
REPORT TO:	Cabinet Member (Public Protection & Rural Affairs)
DATE:	5 March 2009
DEPARTMENT:	Development Services
REPORTING OFFICER:	Head of Planning Services <i>(Paul Burgess, AONB Officer Dave Allenby, Chief Planner (Forward Planning))</i>
SUBJECT:	AONB MANAGEMENT PLAN: FORMAL ENDORSEMENT
WARD/S AFFECTED:	Mashamshire, Pateley Bridge, Kirkby Malzeard, Ripon Spa, Nidd Valley, Lower Wharfedale, Washburn
FORWARD PLAN REF:	N/A

1.0 PURPOSE OF REPORT

- 1.1 This report is seeking Cabinet Member (Public Protection & Rural Affairs) endorsement of the 2009-14 AONB Management Plan on behalf of the Borough Council.
- 1.2 The report is also seeking endorsement of a procedure for dealing with approval of partnerships involving the AONB Joint Advisory Committee (JAC) and AONB Team in order to deliver Management Plan objectives.

2.0 RECOMMENDATIONS

- 2.1 That the 2009-14 AONB Management Plan be endorsed on behalf of Harrogate Borough Council.
- 2.2 That authority for approving AONB involvement in partnerships be delegated to the Head of Planning Services provided that:
- a) they are consistent with AONB Management Plan policies and actions;
 - b) the Chair of the JAC has been consulted;
 - c) if the partnerships require a funding commitment, any expenditure is within the Council's approved budget for expenditure on the AONB;
 - d) the Cabinet Member (Public Protection & Rural Affairs) be advised of decisions made by the Head of Planning Services in accordance with

this procedure.

3.0 RECOMMENDED REASONS FOR DECISIONS

- 3.1 To comply with the Council's duty under Section 85 of the Countryside & Rights of Way Act 2000 that imposes an obligation on the Council to produce a Management plan for the Nidderdale AONB.
- 3.2 To ensure that the Borough Council's views, as the accountable body for the AONB, are taken into account in the development of new projects by the AONB Team and JAC.

4.0 ALTERNATIVE OPTION CONSIDERED AND RECOMMENDED FOR REJECTION

- 4.1 Not to approve the Plan: this option is rejected as the Council has a legal obligation as set out in Section 85 of the Countryside & Rights of Way Act 2000 to produce and review the Management Plan. It has delegated this responsibility to the AONB's JAC but has taken an active part in overseeing preparation of the draft because it recognises that the partnership that is represented by the AONB's JAC is helping the Council deliver its programme in a rural area that comprises 46% of the District.
- 4.2 The proposal to delegate authority for dealing with future partnership approval is intended to make decision-making more cost-effective and more accountable.

5.0 THE REPORT

5.1 Management Plan

- 5.1.1 The Cabinet Member (Public Protection & Rural Affairs) considered a draft version of the Plan on 22 January 2009 when it was agreed that the Plan complements key policies and strategies produced by the Council including the Sustainable Community Strategy, the Corporate Plan and the Harrogate District Local Development Framework. It was also agreed that the final version would be submitted to this meeting for formal approval on behalf of the Borough Council.
- 5.1.2 The draft Plan has been well received by key stakeholders and partners and the consultation process has generated a lot of interest at community level in the AONB. All of the comments received by the end of the consultation period on 16 January are positive and constructive and have helped to highlight areas of weakness and ambiguity in the text.

5.3 Proposed arrangements for approval of future partnership involvement

- 5.3.1 Partnership development has been a hallmark of the AONB's work for many years; it has brought significant and substantial gains for the AONB such as the long-standing alliance with BTCV and the Young Ranger project, and the AONB's role alongside Hanson in the administration of the Greenhow

Landscape & Biodiversity Enhancement grant scheme.

- 5.3.2 These and many other similar but relatively small-scale projects in the past have not received formal approval from the Borough Council, reflecting the fact that the AONB's JAC has operated with a degree of independence from the Borough Council since its inception in 1995. However, over the past two years, the AONB's reputation as a local delivery mechanism has grown and external bodies such as Natural England and the Environment Agency are now looking to the AONB Team to implement parts of their programmes at local level.
- 5.3.3 The Borough Council remains the sole accountable body for the Committee's work as well as for the budgets used to support the annual programme of work undertaken in the name of the Committee and as the value and significance of these partnerships increases, there is a need to agree an efficient and appropriate procedure for dealing with this situation in future.
- 5.3.4 Accountability is an important consideration: the AONB's programme of work is approved annually by Members of the AONB's JAC, which includes Members of the Borough Council, and the Chair is kept informed of new initiatives like those under consideration in this report. The report is proposing that reporting arrangements involving the Cabinet Member (Public Protection & Rural Affairs) will be amended as set out in recommendation 2.2 d) above.
- 5.3.4 The availability of resources is also critical and the development of AONB partnerships will continue to be within the budget framework approved by the Borough Council and within the competence of the AONB Team to deliver.
- 5.3.5 The risks to the Council are therefore minimal. In future, it is proposed that authority for approving new initiatives including partnership development and funding bids, is delegated to the Head of Planning Services provided that the work has been endorsed by the AONB JAC Chair, it is consistent with a current AONB Management Plan and it is within the budget approved for the AONB by the Borough Council. If any of these criteria do not apply, the Head of Planning Services will bring a formal report to the Cabinet Member (Public Protection & Rural Affairs) for approval.

Background Papers – Nidderdale AONB Management Plan 2009-2014

OFFICER CONTACT: Please contact Paul Burgess, AONB Officer, if you require any further information on the contents of this report. The officer can be contacted at the AONB Office, Council Offices, King Street, Pateley Bridge, HG3 5LE, by telephone on 01423-712950 or by e-mail – paul.burgess@harrogate.gov.uk

SUSTAINABILITY ASSESSMENT/CRIME AND DISORDER

		Implications are		
		Positive	Neutral	Negative
A	Economy		✓	
B	Environment	✓		
C	Social Equity			
i)	General		✓	
ii)	Customer Care/People with Disabilities		✓	
iii)	Health Implications		✓	
D	Crime and Disorder		✓	

If all comments lie within the shaded areas, the proposal is sustainable