

WEST OXFORDSHIRE DISTRICT COUNCIL
ECONOMIC AND SOCIAL OVERVIEW & SCRUTINY COMMITTEE
THURSDAY 7 MARCH 2019

CALL IN OF CABINET DECISION – COTSWOLDS AREA OF OUTSTANDING
NATURAL BEAUTY MANAGEMENT PLAN 2018 - 2023
REPORT OF THE HEAD OF DEMOCRATIC SERVICES

(Contact: Keith Butler, Tel: (01993) 861521)

(The decisions on this matter will be resolutions or recommendations to Cabinet).

1. PURPOSE

To consider the call-in request relating to Cabinet minute no. 96 of 16 January 2019 in respect of the Council's response to the Cotswolds Area of Outstanding Natural Beauty Management Plan 2018-2023.

2. RECOMMENDATIONS

- (a) That the Committee decides whether or not to support the call-in request; and
- (b) That, if the request is supported, the Committee determines whether it wishes to submit any additional comments to Cabinet.

3. BACKGROUND

- 3.1. At its meeting held on 16 January 2019 the Cabinet considered a report regarding the above.
- 3.2. A copy of the report submitted to Cabinet is attached at [Appendix A](#), and the relevant extract from the minutes of the meeting is attached at [Appendix B](#). The appendices to the Cabinet report have not been re-circulated, but were previously supplied to all members of the Council and are also available on the WODC website.
- 3.3. The Cabinet's decision has been the subject of a call-in request signed by Councillors Graham, Leffman, Poskitt and Rylett, those members having requested reconsideration of the decision:
“on the grounds due to lack of detail about the operations of National Parks. (Wider discussion is needed by more)”
- 3.4. It has been confirmed that the request relates only to the parts of the decisions concerning the promotion of making the area of the AONB a National Park; and clarified that the requesters believe that more information about the impact/consequences of creating a National Park are needed before the Council concludes that the proposal should not be endorsed.
- 3.5. In accordance with the Overview and Scrutiny procedure rules the call-in has been referred by the Head of Paid Service to this Committee for consideration.
- 3.6. Should the Committee support the request, the matter will be included on the agenda for the Cabinet meeting on either 20 March or 17 April.

4. ALTERNATIVES/OPTIONS

It is for the Committee to decide whether it supports the call-in request. If it does not then the Cabinet decision will be confirmed.

5. FINANCIAL IMPLICATIONS

This report has no financial implications.

6. RISKS

None

7. REASONS

To enable the Committee to consider the call-in request.

Keith Butler
Head of Democratic Services

(Author: Keith Butler, Tel: (01993) 861521; Email: keith.butler@westoxon.gov.uk)

Date: 14 February 2019

Background Papers:

None

WEST OXFORDSHIRE DISTRICT COUNCIL

CABINET

WEDNESDAY 16 JANUARY 2019

**COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT
PLAN 2018-2023**

REPORT OF THE HEAD OF PLANNING AND STRATEGIC HOUSING

(Contact: Giles Hughes, Tel: (01993) 861000)

(The Cabinet's decision on this matter will be a resolution)

1. PURPOSE

To consider the request by the Cotswolds Conservation Board to endorse the Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023.

2. RECOMMENDATIONS

- a) That Cabinet endorse the Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023 except for those aspects of the Management Plan that relate to:
 - i. the promotion of the Cotswolds as the Walking and Exploring Capital of England; and
 - ii. the promotion of the Cotswolds as England's next National Park.
- b) That Cabinet authorise Officers to write to the Cotswolds Conservation Board and to Natural England/DEFRA expressing concern about the active promotion of making the Cotswolds a National Park, without a full assessment of the advantages and disadvantages and without having undertaken extensive public consultation on this issue.

3. BACKGROUND

The Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023 was adopted by the Cotswolds Conservation Board on 20 September 2018. A copy of the executive summary is attached to this report at Appendix I and the full version is available to download online.¹

As the Plan can only be successfully implemented and delivered by working in partnership, the Chairman of the Board has written to each local authority within the AONB asking for their formal endorsement of the Plan by 1 February 2019.

AONBs are nationally designated areas, recognised for their scenic beauty. The Cotswolds AONB is governed through a Conservation Board – the Cotswolds Conservation Board – which was established in 2004. The Board develops positions on key issues and strategies and has a small team of staff dedicated to specific areas of the AONB's management. One of its important statutory duties is to prepare and review a management plan for the Cotswolds AONB at five-yearly intervals.

The Management Plan sets out the vision, outcomes, ambitions and policies to guide the management of the AONB for the period 2018-2023. It is a key mechanism for achieving the purposes of: (i) conserving and enhancing the natural beauty of the AONB; and (ii) increasing the understanding and enjoyment of the AONB's special qualities. While having regard to these purposes, it seeks to foster

¹ <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2018/12/Management-Plan-2018-23.pdf>

the economic and social well-being of local communities within the AONB. It also seeks to foster a more consistent and coordinated approach across this administratively complex AONB, in order to achieve these purposes more effectively.

Within AONBs, there is an overriding statutory duty on all public bodies to have regard to the purpose of AONB designation when exercising or performing any functions that relate to, or affect land in, the AONB. In terms of planning, national planning policy complements this duty by giving great weight to conserving landscape and scenic beauty, not just within the AONB but also within its setting where development would affect the AONB. The West Oxfordshire Local Plan 2031 applies this approach to the Cotswolds, including a specific policy, Policy EHI:

Policy EHI - Cotswolds Area of Outstanding Natural Beauty

In determining development proposals within the Cotswolds Area of Outstanding Natural Beauty (AONB) and proposals which would affect its setting, great weight will be given to conserving and enhancing the area's natural beauty, landscape and countryside, including its wildlife and heritage. This will include consideration of any harm to the contribution that the settlement makes to the scenic beauty of the AONB.

The Cotswolds Conservation Board's Management Plan and guidance documents are material considerations in decision making relevant to the AONB.

Major development will not be permitted within the AONB other than in exceptional circumstances, as required by national policy and guidance.

Proposals that support the economy and social wellbeing of communities located in the AONB, including affordable housing schemes and small scale renewable energy development, will be supported, provided they are consistent with the great weight that must be given to conserving and enhancing the landscape and natural scenic beauty of the area.

4. NEW COTSWOLDS AONB MANAGEMENT PLAN 2018 - 2023

When drafting the West Oxfordshire Local 2031, the relevant Cotswolds AONB Management Plan covered the period 2013-18. As with previous AONB Management Plans, the 2013-18 version was endorsed by the District Council and taken into account when considering proposals within and impacting upon the Cotswolds.

In 2017 work began on reviewing the Management Plan. Three periods of consultation took place, targeting in particular local authorities, statutory bodies and a range of consultees, such as parish councils, business organisations, environmental organisations and other stakeholders.

West Oxfordshire District Council was involved in providing comments on the plan, including most recently in August/September 2018 when, whilst supporting the majority of the Plan, the Council did express some concerns. Unfortunately

some of these comments/concerns were not incorporated into the final version of the new plan when it was adopted by the AONB Board in September 2018.

Many of the comments the District Council made on the draft Management Plan were either minor in nature and/or the Board accepted the comments and amended the plan.

However, two particular issues of concern remain in the management plan: the Cotswolds being promoted as the “walking and exploring capital of England” and as “England’s next National Park”.

The Executive Summary of the Management Plan is attached at Appendix I. This sets out the Plan’s vision, key issues and ambitions. The four ambitions are:

1. To promote the Cotswolds AONB as the Walking and Exploring Capital of England.
2. To secure the local design and delivery of a Cotswolds AONB package of agri-environment payments for public goods and services and rural development support.
3. To ensure that communities and businesses within and around the Cotswolds AONB identify and celebrate being part of a nationally recognised landscape.
4. To promote the case for the Cotswolds being designated as England’s next National Park.

In relation to Ambition 1, Cotswolds Tourism (of which West Oxfordshire District Council and Cotswold District Council are partners) are not promoting the Cotswolds as the walking and exploring capital of England.

Although both Cotswolds Tourism and the District Councils wish to promote walking and other activities within the AONB, promoting the Cotswolds as the walking and exploring capital of England is not considered to be the most appropriate means to achieve this.

Of particular concern, however, is Ambition 4 and the Board’s aspiration for the Cotswolds to become a National Park. The Management Plan sets out the explanation for this ambition:

‘There has been a growing debate as to whether the Cotswolds should be designated as a National Park. This chimes with the Government’s 25 Year Environment Plan and review of National Parks and AONBs. There are many similarities between the most recent Park designation i.e. the South Downs, and the Cotswolds. For example, they are of a similar scale and complexity. A Cotswolds National Park potentially offers significant benefits for local communities, the environment and the economy. For example, National Park status could provide a more coordinated and consistent approach to the management of the area, which puts conserving and enhancing natural beauty at the heart of plan-making and decision-taking. The Board will be issuing a Position Statement on this issue during 2018/19.

This ambition is explicitly reflected in paragraph 2 of Policy CCI (Developing a Consistent, Coordinated and Landscape-led Approach across the Cotswolds AONB).’

In March 2018 the Conservation Board received a report on the merits of a Cotswolds National Park². While various Board Members expressed support for the report, others highlighted the need for greater involvement and engagement with landowners and organisations. Concern was also expressed that the report only considered the positive aspects of national park status and lacked reference to potential downsides.

² <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/10/9.-A-Cotswolds-National-Park-1.pdf>

Despite this, the Board agreed to make a formal approach to Natural England and DEFRA requesting that they consider designating the Cotswolds a National Park. In September 2018 the Management Plan was adopted including the aspiration for a Cotswolds National Park.

In December 2018 a further report went to the Board with a draft position statement on the case for a Cotswolds National Park³. The December report included some consideration of the disadvantages of becoming a national park albeit in the form of five brief bullet points. Attached for information at Appendix 2 are some draft Frequently Asked Questions (FAQs) which were made available as part of the report. The minutes of the December meeting have not yet been published.

In your Officers' opinion, a full and impartial evaluation of the implications of the change in status of the Cotswolds AONB to a National Park has not been undertaken. Until such an evaluation has been made, consultation undertaken and responses fully assessed, it is not considered appropriate to promote the National Park aspiration and to include it as such within the AONB Management Plan.

5. NEXT STEPS

AONB management plans provide a valuable resource when considering development proposals in or affecting AONBs.

However, in relation to the most recent Cotswolds AONB Management Plan for 2018 – 2023, it is considered inappropriate to fully endorse the plan until further evidence and consideration is given to the national park issue.

In order to achieve the positive aspects of the Plan, it could be endorsed, other than those aspects of the Plan that are related to aspiration 1 and 4.

As it would appear that the Conservation Board has already made a formal approach to Natural England and DEFRA requesting that they consider designating the Cotswolds a National Park, it is recommended that the Board and Natural England/DEFRA are notified of the District Council concerns in relation to the National Park aspiration.

6. FINANCIAL IMPLICATIONS

There are no direct cost implications associated with this report.

7. RISKS

There are no direct risks associated with this report.

8. REASONS

The AONB management plan is a material consideration in planning terms and the Council's input into it as one of a number of key stakeholders is essential.

Giles Hughes

Head of Planning and Strategic Housing

(Author: Janice Bamsey, Tel: (01993) 861654; EMail: janice.bamsey@westoxon.gov.uk)

Date: 3 January 2019

Background Papers:

None.

Extract from Cabinet Minutes of 16 January 2019

76. COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLAN 2018 - 2023

The Cabinet received and considered the report of the Head of Planning and Strategic Housing regarding the request made by the Cotswolds Conservation Board to endorse the Cotswolds Area of Outstanding Natural Beauty Management Plan 2018-2023.

Councillor Haine indicated that he had listened carefully to the case put forward by the speaker, Dr Merry, but remained concerned at the loss of local control that would be occasioned by designation as a National Park. The AONB was precious and Councillor Haine expressed doubt that a larger organisation would be able to look after it as well as the Council, particularly in planning terms.

Councillor Haine considered that the Council was best placed to undertake this role; it had a new Local Plan in place that precluded unwelcome development and the Local Plan Inspector's report had been helpful in this respect. Councillor Haine felt that it would not be desirable for the AONB to be subsumed into a larger National Park. Further, he considered that the Board's Management Plan did not present a balanced picture as it failed to present the disadvantages of its proposal.

Whilst supporting some elements of the Plan, Councillor Haine considered the promotion of the Cotswolds as the Walking and Exploring Capital of England to be excessive and the creation of a National Park to be empire building. Big was not beautiful and, as Councillor Haine believed that the Council was best placed to protect the AONB, he proposed the recommendations as set out in the report.

The proposition was seconded by Councillor Good who recounted the difficulties he had experienced in dealing with Defra in relation to the Thames Path.

Councillor Mills noted the comments made by Dr Merry regarding the arrangements put in place to control planning and protect the environment in the South Downs but stressed that West Oxfordshire was not in the same position it had been prior to the adoption of the Local Plan. The Board's Management Plan did not recognise this, nor did it make mention of the Oxfordshire Joint Statutory Spatial Plan.

The AONB covered several local authority areas and Councillor Mills suggested that it would be preferable to keep arrangements simple and avoid duplication. The Cotswolds was a living, working area that ought not to be treated as a museum.

In view of the potential impact of the proposals, Councillor Mills suggested that the Council should also make its views known to the Ministry of Housing, Communities and Local Government and the Treasury and Councillors Haine and Good agreed to amend their proposition accordingly.

The Management Plan did not recognise West Oxfordshire's history of collaborative working, or that Oxfordshire was part of a wider economic priority area. The local economy was not based solely upon high tech enterprises with tourism accounting for some 10% of West Oxfordshire's economy. Councillor Mills questioned whether there had been any input from the destination management team or Experience Oxfordshire and how the proposals would interlock with the Local Economic and Industrial Strategy for Oxfordshire. He suggested that it was important to seek a view on how these would inter-relate.

Councillor Postan advised that he had some experience of working with the Forestry Office in Snowdonia. He had found that it provided good management and support and developed a good relationship with residents. However, he expressed concern that there was a danger of losing the benefit of local adversarial discussion on individual planning applications. However, he subsequently indicated that the National Park Authority was not popular with local residents and businesses.

As a representative of Burford, Councillor Cotterill indicated that he would wish to see the potential benefits of National Park status in terms of tourism, traffic and visitor management explored further.

Councillor Enright indicated that his was a more positive view of the principle of National Parks and expressed some surprise that the Cabinet's response centred primarily on loss of control by the Council. He considered that the Council should be more questioning and open minded and take a wider view as potential benefits could be significant. There would still be scope for local authority involvement and thought that more information should be sought before reaching a conclusion.

Councillor Mills stated that his point had been that the Board's Management Plan had not provided sufficient information and had not presented a rounded view of the benefits and demerits of National Park Status. He considered that it needed to provide further information on the potential implications.

In response to Councillor Enright, Councillor Haine advised that his views had been robustly conveyed as he could not see the wider benefits for local residents. He remained convinced that the Council was better placed to protect their interests than a National Park.

Councillor Good advised that he had some experience of working with protected landscapes and felt that Dr Merry's account of the success of arrangements put in place other areas failed to reflect the associated 'growing pains'. He believed that the creation of a National Park would be a retrograde step in terms of the environment as budget cuts in recent years meant that such authorities no longer had the funding they required to maintain environments as they would wish.

Whilst he acknowledged the concerns expressed by Members, given that there were potential benefits for both the farming and tourist sectors, Councillor Graham considered that it would be beneficial to explore the nature of the proposals in more depth to establish exactly what they entailed.

Councillor Graham felt that the Council needed to be more visionary as the benefits of National Park status could last for generations to come. He suggested that the Council ought not to close the door on this suggestion too quickly but engage with local residents and take their views into account prior to making its response.

Councillor Mills reminded Members that this was not the Council's consultation and that residents had the opportunity to respond to the AONB Board directly. Whilst it would be nice to amend the area to be covered, the entire AONB would be taken into the National Park. This covered several local authority areas and Councillor Mills remained of the view that control should be kept as close to local residents as possible.

Councillor Colston, the Council's representative to the AONB Board, advised that Defra and 15 local authorities would contribute to funding the National Park. He was interested in the comments regarding the loss of planning control and wondered how other authorities would respond. Councillor Colston suggested that the potential benefits of National Park status should be considered against the financial cost. The AONB Board had a budget of some £500,000 whilst a National Park Authority would require a budget of between £3 million and £5 million.

As a farmer, Councillor Colston noted that other National Parks had lost their rural nature more than other protected areas. The Cotswolds differed from existing National Parks which tended to be in upland locations and Mr Colston expressed the wish that they would not become like the Lake District which he viewed as an artificial landscape. In addition, the Cotswolds were a more affluent area.

Councillor Colston stressed that there would be advantages and encouraged Members to keep an open mind. Like Councillors Enright and Graham, he hoped to see more debate on this issue.

Councillor Mills indicated that he welcomed open debate and reiterated that this was a consultation by the AONB Board to which all were able to respond.

Councillor Cooper enquired how Councillor Colston had based his calculations and, as an aside, indicated that the Lake District was designated as a UNESCO World Heritage Site and protected by a buffer zone.

In response, Councillor Colston advised that this was an estimate based upon the size of the AONB and other National Park budgets.

DECISIONS:

- (c) That the Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023 be endorsed except for those aspects of the Management Plan that relate to:
 - (i) the promotion of the Cotswolds as the Walking and Exploring Capital of England; and
 - (ii) the promotion of the Cotswolds as England's next National Park.
- (d) That Officers be authorised to write to the Cotswolds Conservation Board and to the Ministry of Housing, Communities and Local Government, the Treasury, Natural England and DEFRA expressing concern about the active promotion of making the Cotswolds a National Park, without a full assessment of the advantages and disadvantages and without having undertaken extensive public consultation on this issue.

REASONS: The Cabinet considered its response to accord with the Council's aim to maintain and enhance West Oxfordshire as one of the best places to live, work and visit in Great Britain.

OPTIONS: None appropriate.