

ANNEX A

CONSULTATION QUESTIONS (as set by government)

1. Do you want your responses to be confidential? If yes, please give your reason. **No**
2. What is your name? **Cotswold District Council**
3. What is your email address?
4. Where are you located? ~~North East/North West/Yorkshire and The Humber/East Midlands/West Midlands/East of England/London/South East~~**South West/Remote**
5. Which of the following do you identify yourself as? ~~National Park Authority or the Broads Authority/AONB team/~~**Local authority**~~/Other public body/Environmental NGO/Other NGO/Professional body/Academic/Business/Resident of a protected landscape/Member of the general public/Other~~

A stronger mission for nature recovery (p10)

6. Should a strengthened first purpose of protected landscapes follow the proposals set out in Chapter 2? ~~YES/NO/UNSURE.~~

Cotswold District Council has declared an ecological, as well as a climate emergency and these matters are corporate priorities. The Council would therefore support a strengthening of the statutory purposes of the AONBs (national landscapes) to deliver nature recovery, biodiversity enhancements and greater delivery of natural capital. This would be in line with the increased statutory duty for Local Authorities with regards biodiversity which forms part of the Environment Act.

The Council awaits with interest the imminent publication of the government's Nature Recovery Green Paper, which was expected in late 2021 and the detailed measures that it will set out to accelerate nature recovery in both our protected landscapes and more widely.

7. Which other priorities should be reflected in a strengthened first purpose e.g. climate, cultural heritage?

As stated in relation to question 6 the Council has declared a climate emergency and considers it crucial that the protected landscapes play a role in helping to mitigate the climate emergency - for example through carbon sequestration via woodland or unimproved grassland and the generation of renewable energy. It is also crucial that all organisations and communities

within protected landscapes take steps to adapt to the potential effects of the climate emergency. A strengthened purpose related to the climate emergency is therefore essential.

It is noted that the document states that "By January 2023, new ambitious outcomes will be agreed for the role of protected landscapes in delivering on the government's goals for nature recovery and climate ..." Further detail on this will help to understand how any strengthened purpose might be delivered, for example through any changes to the planning system.

Agricultural transition (p12)

8. Do you support any of the following options as we develop the role of protected landscapes in the new environmental land management schemes? Tick all that apply.

- Designing the environmental land management schemes in a way that works for all farmers and land managers, including the specific circumstances for those in protected landscapes, recognising that farmers in these areas are well-placed to deliver on our environmental priorities. **Yes**

- Using Local Nature Recovery Strategies to identify projects or habitats within protected landscapes. **Yes**

- Monitoring the effectiveness and uptake of the new environmental land management schemes in protected landscapes. Using this to inform whether further interventions are needed to ensure we are on track for wider nature recovery ambitions. **Yes**

- Creating a clear role for protected landscape organisations in the preparation of Local Nature Recovery Strategies. Our recent LNRS consultation specifically asks for views on the role of different organisations in the preparation of LNRSs, including protected landscapes. **Yes, however it would be useful to understand what is meant by "a clear role". In Gloucestershire, the Cotswolds National Landscape (CNL) organisation have worked with other partners to prepare a local nature plan for the Cotswolds which will feed into the Gloucestershire Local Nature Strategy. The CNL's experience and knowledge developed during the preparation of the CNL document will be very useful in preparing that county level strategy. It is crucial that the methodologies used across different nature recovery plans and strategies for over-lapping areas (e.g. Gloucestershire and the Cotswolds) are carefully co-ordinated, as has happened in this instance.**

- Building on FiPL, empowering protected landscapes to support decision-making and delivery against agreed priorities, including through dedicated project coordinators and advisers. **Yes; however it is important that other partners including local communities, environmental Non-governmental Organisations and local authorities are also able to contribute to ensuring that FiPL (Farming in Protected Landscapes) delivers on its multiple objectives.**

9. Do you have any views or supporting evidence you would like to input as we develop the role of protected landscapes in the new environmental land management schemes? OPEN

The Council welcomes the comments in the report that indicate that the FiPL funding may be able to "support or reward landowners for offering enhanced access to their land in some circumstances." It is key to health and wellbeing that communities feel welcome in the countryside, particularly those who are not knowledgeable about public rights of way etc. However increased access, particularly over the pandemic, has led to issues of recreational disturbance for both farmers and those that manage important biodiversity sites. If additional payments could be made to encourage the public to visit a wider selection of sites, and particularly those designed for the public, that could alleviate pressures on agricultural operations and nationally important biodiversity, while helping address health and well-being issues.

A stronger mission for connecting people and places (p14)

10. Should AONBs have a second purpose relating to connecting people and places, equivalent to that of National Parks? **YES/NO/UNSURE**

11. Should a strengthened second purpose of protected landscapes follow the proposals set out in Chapter 3 to improve connections to all parts of society with our protected landscapes? **YES/NO/UNSURE**

The Council is supportive of the vision set out in the report "for protected landscapes to 'support thriving local communities and economies, improve our public health and wellbeing'. We would however raise concerns that increased access can cause issues for agriculture and for important wildlife sites (as set out in our response to question 9) and it is important that AONB teams and other partners/stakeholders have the resources to help resolve these issues.

12. Are there any other priorities that should be reflected in a strengthened second purpose? OPEN

No comment

Managing visitor pressures (p16)

13. Do you support any of the following options to grant National Park Authorities and the Broads Authority greater enforcement powers to manage visitor pressures? Tick all that apply.

• Issue Fixed Penalty Notices for byelaw infringements **No comment**

- Make Public Space Protection Orders (PSPOs) **No comment**

- Issue Traffic Regulation Orders (TROs) to control the amount and type of traffic on roads **No comment**

14. Should we give National Park Authorities and the Broads Authority and local highway authorities additional powers to restrict recreational motor vehicle use on unsealed routes? YES/NO/UNSURE **No comment**

15. For which reasons should National Park Authorities, the Broads Authority and local authorities exercise this power? **No comment**

- Environmental protection
- Prevention of damage
- Nuisance
- Amenity
- Other [PLEASE STATE]

16. Should we legislate to restrict the use of motor vehicles on unsealed unclassified roads for recreational use, subject to appropriate exemptions? **Yes – everywhere/ Yes – in National Parks and Areas of Outstanding Natural Beauty only/Yes – in National Parks only/No/Unsure**

17. What exemptions do you think would be required to protect the rights and enjoyment of other users e.g., residents, businesses etc? OPEN **No comment**

The role of AONB teams in planning (p18)

18. What roles should AONBs teams play in the plan-making process to achieve better outcomes? OPEN

AONB teams can and do provide useful expertise and experience in supporting the plan-making process, particularly sharing knowledge across different Local Planning Authorities within one protected landscape. However this can make a considerable demand on the resources of those AONB teams. Their role should therefore be an advisory one, based on discussions between the Local Authority and the protected landscape team rather than being set out in legislation.

19. Should AONB teams be made statutory consultees for development management? ~~YES/NO/UNSURE~~

20. If yes, what type of planning applications should AONB teams be consulted on?

- AONB teams should formally agree with local planning authorities which planning applications should be consulted on. **Yes**
- AONB teams should be consulted on all planning applications that require an Environmental Impact Assessment and are categorised as 'major development' as well as Nationally Significant Infrastructure Projects. **No**
- Other [Please state]

There are already a suite of statutory consultees for EIA development, for example Historic England and Natural England, who provide input on EIA planning applications with respect to biodiversity, cultural heritage and landscape issues. It is unclear what added value would be achieved by making AONB teams statutory consultees as well. This would lead to duplication at a time when resources are already stretched. The addition of more statutory consultees may also slow down determination times and the delivery of housing etc.

In addition the consultation uses the phrase "major development", this has several meanings, it could be major development in terms of a 13 week determination period for an application or major development in an AONB sense (as per the NPPF). Particularly in the first context this could lead to AONB teams being consulted on a large number of applications, many of which might not be relevant. A more appropriate approach, particularly for Local Planning Authorities who already employ their own in-house expertise in these matters, would be for the LPA to consult the AONB teams where they felt it would add value to the determination process. Obviously AONB teams could also comment on other applications, which they have highlighted themselves or that have been drawn to their attention by members of the public or other organisations.

Local governance (p20)

21. Which of the following measures would you support to improve local governance? Tick all that apply.

- Improved training and materials **no comment**
- Streamlined process for removing underperforming members **no comment**
- Greater use of advisory panels **yes**
- Greater flexibility over the proportion of national, parish and local appointments **yes**
- Merit-based criteria for local authority appointments **more detail required**

- Reduced board size **yes**
- Secretary of State appointed chair **no**
- Other [Please state]

A clearer role for public bodies (p22)

22. Should statutory duties be strengthened so that they are given greater weight when exercising public functions? ~~YES/NO~~**UNSURE**

Without a clear indication of exactly what those new duties might be, it is difficult to comment.

23. Should statutory duties be made clearer with regards to the role of public bodies in preparing and implementing management plans? ~~YES/NO~~**UNSURE**

There is currently some lack of clarity on the role of management plans and how they should be implemented by partners of protected landscape bodies. Conservation Boards (Cotswolds and Chilterns) are legally responsible for preparing the AONB management plan, and do so following consultation with other partners, including the Local Authorities. However, they are not under any obligation to make all the changes suggested by those Local Authorities. It could then become very problematic if the Local Authorities were statutorily obliged to implement a management plan with which they had fundamental objections to. For example, the current Cotswolds AONB management plan promotes the concept that the Cotswolds should become a National Park, Cotswold District Council does not support that change in designation, how would this work if the management plan became a statutory document for the Local Authorities? (Where AONB teams are based on Local Authority partnerships this tension would not arise as it would have been dealt with during the preparation of the management plan).

Clearer guidance on the implementation of any existing or amended duties for Local Authorities is required.

General power of competence (p24)

24. Should National Parks Authorities and the Broads Authority have a general power of competence? ~~YES/NO~~**UNSURE**

Overall

25. If you have any further comments on any of the proposals in this document, please include them here. [FREE TEXT]

Many of the matters covered in this report highlight that further initiatives and decisions are still awaited, for example the Nature Recovery Green Paper; the Natural Capital and Ecosystem Assessment, the review of the planning system and National Planning Policy Framework, the proposed national landscape strategy and the consideration " ...of options for how the special status of protected landscapes can be reflected in environmental land management schemes' design and delivery". Without this additional detail it is not always clear how the government will address the matters raised within the Glover Review. To some extent this report raises more questions than it answers.

A key issue for the Cotswolds has been the suggestion in the Glover Review and previously that the Cotswolds could become a National Park. The government's response to the Glover Review, (and Natural England's announcements under the new landscape designation programme) are silent on this issue; it would be helpful if the government could provide clarity that this suggestion is not being pursued.

To achieve the nature recovery ambitions that the government, Local Authorities and the Protected Landscape organisations know are necessary to reverse declines in biodiversity will require additional and substantial financial investment. Simply designating land for nature will not achieve the 30 by 30 target (to protect 30% of land in England by 2030 for nature); positive interventions are crucial. The FiPL programme and other similar initiatives will help but are only part of the solution - particularly in the context of increasing access to the countryside. Similarly supporting local communities and delivering on the climate emergency will also require additional resources and it is not clear whether these will be forthcoming, particularly within the National Landscapes (AONBs).