

Suffolk Coast & Heaths AONB and Dedham Vale AONB & Stour Valley Partnerships Aug 2017

Speeding up the landscape designation process and removing the Natural England bottleneck

Executive Summary

AONB Partnerships have expressed concern about the bureaucratic and top down approach to boundary review projects. The discussion below outlines a process that supports the aspirations of local people, businesses and AONB Partnerships for boundary reviews while reducing the burden on Natural England staff and resources. Our proposal does not diminish the requirement of the Secretary of State to take decisions, nor Natural England to provide statutory advice and support, rather it means that local AONB Partnerships can develop work for boundary review aspirations that Natural England can assess and make recommendations on.

Introduction

1. There is a delay in progressing the number of pipe-line AONB landscape designations. This is in part because Natural England has insufficient resource to manage the process to satisfy the expectations of some AONB Partnerships and other stakeholder groups. This means that Natural England may break promises to AONB Partnerships, for example on timetables for public consultations and expectations of the review process. The information flow is poorly managed.
2. This is despite the undoubted economic, social and environmental benefits the designation can bring. In a time when the UK is leaving the European Union this national designation is an example of bringing together many interests for the benefit of local businesses and associated communities.

The obstruction

3. The problem principally lies with the fact that existing legislation requires Natural England to undertake the assessment of natural beauty, the assessment of desirability to designate and work related to the process. Only then can a recommendation be made to the Secretary of State.
4. In many other policy areas, less bureaucratic and time consuming processes have been conceived and developed, that build on the aspiration of local bottom-up decision-making and accountability. It appears that the landscape designation process is entirely top down, and at a time when resources are constrained, this goes against current thinking of local decision-making. The current process leads to an unacceptable bottle neck.
5. A further concern encountered in Suffolk and Essex during the Suffolk Coast & Heaths AONB boundary review relates to stakeholder perceptions. The AONB Partnerships may have boundary variation aspirations and gather preliminary evidence. The process then dictates that the AONB Partnership activity must cease as the process becomes one for Natural England
6. In the case of Suffolk Coast & Heaths, the AONB Partnership was prevented from drawing a boundary on preliminary landscape assessment work, even though the consultant used has since been commissioned by Natural England to do just that piece of work. This appears contrary to desire for local accountability and engagement and undermines a sense of ownership over what, post designation, becomes a matter for local management again, through the AONB Partnership. Natural England take over a locally developed process and then take years to do their part (on a one-in-one-out basis nationally). This has the potential to damage the reputation of Natural England and by association DEFRA
7. Furthermore, in the case of Suffolk Coast & Heaths, during the period when Natural England currently 'control' the process, local communities and landowners, continue to approach the AONB Partnership with questions about the proposed boundary variation. This is understandable given boundary variations develop organically at the local level. This can lead to confusion and frustration for stakeholders.
8. Residents, businesses and other stakeholders see the work as AONB Partnership work. Natural England do not have the resource, or the local presence, to undertake the evidence-based part of the work on local stakeholder engagement in a meaningful way. The out-dated top-down process is bureaucratic and may impede local aspirations.
9. This is not to suggest that Natural England should not still be the body that advises the Secretary of State on designating National Parks and AONBs. However, others may be better placed to gather the evidence that sits behind that advice. Others can more speedily & cost effectively gather the evidence, and in many cases, may be able to secure resources and funds to develop the aspiration and submit it to Natural England, who can scrutinise and make a recommendation to Secretary of State.

A proposal for a more locally accountable, quicker way forward

10. Our proposal for consideration learns from the 2008 Planning Act's Nationally Significant Infrastructure Project (NSIP) process, of which Suffolk has had more than any other county in England, which is front-loaded and developer-led, requiring regular pre-application discussion with the Planning Inspectorate. The Planning Act was intentionally developed to be more efficient and speed up the planning process for major infrastructure development.
11. We would propose that discussions at Ministerial level should consider the following:
 - a. AONB Partnerships are freed-up to prepare the evidence for their boundary extension, including detail of the proposed boundary and an assessment of the desirability to designate. This could follow a rigorously prescribed process, as with NSIPs in the Planning Act, including regular liaison with Natural England (on the Secretary of State's behalf), but leaves the 'pace', ownership, development and consultation of the proposals in the hands of the AONB Partnership, just as they are in the hands of developers in the NSIP process.
 - b. To satisfy any concerns about quality of assessment, there is no reason why Natural England couldn't produce a list of approved Landscape Architects, to carry out the assessments, which should follow Natural England's criteria for designation of National Parks and AONBs. Natural England commission the same people anyway, so there is no reason why this work could not be procured locally, and quite probably more cost-effectively.
 - c. Regular liaison with Natural England throughout the process would ensure that the application for boundary extension is in the best possible shape before it is formally submitted. Natural England could then make its recommendation to the Secretary of State. As part of the decision-making process the Secretary of State could conduct a hearing / inquiry, as necessary. It is noted Natural England provide statutory advice on the development of AONB Management Plans.

Further considerations

12. Natural England officers have already suggested that such an approach would mean that only those areas that can afford it would develop applications and that the process would be unaffordable locally. There is no evidence to support this. There is anecdotal evidence that organisations within AONB Partnerships would contribute financially to this type of work. This is the case in the Dedham Vale.
13. Natural England officers have already expressed concern that this could generate more work for them. The process above would undoubtedly involve Natural England time, but a clear process that puts AONB Partnerships in the driving seat, potentially reduces the demands on Natural England staff. It would ensure the State isn't seen as standing in the way of perfectly justified and understandable local ambition.
14. The above would in no way preclude the potential for the State, in the form of Natural England, to 'step in' to develop designations, where there was a national need and little local will or capacity. An example of this is Coastal Access. However, we believe this is unlikely in the case with landscape designations, as the heart of the problem we are seeking to address, manifest in the pipe-line list of boundary variations nationally, is that huge amounts of local will and capacity remains quashed, unsatisfied or poorly managed by Natural England.

Conclusion

15. The discussion outlined above has the advantages of speeding up a process that can support the economic, social and environmental benefits AONB designation can bring. Local decision making will be improved, releasing private and third sector resources to meet local aspirations. National processes, such as Secretary of State decision making based on Natural England advice, remain in place.