

**REPORT OF THE CONSERVATION POLICY OFFICER**

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**SUBJECT: NATIONAL PARK MANAGEMENT PLAN**

Purpose of Report

This report invites Members' endorsement of a proposal for an interim (technical) update of the current National Park Management Plan (2009-13).

Background

Members will recall that a Delivery Agreement for review of the National Park Management Plan 2009-13 was agreed at the NPA meeting of 26<sup>th</sup> September 2012<sup>1</sup>. Due to the anticipated publication of a revised Policy Statement for Protected Areas (*Taking the Long View: Consultation on the draft Policy Statement for Protected Landscapes in Wales*), the intention by Natural Resources Wales to produce new guidance on developing a Management Plan and the suggestion in the Policy Statement consultation that a joint Management Plan would be produced for all Protected Areas in Wales it was decided to suspend the Management Plan review programme in order that the Statement could be reflected as necessary in the revised Management Plan.

The delay means that there is no scope to undertake the necessary evidence gathering and consult with Members or the public adequately on a fully revised Management Plan before the expiry of the current Plan at the end of 2013.

Proposal

The current Management Plan is a strategic document and still substantially relevant; accordingly it is proposed that officers carry out a light-touch technical update of the current Management Plan (2009-13) in order to extend the Plan's life until the end of 2014. This review would consist of basic factual changes.

Officers would aim to bring a list of amendments to the Management Plan (2009-13) to the National Park Authority meeting of 11<sup>th</sup> December 2013, subsequently consulting with statutory consultees<sup>2</sup> on these amendments, with a view to adopting these revisions to the Plan in early 2014. Prior to bringing the amendments to Members advice will be sought from Natural Resource Wales to ensure that this is an acceptable way forward as an interim solution.

Risk considerations

There are risks associated with not having a current adopted Management Plan (for example policy may be perceived as outdated). The proposal seeks to address these.

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<sup>1</sup> [http://www.pembrokeshirecoast.org.uk/Files/files/Committee/NPA/26\\_09\\_12/48\\_12%20Management%20Plan%20Rep.pdf](http://www.pembrokeshirecoast.org.uk/Files/files/Committee/NPA/26_09_12/48_12%20Management%20Plan%20Rep.pdf)

<sup>2</sup> See Annex 1 (excerpt from Environment Act 1995): paras 7 and 8 apply

Conversely, there may be potential risks with delaying a substantive review of the Management Plan, for example in terms of strategic 'drift' and a lack of public input and consultation to management policy. Hence this proposal seeks an extension of one year only for the current Plan subject to a limited technical update.

#### Compliance

The Environment Act 1995 Part III Section 66 (National Park Management Plans) applies (see Annex 1 to this report).

Review of the Management Plan will also need to comply with Habitats Regulation Assessment, Strategic Environmental Assessment and Sustainability Appraisal Legislation. Officers' understanding is that minor updates to the Plan will require a proportionate (light touch) assessment. However it should be noted that the environmental and socio-economic baseline continues to change and that a reviewed Plan should be considered in the light of other plans and projects. These could result in new in-combination effects. Advice will be sought from Natural Resources Wales in this regard, prior to reporting to Members in December.

Welsh Government advises, in response to the issue being raised by the previous Chairman of the Authority, that it is not empowered to exempt the NPA from having a current Management Plan.

The proposal above could also give officers scope to accommodate anticipated guidance on protected area management planning from Natural Resources Wales in the next full review of the Management Plan.

#### Human Rights/Equality issues

No issues are anticipated.

#### Biodiversity implications/Sustainability appraisal

There are no anticipated issues regarding biodiversity as a result of the recommendation. However there is a potential opportunity cost, in terms of achieving Park purposes, in delaying a full review of the Management Plan beyond 2014.

The 'Compliance' section above also applies.

### **RECOMMENDATION**

**That Members AGREE to the proposal that Officers undertake a technical update to the National Park Management Plan, in order to extend the Plan's life until the end of 2014.**

#### Background Documents

Environment Act 1995 <http://www.legislation.gov.uk/ukpga/1995/25/contents>

National Park Management Plan Guidance (English)

<http://www.pembrokeshirecoast.org.uk/files/files/Conservation/Conservation%20publications/National%20parks%20final%20English.PDF>

*(For further information please contact Michel Regelous, Conservation Policy Officer)*

## **Annex 1 - Extract from the Environment Act 1995 [as amended]**

### **“66. National Park Management Plans.**

(1) Subject to subsection (2) below, every National Park Authority shall, within three years after its operational date, prepare and publish a plan, to be known as a National Park Management Plan, which formulates its policy for the management of the relevant Park and for the carrying out of its functions in relation to that Park.

(2) A National Park Authority for a Park wholly or mainly comprising any area which, immediately before the Authority's operational date, was or was included in an area for which there was a National Park Plan prepared and published under paragraph 18 of Schedule 17 to the 1972 Act (National Park plans) shall not be required to prepare a Management Plan under subsection (1) above if, within six months of that date, it adopts the existing National Park Plan as its Management Plan and publishes notice that it has done so.

(3) Where a National Park Authority is proposing to adopt a plan under subsection (2) above, it may review the plan before adopting it and shall do so if the plan would have fallen to be reviewed under paragraph 18 of Schedule 17 to the 1972 Act in the period of twelve months beginning with the Authority's operational date.

(4) A National Park Authority shall review its National Park Management Plan within the period of five years of its operational date and, after the first review, at intervals of not more than five years.

(5) Where a National Park Authority has adopted a plan under subsection (2) above as its National Park Management Plan and has not reviewed that Plan before adopting it, the first review of that Plan under subsection (4) above shall take place no later than the time when the adopted plan would otherwise have fallen to be reviewed under paragraph 18 of Schedule 17 to the 1972 Act.

(6) Where a National Park Authority reviews any plan under this section, it shall—  
(a) determine on that review whether it would be expedient to amend the plan and what (if any) amendments would be appropriate;  
(b) make any amendments that it considers appropriate; and  
(c) publish a report on the review specifying any amendments made.

(7) A National Park Authority which is proposing to publish, adopt or review any plan under this section shall—  
(a) give notice of the proposal to every principal council whose area is wholly or partly comprised in the relevant Park and, according to whether that Park is in England or in Wales, to the [Countryside Agency] and [English Nature] or to the Countryside Council for Wales;  
(b) send a copy of the plan, together (where appropriate) with any proposed amendments of the plan, to every body to which notice of the proposal is required to be given by paragraph (a) above; and  
(c) take into consideration any observations made by any such body.

(8) A National Park Authority shall send to the Secretary of State a copy of every plan, notice or report which it is required to publish under this section.

(9) In this section “operational date”, in relation to a National Park Authority, means the date on which the Authority becomes the local planning Authority for the relevant Park.”