

Record of Cabinet portfolio holder decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Councillor John Cotton
Key decision?	Yes
Date of decision (same as date form signed)	
Name and job title of officer requesting the decision	Dominic Lamb, Countryside Officer
Officer contact details	Tel: 07801 203590 Email: dominic.lamb@southandvale.gov.uk
Decision	That the Chilterns Area of Outstanding Natural Beauty Management Plan 2014-2019 is endorsed as a material consideration in the exercise of the Council's planning powers.
Reasons for decision	<p>The preparation of a Management Plan for Areas of Outstanding Natural Beauty (AONB's) is a statutory requirement of the Countryside and Rights of Way Act (CRoW) 2000. It is intended to guide the activities of all who live and work in the AONB to help conserve and enhance the area's natural beauty.</p> <p>Government guidance¹ states that planning policies and decisions should be based on up-to-date information about the natural environment. Local planning authorities should therefore have regard to AONB management plans because these documents demonstrate partnership working and delivery of designation objectives. AONB management plans do not form part of the statutory development plan but can help to set the strategic context for development by providing evidence and principles for development within the AONB. These principles should be taken account of in local planning authorities' local plans and any neighbourhood plans in AONB areas. AONB Management Plans may also be material considerations in making decisions on individual planning applications.</p> <p>The plan for the Chilterns is prepared on behalf of this council and the other constituent local authorities by the</p>

¹Planning Practice Guidance – Does planning need to take account of management plans for Areas of Outstanding Natural Beauty? Paragraph: 004 Reference ID: 8-004-20140306

	<p>Chilterns Conservation Board. We have a representative on the Conservation Board and currently provide funding for their activities along with the other constituent local authorities and Natural England.</p> <p>Following adoption of the Management Plan by the Conservation Board in March 2014 they have requested that the Council endorse the document as a material consideration in the exercise of its planning powers.</p> <p>The management plan sets out a vision for the Chilterns and is split into six cross-cutting themes designed to better focus the delivery of objectives. The six cross-cutting themes of the Management Plan are – climate change; social inclusion; health and well-being; lifelong learning; ecosystems services and environmental sustainability.</p> <p>Each of these themes are addressed in a series of chapters which are grouped under three sections: ‘Conserving and enhancing natural beauty’; ‘Understanding and Enjoying’ and ‘Social and economic well-being’, which are based on the Board’s statutory purposes. Each section details: broad aims, special qualities, key issues and a series of policies. Planning and development is one of six areas the plan covers under conserving and enhancing natural beauty, alongside landscape, farming, biodiversity, water environment and the historic environment.</p> <p>The plan informs public bodies of the means by which they can demonstrate compliance with their statutory duty to have regard to the purpose of designation of the AONB when undertaking their functions.</p> <p>The plan policies are designed to be delivered by a wide range of stakeholders and partners in the AONB. They help secure a consistent approach across the Chilterns and a way to demonstrate joint work under the Duty to Cooperate. The Chilterns Conservation Board co-ordinates the monitoring and delivery of the plan policies and are directly responsible for the delivery of certain work areas.</p>
<p>Alternative options rejected</p>	<ol style="list-style-type: none"> 1. Adopting the plan as a Supplementary Planning Document – not recommended as although it has been subject to consultation and Strategic Environmental Assessment, this would give the plan enhanced planning weight, and the management plan covers a wider remit than planning. 2. Not endorsing the plan – not recommended because failure to endorse the plan would mean it has less weight as a material consideration when assessing planning applications and in shaping new local plan and neighbourhood plan policies. Endorsing the plan

	demonstrates compliance with statutory duties and conforms to the Government's Planning Practice Guidance.			
Legal implications	The preparation of a Management Plan for AONBs is a statutory requirement of the Countryside and Rights of Way Act (CRoW) 2000. The Management Plan is prepared and adopted by the Chilterns Conservation Board on behalf of the constituent Local Authorities.			
Financial implications	<p>We are represented on the Chilterns Conservation Board and provide funding for their activities along with the other constituent local authorities and Natural England. DEFRA provides core funding with the constituent local authorities sharing responsibility for the remainder.</p> <p>The current contribution to the Board for 2014/15 is £9,357, the endorsement of the Management Plan has no implications for providing any funding additional to the annual contribution.</p>			
Other implications	Communications The Management Plan, if endorsed, will be made available on our website.			
Background papers considered	Chilterns AONB Management Plan 2014 - 2019 Chilterns AONB Adoption Statement April 2014			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None			
List consultees		Name	Outcome	Date
	Ward councillors	Ian White Lynn Lloyd Stephen Harrod Anna Badcock Felix Bloomfield Richard Pullen Charles Bailey David Nimmo-Smith Kevin Bulmer Robert Simister Martin Akehurst Paul Harrison	Responses received from Lynn Lloyd, Ian White, David Nimmo-Smith. All comments supportive of the endorsement.	15/7/15 (LL & DN-S) 16/7/15 (IW)
	Board Members	Lynn Lloyd David Nimmo-Smith		
	Legal	Ian Price	Support	14/7/15
	Finance	Paul Sheppard	OK	16/7/15
	Sustainability	Heather Saunders	Support	27/7/15

	Diversity and equality	Cheryl Reeves	No adverse comments	14/8/15
	Communications	Andy Roberts	No adverse comments	21/7/15
	Strategic Management Board	Anna Robinson	Happy to sign off	28/8/15
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?				
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature _____ Date _____			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date:	Time:
Date published to all councillors	Date:	
Call-in deadline	Date:	Time:

Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence. Democratic Services staff are located on the ground floor north wing (C block) of the Crowmarsh Gifford offices. Tel. 01235 540307 or extension 7307.
Email: democratic.services@southandvale.gov.uk
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days). The decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing the decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If the decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
 - refer the decision back to the Cabinet portfolio holder for reconsideration or
 - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
 - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.