

## PROMOTING UNDERSTANDING

Last year, when I realised it was going to be difficult for people to respond to the NFNPA consultation NP Plan I supplied some basic information that might assist with letter-writing. This year, as a revised document is being prepared, it has been suggested I revive this. While I could supply a document that provides very basic, one-sentence information, I have decided to extract some of the terms you may come across and provide, although still briefly, some of the legislative principles/objectives attached to them.

It is intended to be a reference document, to show there are a number of ‘threads’ that are common to most of the documents, and these should not be ignored by the NFNPA. For instance, sustainability, even in a national park, has to pay due attention to socio-economic factors; documents such as the Management Plan have to genuinely reflect the range of all opinions submitted during consultation; decisions and associated actions are to be achieved through partnerships that involve people in the local communities. The key document, the Management Plan, is not for the NPA alone (not for the Authority Members, the NPA staff, or other statutory bodies, alone); as we have seen this provides too much opportunity for those with personal prejudices to inflict these on the local population.

‘Sustainability’, as a term, should be understood by everyone. Recycling, using washing powder that cleans at low temperatures, buying locally produced goods, leaving hedges uncut until after the nesting season, turning-off electrical appliances at the socket, and so on, are all examples of accepting the principles of sustainability.

### **SUSTAINABILITY**

As never before one species – homo sapiens - has the ability to destroy much that makes our planet able to sustain life as we know and value it. We have to ask the question: ‘In meeting the social and economic development expectations of today’s society are we making it impossible for future generations to meet theirs?’ Sustainability is usually thought of as having 3 pillars, two are the social and economic and the third is conservation. The latter is an essential because, as a constant restraint, it means that – if properly valued and protection applied – it can prevent much of the damage that this generation might cause.

(Richard Lemon was Sustainability Manager at The Government Office for the South East.)

In the UK Strategy for Sustainable Development *A Better Quality of Life* (1999) sustainable development has been interpreted as needing to meet 4 objectives, at the same time:

- Social progress which recognises the needs of everyone
- Effective protection of the environment
- Prudent use of natural resources; and
- Maintenance of high and stable levels of economic growth and employment

*While we are a National Park, and there may be some changes in emphasis, I do not believe all these objectives should only apply elsewhere. If they do then we are considerably disadvantaged. Socio-economic objectives, if met, can provide an incentive for environmental protection.*

### **THE NATIONAL PARK’S TWO PURPOSES AND DUTY**

The creation of a national park, ideally, is to achieve a proper balance between these three. The first purpose of the NP is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; the second purpose is to promote opportunities for the understanding of the special qualities of the area by the public; its duty, in the pursuit of these purposes, is to foster the economic and social well-being of local communities within the NP. (There is a clear parallel between these 3 and the three pillars of sustainability.) – In the case of National Parks if there is clear conflict between the two purposes and the duty the first purpose takes precedence, but ‘precedence’ does not mean dominate to the exclusion of its second purpose or duty!!!

**To quote from CA216 The Government-produced Guidance on Preparing Management Plans:** ‘Importantly, in seeking to deliver the National Park purposes, the NPAs are not expected to work alone – this is a shared task for all. Under Section 62(2) of the Environment Act 1995 relevant authorities have a duty to “have regard to” the purposes of the national Parks when carrying out their work. This underlines that delivery of the Park purposes through the NP Management Plan needs to be undertaken in partnership with others – both key policy makers and fund holders, such as government agencies, regional offices of government, the RDAs and local authorities, with the farmers, landowners, conservation groups and NGOs, local businesses and local

**communities of the Parks, and with organisations in the wider region, including local authorities and representatives of leisure users of the NP.’ In other words the Management Plan is for the National Park, not the National Park Authority – and this is enshrined in guidance; also, all other management documents should be in conformity with the Management Plan, not deviate from it.**

*(Statements about seeking cooperative relationships with landowners in the Management Plan cannot therefore be followed by Development Controls designed to impose destructive controls that lead to division.)*

## **NATIONAL PARKS’ MANAGEMENT PLANS**

Section 66 of the 1995 Environment Act requires each National Park Authority to produce a Management Plan for its Park within 3 years of it becoming a National Park, and the Plan should be reviewed every 5 years.

Quote from NFNPA Report (NFNPA 48/05): ‘The National Park Management Plan is the central policy document for the National Park, and the National Park Authority. The preparation of the new Plan is the first opportunity for the Authority carefully to consider the longer term priorities for the National Park, and engage all relevant partners and stakeholders in that process.’

It is later stated that the NFNPA Management Plan Design Group (including 4 or 5 Authority Members) should be guided by the following principles:

- There is a clear focus on the delivery of National Park purposes, as the prime purpose
- The priorities of the National Park Authority are strongly reflected, as the organisation with overall responsibility for the Plan
- All the major partners and stakeholders understand the relevance of the management plan for the whole NP and for the work of their particular organisations
- There is the opportunity for direct involvement of all interested organisations, communities and individuals in developing the Plan, to produce a strong sense of ownership for the final document

*(What follows in the list continues the hierarchical and conservation trend already established, thereby showing that the NFNPA Plan is not currently for everyone, because those at the top of the list, the NPA members, other statutory organisations, and specialist staff – by clear implication – regard their opinions as of predominant significance. This should be contrasted with what follows below, which stresses the involvement of the wider community much more.)*

In the same document (NFNPA 48/05) it is stated that the **Government-produced Guidance principles for preparing NP Management Plans, Chapter 2 of CA216**, have been given to NPA members separately. It is not recorded, for the Authority Meeting minutes, that:

This Chapter 2 starts with ‘Plan preparation’

- Management Plans should be prepared with the **active participation of key stakeholders and the wider community**, encouraging shared ownership of and support for the objectives, policies and actions that the Plan identifies
- Building on the above, partnership working will be an **essential pre-requisite** (not an ‘opportunity’ as stated above) in the Plan’s delivery, with the Section 62 (2) duty providing the opportunity to encourage the pre-active engagement of relevant authorities **and others** in the delivery of the National Park purposes **and the socio-economic duty**

## **CONSERVATION OF LANDSCAPE AND BIODIVERSITY**

The New Forest National Park landscape includes the wider landscape, not just the Forest itself, which has a variety of conservation designations – so many that it has an overarching classification of ‘Natura 2000’. ‘Biodiversity’ encompasses the whole variety of life on Earth – all species of plants and animals (including human beings); all their genetic variations and the complex ecosystems of which they are a part. A healthy ‘biological diversity’ depends on many factors but the appropriate habitat (place where the species live), and extensive similar habitats are regarded as essential. – In April 2007 the NFNPA members were informed about the formation of our **New Forest Biodiversity Action Plan**; besides noting all the variety of habitats and species on the Forest and coast the logical aim will be to include all those elsewhere in the vicinity, with the aim of protecting habitats and species that are judged to be most ‘at risk’.

**In Planning Policy Statement 9 the Government has indicated local authorities should take steps to further the conservation of habitats and species of principal importance through their planning function. However, the first key principle reflects the requirement set out in paragraph 19 of PPS 1: ‘plan policies and planning decisions should be based on up-to-date information about the environmental characteristics of an area’.**

*At the last Recreational Horse-keeping Workshop it was admitted to me that the NFNPA does not have all the ecological details that it would like to have. As I have said before, with 80% of the land holdings in the area being 49 acres or less, and many involving horse-keeping, I believe this is one of the main factors influencing the stringencies of the developmental controls. They want to gain access to our land at all costs, despite any distress caused. Through ‘co-operation’ with the Verderers, Forestry Commission and Natural England the NPA can gain greater conservation control over the ‘open’ Forest and coast, but they will need to divert some recreational access elsewhere, and they need to prepare a convincing Local Biodiversity Action Plan, so it is convenient to unjustly vilify those who currently have the access-to-land that they want. This can be regarded as a form of bullying. To move beyond this, it will be essential to build cooperative relationships, both to protect the environment and wildlife and accept the economic and other restraints placed on those occupying land.*

## **STRATEGIC ENVIRONMENTAL ASSESSMENTS**

**These are legally enforced procedures required by Directive 2001/42/EC and their aim is to undertake systematic assessments of the potential environmental effects of proposed changes in land use, at both a regional and local level. In terms of the New Forest National Park Plan the SEA is regarded as inseparable from the term ‘sustainability’, and the SEA is carried out as part of a wider Sustainability Appraisal. (The proposed re-opening of some railway lines would need at least SEAs.)**

## **SUSTAINABILITY APPRAISALS**

**Sustainable development is central to the reformed planning system. The purpose of Sustainability Appraisals under the Planning and Compulsory Purchase Act 2004 is to promote sustainable development through the integration of social, environmental and economic considerations into Regional Spatial Strategies, and the revised Development Plan Documents and Supplementary Planning Documents.**

**In order to undertake SAs systematically (and the disc accompanying the consultation draft of the NP Plan shows the NP’s results) each suggested policy is assessed against a set of objectives, and the level of anticipated impact. Objectives should span all 3 pillars of Sustainability (with integration of all 3 in mind), and the impact range span at least from ‘significant positive impact’ to ‘significant negative impact’.**

- *Sustainability Objective 1. is: ‘Provide a safe and secure environment’ but, as has been pointed out, artificial lighting – and particularly security lighting – is essential, yet the NP wants to get rid of it for ‘tranquillity’ reasons.*
- *Sustainability Objective 2. reads: ‘Improve health and well being’; the NP Plan, even before its full implementation, has caused quite the opposite!*
- *Sustainability Objective 6. is ‘Facilitate a sustainable and growing economy that creates economic and employment opportunity while making full use of the area’s assets’; this does not correspond with the NP’s view that agricultural land is ‘lost’ if it is grazed by equines even though it creates income for landowners.*
- *Sustainability Objective 7. is: ‘Ensure a thriving local economy’. Restricting stocking densities, and removing permitted development rights in all cases of new planning applications, is bound to affect local equestrian businesses.*
- *(In assessing the proposed Development Controls no negative impact has been shown!!)*

## **PLANNING POLICY STATEMENTS/GUIDANCE (PPSs and PPGs)**

**These are national guidelines that are aimed at helping local authorities adopt development standards that reflect the aims of ‘sustainability’.**

**Planning Policy Statement 1 is ‘over-arching’, which implies all other PPSs and PPGs should be in conformity with it.**

**Under ‘Social cohesion and inclusion’, for instance, it reads:**

**1. The Government is committed to developing strong, vibrant and sustainable communities and to promoting community cohesion in both urban and rural areas. This means meeting the diverse needs of all people in**

existing and future communities, promoting personal well-being, social cohesion and inclusion and creating equal opportunity for all citizens.’

## **SUSTAINABLE COMMUNITY STRATEGIES**

Part 1 of the Local Government Act 2000 places on principal local authorities a duty to prepare ‘community strategies’, for promoting the economic, social and environmental well-being of their areas, and contributing to the achievement of sustainable development in the UK. – National Parks, because it is assumed the associated elements of their responsibility will be included in their Management Plans, do not have to prepare such documents.

The accent is on community involvement and, often, the delivery of improved public services.. Two of the objectives attached to the formation of community strategies are:

- Allow local communities (based upon geography and/or interest) to articulate their aspirations, needs and priorities;
- co-ordinate the actions of the council, and of the public, private, voluntary and community organisations that operate locally.

There are significant similarities between Community Strategies and NP Management Plans and Core Strategies, with requirements that the former should contain:

- a long-term vision for the area focusing on the outcomes that are to be achieved
- an action plan, identifying shorter-term priorities and activities that will contribute to the achievement of long-term outcomes
- a shared commitment to implement the action plan and proposals for doing so
- arrangements for monitoring the implementation of the action plan, for periodically reviewing the community strategy, and for reporting progress to local communities

*What is most significant, I believe, is the emphasis on ‘partnership working’ with consensus and ‘shared commitment’ (‘shared ownership’) as the most effective way to achieve economic, social and environmental well-being.*

## **LOCAL STRATEGIC PARTNERSHIPS**

It is often sensible, particularly if there is a strong ‘community’ overlap, for community strategies to be delivered through such partnerships. Two people, Lindsay Cornish and Clive Chatters, represent New Forest National Park interests in terms of The New Forest Local Strategic Partnership.

The NFLSP is currently progressing a few **flagship projects**. One is :

- **Establishing a common community engagement framework for the New Forest District.** One aim of this is to deliver to the Local Strategic Partnership a clear understanding ‘about how best to inform, consult, involve, collaborate with and **empower communities**’

*Perhaps NFNPA 48/05, in commenting on the NFDC Community Strategy and the NP Management Plan, has more meaning than intended:*

- *‘In simple terms the Management Plan is concerned with achieving National Park Purposes, taking into account the Park’s wider regional and national context;*
- *The Community Strategy is concerned with improving the quality of life of local people in New Forest District.’*

*The document continues by allowing that there may be some complementary objectives, **but completely overlooks the fact that the NFNPA has a duty to foster the economic and social well-being of the Park’s residents (even if it does so within the context of delivering the Park purposes rather than being driven by broader issues such as health and education provision, which come more within the remit of the NFDC). It also needs to be emphasised that the NP has signed up to supporting the NF Local Strategic Partnership which aims to ‘collaborate with and empower communities’.***

*A number of documents suggest that the preparation of Management Plans and Core Strategies should, sensibly, start from the Sustainable Community Strategies. (Another suggested approach is for local authorities to work from the Sustainability Assessments – in other words work backwards; this is logical because if you compose policies that fail the SAs then you need to start again and this is time-wasting.) As the NFNPA does not have a Community Strategy, and has clearly divorced itself from the NFDC in a variety of ways then this may account for the fact that the consultation NP Plan is ‘skewed’ and out-of-line with some national guidance.*

## **CORE STRATEGIES**

Within the revised planning system, and the preparation of the suite of documents to constitute The Local Development Frameworks, the Core Strategies are the key Development Plan Documents. Each Core Strategy ‘should provide a robust, integrated vision which is supported by objectives that are realistic, aspirational and reflect local circumstances’ and there must also be a clear spatial dimension that reflects Regional Spatial Strategies. One of the aspects of good spatial strategy is said to be ‘promoting and providing examples of integration and joint working’.

It is stated that ‘Core strategies must be justifiable. They must be

- **Founded on a robust and credible evidence base, and**
- **The most appropriate strategy when considered against the reasonable alternatives.’**

*(From my background reading one common reason for Core Strategies to be declared ‘unsound’ is the failure to show that the preferred option has been considered against other options. The NP Plan declares that, in terms of the Development Controls, there were no other choices, but our workshop sessions have contradicted this.)*

With ‘communities’ including businesses as well as residents being mentioned, PPS 12 states that the production of core strategies should follow the Government’s principles for community engagement in planning. ‘Involvement should be:

- **Appropriate to the level of planning;**
- **From the outset – leading to a sense of ownership of local policy decisions;**
- **Continuous – part of ongoing programme, not a one-off event, with clearly articulated opportunities for continuing involvement;**
- **Transparent and accessible – using methods appropriate to the communities concerned; and**
- **Planned – as an integral part of the process for making plans.**

CA216, the Government-produced guidance for preparing Management Plans (referred to earlier) adopts the IUCN (World Conservation Union) principles for the management of Category V protected areas, such as the New Forest. Among these principles are:

- **Seeing people as stewards of the landscape**
- **Undertaking management with and through local people and mainly for and by them**
- **Management based on co-operative approaches**
- **Management of the highest professional standard that is flexible and adaptive**
- **Measurement of the success of management in environmental and social terms.**

## **STATEMENTS OF COMMUNITY INVOLVEMENT**

Each one of these is another part of the portfolio of documents forming the LDF. The SCI sets out how the National Park Authority will involve the public in plan-making and in development control.

*In the NFNPA’s Statement of Community Involvement 2.6 acknowledges that there should be Sustainability Appraisals for all Supplementary Planning Documents; the Recreation Management Strategy is one of these. However, the government inspector who assessed the ‘soundness’ of the NFNPA’s SCI appears to have overlooked 6.6 where can be found the ‘get-out’ phrase: ‘The National Park Authority intends, where possible, to combine consultation on Sustainability Appraisal .... with the community involvement process for each Development Plan Document or Supplementary Planning Document’. However, Policy SCI-4, bullet point 2, states that the Authority will consult on the Core Strategy Development Plan Document Production through: ‘Notification of all those who have asked to be consulted or kept informed of progress in preparation of the Core Strategy’.*