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English National Parks and the Broads

UK Government Vision and Circular 2010



March 2010

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1. Preamble

1. The purpose of this circular, which applies only in England, is to provide updated policy guidance on the English National Parks[1] and the Broads ('the Parks'). It is relevant to those bodies with appropriate statutory functions and will be of interest to all those who have a key role in contributing to the success of the Parks, including landowners and land managers, private companies and voluntary bodies.

2. In England this circular replaces Department of the Environment Circular 12/96[2] and joint Department of Environment, Department of Transport and Welsh Office Circular DoE 125/77, DTp 8/77, WO 182/77[3].

3. Whilst the National Parks[4] and the Broads[5] are established under two separate Acts of Parliament, the similarities between them are such that this circular has been produced to apply equally to them all. It sets out in relation to the Parks:
   - a vision for the English National Parks and the Broads for 2030;
   - the key outcomes the Government is seeking over the next five years to ensure early progress towards the vision and suggested actions for achieving those outcomes;
   - the key statutory duties of the National Park authorities ('NPAs') and the Broads Authority (together 'the Authorities') and how they should be taken forward;
   - policy on governance of the Authorities;
   - the contributions needed from others.

4. It will be reviewed within five years of its date of publication.

1 Dartmoor, Exmoor, Lake District, Northumberland, North York Moors, Peak District, Yorkshire Dales, the New Forest and the South Downs.
2 Environment Act 1995, Part III National Parks; issued 11.09.1996-ISBN 1-11-753314-9
3 Roads and Traffic – National Parks; issued 12.12.1997 ISBN 0-11-751275-3
4 Sections 5 & 7 of the National Parks and Access to the Countryside Act 1949 (as amended) (c. 97)
5 Norfolk and Suffolk Broads Act 1988 (c.4), as amended by Broads Authority Act 2009

2. Introduction and Background

The National Parks and Access to the Countryside Act 1949

5. Within the diversity of the English countryside, the Parks are recognised as landscapes of exceptional beauty, fashioned by nature and the communities which live in them. **The National Parks and Access to the Countryside Act 1949** ('the 1949 Act') enabled the creation of the National Parks, and ensures that our most beautiful and unique landscapes have been, and will continue to be, protected in the future. It makes provision for everyone to enjoy them.

6. The 1949 Act defines the National Park purposes as being to conserve and enhance natural beauty, wildlife and cultural heritage and to promote opportunities for the understanding and enjoyment of the special qualities of the National Parks by the public[6]. The Broads shares these two purposes but also has the third purpose of protecting the interests of navigation[7].

7. The first National Parks, Dartmoor, the Lake District and the Peak District, were designated in 1951 whilst the designation of the latest, the South Downs National Park, will take effect from 31st March 2010. Together with the Broads, the National Parks combine a range of stunning landscapes which are rich in wildlife, biological diversity, geological diversity, archaeology and heritage, with a myriad of opportunities for outdoor recreation. They are home to over 313,000 people and attract millions of visitors every year.

8. Circular 12/96 was issued to coincide with the setting up of NPAs in England. It set out advice on the discharge of their responsibilities and the actions necessary to implement the provisions of the Environment Act 1995 ('the 1995 Act')[8]. Since Circular 12/96 was issued, the UK Parliament has passed new legislation which changes the way in which the Authorities set up to manage the Parks need to operate and engage with local authorities and other key delivery partners. Section 5 of this circular summarises the key changes in primary legislation affecting the Parks since Circular 12/96 was published. The Authorities are responsible for identifying and meeting all relevant legislative requirements in addition to their statutory duties under the 1949 Act. They are expected to work together to promote understanding and share best practice (in the UK and abroad) in all areas of compliance.

9. In July 2002 Defra published the findings of a Review of English National Park Authorities[9] ('the Review'). The Review made fifty-four recommendations concerning issues in respect of policy, governance, sponsorship and resources in relation to the National Parks. The Government accepted the majority of the recommendations and has subsequently worked closely with key partners to implement them[10]. A separate follow up study[11] of the Broads Authority was published in May 2003.

6 s.5 (1) of the 1949 Act
7 (s.2 (1) of the Norfolk and Suffolk Broads Act, 1988 as amended.
8 Environment Act 1995 c.25 as amended.
9 Review of English National Park Authorities, available on the Defra website and from Defra Publications, Admail 6000, London SW1A 2XX
10 The final action plan for the Review, showing how the accepted recommendations are being delivered, is available on Defra's website at http://Defra.gov.uk under 'National Parks – Review – Action Plan'
11 The Legislative and Financial Structure of the Broads Authority, Defra May 2003

3. Vision for the English National Parks and the Broads

10. The Government has worked with the English National Park Authorities Association to develop a joint 2030 vision for the Parks. The Government encourages all those with an interest in the Parks to work towards its achievement. For the Authorities, the vision will guide their long-term planning and strategic decision-making. For other public bodies and those with a statutory interest (i.e. 'relevant authorities' as defined in s11A of the 1949 Act and s17A of the Norfolk and Suffolk Broads Act 1988[12]) the vision should be used, alongside the relevant Park Management Plans (see section 5.1), to inform their decisions on how to meet their statutory duty "to have regard to" Park purposes in exercising their functions (see also section 4.1).

Vision for the English National Parks and the Broads

By 2030 English National Parks and the Broads will be places where:

- There are thriving, living, working landscapes notable for their natural beauty and cultural heritage. They inspire visitors and local communities to live within environmental limits and to tackle climate change. The wide-range of services they provide (from clean water to sustainable food) are in good condition and valued by society.
- Sustainable development can be seen in action. The communities of the Parks take an active part in decisions about their future. They are known for having been pivotal in the transformation to a low carbon society and sustainable living. Renewable energy, sustainable agriculture, low carbon transport and travel and healthy, prosperous communities have long been the norm.
- Wildlife flourishes and habitats are maintained, restored and expanded and linked effectively to other ecological networks. Woodland cover has increased and all woodlands are sustainably managed, with the right trees in the right places. Landscapes and habitats are managed to create resilience and enable adaptation.
- Everyone can discover the rich variety of England's natural and historic environment, and have the chance to value them as places for escape, adventure, enjoyment, inspiration and reflection, and a source of national pride and identity. They will be recognised as fundamental to our prosperity and well-being.

11. The Government wishes to see all relevant bodies with an influence on the management of these special areas working towards the achievement of this vision in accordance with the rest of this document. The statutory purposes and the duty of the Authorities remain relevant, and this document aims to encapsulate the purposes and duty in a modern vision.

12 Norfolk and Suffolk Broads Act 1988 (c.4), as amended by Broads Authority Act 2009

4. Priority Outcomes for 2010 – 2015 and suggested actions

12. The Government believes early progress towards achieving the vision can be made through the Authorities and key partners together focusing on the achievement of the following key outcomes in the next five years:
    - a renewed focus on achieving the Park Purposes;
    - leading the way in adapting to, and mitigating climate change;
    - a diverse and healthy natural environment, enhanced cultural heritage and inspiring lifelong behaviour change towards sustainable living and enjoyment of the countryside;
    - foster and maintain vibrant, healthy and productive living and working communities;
    - working in partnership to maximise the benefits delivered.

13. Achieving these outcomes should be considered as the Government's priorities for the Parks over the next five years. Suggested actions for taking forward these priorities are described below. The Authorities are expected to lead the work with key partners to agree the precise actions and balance of effort required to meet the priorities according to their own local circumstances.

4.1 A Renewed Focus on Achieving the Park Purposes

14. The Government believes that for their future success it is important that the Authorities achieve a collective renewed focus on achieving the Park Purposes[13].

15. While the lead role in the achievement of the Park purposes rests with the Authorities, the active support and co-operation of all Government and public bodies and statutory undertakers whose activities affect the Parks is also vital to the achievement of Park purposes. Many of these will be 'relevant authorities' with obligations under section 11A of the 1949 Act[14] and section 17A of the 1988 Act[15] which place a statutory duty on such authorities to have regard to the relevant Park purposes when coming to decisions or carrying out their activities relating to or affecting land within the Parks.

16. Government expects those bodies affected to give due weight to their obligations and has published guidance[16] for all relevant authorities on how to discharge these duties, and set out how they will be monitored[17]. Natural England has also published their own guidance[18]. Such authorities should also consider the vision and priorities set out in this circular. Those Authorities that are active within or bordering a Park should cooperate in the development of the Park Management Plans and the achievement of their objectives (see section 5.1).

17. The guidance also requires Natural England to prepare regular reports on the performance of the s11A and the similar s17A duty. Authorities should raise awareness of this guidance, and of the statutory duties to which it refers, and work collaboratively with all 'relevant authorities' on its implementation.

13 s.5(1) of the 1949 Act and s.2 (1) of the 1988 Act
14 as inserted by section 62 of the 1995 Act
15 as inserted by section 97 of the Countryside and Rights of Way Act 2000
16 Duties on relevant authorities to have regard to the purposes of National Parks, Areas of Outstanding Natural Beauty (AONBs) and the Norfolk and Suffolk Broads. Defra, March 2005
17 Review of English National Park Authorities Defra July 2002
18 England's statutory landscape designations: a practical guide to your duty of "have regard"

4. Priority Outcomes for 2010 – 2015 and suggested actions

4.1 A Renewed Focus on Achieving the Park Purposes

18. Section 11A(2) of the 1949 Act (inserted by section 62 of the 1995 Act) requires **any relevant authority** (such as various public bodies and statutory undertakers), when exercising or performing functions which relate to or affect land in a National Park, to attach greater weight to the purpose of 'conserving and enhancing' if it appears that there is a conflict between the two National Park purposes. This enshrines in legislation the long established Government policy often referred to as the "**Sandford Principle**". However, this requirement does not apply to the Broads, where three purposes apply (see below)[19].

19. The Government believes that in most cases it remains possible to avoid potential conflicts through negotiation and well considered planning and management strategies and expects the NPAs to take the lead in encouraging mediation, negotiation and co-operation.

Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Parks

20. The Government continues to regard National Park designation (together with that for Areas of Outstanding Natural Beauty ('AONBs')) as conferring the highest status of protection as far as landscape and natural beauty is concerned. The Parks represent an important contribution to the cultural and natural heritage of the nation. The Parks are living and working landscapes and over the centuries their natural beauty has been influenced by human activity such as farming and land management activities. They contain important wildlife species, habitats and geodiversity, many of which have been formally recognised as being part of national and international importance (28% by area of SSSI in England is found in National Parks).

21. In developing and implementing policies for the planning and management of their areas, Authorities should document and clearly express the special qualities of the Park and the status and condition of these qualities. Authorities are expected to continue to seek to ensure the conservation of the natural beauty of the area for which they are responsible. In meeting the conservation purpose, Authorities are expected to work closely with landowners and land managers and with all appropriate bodies including central and local Government and the key public bodies described in Annex A.

22. The Parks' assets are affected by many factors which lie outside the direct control of the Authorities, including for example, climate change, farm support payments, terrestrial and marine developments beyond their boundaries and transport. Authorities should assess any external risks and seek to minimise the harmful and maximise the beneficial effects. Supported by the relevant authorities (guided by s11A of the 1949 Act and s17A of the 1988 Act), they are expected to put in place measures which capture opportunities, mitigate and/or resist adverse pressures and which restore and/or recover damaged landscapes and sites from historical and/or ongoing damage. These measures, together with plans for conservation and enhancement of the Park environment, should be included in the Park Management Plans (see section 5.1).

Promoting opportunities for the understanding and enjoyment of the special qualities of the Parks by the public

23. Large numbers of people visit and learn about the Parks every year, drawn by their landscapes, the chance to escape day to day pressures and above all, to experience the sense of freedom, peace, adventure and enrichment which generations have enjoyed since the Parks were first

19 s.2(1) of the Norfolk and Suffolk Broads Act 1988

established. No two Parks are the same and the Government looks to individual Authorities to identify the special qualities of their Park, including those associated with their cultural heritage, wide open spaces, coastlines, the sense of relative wildness and tranquillity, and the dark night skies that Parks offer. Authorities should produce and promote educational and recreational strategies which are best suited to these special qualities, to enable residents and visitors to learn about what makes a Park special, to encourage wider action on sustainable living and make a personal connection.

24. Authorities should continue, and also encourage others, to develop innovative information and education programmes which help people to understand and enjoy what the Parks have to offer. They should continue to work with those in the education and voluntary sectors and to utilise new methods of communication to reach wider audiences in ways that best meet their needs.

25. The popularity of the Parks is a testament to the benefits they provide to the nation. However, some groups visit Parks less often than others such as ethnic minorities, young people, disadvantaged groups and disabled people. Authorities should recognise their responsibility to promote understanding and enjoyment to all sectors of society. A proactive approach is required to overcome the barriers to visiting and experiencing the Parks that may be encountered by under-represented groups. Authorities should continue to strengthen links with urban populations, taking steps to attract people from all walks of life.

26. The Parks contain a variety of landscapes, capable of accommodating many different types of leisure activity. Authorities should continue to identify and promote new access and recreational opportunities and ways of delivering them, working proactively with a range of statutory and non-statutory interests such as local access forums (see section 5.6), Natural England, English Heritage, voluntary sectors and, particularly, farmers, commoners and landowners. However, in light of research published in 2005[20], the Government recognises that not all forms of outdoor recreation are appropriate in each Park and that activities which would have an adverse impact on the Parks' special qualities and other people's enjoyment of them may need to be excluded (in order to meet the requirements of section 11A(2) of the 1949 Act).

27. Parks are attractive locations for large-scale community, charitable or other events and festivals such as organised charity walks, cycling events, cultural and musical events and fairs. Events should be encouraged which fully engage local communities and visitors, showcase 'greener living', minimise harm to the environment and help to interpret and encourage access to Parks. Such events can be significantly beneficial to achieving Park purposes and deliver economic and social benefits to local communities. Events with the potential to harm the special qualities of a Park, such as caravan and vehicle rallies and large music festivals, will need to be controlled. Authorities should build on their existing experience of working with event organisers to ensure the events programme overall contributes to the sustainable development of Parks and does not harm these special qualities. Parks offer community cohesion and sharing between rural and urban communities.

20 Demand for Outdoor Recreation in the English National Parks – Countryside Agency October 2004 (updated March 2005 and published alongside a Guide to Good Practice in managing and promoting outdoor recreation in the Parks)

4. Priority Outcomes for 2010 – 2015 and suggested actions

4.1 A Renewed Focus on Achieving the Park Purposes

Sustainable Development

28. The principles of sustainable development include living within environmental limits, achieving a sustainable economy and ensuring a strong, healthy and just society. There are wide ranging demands and needs within the Parks, including, for example, conservation, public access, local employment and affordable housing. The Authorities' primary responsibility is to deliver their statutory purposes. In doing so, they should ensure they are exemplars in achieving sustainable development, helping rural communities in particular to thrive. Such models can offer wider application to other areas beyond the Park boundaries, and Authorities are encouraged to disseminate their experience to other rural authorities. For example, through the use of resources such as the Sustainable Development Fund, the Authorities have piloted initiatives which have tested new approaches and, in doing so, they have become examples of best practice.

29. Sustainable development is about ensuring a better quality of life for everyone, both now and for generations to come. Within the Parks, conserving and enhancing the landscape, biodiversity, cultural heritage, dark skies and natural resources, and promoting public understanding and enjoyment of these should lie at the very heart of developing a strong economy and sustaining thriving local communities.

30. The Parks provide some of the best quality 'green infrastructure' – the interconnected network of parks, woods, waterways, and other types of green space that acts as one of the life-support systems for our towns, cities and rural areas. This helps create a healthy environment for people, communities and businesses, improving air and water quality, reducing ill-health. Effective management of land in the Parks helps to mitigate and combat the effects of climate change, including flooding. The Parks are important as models of sustainable development and are important in allowing society to experience sustainable development in practice.

Major Developments

31. Major development in or adjacent to the boundary of a Park can have a significant impact on the qualities for which they were designated. Government planning policy towards the Parks is that major development should not take place within a Park except in exceptional circumstances. This is set out in Planning Policy Statement 7: Sustainable Development in Rural Areas and restated in Minerals Policy Statement 1: Planning and Minerals. Applications for all major developments should be subject to the most rigorous examination and proposals should be demonstrated to be in the public interest before being allowed to proceed. The criteria for the assessment of such applications is currently set out in Paragraph 14 of Minerals Policy Statement 1 and Paragraph 22 of Planning Policy Statement 7. The Government expects all public authorities with responsibility for the regulation of development in the Parks to apply the test rigorously, liaising together to ensure that it is well understood by developers.

Broads Authority's Navigation Responsibilities (Broads Authority Only)

32. In addition to the two purposes of the National Parks as defined in the 1949 Act, the Broads has a third purpose under the 1988 Act of protecting the interests of navigation, and maintaining the navigation area for the purposes of navigation to such standards as it requires; and to take such steps to improve and develop it as it thinks fit.

4. Priority Outcomes for 2010 – 2015 and suggested actions

4.1 A Renewed Focus on Achieving the Park Purposes

33. The waterways of the Broads are important for navigation, biodiversity and outdoor recreation. They also support the adjacent wetland habitats and the local economy, and provide wider ecosystem services such as mitigating flood risk, and providing drinking water for the adjacent urban areas. The Government expects the Broads Authority to maximise the benefits available from these resources by continuing with its holistic approach to ensure its management of navigation is integrated into all the aspects of the Authority's management of the Broads. In particular, the Government expects the Broads Authority to continue to encourage a greater range of people to take up sailing, canoeing and fishing and other water related activities and to work with the local tourist industry to promote the area.

34. The open waters are a key component to the landscape and the Government recognises the difficulty of maintaining these features, given their position as a receptor of diffuse pollution, the increasing saline influence and the natural succession prompting sedimentation and eventual loss unless dredging is undertaken.

35. The nature of the environment results in relatively high maintenance costs, providing access for the public from the land is expensive, and there is a need for active management to ensure no deterioration of important ecological features. Dredging and proper disposal of sediment from the bed of the rivers and broads is the largest cost in the maintenance of the navigation area. Research has established that there is currently a backlog of 1.8 million m^3 of sediment in the Broads of which 1.3 million m^3 is in the navigation area. The Government encourages the Broads Authority to seek to address this backlog to benefit both the navigation users and the ecosystem and continue to seek innovative methods of doing so.

36. The costs of maintaining the navigable waterways are largely met from tolls by those who use the network for recreation. The Government recommends that users should make an appropriate and fair contribution to the maintenance costs for the system. The Broads Authority should therefore keep navigation charges under review and continue to use them to encourage people on to the water and to encourage sustainable forms of boating. The delivery of the Authority's conservation and recreation purpose is supported by grant paid by Defra. Recent changes to the 1988 Act expressly recognise that dredging can be carried out for purposes other than navigation.

37. Public safety on the water is an important feature of the Broads Authority's work and as a harbour authority it has implemented the requirements under the Port Marine Safety Code including the Formal Safety Assessment of all risks, the development of the Safety Management System and the review of the Authority's legislative framework.

38. The latter led the Broads Authority to promote a Private Bill, supported by the Government, to update the 1988 Act. The Broads Authority Act 2009 provides powers for the introduction of compulsory third party insurance, the licensing of hire craft, the management of water skiing and wakeboarding, the transfer of responsibility for Breydon Water and the Lower Bure and other safety measures. The Government encourages the Authority to continue with the rapid implementation of the provisions in the new Act.

4.2 Leading the way in adapting to, and mitigating, climate change

39. The understanding of climate change has improved considerably since circular 12/96 was published. With a better understanding of the science and the action needed, and with the development of robust policies for adapting to and tackling climate change, the Government believes that the Parks must now place climate change as central to their objectives. Climate change and sea-level rise will compound the already significant pressures on finite resources and natural systems.

40. The Authorities are educators and in the area of climate change they have a vital role to play. They should spread important messages about the impacts of climate change and how individuals, especially visitors, can play their part in tackling it in ways which motivate lifelong behaviour change.

Helping people and nature to adapt to climate change

41. The Government believes that effective adaptation of the economy and society will rely on the continued health of the natural environment. We cannot respond effectively and efficiently to projected climate pressures without effective environmental management. The Authorities have a role here as exemplars of sustainability in enabling the natural environment to adapt to predicted changes (and being resilient to unpredictable events), in supporting the delivery of ecosystem services[21] and in developing more resilient infrastructure (such as rights of way that are less vulnerable to flood damage). This role will be key to the Authorities' adaptation response.

42. The Parks themselves will be threatened by climate change and the Authorities must ensure that they protect the public assets which the Parks represent. This may involve difficult decisions as the special qualities of the Parks change. For example, some tree species which are currently valued as part of the landscape may not be viable. Assumptions about the value of the traditional appearance of the countryside may have to be challenged as the needs which shape its future may be different from those which have shaped its past. The Authorities and all relevant bodies must be innovative while using the best available research to ensure that they continue to provide healthy, viable and adaptive environments.

43. The Government welcomes the decision by Authorities to choose to report under the Climate Change Act 2008 on how they will plan to manage climate change risks to protect people and the environment.

Mitigating climate change: leading the way

44. The management of the Parks can play a key role in the fight against climate change and in leading others by demonstrating best practice. The Authorities are custodians of lands rich in woodlands, moors and fens: the 449,000 hectares of peat soils in the Parks contain 119Mt of carbon, equivalent to England's carbon dioxide emissions for a year. The Authorities should lead the way in sustainable land management to prevent further carbon loss from soils and to encourage carbon storage in trees and fens. The deep peat soils which are out of condition should be restored. Woodlands should be managed to increase their contribution to climate change mitigation through either sequestration in growing biomass

21 Ecosystems services are those services provided by the natural environment that benefit people including clean air and water, access to green spaces, the regulation of the climate and water cycle, raw materials for industry and agriculture, tourism and recreation, and inspiration from nature.

or through wood and timber produced from the woodlands substituting for fossil fuels and more energy intensive construction materials. The Authorities should use their influence to encourage farming practices which reduce emissions, such as lower fertilizer use.

45. Trees, woods and forests store carbon and can help to reduce the worst effects of a changing climate in rural and urban environments. They also provide biodiversity benefits, are places for outdoor recreation and are a source of woodfuel and timber. Planting rates in England have declined over recent years and there is an urgent need to reverse this decline and deliver a significant increase in woodland created. Authorities are expected to support the Government's policy of the "right tree in the right place" and to contribute towards a step-change in planting rates in England by working with the Forestry Commission, landowners and managers, local communities, woodland businesses and voluntary groups to improve the management of existing woodlands and to increase woodland cover.

46. The Authorities also have a role to play in reducing emissions from sectors other than the land. Renewable energy is key to achieving the UK's emissions reductions targets and the move towards low-carbon living. The Parks should be exemplars in renewable energy. Authorities need to work with local communities to reach a position where renewable energy is the norm in all Parks whilst not compromising their overriding duty under the 1949 Act.

47. The Parks offer important opportunities for renewable energy generation which must not be overlooked, including woodfuels, and micro-hydro, anaerobic digestion (which will also reduce waste), wind and solar power installations appropriate to the national value of the landscape. The Authorities should promote energy efficiency within the Parks, reduce the emissions from their own operations and from those associated with visits, including through sustainable low carbon transport use (see also section 4.4).

4.3 Secure a diverse and healthy natural environment, enhance cultural heritage and inspire lifelong behaviour change

48. The Government believes that this priority can best be met by Authorities working with key partners on focused action to:

- manage landscape, heritage and improve quality of place;
- value, safeguard and enhance biodiversity;
- protect and enhance soils;
- promote and deliver agri-environment schemes;
- promote better management of common land;
- improve public understanding of the natural environment and the benefits of outdoor recreation.

4. Priority Outcomes for 2010 – 2015 and suggested actions

4.3 Secure a diverse and healthy natural environment, enhance cultural heritage and inspire lifelong behaviour change

Manage landscape, heritage and improve quality of place

49. Cultural heritage and landscape are fundamental to quality of place and, as they are central to attractiveness, distinctiveness, diversity and quality of place in the Parks, should be protected and enhanced. As the local planning authority for the Parks, the Authorities should apply the principles set out in Planning Policy Statement 15: Planning for the Historic Environment. Authorities will be expected to follow and promote with partners and stakeholders the principles of the European Landscape Convention (the 'ELC')[22] in all decisions and discussions concerning planning, management, and protection. An Implementation Framework has been prepared by Defra, Natural England and English Heritage to encourage and guide the development of ELC Action Plans by organisations, including the Authorities. To complement this, Natural England has also prepared specific guidelines for integrating the intent of the ELC into plans, policies and documents.

50. In addition, the Government expects the following to be addressed in Park Management Plans:

- an overview of the state of the historic environment and landscapes;
- a strategic framework promoting the protection, enhancement and public appreciation of and engagement with the historic environment, cultural heritage and landscapes;
- measures promoting the regeneration of historic places and the sustainable adaptive re-use of the built heritage.

Biodiversity, valued, safeguarded and enhanced

51. Biodiversity is the variety of life in all its forms and encompasses all species of plants and animals and the complex ecosystems of which they are a part. It plays a key role in underpinning quality of life and providing ecosystem services, and the Government has agreed to international commitments to prevent further loss of biodiversity. Under section 40 of the Natural Environment and Rural Communities Act 2006 ('the 2006 Act'), 'Every public authority (including the Authorities) must, in exercising its functions, have regard, so far is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.' The Authorities should ensure that biodiversity is protected and encouraged through proactive, sympathetic management both within recognised protected areas and in the wider landscape. Generally speaking, habitats are less fragmented in the Parks then elsewhere and the Authorities have an important role in helping to deliver habitat restoration and expansion at a landscape scale, especially against the backdrop of a changing climate.

52. The Authorities should also pay particular attention to habitats and species of principal importance for the conservation of biodiversity in England. The Government expects the following to be addressed in Park Management Plans and (where appropriate) related strategies such as Biodiversity Action Plans:

- recognition of environmental trends resulting from climate change and provision for natural systems, habitats and species to adjust to this;
- a strategic framework for the protection, restoration and creation of priority habitats and the protection and enhancement of the populations and habitats of priority species;
- specific actions to address identified declines in biodiversity or management practices which are causing harm to biodiversity;

22 http://www.naturalengland.org.uk/ourwork/landscape/protection/europeanconvention/default.aspx

- managing land use in step with naturally functioning processes and systems and aligning objectives for biodiversity and geological conservation with, for example, River Basin Management Plans;
- maintaining, restoring or adding to networks of natural habitats and other landscape features essential for the migration, dispersal and genetic exchange of species (incorporating this into a more broadly functioning 'green infrastructure') – including consideration of habitat networks beyond the Park boundaries where this contributes to improved connectivity and the wider living landscape;
- promoting sustainable design standards for the construction and management of development which includes features beneficial to biodiversity or geological conservation;
- identifying the role of a hierarchy of internationally, nationally and locally designated sites and supporting its appropriate recognition;
- promoting and supporting the enhancement and management of local geological sites through the planning process.

53. Authorities are expected to consider the consequences of any landscape or ecological review which impacts on them, such as Professor Sir John Lawton's review of England's wildlife sites and ecological network.

Protecting and enhancing soils in our most valued landscapes

54. Safeguarding our soils for future generations means managing and protecting them more effectively, tackling degradation and building resilience to increasing pressures, including the direct and indirect impacts of climate change. The Soil Strategy for England (September 2009) recognises that soil is a fundamental, and essentially non-renewable, natural resource that provides many diverse ecosystem services for society (including food production, water and flood management, climate regulation and support for valuable biodiversity) and that we need to take action now to safeguard the ability of the soil to provide these essential services.

55. The Authorities continue to have an important role to play in helping to deliver this strategy in our most valued landscapes and should continue to use their influence to ensure the sustainable management of all soils, including grassland and forest soils and peats. Through their role in the planning process and in development projects, the Authorities should also ensure the sustainable use and protection of soils by promoting the use of the Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Promoting and delivering agri-environment schemes and food security

56. The Parks provide high quality environments rich in biodiversity and prized for their high quality landscapes and cultural heritage. These landscapes have been shaped by generations of farming activity. As well as food production, farming also delivers an array of public benefits that include: storage of water and carbon, protection of historic features, keeping the landscape open and accessible and management of soils. The Parks play a role in the provision of a sustainable, secure and healthy food supply through the wide range of modern farming practices that take place in them, for example, the production of vegetables, fruit, grapes (for wine), salad crops and combinable crops. In addition, livestock rearing contributes to food production and to conservation grazing. Food processing adds value to farm products and provides enterprise and employment opportunities. Food products sold locally and further afield can increase the economic viability of these more marginal areas and draw more visitors to the Parks.

57. The Authorities play an important role in the development, promotion and delivery of agri-environment schemes and are expected to work closely with Defra and Natural England to ensure that agri-environment scheme delivery is properly integrated with Park objectives and activities within the farmed environment. Authorities should continue to promote agri-environment schemes and other measures that enable farmers and land managers to deliver a wide range of ecosystem services and sustainable, secure and healthy food supplies. Farming in the Parks should embrace modern farming practices in order to support an agricultural sector that can sustainably increase its resilience and productivity, taking account of climate change.

Promoting better management of Common Land

58. Common land represents nearly one-fifth of the area of the Parks and may provide a more diverse range of public benefits than any other comparable area. It is essential to the viability of many farming communities in the Parks, and to maintaining some of our most highly valued landscapes. Because of the unifying features of its history, legislation and management, common land should be considered as a single entity rather than a sequence of subsets of other land categories.

59. Part 2 of the Commons Act 2006[23] enables the Secretary of State, in response to local needs, to establish commons councils (which will be similar in structure and functions to the Dartmoor Commoners' Council) to strengthen the role of local communities in improving the management of common land. The Authorities should work with commoning communities to help facilitate the creation of new commons councils, and where councils are established, assist in the enforcement of any rules made by them. When Part 1 of the Commons Act 2006 is implemented in their areas, the Authorities have an important role in assisting commons registration authorities to raise awareness among the commoning community in their area and to promote applications to update the registers, whether by helping third parties or by making applications themselves in the public interest.

60. The Authorities also have powers to take enforcement action against unlawful works on common land and to protect commons with no known owner against interference (such as trespass and encroachment). Unclaimed commons are particularly vulnerable to encroachment and abuse because of the perceived low likelihood of remedial action being taken, yet such land is no less likely to be of value and importance to the local community as any other common land. The Authorities should co-operate with other local authorities in their area, with which enforcement powers are shared, to ensure that lead responsibility for action is clearly assigned and understood. The Authorities may also make a scheme of regulation under Part I of the Commons Act 1899[24] for the management of common land and a scheme may be particularly appropriate where the ownership of common land or a town or village green is unknown or cannot be ascertained, so that the land may be positively managed for public benefit.

Improving public understanding of the natural environment and the benefits of outdoor recreation

61. The Authorities should make the most of visitors they receive to increase understanding of the natural environment, promote healthy outdoor recreation and inspire lifestyle choices that support a diverse and healthy natural environment. In particular, children have less contact with nature now than at any time in the past. Contact with nature improves

23 Commons Act 2006 (c.26)
24 Commons Act 1899 (c.30)

children's concentration and self discipline, and playing in a natural environment improves their social, mental and physical development. People who spend time in the natural environment as a child are more likely to continue visiting it as an adult and more likely to value these places and the many benefits they offer.

62. The Government (Department for Children Schools and Families) sponsored Learning Outside the Classroom (LOtC) initiative promotes the idea that every young person should experience the world beyond the classroom as an essential part of learning and personal development, whatever their age, ability or circumstances. The Parks contain a huge range of landscapes, habitats, history and rural communities, providing excellent opportunities for learning, recreation and exercise in beautiful natural surroundings.

63. Authorities should promote opportunities for children and young people to experience the natural environment in the Parks and seek to inspire a lifelong commitment to enjoying, understanding and caring for the natural environment. The Authorities should also work with partners to achieve a deep understanding of what people want from the natural environment and what will motivate lifelong behaviour change, and should use this to inform their work in this area.

4.4 Foster and maintain vibrant, healthy and productive living and working communities

64. The Parks are the homes and workplaces of many thousands of people. Local communities have helped shape our Parks and continue to play a major role in securing Park purposes. Conserving and enhancing natural beauty, wildlife and cultural heritage and supporting vibrant, healthy and productive living and working communities need not necessarily be in conflict. Resident communities will be keenly aware of the special value of their own locality and should be encouraged to take an increasingly active role in decision making.

65. Section 11A(1) of the 1949 Act places on the NPAs a duty 'to seek to foster the economic and social well-being of local communities within the National Park' in pursuing the two purposes. Section 2(4)(c) of the 1988 Act requires the Broads Authority, in discharging its functions, to have regard to the needs of agriculture and forestry and the economic and social interests of those who live or work in the Broads.

66. Authorities should continue to focus their expenditure on the delivery of their statutory purposes, whilst seeking to maximise the socio-economic benefits available from such activity. Experience to date has shown that by harnessing the economy to environmental ends, tangible economic benefits can be delivered through the statutory purposes whilst at the same time enhancing those purposes.

67. To meet this priority, the Government believes action by the Authorities in association with their partners should:

- foster and maintain thriving rural economies;
- support the delivery of affordable housing;
- encourage communications infrastructure;
- make tourism sustainable
- promote sustainable transport, including navigation.

4. Priority Outcomes for 2010 – 2015 and suggested actions

4.4 Foster and maintain vibrant, healthy and productive living and working communities

Foster and maintain thriving rural economies

68. The communities of our Parks are an absolutely critical ingredient to the sustainability of the Parks themselves. The Parks have not been designated as wilderness parks; their communities are a fundamental part of their character. The Authorities must ensure that, in their work furthering Park purposes, they give sufficient weight to socio-economic interests in order to fulfil their duties appropriately to sustain strong communities drawing, amongst other things, on the good work already undertaken and their shared aspiration to support thriving rural communities.

69. The Authorities have key statutory responsibilities in areas with some of England's lowest wages and low levels of economic productivity. This is predominantly due to the majority of Parks being upland areas, which tend to be relatively more dependent on traditional sectors with low productivity, low wages and declining levels of employment. It is critical that all strategies developed for such areas are fully informed by their local economic circumstances and that planning and economic development strategies foster improvement in productivity and incomes through appropriate policy and intervention. Relevant data can be sourced from Regional Observatories and Defra's Rural Evidence Base.

70. The Parks' socio-economic duty has been given added weight and momentum by the Taylor Report[25] and the Rural Advocate's Report[26] on the economic potential of rural England. Both reports point to the need to accommodate growth, development and investment in all rural areas at an appropriate scale and form. This should not be interpreted as meaning that development cannot be accommodated; rather, it means that additional and concerted efforts are required to ensure communities, planners and businesses have clear, consistent advice regarding the acceptable forms development might take, so that Park communities are places where people can live and work by maintaining sustainable livelihoods.

71. Authorities need to think carefully about whether, and if so how they might use their own resources to this end. Whilst the likely scale of any available funds would be relatively insignificant if used for mainstream support, use of small amounts of seed corn funding can be effective. Overall however, the Authorities should be clear that meeting the requirements of Planning Policy Statement 4 in fostering appropriate socio-economic development within the Parks will not depend solely on their relatively small scale financial resources, but also in recognising that they do have a wider range of tools and resources available.

72. Authorities can play a catalytic role through fostering:
    - an appropriate planning regime encouraging new development to broaden the economic base and fostering more diverse and higher value local employment opportunities;
    - appropriate support and advice (for instance through Business Link);
    - a local enterprise culture, facilitated by support networks, promotion and facilities.

73. This in turn is supported by access to finance, which is likely to come from two main sources:
    - private investment – investment, and the ability to finance loans, is most likely to come from companies and individuals already established in the area, although not exclusively; and

25 Living Working Countryside. The Taylor Review of Rural Economy and Affordable Housing. July 2008
26 England's Rural Areas: Steps to Release their Economic Potential. June 2008

- funds from other public sources (particularly from Regional Development Agencies (RDAs), Housing & Communities Agency (HCA) and Health & Local Authorities). Such funds will however be much harder to access in the coming years, due to the pressure on public funds.

74. The Authorities' role (and that of local and regional partners) in fostering a positive environment for sustaining and developing business in the Parks should be cognisant of those sectors and activities which are most likely to sustain their communities, are appropriate to their setting and maximise the benefits of a high quality environment. In this regard, the Authorities should ensure they engage with the development of the Local Economic Assessments which relate to the Park areas and look to achieve a sectoral mix which includes, amongst other things:

- high value, knowledge-intensive jobs, which are likely to attract and retain people of all ages, but particularly intended to appeal to young people;
- employment that achieves the critical mass needed to drive provision of modern communications infrastructure, from which all businesses and communities can benefit;
- opportunities for economic activity which capitalises on public access and recreation and appropriate forms of tourism; and
- food processing and marketing to add value to local farm produce.

This is not intended to be an exclusive list, but is intended to show the need for a diverse and balanced economic base.

75. Authorities therefore need to consider carefully how best to act proactively to support appropriate development and seek to foster economic activity which will strengthen the sustainability of Park communities and businesses.

Support the delivery of affordable housing

76. In addition to the provision of support for commercial and business development, the critical link with housing provision – particularly affordable housing – needs to be recognised. The lack of affordable housing in many rural areas, including the Parks, has important implications for the sustainability of the Parks and their communities. This can have a detrimental effect on the local economy and undermine the social networks that are key components of sustainable rural communities. The Authorities have a key role as planning authorities but are neither housing authorities nor housing providers.

77. The desirability of the Parks as places to live is one outcome of their successful long-term conservation and promotion. Demand for housing in the Parks has consistently driven up the price of housing and development sites. Combined with relatively low wages in the local economy, a declining stock of council housing and only modest additions of new affordable units over the last 20 years, the consequence is that much of the stock is now beyond the reach of many local households. This can affect the social and economic diversity of rural communities and may, in some circumstances, undermine social support networks and the viability of rural businesses, which are key components of sustainable rural communities.

78. The Authorities have an important role to play as planning authorities in the delivery of affordable housing. Through their Local Development Frameworks they should include policies that pro-actively respond to local housing needs. The Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide

general housing targets for them. The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services.

79. The Government expects the Authorities to maintain a focus on affordable housing and to work with local authorities and other agencies to ensure that the needs of local communities in the Parks are met and that affordable housing remains so in the longer term.

Encourage communications infrastructure

80. For the Parks to be a viable place for businesses and for communities to thrive, the communications infrastructure needs to be fit for purpose. The restrictions on the deployment of infrastructure imposed on the Parks by the Electronic Communications Code[27] and Planning Policy Guidance Note 8 will mean that there is a more measured approach to the implementation of these policies in the Parks, but the Government, in conjunction with Ofcom, is committed to working with operators to ensure the best possible outcome within these constraints. As part of this, the Government and Ofcom will encourage early consultation on the part of the operators with the Authorities on proposals that might affect a Park.

Make tourism sustainable

81. Tourism is often one of the main economic drivers of rural economies. There are some 75 million visits every year to the Parks. Sustainable tourism, as defined by The European Charter for Sustainable Tourism, is: "any form of development, management or tourist activity which ensures the long term protection and preservation of natural, cultural and social resources and contributes in a positive and equitable manner to the economic development and well-being of individuals living, working or staying in protected areas. Properly managed tourism can bring a range of benefits and help sustain communities, environments and ways of life but inappropriate tourism development or poorly managed visitor pressure can be damaging. Promotion of sustainable tourism is not itself a specific purpose or duty of the Authorities. However, sustainable tourism contributes to Park purposes, particularly that of promoting opportunities for the understanding and enjoyment of the special qualities of Parks by the public.

82. The pursuit of sustainable tourism is therefore a critical objective for the Authorities as a key contributor to the local economy and as a prerequisite for the successful promotion of the wider enjoyment of the Parks without compromising their special qualities. The Authorities should help realise the positive contribution that sustainable tourism can make to the environment of the Parks and to the wellbeing of Park communities. They should develop strategies with regional and local agencies and associations which fully reflect the 2004 Principles for Sustainable Tourism in National Parks and Areas of Outstanding Natural Beauty. They should also take account of the six key challenges for sustainable tourism published by the Government in March 2009[28]. The tourism industry should recognise its responsibilities in respect of the conservation and enhancement of the special qualities of the Parks, and work with the Authorities in the delivery of sustainable tourism objectives.

27 http://www.opsi.gov.uk/si/si2003/20032553.htm
28 Sustainable Tourism in England: A framework for action. DCMS March 2009

Promote sustainable transport, including navigation

83. There should be close liaison between the Authorities and local/integrated transport authorities in promoting more sustainable travel choices. In particular local/integrated transport authorities will need to develop Local Transport Plans ('LTPs') and be involved in shaping better accessibility and the transport dimension of the Regional Strategy. They are also responsible for traffic management schemes and the development of public transport generally. In fulfilling their Section 11A/17A duty local authorities that are responsible for transport in the Parks will need to consider how their LTP relates to Park Management Plans and the design standards required in the Parks. Statutory Guidance on LTPs states that Park Management Plans and the Broads Plan (as well as AONB Management Plans) need to be reflected in LTPs.

84. Central Government approval must be sought for all transport projects which are expected to cost in excess of £5 million and for which additional funding is sought. Environmental quality should be the primary criterion in the planning of road and traffic management. The statutory environment bodies such as Natural England, the Environment Agency and English Heritage must be consulted about such proposals as they are developed and should make sure that the relevant Government Office for the Regions and the Department for Transport are aware of any concerns at the earliest opportunity. There is a statutory duty to consult Natural England when an environmental statement is required for a highway development within a Park.

85. Improvements of main routes through the Parks are governed largely by considerations outside those relating to the Park area itself. However, there is a strong presumption against any significant road widening or the building of new roads through a Park, unless it can be shown there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs very significantly. Any investment in trunk roads should be directed to developing routes for long distance traffic which avoid the Parks.

86. In exceptional cases where new road capacity were deemed necessary, a thorough assessment would be needed on the loss in environmental value resulting from any new infrastructure. This would need to be accompanied by measures to minimise any damage and where possible measures to enhance other aspects of the environment. This would include measures to compensate for the loss of environmental or landscape value to local communities and users of the Park, as well as measures to enhance local access to services or sustainable access to points of interest that may be detrimentally affected by the new infrastructure. The Department for Transport would expect that, in addition to the statutory environmental bodies, the Authorities are consulted by the highway authority, or in the case of trunk roads by the Highways Agency, at an early stage in the design of any road and traffic management schemes within or potentially affecting Parks.

87. When assessing options for dealing with increasing demand for access to and within Parks, Transport Authorities are expected to have considered demand management measures before new infrastructure is considered. Where new transport capacity is deemed necessary, consideration should be given to the scope for sustainable low carbon transport initiatives prior to consideration of schemes to create more capacity for car access. These could include schemes to enhance public transport, provide car club and sharing schemes, or

improve segregated cycling and walking connections between train stations, local towns, villages and car parks and the local rights of way network. The Government has published guidance on sustainable travel which gives more information and best practice examples[29]. Where increased access to points of interest or beauty spots is deemed necessary, measures may need to be taken to regulate entry and exit at peak times to minimise the detrimental effect on the local environment caused by any additional traffic. Government expects complimentary measures for non-car users to be put in place in parallel to any car based measures. For any transport schemes, all practicable measures for mitigating impacts on the natural beauty and special qualities of the surrounding area and on local communities should be put in place.

88. Accident rates for road users in rural areas are relatively high in comparison to urban areas due to the nature and perceived high speeds of rural roads, so safety on the Parks' roads is a key issue. A number of Parks have 40mph limits. These are important for reducing those killed or seriously injured in collisions, reducing the number of livestock or roaming animals that are killed on the roads, and ensuring those using roads in the Parks are not intimidated by speeding traffic. Road transport authorities should design essential road improvements to avoid increasing the capacity or the perceived speed of the road unnecessarily. Transport authorities should work with Authorities to introduce innovative speed management schemes that are in keeping with the requirements of a protected landscape. Traffic calming and other traffic management and signage measures should be minimal and sympathetic to their settings. Measures should be implemented in a way that can be formally monitored.

89. Although there are no major airports situated within the Parks, some air traffic will pass over them. Current Government guidance[30] on environmental objectives to the Civil Aviation Authority (CAA) requires the CAA to pursue policies that will help to preserve tranquillity where this does not increase significantly the environmental burdens on congested areas. While the Parks are afforded certain statutory protection, this does not extend to precluding over-flying by aircraft. In practice, it would be impractical to prevent widespread over-flying of the Parks without affecting reasonable levels of access to airports. In July 2009 the House of Commons Transport Committee published a report[31] including recommendations relating to aviation activity over National Parks and AONBs.
The Government's response recognises that the guidance needs to be updated although there is a need first to consider what impact ongoing work towards a new general environmental objective for the CAA would have on its content. The CAA should consult the Authorities on any proposed changes to air space use over a Park.

90. Inland waterways offer visitors a unique perspective on a number of our Parks, both through boating on the waterways themselves or by walking or cycling along the associated footpaths. For the Broads and the Lake District waterborne recreation is a particularly important part of the enjoyment of the Park, but it will also be important in other Parks too.

91. In the same way as rights of way, navigations offer important and valued opportunities for people to understand and enjoy the Parks. They are both a significant part of our cultural heritage, particularly in the Broads, and a major recreational and transport resource. They enable people to get away from roads used mainly by motor vehicles and enjoy the special qualities of large parts of the countryside to which they would not otherwise have access.

29 Delivering sustainable, low carbon, travel: An essential guide for Local Authorities. 9 November 2009
30 http://www.dft.gov.uk/pgr/aviation/environmentalissues/ancetothecivilaviationau2879.pdf
31 http://www.publications.parliament.uk/pa/cm200809/cmselect/cmtran/163/163.pdf

Navigations can provide for various forms of sustainable transport, either through use of unpowered craft (sailing and canoes) or with innovative craft such as solar powered vessels. They can play a significant part in reducing traffic congestion and harmful emissions in local honey pot areas, and provide safe, healthy access to the Parks.

92. Navigations help to boost tourism and contribute to economies in both rural and urban areas. They are important in the daily lives of many people who use them for fresh air and exercise on bicycle or on foot, to walk the dog, to improve their fitness, to get away from the hustle and bustle and stimulate their mental wellbeing or to visit local shops and other facilities. Local authorities should regard navigations as an integral part of the complex of recreational and transport facilities within their area. The National Park and Broads Authorities and relevant local transport authorities should work closely together to ensure sustainable transport plans recognise the possibilities for waterborne transport as an alternative to more traditional modes.

93. A number of other Parks are also traversed by inland waterways that are suitable for navigation. These rivers and canals are controlled by a wide range of navigation authorities, including British Waterways, the UK's largest navigation authority. There is scope for the Authorities to work with statutory partners such as the Environment Agency and Natural England in ensuring the management of waterways for their continued use and enjoyment, and the Government expects that opportunities for the promotion of sustainable boating would be facilitated and demonstrated by the Parks.

4.5 Work in Partnership to maximise benefits and minimise costs

94. The Park purposes cannot be achieved by any one organisation acting in isolation. Partnership working should therefore be the underpinning philosophy of all these bodies and individuals with an interest in the achievement of the Parks' purposes. The full range of benefits available from the Parks can be delivered at minimal cost to the taxpayer by an approach which involves appropriate leadership, effective partnership working and joint working between the Authorities and with a range of statutory and non-statutory bodies that the Park key areas for action are:

- leadership by the authorities;
- partnership working;
- community engagement;
- contributing to integrated coastal zone management;
- health and wellbeing;
- ensuring effective rights of way network;
- protecting and restoring a dark night sky;
- defence use of national parks;
- State of the Parks Report;
- demonstrating value-for-money.

Leadership by the Authorities

95. The Authorities share administrative responsibility for the Parks with a range of other bodies, such as local authorities, regional development agencies, regeneration and tourism agencies, statutory environmental agencies, third sector bodies and private landowners, communities and businesses. They are expected to show overall leadership in the Park, championing the special qualities and acting as catalysts in encouraging others to work together towards a shared vision. In their own strategic plans, Authorities should have a clear view of the shared vision for the Park and of their own specific contribution alongside that of others. They should strike up and maintain productive relationships with others (in the UK and abroad), seeking to influence the resources of others and carefully contribute to the most effective and enduring partnerships. These are of equal importance to the effective execution of statutory powers by the Authorities themselves.

96. The Secretary of State for Environment, Food and Rural Affairs accounts to Parliament for the Government's policies on the Parks and its sponsorship of the Authorities. Defra is the Government Department with lead responsibility for the Parks. However, it is recognised that the wide-ranging scope of Authorities' responsibilities means that in practice they need to build relationships with other Government Departments and a wide variety of agencies, recognising that those bodies have a duty to deliver their respective roles. They need to continue to work appropriately with other national bodies with relevant responsibilities (statutory or otherwise), in particular, Natural England, English Heritage, the Environment Agency, the Forestry Commission, the Commission for Rural Communities, the Marine Management Organisation and appropriate commercial bodies and non-governmental organisations, land managers and landowners.

97. There is an expectation that the Authorities will collectively have considerable contact with other Government departments and individually with their respective Government Offices and Regional Development Agencies on matters that are decided at a regional level.

98. It is especially important that the Authorities work closely with local authorities within whose boundaries their Parks lie and the Government is pleased that the Authorities have been effective in developing co-operation which fosters the health and vitality of local communities whilst respecting the special qualities of the Parks.

Partnership working

99. Co-ordination between public agencies, not-for-profit and voluntary organisations and the private sector is essential to planning towards and achieving Park purposes and helping the public to enjoy the Parks. More formal partnerships and strategic alliances can also provide a way of achieving aims for the Parks and improvements in service delivery by the Authorities. But effective partnerships need to focus; their purpose and benefits in achieving objectives for the Park must be clear. Authorities should produce an action plan with associated monitoring and review, and governance needs to be transparent; providing leadership, managing risk, building trust, reviewing representation, establishing exit strategies and clarifying relationships with other partnerships, such as Regional Rural Boards, Rural Affairs Forums, Regional Development Agencies, Regional Leaders' Boards and relevant Sub-Regional Partnerships.

100. For example, in pursuing the discharge of their "socio-economic duty", the NPAs should work closely with agencies with lead responsibility for promoting economic and social

development in the National Parks. Partnership with other local authorities, and national and regional bodies and agencies, including Regional Development Agencies, has frequently proved to be an effective way of achieving major targets in terms of the twin purposes and for the local economy.

Community Engagement

101. Authorities have developed various means of engaging with Park communities. This has enabled those communities to highlight their needs and helped Authorities to deliver effective responses. Authorities should continue to explore new ways of engaging with their communities and it is important that other local authorities and national and regional agencies work with Authorities to achieve this in an effective and co-ordinated way. This should lead to a much better awareness of the links and interdependencies between urban and rural areas, and of the services and products provided by one to the other. Residents and visitors alike will be able to learn how their own consumption of natural resources can affect these special areas.

102. For example, a 'sustainable rural communities toolkit' has been developed to help planners and local people find out more about how local rural towns and villages 'work', identify the key factors determining their current sustainability according to social, cultural, economic and environmental criteria, and what the best options are for planning for the future[32]. This provides Authorities with a means by which to engage and understand the resident communities economic and social view of the area they live in. It will also help Park residents have their views represented and understand how Authorities intend to foster the well being of their communities. The Authorities are encouraged to lead in its application and promote its use to others in conjunction with the wide range of existing mechanisms that they successfully use for community engagement.

Contributing to Integrated Coastal Zone Management

103. The Marine Management Organisation (MMO) is the UK Government's principal delivery body responsible for planning, licensing and contributing to the achievement of sustainable development within the marine environment. Six Parks have a coastal frontage within their area and the MMO will work closely with them and other organisations with a coastal remit to build appropriate relationships to support the integrated management of the seas with land at the coast. For the Authorities, this joined-up approach will be particularly important for developments which affect the sea within areas adjacent to their boundaries.

104. The Authorities are encouraged to ensure that their Park Management Plans and Local Development Frameworks are well aligned with Marine Plans prepared by the MMO. In particular, special qualities of the Parks that could be adversely affected by activities and development carried out in adjacent marine areas should be properly identified so that policies to promote their conservation can be included in Marine Plans. This should be a mutual arrangement providing equally for the conservation of important marine features. In addition, all Authorities with coastal interests are encouraged to contribute to the process of Integrated Coastal Zone Management.

32 See: www.ruraltoolkit.org

Health and wellbeing

105. In the 1930's the Government National Parks Committee identified the benefit of creating National Parks in England to improve the health of the nation by encouraging more healthy lifestyles for the physical health of the nation's citizens. This need for the National Parks to be the lungs of the nation led in the 1940's to legislation to enable the creation of several National Parks. This was a solution for an industrialised and largely urban society. In the 21st Century we have become far more urbanised and also post-industrial. Today Parks are even more relevant to the health of the present and future generations. They contain some of the last remaining tranquil areas where peace of mind can be achieved in an increasingly busy society.

106. The Parks are accessible to many people in the country and provide inspirational places for children and others to learn about practical and healthy lifestyles. Where groups have been identified as being under-represented in their use of the Parks, specific schemes such as the Mosaic Project have been established, which actively encourages members of the Black and Minority Ethnic community to visit the Parks. Other schemes focus on encouraging people with disabilities and those from inner city areas to visit. Government expects the Authorities and health and welfare providers to work in partnership to provide strategic solutions and local services to foster the physical and mental health of the nation.

Ensuring Effective Rights of Way Network

107. The Authorities and relevant highway authorities should work closely together in preparing countryside access strategies Rights of Way Improvement Plans. They may enter into agency agreements which delegate rights of way work to the Authorities. These agreements will enable the Authorities to record, maintain and improve footpaths, bridleways, byways open to all traffic and restricted byways to quality standards that reflect Park status and levels of public use.

108. Rights of Way Improvement Plans and Local Transport Plans have gradually been integrated[33]. This will have helped to deliver a more streamlined and integrated approach to sustainable transport in rural and urban areas. It should also open up further opportunities for funding rights of way improvements where the two plans share common aims.

Protecting and restoring a dark night sky

109. The remoteness of certain locations within the Parks offers an opportunity to address the problem of increasing deterioration in the quality of the night sky, which has occurred particularly since the late 1940's due to the prolific increase in outdoor artificial lighting. The Authorities should aim, together with public and private stakeholders, to protect and/or restore dark night skies. They should encourage and promote the reduction or elimination, where practicable of unnecessary artificial outdoor lighting within the Parks. The Royal Commission on Environmental Pollution ("RCEP"), in their report[34] on Artificial Light in the Environment, promotes the expansion of dark-sky parks[35] across the UK and recommends that those responsible for the management of the Parks and AONBs better manage outdoor artificial lighting.

33 Further guidance on integration can be found at: www.naturalengland.gov.uk/ourwork/enjoying/places/rightsofway/default.aspx
34 Royal Commission on Environmental Pollution, (RCEP)(2009). Artificial Light in the Environment. Available at http://www.rcep.org.uk
35 UNESCO Starlight Reserves or International Dark Sky Association Dark-Sky Parks.

110. When developing and implementing Park Management Plans the Authorities should work with other key partners to identify opportunities for:
    - addressing night sky quality and the prevention of avoidable light pollution within the Parks;
    - promoting energy saving and appropriate outdoor artificial lighting;
    - identifying initiatives for educational and awareness raising programmes associated with the night-time environment for young people and adults; and
    - exploring opportunities to promote and develop tourism opportunities associated with the night-time environment.

111. These plans should help to deliver a range of environmental, cultural, educational and scientific benefits including:
    - enhanced views of the night sky and night-time landscapes;
    - reduced carbon emissions;
    - reduced adverse impacts on nocturnal wildlife and habitats;
    - increased public awareness of the cultural heritage associated with views of the night sky; and
    - stimulating night time economic development and public access to the Parks.

112. Some Parks may consider applying for International Dark Sky Park status in recognition of their special qualities in this respect.

Defence use of Parks

113. Parts of some of the Parks have a long tradition of defence use which predates the designation of the Parks. Whilst access restrictions, noise and visual intrusion of military infrastructure may, on occasion, detract from the Park purposes, defence use of the Parks makes a major contribution to the country's defence capability. It provides essential facilities which could not be readily provided elsewhere. For these reasons, the Parks will continue to be an essential training resource for the foreseeable future. Such use often makes an important contribution to the economic and social well-being of local communities in and around the Parks.

114. The Ministry of Defence ('MOD') recognises the importance of the Parks. In keeping with the principles of the Defence Estate Strategy, the MOD will ensure that defence use of land within the Parks is kept under review. It will continue to give a high priority to conservation, public access and wider issues of sustainability. The MOD will continue to work with the relevant Authorities to minimise the impact of defence use consistent with the operational defence requirement. It will seek to maximise the benefits that can accrue through active environmental management and to contribute to the socio-economic well-being of local communities.

115. Following regulations made in 2006[36], the MOD became subject to the general planning regime, including statutory plans, planning policies, development control and the regulations on Environmental Impact Assessment. In addition, any new, renewed or intensified use of

36 Town and Country Planning (Application of Subordinate Legislation to the Crown) Order 2006 (S.I. 2006/1282); Planning (Listed Buildings, Conservation Areas and Hazardous Substances) (Amendment) (England) Regulations 2006 (S.I. 2006/1283); Planning (National Security Directions and Appointed Representatives) (England) Rules 2006 (S.I. 2006/1284). See also DCLG Circular 02/2006: Crown Application of the Planning Acts: http://www.communities.gov.uk/documents/planningandbuilding/pdf/150982.pdf.

land in the Parks for defence purposes that falls outside of the statutory planning system will be subject to formal consultation with the relevant Authority and Natural England. As far as possible, such proposals should seek opportunities to conserve and enhance the natural beauty, wildlife and cultural heritage of the Park; to improve public access; and to provide benefits to the local community. Where proposals are not subject to the statutory planning regime the MOD will undertake a non-statutory sustainability appraisal and further assessments as necessary. It will consult with and agree the scope of these sustainability appraisals with the relevant Authority and Natural England.

116. Any conflict between defence use and Park purposes is best resolved through timely co-operation between the MOD and the Authorities. In order to enable this, a proportionate means of conflict resolution should be established.

State of the Parks report

117. An essential part of the process of review of a Park Management Plan is an assessment of how the Park has changed over the previous period. The Authorities are expected to lead by compiling the State of the Park report which should include information about the current state of the Park, and on issues affecting:

- the special qualities of the Park, and factors that have direct implications for the special qualities, such as the health of the natural resources of air, biodiversity, soil and water;
- how these special qualities are enjoyed and by whom;
- the economic and social well-being of Park communities insofar as this is connected to the Authority pursuing Park purposes.

118. Many of the relevant data sets and other information will be collected and held by partner organisations. As a contribution to the fulfillment of their section 11A/17A duty, but without incurring unreasonable cost, relevant authorities should collect, analyse and update data by Park area.

Demonstrating value-for-money

119. The Government expects to see an approach to best value that is appropriate and proportionate to the scale and functions of the Authorities. In particular, it wishes to see periodic assessments of performance that incorporate peer review and peer support and lead to effective improvement, learning and exchange of good practice between Authorities.

120. Accompanying the Government's recent additional investment in public services have been substantial reforms to improve the way public services are delivered and to achieve ever greater efficiency savings. It is vital that all opportunities to deliver greater value for money are seized. For the Authorities, this means:

- demonstrating the value for money of the activities that they carry out in pursuit of their purposes;
- seeking opportunities to improve services provided to the public at a lower cost, including through collaboration and/or partnership arrangements;
- achieving better for value for money in the procurement of goods and services, through, for example, collaborative procurement and embracing the principles of 'sustainable procurement'[37];

37 See for example Local Government Sustainable Procurement Strategy 2007, LGA, IDEA, Centre of Excellence North East

- delivering operational efficiency savings, through for example sharing back-office functions and accommodation;
- improving property and asset management;
- developing further funding streams, for example taking on additional funded work from local authorities.

121. As part of their existing public reporting requirements, the Government expects Authorities to set out their plans for achieving greater value for money, which should include (but not be limited to) a clear, short and simple summary of what the Authority provides for its public funding, linking resources to outputs and outcomes. The Government will continue to provide appropriate resources for the Authorities to carry out their functions. To help Authorities plan their activities, the Government will endeavour to provide them with three-year indications of their financial settlements tied to Government Spending Reviews. Authorities are expected to pursue other sources of funding to enable them to maximise the achievement of Park purposes. As well as seeking funding for specific projects within the Park, Authorities are expected to regularly review opportunities for securing income via fees and charges for services which they deliver consistent with delivering National Park purposes.

122. Authorities are responsible for determining how best to utilise the financial resources available to them in pursuit of their priorities for achieving Park purposes. In setting their priorities, however, Authorities should take account of Government priorities for the Parks.

5. Key legislative requirements and functions of the Authorities

5. Key legislative requirements and functions of the Authorities

123. Since the 1995 Act, there have been a number of significant legislative developments which have an impact on the Parks and the Authorities.

124. **The Countryside and Rights of Way Act 2000** (the CRoW Act 2000), which applies to England and Wales only, provides for public access on foot to certain types of land, amends the law relating to public rights of way, increases protection for Sites of Special Scientific Interest (SSSI) and strengthens wildlife enforcement legislation, and provides for better management of Areas of Outstanding Natural Beauty (AONB).

125. Part 2 of the **Planning and Compulsory Purchase Act 2004**[38] ('the 2004 Act') requires an Authority to prepare and maintain: a local development scheme (s.15), local development documents setting out development and land use policies for the area of the Park (including minerals and waste policies) (s.17), and a statement of community involvement and annual monitoring report (s.18). The Broads Authority does not have planning responsibilities in respect of minerals and waste.

126. The **Natural Environment and Rural Communities Act 2006** gives effect to a number of the recommendations made in the 2002 Defra Review including: providing the Secretary of State with more flexibility in setting the balance of membership of the NPAs, the amendment of the first two purposes of the Broads so as to mirror the provisions contained in the 1949 Act, and the removal of the spending constraint within the duty to seek to foster economic and social well-being of local communities. Section 72 gives NPAs the power to make their own Traffic Regulation Orders in respect of rights of way and unsealed roads in National Parks.

127. In October 2006 the Government published its white paper 'Strong and Prosperous Communities' (CM 6939), setting out its ambitions for the future of the local government sector, which led to the **Local Government and Public Involvement in Health Act 2007** ('the 2007 Act')[39] and the **Local Democracy, Economic Development and Construction Act 2009**. Part 5 of the 2007 Act ('Local Area Agreements') includes NPAs and the Broads Authority[40] in the definition of 'partner authorities'.

128. The **European Landscape Convention** (or Florence Convention) was ratified by the UK in November 2006 and came into force on 1st March 2007. The Convention recognises that the landscape is a basic component of European natural and cultural heritage and requires states party to it to protect, manage and plan for their rural, urban and maritime landscapes.

129. The **Planning Act 2008**[41] makes the Authorities statutory consultees for Nationally Significant Infrastructure Projects ('NSIPs') (Part 5, section 43(3)). This means they will be consulted on all proposals received by the Infrastructure Planning Commission ('IPC') and that the IPC will need to have regard to the views expressed by any relevant Authority. Similarly, the Authorities are statutory consultees in the preparation of National Policy Statements by Government (Part 2, section 8(4)), and those preparing them will need to have regard to the views expressed.

38 Planning and Compulsory Purchase Act 2004 (c. 4)
39 Local Government and Public Involvement in Health Act 2007 (c. 28)
40 S.104
41 The Planning Act 2008 (c.29)

5. Key legislative requirements and functions of the Authorities

5.1 National Park Management Plans and the Broads Plan

130. Under the **Local Democracy, Economic Development and Construction Act 2009**, the Authorities are defined together with other local authorities as 'participating authorities' for the purpose of establishing and operating a Leaders Board which – together with the respective Regional Development Agency – is jointly responsible for Regional Strategy. The Act also requires principal local authorities to promote the understanding of the functions of the Authorities and their democratic and participatory arrangements.

131. The **Marine and Coastal Access Act 2009** provides the framework for a new system of marine planning and streamlined marine licensing regime, including the production of a Marine Policy Statement and a series of marine plans. The Authorities, as public authorities, must take authorisation and enforcement decisions in accordance with the Marine Policy Statement and the appropriate marine plan, unless relevant considerations indicate otherwise. When taking other decisions that will or may affect the UK marine area they must have regard to the Marine Policy Statement and marine plans. The UK marine area is defined as any area submerged at mean high water spring tide and the waters of every estuary, river or channel so far as the tide flows at mean high water spring tide. When the MMO, acting on behalf of the Secretary of State, draws up marine plans, it must have regard to the Authorities, existing plans where they include policies on managing or using the sea or coast, or marine or coastal resources.

132. In addition, the Marine and Coastal Access Act 2009 makes provision for improved access to the English coastline by amending the 1949 Act and providing for the Countryside and Rights of Way Act 2000 to allow for the creation of a series of long-distance routes around the coast of England, together with a coastal margin (see section 5.10).

5.1 National Park Management Plans and the Broads Plan

133. Section 66 of the 1995 Act and section 3 of the 1988 Act require Authorities to produce a National Park Management Plan or a Broads Plan for their area and to review it at least every five years. The Park Management Plans should provide statements of the relevant Authority's policy for managing and carrying out its functions in relation to the Park and should reflect Park purposes, the duties of the Authorities and the need to engage other local authorities, statutory agencies and a wide range of partners, stakeholders and the community in the preparation and implementation of the Park Management Plan. They should set the context for the local development framework coverage of the Parks. It is essential that they are based on robust evidence and Government commends the practice of supporting the Park Management Plans with State of the Park reports and a range of more detailed documents dealing with specific topics, such as climate change, biodiversity, nature conservation, cultural heritage, forestry, dark night skies, recreation or management plans for particular areas.

134. At the request of the Secretary of State, Natural England publishes advisory notes on the production of Park Management Plans and their content. It emphasises the importance of working closely with appropriate interested bodies and highlights the role of the Park Management Plans as strategic documents outlining overall policies.

135. Park Management Plans are the over-arching strategic document for the Parks and set the vision and objectives which will guide the future of the Park over the next 10 to 20 years. The Park Management Plans are for the Parks and not just for the Authorities. They should be supported by clear strategies with evidence of significant 'buy in' from key partners,

stakeholders, including communities, landowners and land managers. The Government expects public agencies and authorities active within or bordering a Park to cooperate in the development of the Park Management Plan and the achievement of Management Plan objectives as this could have a bearing on judging relevant authorities' compliance with s11A of the 1949 Act and s17A of the 1988 Act.

5.2 Planning responsibilities of the Authorities

136. The town and country planning system is a key instrument in the achievement of Park purposes. Planning legislation has a major impact on the form and location of development, is a vital tool for managing the impact of development on landscape and biodiversity and a key part of conserving and enhancing cultural heritage, including the built heritage in Park settlements. Planning has a key role to play in the creation of sustainable communities: communities that will stand the test of time, where people want to live, and which will enable people to meet their 'aspirations and potential'.

137. For these reasons Government has made the NPA's the sole local planning authorities for their areas under section 4A of the Town and Country Planning Act 1990[42]. Section 4A confers on an NPA the responsibilities of a local planning authority, including minerals and waste planning and development control functions. Section 5 of the Town and Country Planning Act 1990 makes the Broads Authority the planning authority for a more limited range of development control in the Broads. Part 2 of the 2004 Act places a requirement on the Authorities to prepare and maintain a local development scheme and associated documents.

138. At a regional level, the Authorities share responsibility with local government and others for preparing, revising, implementing and monitoring the regional strategy[43]. Where the area of a Park falls within more than one region, the Park will be deemed to fall wholly within a single region for regional strategy purposes.

139. When preparing their Park Management Plans, the Authorities must have regard to policy and advice contained in guidance published by the Secretary of State[44]. This includes the suite of National Planning Statements, Planning Policy Guidance Notes, Planning Policy Statements, Planning Circulars and the range of supporting guidance documents. National planning policy and guidance may also be material when making decisions on planning applications[45]. It is not the role of this circular to repeat planning policy and guidance. However, a few key areas are highlighted.

140. Park Management Plans are subject to the European Directive on Strategic Environmental Assessment ('SEA'), whose application to local planning documents is incorporated within Sustainability Appraisal ('SA') under English planning legislation[46]. SEA and SA both involve establishing the current situation and trends and predicting the effects of the Park Management Plans in relation to many of the purposes and priorities of the Parks, including enhancing biodiversity and cultural heritage, mitigating and adapting to climate change, protecting landscapes, promoting health and well-being, and seeking to foster the social and economic sustainability of local communities. Within each Authority, it would be beneficial to

42 Town and Country Planning Act 1990 (c. 8) (as amended)
43 Provisions under Part 1 of the Planning and Compulsory Purchase Act 2004 are due to be replaced by Part 5 of the Local Democracy, Economic Development and Construction Act 2009.
44 Section 19(2) Planning and Compulsory Purchase Act 2004
45 Paragraph 13, The Planning System: General Principles (2005)
46 Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment', transposed by the Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004 no 1633)

compile a common evidence base for its Park Management Plans and SEA/SA work, and to use the SA/SEA process during the preparation of the its Park Management Plans to clarify and test the environmental and sustainability implications. Further information on SEA can be found in the Government's 'Practical Guide to the SEA Directive'[47] and on the Environment Agency website[48]. Advice on SA of Park Management Plans is in the Communities and Local Government Plan Making Manual[49].

5.3 Mineral Working in the Parks

141. The Parks are a vital source of some of the minerals that society and the economy needs, including certain building stone and small quarries which provide building materials to maintain the character of the local built heritage. Quarry works may also provide employment within the Park boundary. It is important therefore that the need for minerals and the impacts of extraction and processing on people and the environment are managed in an integrated way.

142. Current Government guidance on mineral working in a Park is set out in Minerals Policy Statement 1: Planning and Minerals ('MPS1'). MPS1 emphasises the protection given to internationally and nationally designated areas and sites of landscape, heritage and nature conservation importance. Consistent with this approach, MPS1 advises that "major mineral development should not be permitted in the Parks except in exceptional circumstances", and that "applications for such development should be subject to the most rigorous examination and be demonstrated to be in the public interest before being allowed to proceed". Furthermore any proposals which are not considered to be major "should be carefully assessed with great weight being given in decisions to the conservation of natural beauty of the landscape and countryside, the conservation of wildlife and the cultural heritage" of the respective Park and the "need to avoid the adverse impacts on recreational opportunities". MPS1 also requires NPAs to identify Mineral Safeguarding Areas, although there is no presumption that resources defined in such areas will be worked.

143. NPAs retain their powers under the 1990 Act to make orders revoking, modifying or prohibiting mineral working.

5.4 Old Minerals Permissions

144. In recent years, Government has responded to concerns over the environmental effects of operating old mining and mineral permissions in Parks. The Planning and Compensation Act 1991[50] covers the review of old mining planning permissions issued between 1943 and 1948 whilst the 1995 Act (Schedules 13 and 14) covers the initial and periodic (every 15 years) review of old mineral planning permissions issued between 1948 and 1982. Both Acts require schemes of modern working conditions to be submitted for approval. The submitted schemes were deemed approved if the relevant Mineral Planning Authority had not determined the submission within three months of receipt. Further guidance is contained in Minerals Planning Guidance Note 8: Planning Compensation Act 1991: Interim Development Order Permissions (IDOS) – Statutory Provisions and Procedures; Mineral Planning Guidance Note 9: Planning and Compensation Act 1991: Interim Development Order Permissions (IDOS) – Conditions; and Minerals Planning Guidance Note 14: Environment Act 1995: Review of Mineral Planning Permissions.

47 http://www.communities.gov.uk/publications/planningandbuilding/practicalguidesea
48 http://www.environment-agency.gov.uk/research/policy/32901.aspx
49 CLG Plan Making Manual – http://www.pas.gov.uk/pas/core/page.do?pageId=152450
50 Planning and Compensation Act 1991 (c.34)

145. Until recently it was not possible to complete the review process in respect of certain mineral sites in the Parks because the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (S.I. 1999/293) ('the 1999 regulations') did not apply to them. The reviews of these sites therefore became 'stalled' as it was not possible to obtain the necessary environmental information to reach proper determinations. To address the problem of 'stalled' reviews, on 22 July 2008 The Town and Country Planning (Environmental Impact Assessment) (Mineral Permissions and Amendment) (England) Regulations 2008 (S.I. 2008/1556) came into effect to apply the provisions of the 1999 Regulations to them.

5.5 Recording, maintaining and promoting rights of way

146. Comprehensive guidance on public rights of way is available in Defra's rights of way Circular 1/09[51]. Statutory guidance to local authorities in England on preparing, publishing, assessing and reviewing Rights of Way Improvement Plans was issued on 29 November 2002[52]. In their Rights of Way Improvement Plans, Authorities should consider how cycle tracks, permissive paths and other forms of linear access would complement the rights of way network.

147. The Government has published advice[53] on managing the lawful motorised use of public rights of way and on dealing with unlawful use. Sections 66 and 67 of the 2006 Act have curtailed the scope for recording public rights of way for mechanically propelled vehicles on the basis of historic use by horse-drawn carriages or other non-motorised vehicles. The 2006 Act also enables such routes to, in future, be recorded as 'restricted byways', a new category of right of way introduced by the Countryside and Rights of Way Act ('the 2000 Act'), which carries rights for all users except for users of mechanically propelled vehicles.[54]

148. New sections 22BB and 22BC of the Road Traffic Regulations Act 1984[55] inserted by section 72 of the 2006 Act gives NPA's (but not the Broads Authority) the power to make their own Traffic Regulation Orders to enable management of traffic where necessary to protect vulnerable tracks. Such orders must be in relation to public rights of way shown in a definitive map and statement, or unsealed carriageways, and may only be made within the National Park boundary. Authorities are required to consult local highway authorities about such orders and it is recommended that both authorities cooperate on any problem routes that cross or abut National Park boundaries.

5.6 Working Successfully with Local Access Forums

149. Section 94 of the 2000 Act imposes a duty on each Authority (as appointing authorities) to establish a local access forum for the National Park area. Forums exist to evaluate and comment upon wider, strategic access and recreation issues, either relating directly to the 2000 Act or otherwise. They have a key role to play in advising the Authority on matters relating to the all-round improvement of access and recreation in the National Park and advising on 'functional' and 'utility' access, such as access to schools, shops, etc. Local access forums provide independent and informed advice to their appointing authorities, and other 'section 94(4) bodies', including MOD, Natural England and local authorities. Section 94(4) bodies are required to have regard to any relevant advice received from a local access forum.

51 Rights of way Circular 1/09 can be found at: http://www.Defra.gov.uk/rural/documents/countryside/prow/rowcircular1-09.pdf
52 The guidance can be found at: http://www.Defra.gov.uk/rural/documents/countryside/prow/rowip.pdf
53 'Making the Best of Byways' and 'Regulating the Use of Motor Vehicles on Public Rights of Way and Off Road'
54 The Countryside and Rights of Way Act (the 2000 Act)
55 Road Traffic Regulations Act 1984 (c.27) (as amended)

150. The Local Access Forums (England) Regulations 2007[56] set out detailed provisions for the operation of forums. The Secretary of State has issued guidance[57] which is relevant to forum members, appointing authorities, forum secretaries, section 94(4) bodies and anyone wanting to find out about the role and work of forums. Natural England has commissioned a handbook written specifically for local access forum members. The handbook[58] contains key facts and useful aspects of access as well as specific guidance about the general practicalities of running a local access forum.

5.7 Duty to co-operate in preparation of Local Area Agreements

151. The Authorities should contribute to regional and local plans and strategies which have the potential to impact upon the purposes of the Parks. In particular, Part 5 Chapter 1 of the 2007 Act places the NPA's and the Broads Authority (as partner authorities), where the Secretary of State directs a responsible local authority to prepare and submit a draft local area agreement, under a duty to co-operate with the responsible local authority in determining the local improvement targets which are to be specified in the local area agreement. This means the responsible local authority must consult the Authorities in preparing the draft local area agreement and the Authorities (as partner authorities) must co-operate in determining the local improvement targets which relate to it. The responsible local authorities and Authorities (as partner authorities) must, when exercising their functions, have regard to all improvement targets which relate to them. Statutory guidance[59] by CLG advises that, to fulfil this duty to "have regard", responsible local authorities and partner authorities are expected to be able to demonstrate how they are effectively planning for the implementation of their contribution to the achievement of those targets to which they have signed up. The 2007 Act also provides for Authorities that are perceived to be failing in these obligations to be subject to a petition, a Community Call for Action, or to be asked to explain their actions to the overview and scrutiny committee of a local authority in the relevant area.

5.8 Sites of Special Scientific Interest

152. The 2000 Act inserted new sections 28-28R into the Wildlife and Countryside Act 1981 (the 1981 Act). Section 28G of the 1981 Act imposes a general duty on a range of authorities exercising functions which are likely to affect Sites of Special Scientific Interest (SSSIs), including the National Park Authorities and the Broads Authority. The duty requires an authority to take reasonable steps, consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of the features for which sites are of special scientific interest. Sections 28H and 28I of the 1981 Act also apply to all section 28G authorities. These sections impose specific obligations on section 28G authorities when, having considered their general duty, they nevertheless propose to carry out or authorise operations likely to damage the special interest features of SSSIs (whether or not these will take place on land included in the SSSI). Further guidance is available in the Government Circular, "Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System.

56 S.I. 2007/268'
57 The guidance can be found at: http://www.Defra.gov.uk/rural/documents/countryside/crow/laf-guidance.pdf
58 Further information about the handbook can be found at: www.naturalengland.gov.uk/ourwork/enjoying/accessforums/laf/default.aspx
59 CLG Statutory Guidance "Creating Strong, Safe and Prosperous Communities" issued in July 2008 can be found at http://www.communities.gov.uk/publications/localgovernment/strongsafeprosperous

5.9 Conservation of Biodiversity

153. Section 40 of the 2006 Act imposes a duty on all public authorities when exercising their functions to 'have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. 'Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. The Government expects the Authorities to comply with the guidance for public authorities on Implementing the Biodiversity Duty[60] and to work closely with the statutory agencies with a national remit for the conservation of landscape, biodiversity and cultural heritage (including Natural England, the Environment Agency and English Heritage) in order to meet this duty.

154. The Authorities are expected to lead in the achievement of the vision for biodiversity in the Parks giving equal weight to objectives for conserving and enhancing the landscape and cultural heritage of the Park areas. In undertaking this role, the Authorities are expected to work closely with the statutory agencies with a national remit for the conservation of landscape, biodiversity and cultural heritage including Natural England, the Environment Agency and English Heritage.

155. A new framework has been developed by Natural England[61] to enhance the recovery of priority habitats and species in England (published under section 41 of the 2006 Act), thereby contributing to the delivery of the "England Biodiversity Strategy".

5.10 Access to open country and the coast

156. The 2000 Act provides a right of access, for recreation on foot, to open country (mountain, moor, heath, down) and registered common land. About 470,000[62] hectares of open country and registered common land are now open to the public within the Parks in England. NPAs are the 'relevant authority' for access land within a Park boundary and responsible for determining applications from landowners for exclusions or restrictions of access for reasons of land management, fire prevention and to avoid danger to the public. NPAs may also restrict access for reasons of fire prevention and danger to the public without an application having been made, and to restrict access for reasons of nature conservation or to protect sites of historical or archaeological importance.

157. NPAs have a vital role under the 2000 Act as 'access authorities' in managing public access to land in a Park. The Act includes powers for NPAs to make byelaws; appoint wardens; erect and maintain notices indicating boundaries; and to negotiate agreements with a landowner or occupier to provide means of access and undertake the necessary works themselves if such agreements cannot be reached. These powers are set out respectively in sections 17, 18, 19 and 35 of the Act. The Act also enables landowners voluntarily to dedicate irrevocably any land to public access. Public authorities that own land are encouraged to provide such a designation to enable public enjoyment of these publicly owned assets. Authorities should also reach out to underrepresented groups and make access to the Parks easier, increasing the understanding and enjoyment of the Parks in all sections of society.

60 The guidance can be found at: http://www.Defra.gov.uk/environment/quality/biodiversity/documents/pa-guid-english.pdf
61 'Securing biodiversity: a new framework for delivering priority habitats and species in England – Natural England 2008 NE 127'.
62 Total is made up as: Dartmoor 47,255.82; Exmoor 17,570.70; Lake District 114,278; New Forest 16,736.8; Norfolk & Suffolk Broads 153.5; North York Moors 47,948; Northumberland 60,043; Peak District 54,738; Yorkshire Dales 109,714

5. Key legislative requirements and functions of the Authorities

5.10 Access to open country and the coast

158. The Marine and Coastal Access Act 2009 ('the 2009 Act') aims to improve public access to, and enjoyment of, the English coastline, providing secure and consistent rights for people to enjoy the coast with confidence and certainty. A series of long-distance routes around the coast of England will be proposed under the powers contained in the 1949 Act, as amended by the 2009 Act. An Order under the 2000 Act will give the public a right of access (with a few exceptions) to the route, all land to the seaward of the route and any of the classic coastal land types (including cliffs and dunes) and land to the landward of the route up to a suitable boundary (such as a fence) or other physical feature. The right of access will come into force for a section of the long-distance route following an Order by the Secretary of State. It is currently planned that the establishment of the coastal route throughout England will be completed within 10 years.

159. Natural England will work closely with the NPAs which have a coastal frontage[63] to their areas in achieving much of the detailed proposals for the coastal access margin. Natural England will consult a NPA before it prepares a coastal access report which proposes the line of the long-distance route and other access land. A NPA may make representations to Natural England about the final coastal access report which will include proposals for any restrictions or exclusions of access which will be forwarded in full to the Secretary of State.

160. Once the route has been approved by the Secretary of State for a section of the coast, any necessary work to create new or improved means of access will be undertaken by or on behalf of the NPA, but funded by Natural England. Once the access rights have commenced, Natural England may authorise a NPA to exercise any of Natural England's functions for determining restrictions and exclusions for coastal land within the National Park. Any authorisation may be for a specified period or indefinite period and may be revoked at any time by Natural England.

63 Lake District, North York Moors, The Broads, New Forest, South Downs and Exmoor

6. Governance

161. The earlier Authorities have developed significantly since they were established as independent bodies in 1988 and 1996, and their effective governance is regarded by the Government as of high importance. It is vital that the Authorities are well led and are accountable to both local and wider communities for their policies and performance. The Authorities need to adopt governance arrangements that reflect both best practice amongst public authorities and the particular circumstances which they face. There should be a clear distinction, but also close and effective working, between the officers and the members of the Authority. This should include a clear, shared understanding of the distinctive role that members and the executive play and efficient, proportionate and accountable governance structures. There should be clarity over schemes of delegation and, generally, members should devote their time to setting and monitoring performance against policies and strategies; decisions of major significance to the Parks; and representing the Authority in the community and with partner bodies.

162. The Authorities are working to increase the diversity of employees, members and volunteers in order to better reflect their local communities, communities of interest and wider society. Authorities are producing Equalities Impact Assessments, action and improvement plans, conducting staff and member training and looking at improving equality of opportunity.

6.1 Membership

163. The membership arrangements set out in the National Park Authorities (England) Order 1996 (S.I. 1996/1243), made by the Secretary of State under section 63 of the 1995 Act, have been amended by the National Park Authorities (England) Order 2006 (S.I. 2006/3165). New Forest membership continues to be provided for by the New Forest National Park Authority (Establishment) Order 2005 (S.I. 2005/421). The South Downs membership is provided for by the South Downs National Park Authority (Establishment) Order 2010 (S.I. 2010/496). The National Park Authorities (Amendment) (England) Order 2009 (S.I. 2009/557) made amendments to the membership of the Northumberland National Park Authority consequent upon unitary local government changes.

164. The Peak District National Park Authority has 30 members; the South Downs will have 27 members and all the other NPAs have 22 members.

165. Paragraph 1 of Schedule 7 to the 1995 Act makes provision about the composition of NPAs, and was amended by the 2006 Act to allow the Secretary of State greater freedom, subject to parliamentary approval, after consulting the local authorities, in setting the membership balance and total membership for individual NPAs. This does not remove the right of each local authority with land in the National Park to appoint at least one member if it chooses.

166. Before making an order to vary the membership of an NPA, the Secretary of State is required to consult the principal local authorities about their individual representation on the Authority, and on the overall number of local authority members. The Secretary of State believes that the membership numbers of each NPA should be kept as small as possible consistent with effectiveness. Paragraph 2(3) of Schedule 7 to the 1995 Act makes provision for the Secretary of State to exclude a council from membership of the NPA only at the request of that council. Currently Mid Devon District Council has been so excluded in respect of Dartmoor and in the South Downs, Adur District Council and Worthing Borough Council have asked to share one seat.

167. For the Broads Authority, membership is governed by the 1988 Act, as amended by the Norfolk and Suffolk Broads Act 1988 (Alteration of Constitution of the Broads Authority) Order 2005 (S.I. 2005/1067). It has 21 members which includes two members appointed from the Navigation Committee, following OCPA principles. In the last round of appointments the Authority followed an open recruitment process including a maximum service of ten years. The Government supports this approach.

6.2 The Role of Authority Members

168. All Authority members, no matter how they are appointed, have a primary responsibility to seek to ensure that the Authority furthers the statutory Park purposes, as set out in the respective Acts. In doing so, they should remember their wider duties such as the socio-economic duty for NPAs and those under section 2(4) of the 1988 Act for the Broads Authority. They should regard themselves first and foremost as members of the Authority, with a duty to act in the best interests of the Authority and of the Park, rather than as representatives of any interest group. Of course, all members will bring different perspectives to their work on the Authority, and ensuring that there is a diverse range of knowledge and outlook is the main reason for having the different types of appointments. Where any member has special knowledge of the views or needs of local people, it is important that they draw attention to those matters when relevant decisions are being taken. However, all members should also acknowledge a corporate responsibility, as a part of the Authority, to explain its purposes, procedures and policies. Each Authority should agree the mechanisms by which its members are to speak for it, locally, regionally and nationally.

169. Authorities should value diversity amongst those who play a role in governance and should strive to ensure that no sector of society is excluded from playing a role as members of an Authority or amongst officers of those Authorities. Employment policies should be consistent with equal opportunities and Authorities should strive to achieve progress on the Equality Standard for Local Government. Defra and the Authorities have jointly drawn up model job descriptions for the members and Chairs of Authorities. Individual Authorities may choose to add to this job description, so long as any additions are consistent with the spirit of the model, and this may help to develop local ownership of the job description, which applies to all members, and will provide guidance for the individuals occupying these positions.

6.3 Local authority appointments

170. Paragraph 2 of Schedule 7 to the 1995 Act and section 1(4) of the 1988 Act require local authority appointees to be serving councillors of their appointing local authority. The 1995 Act also requires local authorities to have regard to the desirability of appointing members who have divisions or wards situated wholly or partly within the relevant National Park (paragraph 2(4)).

6.4 Appointments by the Secretary of State

171. The 'national' members are chosen through an open recruitment exercise run under the oversight of Commissioner for Public Appointments[64]. The Secretary of State will take steps to encourage all those with an interest in the Parks to make nominations for appointments to the Authorities. The Secretary of State is required to consult Natural England before making NPA appointments (para 4(1) of Schedule 7 to the 1995 Act), and various interests

64 The Commissioner's guidance on handling public appointments is at http://www.publicappointmentscommissioner.org/Code_of_Practice/

before making appointments to the Broads Authority (s.1(5) of the 1988 Act). In making appointments the Secretary of State will continue to take account of the purposes for which the Parks have been designated.

172. In selecting persons suitable for appointment as a 'national' member, the Secretary of State will look for a capacity to appreciate and present a national perspective in discussions within the Authority and for experience, preferably in a combination of fields, with direct relevance to the character of the particular Park and to the responsibilities of the Authority. Members are selected for their personal abilities and experience and not as representatives of specific groups or organisations. In some cases preference will be given to those who have a particular expertise which an individual Authority may be lacking.

173. The 2006 Act amended paragraph 4 of Schedule 7 to the 1995 Act, which now enables the Secretary of State to appoint members for between one and four years at a time. Members are eligible for reappointment for up to a maximum of 10 years in total.

174. The Secretary of State does not propose to appoint as a Secretary of State member anyone who is a serving councillor of a local authority appointing members to the Authority.

6.5 Parish members (National Parks only)

175. Paragraph 3(2) of Schedule 7 to the 1995 Act requires parish members to be either a member of a parish council, or chair of a parish meeting, for a parish with land in the National Park. The choice of parish members is made by the parishes themselves and there is no prescribed procedure – local arrangements have been made in each National Park.

176. Parish members are formally appointed to the NPA by the Secretary of State. Parish members serve for as long as they are a member of the parish council, or chair of the parish meeting, from which they were appointed – ordinarily this means they will serve for the four years until the next parish elections (or for one year in the case of chairs of parish meetings), after which (if they are re-elected as parish/town councillor/chair of parish meeting) they may be re-appointed to the NPA. There is no limit to the number of re-appointments provided that they remain a parish councillor/chair of a parish meeting.

177. The appointment of parish members helps to ensure that local people have full involvement in the running of the National Park. Parish members are appointed to represent the wider National Park view and not just their own parish or group of parishes. The Secretary of State looks to parish councils in each National Park to continue to maintain the local mechanisms for selecting candidates whom he can appoint to the NPA. If a situation ever arose in which local agreement could not be reached, the Secretary of State would select candidates from amongst the local parish council nominees. The Secretary of State does not propose to appoint as a parish member anyone who is a serving councillor of a county or district council appointing members to the NPA.

178. The Government recognises and values the important contribution of parish members, and considers them an important link with local communities. NPAs are encouraged to make greater efforts to see that the timing and manner of making parish appointments is more widely known and understood in their areas so as to increase community engagement.

6.6 Member performance

179. Government believes that it is important to monitor and assess the performance of all members and the contribution they make to the work of an Authority and the achievement of Park purposes. The Chairs of Authorities will continue to be asked to comment to the Secretary of State each year on the performance of 'national' members, and the Secretary of State expects each Authority to have an appropriate system in place for assessing and developing the talents of their members.

6.7 Standards – Conduct of Members

180. Section 49 of the Local Government Act 2000[65], as amended by the Local Government and Public Involvement in Health Act 2007, gives the Secretary of State power, by Order, to specify the principles that govern the conduct of members and co-opted members of 'relevant authorities' in England. For these purposes the Authorities are relevant authorities and they are required to adopt a local code which must contain the mandatory provisions of the applicable model code set out in the Local Authorities (Model Code of Conduct) Order 2007 (S.I. 2007/1159). All Authority members are required to follow the code and to give a written undertaking that in performing their duties they will observe the Authority's code of conduct. Any member who fails to do so may be excluded from membership of the Authority.

6.8 Standards Committees

181. Section 53 of the Local Government Act 2000 requires an Authority to establish a standards committee to discharge the following functions (as set out in section 54):

- to promote and maintain high standards of conduct by members and co-opted members;
- to assist members and co-opted members of the Authority to observe the Authority's code of conduct;
- to advise the Authority on the adoption or revision of a code of conduct;
- to monitor the operation of the Authority's code of conduct;
- to advise, train or arrange to train members and co-opted members on matters relating to the Authority's code of conduct;
- to carry out the initial assessment of complaints about breach of members code of conduct, ordering investigations where appropriate, and in many cases determining the complaint and imposing a sanction if a member is found to have breached the code.

182. Standards Committees can also be given a wider role, and there is a benefit to be had from involving the Committee more generally in upholding ethical governance within the Authority.

65 Local Government Act 2000 (c.22)

6.9 Performance Assessment

183. During 2005, the then seven NPAs in England and the Broads Authority undertook a comprehensive assessment of their performance using a process developed in consultation with the Audit Commission, Defra and the Office of the Deputy Prime Minster. The process was welcomed by the Authorities and provided evidence that they are performing well. As well as identifying aspects of their activities that NPAs could improve, the performance assessments provided opportunities to share best practice and have provided a baseline for future assessments of performance.

184. Each Authority responded positively to their respective assessment and put in place a programme for improvement. The framework for the next round of assessments will include an element of outcome based reporting. The Government supports this approach to performance assessment and wishes to see a periodic assessment of each Authority which retains an element of peer review and external challenge.

6.10 Annual reports

185. Section 230 of the Local Government Act 1972 provides that the Authorities are to provide such reports, returns, and information in respect of their functions, as the Secretary of State or Parliament may require.

6.11 Natural England's role in the governance of the Authorities

186. Natural England inherited from its predecessor bodies statutory responsibility for setting a national framework for protected areas policy and advising Government on some aspects of the governance and performance of the Authorities. In particular, Natural England has to be consulted before the Secretary of State pays grants to the Authorities or appoints 'national' members to the NPAs and the Authorities must consult Natural England before appointing a National Park Officer (or Chief Executive in the Broads Authority). The Government expects Natural England to adopt an approach in exercising its responsibilities for the Authorities that influences the strategies and policies without excessive bureaucracy and day to day interference.

187. Generally, Government expects Natural England to advise on strategy, high level governance issues and to work together with the Authorities on the evidence base and advocacy of policies relating to the work of the Authorities. In advising Government on National Park authority appointments, budgets, strategy and other issues it will work with other statutory advisory agencies relevant to the work of the Authorities, such as English Heritage and the Environment Agency, in framing its advice.

Annex A – Relationships with Key Public Bodies

Natural England

188. The 2006 Act created a new agency, Natural England, whose general purpose is to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England's purpose fits very closely with Park purposes and the Authorities will be important delivery partners, working closely with Natural England and other Government agencies.

189. The Authorities have much to offer in terms of their own expertise, their well-proven abilities to act in partnership and to address local priorities. Natural England brings together responsibilities for landscape, biodiversity and recreation – all areas in which the Authorities are highly experienced and where they will play a key role in joined-up delivery and helping to provide first stop shops for customers. The Environment Agency, the Forestry Commission and English Heritage will also work very closely in this relationship.

190. The creation of Natural England thus offers an opportunity to reinvigorate policy delivery. This will be a two way relationship with the Authorities helping to deliver Natural England's objectives and Natural England contributing to the achievement of Park purposes.

191. The Authorities are also encouraged to continue to benefit from sharing their expertise with the organisations managing other designated landscapes elsewhere in the UK – especially National Parks and Areas of Outstanding Natural Beauty.

192. The Authorities are expected to work closely with Natural England, which has statutory responsibilities in respect of National Park designation and boundary variation procedures and in advising the Secretary of State on Authority financial and membership matters through the 2006 Act.

Forestry Commission

193. The Forestry Commission is the non-Ministerial Government Department responsible for forestry in Great Britain. In England, forestry policy is set out in the Strategy for England's Trees, Woods and Forests (2007). The Forestry Commission leads implementation of the Strategy, implements forestry regulations for tree felling and Environmental Impact Assessments and manages grant schemes under the Rural Development Plan. The Forestry Commission is a significant land owner and manager within the Parks with a long history of close cooperation with the Authorities in the management of its exceptional Estate. The Government expects the Authorities and the Forestry Commission to continue their partnership and to work together to help deliver the Strategy through its associated Delivery Plan (2009). This will require effective and integrated local working to maximise the contribution of the trees, woods and forests in the Parks, whether in private, public or voluntary sector ownership.

Annex A – Relationships with Key Public Bodies
English Heritage

English Heritage

194. English Heritage is the Government's adviser on the historic environment, with a statutory duty to conserve the historic places and to promote public understanding and enjoyment of the heritage, which fits well with Park purposes. English Heritage receives grant from the Department for Culture Media and Sport ('DCMS'), which has overall responsibility for heritage policy in England, but to acknowledge the heritage responsibilities of Defra and CLG, English Heritage's funding agreement is signed by all three Departments. English Heritage distributes some grant funding from Defra through the Aggregates Sustainability Levy Fund, some of which has benefited the Parks.

195. The Parks have a statutory purpose to conserve and enhance their cultural heritage and English Heritage, along with all other public bodies, has a statutory duty to have regard to Park purposes. This is combined with the Parks' role in sustainable tourism and broadening countryside access. The Authorities are important stakeholders as guardians of cultural heritage and the rural historic environment, with 4,200 Scheduled Monuments, over 11,200 listed buildings and 30 registered landscapes.

196. All the Parks have specialist historic environment staff (Conservation Officers and Archaeologists) and support, or have access, to Historic Environment Records. Because the Parks have not seen the intensified farming and economic development of other parts of the countryside, they have a particularly well preserved vernacular building heritage and archaeology. In some Parks the built heritage is a dominant landscape characteristic e.g. the Yorkshire Dales, with its landscapes of field barns and walls.

197. English Heritage has had a joint Statement of Working with the Parks since 1995. The Authorities are expected to continue to work closely with English Heritage (DCMS, Defra, CLG and Natural England) to ensure that conservation of the Parks outstanding cultural heritage is secured for future generations.

Environment Agency

198. The Environment Agency was set up under the Environment Act 1995 and given certain duties and powers to protect and improve the environment in England and Wales. With others, it aims to make sure that air, land and water are looked after, so that tomorrow's generations inherit a cleaner, healthier world.

199. Water quality and water management issues are important in all the Parks and climate change will make them all the more critical in the future. The Authorities should work closely with the Environment Agency in the delivery of targets for the Water Framework Directive and in tackling point source and diffuse pollution of water courses, lakes and rivers. This will require the Authorities to look to influence land management practices throughout their catchments, and they will at times need to work beyond their boundaries to deliver improved water quality within the Parks.

Annex A – Relationships with Key Public Bodies
Commission for Rural Communities

Commission for Rural Communities

200. The Commission for Rural Communities ('CRC') was established in April 2005 and became an independent body on 1st October 2006, following the enactment of the 2006 Act. The role of the CRC is to provide well-informed, independent advice to Government and others, and ensure that policies reflect the real needs of people living and working in rural England, with a particular focus on tackling disadvantage. Their activities focus primarily on the social and economic well-being of England's rural communities. They are the statutory body which speaks up for rural people and communities, and offers evidence-based advice to ensure that domestic policies and strategies across Government and its agencies take full account of rural needs and circumstance.

201. The countryside, including our Parks, have the economic diversity and potential, social and community strength in depth, and the fundamental 'green infrastructure' of food, water and energy supplies. Whilst the priorities within the Parks may be different to elsewhere, all of the Parks are living and functioning places. Growth, if well managed, will foster more viable local services, more affordable and well designed housing, and appropriate economic development.

202. The CRC has overall responsibility for co-ordinating the Rural Development Programme for England ('RDPE') Network. The Network's role is to support the delivery of RDPE through the successful exchange of experience, lessons learnt and practice on RDPE policy design, management and implementation. A number of RDPE's Local Action Groups fall within the Parks. Local involvement in decision-making is particularly relevant here because the Local Action Groups have a remit to bring forward projects via the Leader approach – a methodology that promotes bottom-up, community-led development.

203. The CRC can provide advice and expert evidence on how Authorities can engage with their communities and develop their thinking on sustainable development that will meet the priority of thriving communities, which underpin the significance of the Parks. The Authorities are expected to work closely with CRC to encourage and empower strong local leadership to create better opportunities for the people who live and work in our Park communities to find quality work, have access to affordable well designed homes and build successful businesses.

British Waterways

204. British Waterways is a public corporation set up by the 1968 Transport Act and operates on a commercial basis consistent with its statutory powers and obligations for navigation and the environment. Its objectives are agreed with the Government and it is expected to promote the use of its waterways for leisure and recreation, tourism, regeneration and transport, whilst also conserving their built and natural heritage. The Authorities are expected to work closely with British Waterways to ensure the management and continued use and enjoyment of waterways and to facilitate and demonstrate opportunities for the promotion of sustainable boating and other recreation within the Parks.

Annex A – Relationships with Key Public Bodies
Regional Development Agencies

Regional Development Agencies

205. The Regional Development Agencies ('RDAs'), except the London Development Agency ('LDA'), were set up by the Regional Development Agencies Act 1998 as Non-Departmental Public Bodies. The LDA, which is a functional body of the Greater London Authority, was set up by the Greater London Authority Act 1999. Under the Regional Development Agencies Act 1998, each of England's RDAs has the following statutory purposes:

- to further economic development and regeneration;
- to promote business efficiency and competitiveness;
- to promote employment;
- to enhance development and application of skills relevant to employment; and
- to contribute to sustainable development.

The RDAs are financed through a Single Budget, a fund which pools money from all the contributing Government Departments (BIS, CLG, DECC, Defra, DCMS and UKTI). BIS is the sponsor Department.

206. The NPAs should look to work closely with their respective RDA in discharging their "socio-economic duty". RDAs will want to work closely and support Authorities given the tangible evidence to demonstrate the prosperity that can be achieved through sustaining a high quality environment.

The Marine Management Organisation

207. The Marine Management Organisation (MMO) will be established on the 1st April to deliver marine functions in the waters around England and in the UK offshore area (for matters that are not devolved). It will acquire its responsibilities through the Marine and Coastal Access Act 2009 and will contribute to the achievement of sustainable development in the marine area. The MMO will be the marine planning authority on behalf of the UK Government and its regulator of most activities, including sea fisheries, in those parts of the UK marine area where MMO functions are exercisable. It will make decisions according to the Marine Policy Statement and marine plans for most marine developments, with some exceptions such as 'nationally significant infrastructure projects'. The MMO will have a range of marine licensing responsibilities, including licensing fishing activity under the European Common Fisheries Policy. It will continue the fisheries management activities currently delivered by the Marine and Fisheries Agency and will also have responsibilities relating to marine nature conservation. It will make use of modernised powers provided in the Marine and Coastal Access Act to enforce marine legislation, working with other marine enforcement bodies. It will be involved in responding to marine emergencies. It will use the best available scientific evidence and need to make effective use of data, information and knowledge across the full range of its activities. In addition to working with the Devolved Administrations, the MMO will work with other partners including regulatory, delivery, enforcement and scientific organisations, – including the Authorities.

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