

**SURREY COUNTY COUNCIL****CABINET****DATE: 25 NOVEMBER 2014****REPORT OF: MIKE GOODMAN, CABINET MEMBER FOR ENVIRONMENT AND PLANNING****LEAD OFFICER: TREVOR PUGH, STRATEGIC DIRECTOR, ENVIRONMENT AND INFRASTRUCTURE****SUBJECT: ENDORSEMENT OF THE SURREY HILLS AREA OF OUTSTANDING NATURAL BEAUTY (AONB) MANAGEMENT PLAN****SUMMARY OF ISSUE:**

Under section 89 of the Countryside and Rights of Way Act 2000 (CRoW Act), the County Council along with the other local authorities administering the area of an Area of Outstanding Natural Beauty (AONB) have a duty to produce an AONB Management Plan.

Surrey County Council have delegated the duty of producing the Surrey Hills AONB Management to the Surrey Hills Partnership, known as the Surrey Hills AONB Board. The Surrey Hills AONB Management Plan for the period 2009-2014 was adopted by Surrey County Council on 17 February 2009.

Under the CRoW Act there is a requirement to review the Management Plan every 5 years and the current plan has now been reviewed through the Board. The County Council is now being asked to adopt the reviewed plan for the period of 2014 – 2019.

**RECOMMENDATIONS:**

It is recommended that the review of the AONB Management Plan be adopted as the statutory AONB Management Plan for the Surrey Hills for the period 2014 to 2019.

**REASON FOR RECOMMENDATIONS:**

The Countryside and Rights of Way Act (2000) places a statutory duty on local authorities to prepare a Management Plan for any Areas of Outstanding Natural Beauty within their authority, and to review this every 5 years.

**DETAILS:****The Surrey Hills AONB Management Plan**

1. The Surrey Hills AONB is one of 37 Areas of Outstanding Natural Beauty in England. It covers 25% of the county and was one of the first landscapes to be designated in 1958. This is a landscape designation for the purpose of conserving and enhancing natural beauty, which is equal in status to National Parks in planning terms.

2. Under the Countryside and Rights of Way (CRoW) Act 2000 the constituent local authorities in each AONB have a statutory duty to produce and review AONB management plans. Where the AONB stretches across more than one local authority, for practical purposes local authorities work in partnership to produce a joint plan.
3. The Surrey Hills AONB extends across 6 constituent local authorities, including Surrey County Council, Guildford, Mole Valley, Waverley, Tandridge, and Reigate and Banstead. In conjunction with these authorities, Surrey County Council devolved the responsibility to the Surrey Hills Partnership, known as the Surrey Hills AONB Board. The Board is constitutionally a joint committee. The County Council is represented on the Board by Councillor Mike Goodman.
4. Surrey Hills AONB has a small team to organise the preparation of the management plan, directly organise the implementation of some management plan programmes, and co-ordinate its implementation with partner bodies, including the County Council. Surrey County Council is the Accountable Body for the AONB and Surrey Hills Unit, responsible for employing the staff and ensuring the AONB is run within financial and legal prudence.
5. The Surrey Hills AONB Management Plan 2009-2014 was adopted by Surrey County Council on 17 February 2009. Under the CRoW Act local authorities are obliged to review management plans every 5 years. This plan is now due for review.

### **Management Plan Review**

6. In January 2013, the Surrey Hills Board agreed arrangements to review the AONB Management Plan. As a formal review of the AONB boundary and landscape character assessment were being considered in 2013, it was agreed to undertake a 'light touch review.' This has been implemented and a plan produced for the period 2014-2019.
7. The draft Management Plan 2014-2019 was informed by a review of the existing AONB Management Plan (2009-2014).
8. An executive summary is provided at **Annex 1**. **Annex 2** provides the detail of the new Surrey Hills AONB Management plan for 2014-2019 and the review process. As this was a light touch review then there are no major changes in direction.
9. Some policies have been reorganised, merged or moved, but do not fundamentally change their nature or focus. Any modifications update existing policies following the publication of the new National Planning Policy Framework in March 2012. Where new issues or policies have been added, these are environmentally positive in line with new Government Policy resulting from the Lawton Report 'Making Space for Nature and the Natural Environment White Paper, which have been published since the last plan.
10. The plan continues to take a landscape character approach to describe the natural beauty of Surrey.
11. The previous Management Plan had a Strategic Delivery Plan which sets out the objectives, and the activities that were measured to monitor the delivery of the plan and demonstrate its overall success. The AONB Unit has established three

additional vehicles to deliver the management plan, Surrey Hills Enterprises, The Surrey Hills Society, and Surrey Hills Community foundation. These three organisations are now represented on the AONB Board and are in the process of collaborating on the new Strategic Delivery Plan for the 2014-19 period. The Delivery Plan will tie all the organisations into delivering the actions in the plan. (**Annex 3**).

12. The Surrey Hills Board will take the lead in monitoring the implementation of the Plan.
13. The plan also provides a commitment to the establishment of a monitoring mechanism through the development of new Surrey Hills headline indicators to assess trends or changes in landscape quality.

### **AONB Boundary Review**

14. On the 6 November 2013, it was agreed by the Surrey Hills Board that the Chairman would write to Natural England (NE) to request that they prepare a boundary Modification Order for the Surrey Hills AONB. A formal request was submitted accompanied by evidence prepared by landscape architects over the previous 6 months.
15. On 26 February, the Natural England Board agreed that during its corporate plan period (2014-2019) it will assess this evidence to establish whether the Surrey Hills Area of Outstanding Natural Beauty (AONB) boundary should be extended to encompass areas of Downs, Wealden Greensand and Low Weald within and around the locally designated Area of Great Landscape Value (AGLV).
16. Natural England will be undertaking a boundary review in Suffolk Coast and Heaths AONB (starting in early 2014/15) and has indicated that it will not run two boundary reviews concurrently. Natural England will want to draw on the experience with the Suffolk Coast and Heaths variation order work to inform the Surrey Hills approach. The best estimate is therefore that Natural England will be in a position to progress the work on the Surrey Hills in approximately 18-24 months.
17. In view of the length of this ongoing process the decision was made to undertake a light touch review for the period of the plan up to 2019. If the review by NE leads to a change to the AONB boundary, this would then inform a full review of the management plan for the next 5 year plan period, post 2019.

### **Strategic Environmental Assessment (SEA) & Appropriate Assessment (AA)**

18. The Environmental Assessment of Plans and Programmes Regulations 2004 (typically referred to as the SEA Regulations) implement the requirements of EU Directive 2001/42 on the assessment of the effects of certain plan and programmes on the environment. This process is referred to as Strategic Environmental Assessment, or SEA, and is required for AONB Management Plans.
19. The Conservation of Habitats and Species Regulations 2010, known as the (European) Habitat Regulations require that the AONB Management Plan is assessed to ensure objectives, policies and actions of the plan do not have a significant negative effect on the network of European protected sites. These comprise Special Protection Areas (SPAs), Special Areas of Conservation

(SACs), and wetlands of international importance known as Ramsar sites. A significant number of these sites, are within the AONB, and include well visited areas such as Box Hill and the Devil's Punch Bowl. This process is referred to as Appropriate Assessment or AA.

20. Screening is required for both SEA and AA. This has been undertaken on behalf of the Surrey Hills partnership by the High Weald AONB Unit, to provide an independent assessment of the plan, and any requirement for further environmental assessment. The High Weald AONB Unit recently carried out a similar exercise in the review of the High Weald AONB Management Plan, which was adopted by Surrey County Council.
21. The results of screening for SEA indicate modifications to policies are minor, reflecting updated or new national policy such as ecosystem services and cultural heritage, which keep the plan up to date. They are unlikely to have any significant adverse effect. Screening for AA indicates none of the objectives of the Management Plan give rise to any significant negative impacts on the designations. The Reports conclude in each case no further environmental assessment is required.
22. Consultation on the Screening Reports has been undertaken with the appropriate statutory 'consultation bodies' which are drawn from Natural England, the Environment Agency and English Heritage. No adverse concerns have been received. Specifically NE have advised that they concur with the conclusion that neither an AA or SEA will be required. .

#### **Adoption of the Management Plan**

23. The management plan needs to be adopted by each Local Planning Authority as the statutory plan which sets out the management of the Surrey Hills AONB, and demonstrates their compliance with the statutory duty to have regard to the purpose of the designation of the AONB when undertaking their functions.
24. The Districts and Boroughs are concurrently taking reports to their Members for adoption, following the satisfactory conclusion of the consultation with the statutory 'consultation bodies' on SEA and AA.

#### **CONSULTATION:**

25. The Consultation Draft AONB Management Plan 2014 – 2019 was agreed by the AONB Board on the 16 October 2013. Copies were sent to 52 parish councils, and an on-line survey was launched on 1 December 2013 through the AONB web site and press release. The consultation period ran until 14 February 2014.
26. The press release received coverage in local papers including the Surrey Advertiser and the Surrey Mirror. There was also radio coverage including Eagle Radio. The vast majority of response to the consultation were submitted through the on line survey, however, other responses were submitted by email, and postal submissions received by several parish councils and residents.
27. The general feedback has been supportive of the AONB designation and Surrey Hills AONB Management Plan, with the vast majority of respondents supporting the vision, the aims and the delivery plan. There were 590 responses which were considered generally well informed and supportive. Full details have been

published on the Surrey Hills AONB website in the Report of Consultation April 2014.

28. The key areas of tension are between cycling, particularly mountain biking, and the needs and concerns expressed by equestrians, influenced by the development of the Leith Hill bike trail. Other major concerns expressed were over housing development, and the lack of affordable housing. This is reflected from the communities' concerns over the Local Plan process and the need expressed by a number of Local Authorities to develop in areas of the AONB.
29. The Surrey Hills AONB Management Plan has been sent to Natural England for formal consultation under S.90 of the Countryside and Rights of Way Act 2000 (CRoW Act). Natural England considers that the plan meets the statutory requirements and has broadly followed the guidance to produce a comprehensive strategy for the AONB. The plan demonstrates good practice throughout.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

30. If the County Council does not adopt this plan then they would be in breach of the Countryside and Rights of Way Act 2000 and the County would be expected to produce its own review of the management plan to cover the AONB.
31. There are considerable cost advantages to working in partnership with the Districts and Boroughs to produce a joint plan, and so producing a plan ourselves has not been considered.

#### **Financial and Value for Money Implications**

32. The AONB core budget of £190,000 (plus specific projects) is administered by Surrey County Council. Defra contribute 75% of the funding for core activity and all 6 authorities contribute a proportionate amount to cover the remaining 25%. Surrey CCs contribution is the largest element at 13% of the local contributions (£26,300). It is not considered that the adoption of this plan will alter this funding arrangement.

#### **Section 151 Officer Commentary**

33. There are no direct financial implications associated with the recommendations to adopt the ANOB management plan, aside from the existing financial arrangements which are set out in paragraph 34.

#### **Legal Implications – Monitoring Officer**

#### **S.90 of the Countryside and Rights of Way Act 2000 (CRoW Act)**

34. In response to formal consultation under S.90 of the Countryside and Rights of Way Act 2000 (CRoW Act) Natural England advise that they are pleased that the majority of their comments through the development and consultation process have been incorporated. But they remain concerned over how the AONB can demonstrate their contribution to the delivery of Biodiversity 2020 targets and that the 'State of the AONB' Indicator for planning will be hard to measure.
35. However Natural England confirm they are content that these outstanding issues can be addressed through the commitment to the process of monitoring and reviewing the implementation of the AONB Management Plan, and this should not delay the adoption of the existing draft document. The Board is committed to develop the monitoring mechanism and indicators through the AONB Officers Working Group. Arrangements are in place for the officers from the High Weald to present their exemplar methodology.

### **Strategic Environmental Assessment and Appropriate Assessment**

36. Consultation on the Strategic Environmental Assessment Screening Report has been undertaken with Natural England, the Environment Agency and English Heritage and there have been no adverse concerns expressed. Consultation on the Screening Report for Appropriate Assessment has been undertaken with Natural England, and similarly they have expressed no concerns.

### **Equalities and Diversity**

37. The Equality Impact Assessment was approved by the Equality Directorate Committee on 16 September 2014, (**Annex 4**) and is summarised below:
- The Plan was subject to wide consultation and an analysis of this consultation was carried out in a Report of Consultation April 2014.
  - Policies within the Plan to ensure a positive rural economy, and help with employment opportunities for young people. Recreational and visitor facilities, are designed for the needs of all abilities and will provide opportunities for the widest range of different abilities and needs.
  - There has been a slight amendment to Vision Statement and policies to include opportunities for rural enterprise, manage visitors and protect quiet enjoyment alongside more active recreational pursuits
  - The Surrey Hills Board will encourage and manage co-ordinated action by all organisations, agencies and individuals through the Surrey Hills group of organisations (the Surrey Hills family). The Local Planning Authorities that belong to the Surrey Hills AONB will adopt the Management Plan, to inform policy for their organisations.
  - There are no outstanding negative impacts identified that cannot be mitigated through the application of the policies of the Plan.

### **WHAT HAPPENS NEXT:**

- 38.

- If the Cabinet agrees, the Surrey Hills AONB Management Plan will be adopted for 2014 – 2019. The plan will next be reviewed on or before 2019.
- The Surrey Hills Board will take the lead in monitoring the implementation of the Plan. The Board will publish an annual State of the Surrey Hills AONB Report, which will include work on the monitoring mechanism and indicators, and a review of the work of the Surrey Hills AONB Unit.
- The Management Plan will be published via the Surrey Hills AONB website.

---

**Contact Officer:**

Charmaine Smith, Senior Countryside Management officer (Landscape) Tel: 0208 541 9427

**Consulted:**

The Management Plan has been subject to public consultation and review by officers and members of the 6 constituent authorities.

**Annexes:**

Annex 1 Executive Summary  
Annex 2 Surrey Hills AONB Management Plan  
Annex 3 Surrey Hills Family Delivery Plan  
Annex 4 Equality Impact Assessment

**Sources/background papers:**

- Surrey Hills AONB Management Plan 2009-2014
  - Report of Consultation Surrey Hills Management Plan 2014-2019 (April 2014)
  - Screening Report by High Weald AONB (SEA)
  - Screening Report by High Weald AONB (AA)
  - Response from Natural England (S90 Consultation)
  - National Planning Policy Framework
  - Lawton Report 'Making Space for Nature'
  - Natural Environment White Paper
-

This page is intentionally left blank