

**Government consultation on its Response to the Landscapes Review**

*Peak District National Park Authority draft response developed from the PDNPA Member discussion on 28th Jan 2022, with follow up comments from members of the management team.*

**General comments to be incorporated in a covering letter to the Minister**

- We welcome the ambition and vision of the Landscapes Review and the overall direction set out in the Government's response to this.*
- We, therefore, support the direction of travel set out in the consultation in terms of the mission of protected landscape to be beacons in nature recovery, climate action, as places for all and in working with the communities who live and work in these landscapes.*
- We especially see that it is important that we act now rather than wait for legislative changes to take effect, but would note there are a handful of specific recommendations we disagree with and that we need to be pragmatic about what we can achieve based on what we are resourced to do. It is therefore important that we are adequately resourced for the tasks Government wishes us to carry out.*
- As a convenor for the place it is also as important for partners to embrace this renewed vision and mission for protected landscapes and are willing and able to work with us as the landscape bodies to realise that mission. There is an over-riding need for plans and strategies to be integrated and for there to be a requirement for this to be implemented by all public sector bodies who have a stake in or work in protected landscapes.*
- In setting out the outcomes framework for NPAs and AONBs the key is about what we are able to do, not just should we do it.*
- It is important there is clarity and understanding about our role as a regulator, convenor and a delivery agent on the ground. As we are established in law as a special purpose local authority and as a planning authority, we must connect as much with the Department for Levelling Up as with Defra. We care for nature, beauty and cultural heritage of the landscape and promote access for all and this is encapsulated in the special qualities of the National Park, which are the qualities that the National Park was designated for. These special qualities must be at the heart of any renewed mission or purpose.*

**A stronger mission for nature recovery (p10)**

**6. Should a strengthened first purpose of protected landscapes follow the proposals set out in Chapter 2? YES/NO/UNSURE. Yes**

**7. Which other priorities should be reflected in a strengthened first purpose e.g. climate, cultural heritage?**

- We are heartened by the mission and linking climate change with nature recovery, but it is also important to retain cultural heritage and natural beauty as priorities.*
- Need to retain the requirement to conserve and enhance, we would caution the use of the word "restore" as this implies physical intervention, and putting something back 'as it was' whereas 'conserve' is more nuanced, and can mean the conservation of significance, not*

*necessarily physical intervention and certainly not rebuilding etc. For example, restoring a ruin would mean rebuilding it - conserving it might mean consolidating it as it is.*

- *We welcome the revision to the definition of natural beauty as set out in the 2006 NERC Act, to explicitly include that which has been shaped by humans, to strengthen the statutory first and second purposes.*
- *National Parks and AONBs do and should do more than conserve nature, they are places of unique and rich cultural heritage, they should be supported to do more for nature whilst carefully managing change in ways which conserve and enhance this rich cultural inheritance. National Parks and strengthened AONB Partnerships are uniquely placed to manage the balance between natural and historic environments, through delivering the statutory purposes and through robust, well-resourced planning and legislative functions*
- *Climate changes needs to cover both resilience and adaptation and mitigation.*
- *In strengthening the purpose it is important that NPAs and AONB bodies are not seen as solely responsible for responding to climate change; the role of other agencies needs to be recognised and included. For example, with LNRS, NPAs and AONB bodies will not necessarily be given the authority, and so not have the resources, to deliver LNRSs.*
- *Concerned that there is a lack of appreciation of the importance of cultural heritage and natural beauty in shaping what is special about protected landscapes and a concern that this might lose out given the renewed focus on nature recovery and climate change.*
- *The special qualities must be key to any renewed purpose, they are the qualities that the National Park is designated for, yet they currently don't feature in the first purpose. It would strengthen and focus NPMPs if the link was made explicit in this purpose to the special qualities. This means each NP's qualities will need to be defined, which we have done here for the Peak District National Park*
- *Examples of work already in place in protected landscapes include:*
  - *Peatland restoration through the Moors for the Future Partnerships and working across the north with the Great North Bog.*
  - *South West Peak Landscape Partnership (SWPLP) Programme – a NHLF funded programme led by the PDNPA involves a suite of integrated projects with partners which have delivered outcomes for nature recovery (habitats and species), cultural heritage enhancement, natural flood management, access enhancement, interpretation, volunteering, community engagement and apprenticeships fostering closer alignment between farming, conservation and National Park purposes.*
  - *Peak District Environmental Land Management (ELM) Test – exploring the use of National Character Areas (NCAs) for ELM and in particular for spatial prioritisation and for farmers and land managers to develop their Land Management Plans. This test has demonstrated that NCAs are a good tool for ELM and that they work across PLs and the whole of England. In particular farmers and land managers once they are aware of the relevant NCA relate to the description of their landscape and begin to better understand the range of public goods they already deliver and that they could deliver. This approach has also stimulated thinking about farmer and land manager collaboration, a landscape scale approach and the future role of the NPA(s) in ELM.*
  - *Farming in Protected Landscapes (FiPL) – the four themes climate, nature, people and place are now actively delivering for the Landscapes Review recommendations. Many projects are delivering across two or more themes. Whilst the national*

*framework provides guidance there is local flexibility for projects which deliver for the needs of the PD landscape and farmers and land managers. The role of the PDNPA in FiPL is helping to further develop the Authority's relationships with farmers and land managers. The involvement of farmers, land managers and the NPA/PLo in the Local Assessment Panel and local decision making is also being well received.*

### **Agricultural transition (p12)**

**8. Do you support any of the following options as we develop the role of protected landscapes in the new environmental land management schemes? Tick all that apply.**

- **Designing the environmental land management schemes in a way that works for all farmers and land managers, including the specific circumstances for those in protected landscapes, recognising that farmers in these areas are well-placed to deliver on our environmental priorities.**

*Yes for both cultural and natural capital, if this allows a bespoke scheme to recognise the specific circumstances for National Parks and AONBs. There is already a ready-made and tested scheme that could do this by making FiPL the future scheme for protected landscapes post-agricultural transition.*

- **Using Local Nature Recovery Strategies to identify projects or habitats within protected landscapes.**

*We recommend using the National Park Management Plans to set priorities, as has been done with the Farming in Protected Landscapes scheme. There is the real potential to use the NPMP – partnership plan for the place – as the LNRS. This is particularly important here in the Peak District given that we have 6 Constituent Authorities and if the responsibility for LNRSs lies with these Constituent Authorities then there could be 6 different LNRSs covering the PDNP. So whoever is the LNRS responsible body then the information they provide will need to be able to be split and used for different spatial areas e.g. PDNP, County/Unitary Authority, NCA.*

- **Monitoring the effectiveness and uptake of the new environmental land management schemes in protected landscapes. Using this to inform whether further interventions are needed to ensure we are on track for wider nature recovery ambitions.**

*Yes*

- **Creating a clear role for protected landscape organisations in the preparation of Local Nature Recovery Strategies. Our recent LNRS consultation specifically asks for views on the role of different organisations in the preparation of LNRSs, including protected landscapes.**

*National Parks Authorities and AONBs have the knowledge, skills and expertise to drive LNRS in and around our landscapes and protected landscapes present the optimum opportunity to*

*meet this Government's 30x30 commitment at scale and in a way that connects between us. Consequently, we wish to see National Parks and AONBs at the centre of the new system of spatial strategies for nature that the LNRS will provide*

- **Building on FiPL, empowering protected landscapes to support decision-making and delivery against agreed priorities, including through dedicated project coordinators and advisers.**

*Yes. The key ingredients to achieving a successful programme include delegated funding to the protected landscape body, resources for local advice and facilitation, using the NPMP to set priorities, and taking an integrated approach about environment and farm business. In addition, might consider an environmental broker role for the NPA on managing public and private finance.*

**9. Do you have any views or supporting evidence you would like to input as we develop the role of protected landscapes in the new environmental land management schemes?**

- *Agree that Protected Landscapes (PLs) need to have a meaningful role in ELM schemes because of the diversity of farming and land management that exists across PLs. This means we need to have the agency to be able to speak up for what's important for our PLs.*
- *Any future farming support scheme needs to include how we support the enhancement and protection of cultural heritage assets.*
- *ELM needs to work for all farmers and land managers, and we need to ensure PL bodies have the resources to be able to keep up their engagement with land managers and farmers. This local engagement needs to be seen as an investment and is critical to developing trusted relationships and ultimately success.*
- *There is an inherent problem with LNRS being cut to county boundaries, as this does not fit for the PL boundaries. National Park Management Plans are the partnership plans for PL and these need to be used to set priorities for future farming and land management support schemes, as they cover nature, climate, people and place.*
- *To date, agri-environment schemes have been designed in a national context and have struggled to deliver for particular local circumstance and conditions, for example the White Peak part of the PDNP where stocking rates and payment rates have meant low uptake with consequential loss of natural and cultural capital. There is a need for a national approach which provides for the more local landscape needs. FiPL is testing this approach.*

**A stronger mission for connecting people and places (p14)**

**10. Should AONBs have a second purpose relating to connecting people and places, equivalent to that of National Parks? YES/NO/UNSURE**

*There is merit in AONBs having a second purpose.*

**11. Should a strengthened second purpose of protected landscapes follow the proposals set out in Chapter 3 to improve connections to all parts of society with our protected landscapes?**

**YES/NO/UNSURE**

- *Yes and to achieve this it's important that the Protected Landscape bodies have the agency and the resources to fulfil such a strengthened purpose and that we have the active engagement and support of others, as this is a big task which cannot be done by PL bodies alone.*
- *Any changes suggested to purposes should always ensure they retain the link and language of Special Qualities. This should not be lost as it is the key connecting language between the purposes and is also very important to our work on planning policy and delivery.*
- *Critical to achieving this is removing barriers for all parts of society and being able to take a more active role in supporting access. This is being delivered by projects underway now by protected landscape bodies working in partnership, such as the test and learn pilots and work around green social prescribing where partnerships are forming and growing to support delivery – but will always be limited without resources.*
- *Aspirations need to include investment in audience understanding and social listening across all protected landscapes to allow NPs and AONBs to better understand motivations and routes to engagement with landscapes by our audiences – e.g. digitally – to allow landscapes and Natural England et al to make tailored and informed decisions*
- *National Parks contain within them stories drawn from its archaeology and landscape heritage that can help shake the narratives around countryside landscapes as exclusive places - we can draw out from these spaces the stories of rebellion, resistance, industry, immigration and settlement that can be used to create that sense of inclusion and belonging currently missing in narratives of landscape that National Park and AONB communications often fall back on. We have a role to play in creative inclusive stories and cultures of belonging, and to omit cultural heritage from that leaves National Parks and AONBs with fewer tools to address the issue of diversity and inclusion in countryside.*

**12. Are there any other priorities that should be reflected in a strengthened second purpose?**

**OPEN**

- *Being able to take a more active role in promoting and supporting access which also balances this access with the impact on PLs from increases in numbers is increasingly important, especially with a renewed focus on nature recovery.*
- *There is merit in considering how this fits with the long-term funding on levelling up and as gateways. There is merit in developing joint plans on sustainable and accessible travel into and around National Parks to overcome barriers in the ability to access protected landscapes in a way that is sustainable, accessible and affordable for all. This work needs to be developed jointly with those with a leadership role in urban setting around National Parks, so there is a jointly agreed long-term funding strategy with, for example, City Mayors. The knowledge exists in the PL bodies but the funding to deliver does not, so there is a need to align plans with those who have the need to access and the funding to enable this to happen. The Peak District is well placed, and ready to respond, and can be a really strong exemplar for such a sustainable and accessible travel plan in terms of setting policy direction, securing funding and delivering on the ground.*

- *Cultural heritage and, explicitly, the historic environment, makes a significant contribution to people's health and wellbeing, supports building people's knowledge capital and promotes active and enquiring minds in children and young people*
- *Some might question what is wrong with the current purpose – it is a term that has stood the test of time; concerned the proposed wording would not stand the test so well as it uses words that are in vogue now. It is not about necessarily about strengthening the purpose, but updating the National Parks circular to PLs which allows agility to the times and to be clear on the existing priorities now.*
- *There is good evidence of work already in train in this area by PL bodies, such as the test and learn pilots and work around green social prescribing where partnerships are forming and growing to support delivery and our work on the Diverse Audience Plan.*

### **Managing visitor pressures (p16)**

**13. Do you support any of the following options to grant National Park Authorities and the Broads Authority greater enforcement powers to manage visitor pressures? Tick all that apply.**

- **Issue Fixed Penalty Notices for byelaw infringements**
- **Make Public Space Protection Orders (PSPOs)**
- **Issue Traffic Regulation Orders (TROs) to control the amount and type of traffic on roads**
- *There is value in the most relevant organisation having, and using, the ability to take enforcement action to manage the impacts of car parking, fires, litter etc where other action has not worked. However, we do not consider these powers should reside with the National Park Authorities given that our role is to be welcoming and inclusive. Our approach is to engage, explain and encourage, while enforcement needs to be invested in those bodies already with enforcement powers such as the police and local authorities. To give us such power would only blur the line of responsibility and cause confusion, as well as to be a distraction to our core purposes.*
- *We consider that the powers given to NPAs are in the main adequate and sufficient to enable their making of TROs, where it is appropriate for them to do so, and the Peak District NPA has made effective use of its powers. Notwithstanding this, we have previously identified deficiencies in the TRO legislation, whether for its administrative burden, lack of clarification, or simply the unavailability of the necessary processes. Some of these have the potential to be dealt with by secondary legislation and guidance. We have also raised the issue of clarification of legal status on routes recorded as publicly maintainable by the Highway Authorities. It is this which is needed to ensure the clarification of the use and effective management of these routes.*

**14. Should we give National Park Authorities and the Broads Authority and local highway authorities additional powers to restrict recreational motor vehicle use on unsealed routes?  
YES/NO/UNSURE**

- *We already have sufficient powers and have used these where we feel it has been necessary.*

**15. For which reasons should National Park Authorities, the Broads Authority and local authorities exercise this power?**

- **Environmental protection**
  - **Prevention of damage**
  - **Nuisance**
  - **Amenity**
  - **Other [PLEASE STATE]**
- *Not applicable given our response above.*

**16. Should we legislate to restrict the use of motor vehicles on unsealed unclassified roads for recreational use, subject to appropriate exemptions?**

- **Yes – everywhere**
  - **Yes – in National Parks and Areas of Outstanding Natural Beauty only**
  - **Yes – in National Parks only**
  - **No**
  - **Unsure**
- *We already have sufficient powers and have used these where we feel it has been necessary.*

**17. What exemptions do you think would be required to protect the rights and enjoyment of other users e.g., residents, businesses etc? OPEN**

- *The Glover review emphasises the role of rangers on the ground in managing visitor pressure to engage with the public around the Engage explain encourage – we know this is effective and a physical presence in hot spot areas can decrease unwanted visitor behaviours. If extra resource is being put into this area supporting more rangers and volunteers on the ground would be the most effective way to support visitor behaviour change.*

#### **The role of AONB teams in planning (p18)**

**18. What roles should AONBs teams play in the plan-making process to achieve better outcomes? OPEN**

**19. Should AONB teams be made statutory consultees for development management? YES/NO/UNSURE**

**20. If yes, what type of planning applications should AONB teams be consulted on?**

- **AONB teams should formally agree with local planning authorities which planning applications should be consulted on.**
  - **AONB teams should be consulted on all planning applications that require an Environmental Impact Assessment and are categorised as ‘major development’ as well as Nationally Significant Infrastructure Projects.**
  - **Other [Please state]**
- *No comment on the 3 questions above.*

**Local Governance (p20)**

**21. Which of the following statutory measures would you support to improve the effectiveness of boards? Tick all that apply.**

- **Greater flexibility over the proportion of national, parish and local appointments**
  - **Merit-based criteria for local authority appointments**
  - **Reduced board size**
  - **Secretary of State appointed chair**
  - **Other [Please state]**
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- *Overall there is Member support for streamlined boards, regular appraisals and better all-round Member training and development, but need to keep effective communication with constituent authorities. We must also look for ways to attract and accommodate younger and working age Members. If maximum time limits for Members remain they should applied to all categories, not just national SoS.*
  - *We must seek an effective balance between different membership groups so NPAs benefit from a mix of skills, knowledge and all round experience. Should we start by determining what skills and experience we actually need (or are lacking)? We should also recognise that all three different categories of Members add value in different ways.*
  - *The majority of Members are opposed to centrally appointed chairs. Chairs need to have the confidence of the Membership (and local stakeholders) and if he or she is not directly accountable to the Board there is a risk of a serious disconnect that will undermine NPA leadership.*
  - *Local Authority and Parish Members were originally devised to address the 'democratic deficit' and if we dilute local representation we risk disenfranchising people.*
  - *Expert advisory panels may have their place, but will they come with extra resource for the NPA? However, don't forget we already have specialist officers who should be providing expert advice to Members. Members don't necessarily need to be experts in specific fields, just have all-round experience and expertise.*
  - *How do you measure an 'under-performing' Member? Attendance? What else?*

**A clearer role for public bodies (p22)**

**22. Should statutory duties be strengthened so that they are given greater weight when exercising public functions?**

- *YES. This duty need to be strengthened to ensure public bodies further national park purposes and are explicit about the importance of each National Parks special qualities (which is what the landscape was designated to care for).*
- *If these are not considered in the early stages of a development or strategy development then it will take some "un-picking" later and will take more time both from the public body and the protected landscape body. Examples range from the simple installation of a roadside curb or roadside verge mowing to a substantial fencing scheme or development requiring planning permission.*



**23. Should statutory duties be made clearer with regards to the role of public bodies in preparing and implementing management plans?**

- *YES, this needs to include an active participation in the development and delivery of the NPMP.*

**General Power of Competence (p24)****24. Should National Parks Authorities and the Broads Authority have a general power of competence?**

- *We consider the current powers we have are appropriate and do not limit ability to diversify our income. We would see a value in this only if it further aids diversifying our income base, whilst maintaining the very important government funding to support the purposes and roles we have as NPAs.*

**Overall****25. If you have any further comments on any of the proposals in this document, please include them here**

- *Sustainable transport: we have an appetite and ambition to pioneer new approaches on sustainable, accessible and affordable transport to, from and within the National Park. The Peak District will be ready to start this year with a pilot working with several public and private partners. The Peak District NPA has had significant dialogue with the Lake District and Dartmoor NPAs on aligned thinking and there is a great opportunity for a small group NPs to work with pilot funding to demonstrate and then report on our learning to show how integrated low carbon travel could be of benefit to rural areas across England and the UK.*
- *Permitted development rights: The on-going and cumulative nature of permitted development rights applying to National Parks is seeing a gradual erosion of the policies designed to respond to our statutory purposes. Policies can enable the right development in the right places to address the right needs. Permitted development serves to undermine the special objectives of National Parks and we would ask for them to be reviewed in the light of this.*