.
- Some mixed views in terms of future housing supply in settlements and the wider rural area – with a need to utilise appropriate and high quality designs, including opportunities for upgrading/conversions of redundant farm buildings.
- A call from some, for increased rural services to include public transport, and access to decent broadband and mobile phone coverage.

The consultation log sheet (Appendix 7b) details the responses to all comments made and any final changes to the Plan.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

The Management Plan is seeking to provide an inclusive Strategy and Action Plan for everyone – including all specialist groups living, working or visiting the area and regardless of protected characteristics. The Plan aims to successfully balance land management interests to help support economic, social and environmental objectives for all. The AONB Partnership continues to welcome ongoing input from all members of the public as well as specialist interest groups.

Particular attention has been made to invite comments from the local communities during the review process, through for example attending a range of events, promoting an open and indiscriminate Have Your Say survey, as well as more formal contacts via parish councils and town councils, (for communities both within and adjacent to the Lincolnshire Wolds) and wider press coverage.

The Plan's objectives include greater access and interest in the Wolds AONB from both local residents and all sections of the wider public regardless of protected characteristics. There is an opportunity to help provide increased green infrastructure in the future, which is especially valuable for the more dispersed and isolated settlements. Further promotion and enhancement of the public rights of way network is also sought, including improvements to the Interconnect Bus Walks, helping in turn to support transport services. The recreation and tourism

objectives include utilising the market towns as gateways to the Wolds, and increasing visitor numbers to help support local businesses and local services, including village shops, pubs, cafes and restaurants. The public consultation has highlighted the need to secure sustainable tourism and infrastructure development e.g. development and promotion of recreation that is appropriate to the character of the AONB.

Ways in which these objectives can be met in such a way as to enhance and promote equality of access for people with a protected characteristic will be explored in pursuing the objectives of the Plan.

Specific objectives and policies actively supporting inclusiveness include: Interpretation Policy IP1 and IP3; Transport Objective TWO; Transport Policies TWP2 and TWP5 and Planning Policy Objective PP3.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

The plan recognises the importance of the Joint Health and Wellbeing Strategy and this is recognised as a key related strategy. Currently the JHWS statistics are available at ward level so a direct comparison with the AONB census population figures cannot be made. We have requested postcode data to help inform the Plan and in particular the ongoing State of the AONB report.

The need to link with the health and wellbeing agenda is included within the Partnership's Landscape Management Statement, Thriving Communities Policy TCP2 includes the aspiration to promote healthier lifestyles and Action TCA8 includes the objective of exploring and developing further links to the JHWS.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

The Plan seeks to generate and inspire a sense of place and community cohesion for the Lincolnshire Wolds and its deeply rural communities. There is a realisation that various forms of rural crime take place, especially involving night-hawking and lamping activities. Further guidance has been sought from the local Inspector to help to develop future links with the Rural Community Safety Strategy 2017-20; advice also extends to seeking to reduce the incidents of fly-tipping, especially from known hot-spots.

3. Conclusion

This Report informs the Executive of the outcome of a review of the Lincolnshire Wolds Area of Outstanding Natural Beauty Management Plan and sets out the recommended changes to the Plan.

The new Plan has four sections 1) Protecting the Wolds, 2) Discovering the Wolds, 3) Sustaining the Wolds and 4) Making it Happen. There are 19 objectives, 78 policies and 180+ actions to help protect, enhance and promote the Lincolnshire Wolds AONB. The Plan recognises that the area is an important living and working landscape.

The AONB Partnership is keen to thank the many organisations, local groups, farmers and landowners and individuals that have been involved in its development. The Partnership is working hard to ensure that the new Plan provides a stimulus for the further protection and enhancement of our unique landscape - the Lincolnshire Wolds – including a wide range of collaborative initiatives embracing public, private and third sector engagement.

4. Legal Comments:

The Report fulfils the Council's statutory duty under section 89 of the Countryside and Rights of Way Act to review its AONB Management Plan for the Lincolnshire Wolds on a five yearly basis and report on the changes proposed.

Approval of the revised Management Plan as the Council's adopted AONB Management Plan for the Lincolnshire Wolds is consistent with the Policy Framework and within the remit of the Executive.

5. Resource Comments:

There are no additional financial implications in excess of the current budget provision arising from acceptance of the recommendation in this report.

6. Consultation

a) Has Local Member Been Consulted?

Councillor E J Poll and Councillor C L Strange have been involved in the development of the Management Plan through their involvement in the AONB Partnership (LCC's representatives on the Lincolnshire Wolds Joint Advisory Committee and Lincolnshire Wolds Joint Management Group).

b) Has Executive Councillor Been Consulted?

Councillor E J Poll has been consulted as set out above.

c) Scrutiny Comments

Members of the Environment and Economy Scrutiny Committee considered the draft AONB Management Plan at its meeting held on 16 January 2018 and endorsed the draft Management Plan with an acknowledgement that there were still some further changes to take account of additional observations and recommendations as part of the ongoing public consultation.

d) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

See the body of the Report

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	<p>The Lincolnshire Wolds Area of Outstanding Natural Beauty Management Plan 2018-2023 – Text only version for LA adoption. (NOTE – Owing to its size, this document is only available to view electronically via http://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=121&MId=4968&Ver=4)</p> <p>Including addendum Appendix 7b – Summary of Written Responses to the Public Consultation.</p>

8. Background Papers

The following Background Papers within the meaning of section 100D of the Local Government Act 1972 were used in the preparation of this Report

Document title	Where the document can be viewed
AONB Management Plans – Support for their revision in England (Steve Preston Associates with the NAAONB, June 2017)	Available as pdf
Lincolnshire Wolds AONB Management Plan 2013-2018 (previous adopted Plan)	http://www.lincswolds.org.uk/looking-after/lincolnshire-wolds-aonb-management-plan
Guidance for the Review of AONB Management Plans (CA 221 - The Countryside Agency, 2006)	Bound copy available on request
Areas of Outstanding Natural Beauty Management Plans, A Guide (CA 23 - The Countryside Agency, 2001)	Bound copy available on request

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