**Item 6**

AONB

**Surrey Hills Area of Outstanding Natural Beauty (AONB) Board**

7 December 2022

**SURREY HILLS AONB BOUNDARY REVIEW**

**Purpose of the report:**

To report on progress to the Surrey Hills AONB Board

**1. Introduction.**

This is to provide the AONB Board with a report on progress, since the last AONB Board meeting that was held on September 7th, 2022. It will outline the next steps with Natural England’s project to review the boundary of the Surrey Hills AONB. The report also provides details on the formal statutory and public consultation that we are expecting to run early next year.

To remind the Board, Section 82(1) of the Countryside and Rights of Way Act 2000 states:

“Where it appears to Natural Englandthat an area which is in England but not in a National Park is of such outstanding natural beauty that it is desirable that the provisions of this Part relating to areas designated under this section should apply to it, Natural England may, for the purpose of conserving and enhancing the natural beauty of the area, by order designate the area for the purposes of this Part as an area of outstanding natural beauty”.

**See Annex 1 for an Introduction and a recap on the earlier stages of the project prior to September 2022**

**Progress since September 2022**

* Identifying proposed revised boundaries for areas that are provisionally assessed as having outstanding natural beauty and considered ‘desirable to designate’ – This work began at the start of October 2022 and is expected to run until the end of December 2022.
* Following this we be at the stage of finalising our assessments and papers for Natural England director approval to go to statutory consultation.
* Natural England staff are currently developing the formal consultation materials that will be required ahead of the launch of the consultation. See further details below.
* Workshop with the MAG and TAG 30th November to discuss the draft boundary and understand what is being proposed.

**Next steps:**

* At the start of 2023, we will be seeking approval of the proposed boundary for statutory formal consultation from the Natural England Director who oversees our landscape designations work and that the Public and Statutory consultation should start as soon as possible after this. We expect this to be in mid-February. This is of course subject to NE Director approval and any amendments they may request.
* Preparation of documentation for statutory and public consultation – by end of January 2023.
* Subsequent undertaking of the statutory and public consultation by the end of May 2023 (we have provisionally extended the length for time for the consultation from 12 weeks to 14 weeks to account for the Easter holidays).
* Our intention is to provide a full briefing to the AONB Board with all the relevant assessments and maps at the start of the formal consultation period.
* Assessment of responses to the statutory and public consultation - by end of November 2023.
* Drafting a paper, with supporting evidence, to seek Natural England Board approval of a draft Order with regard to extending the boundary of the Surrey Hills AONB and approval to proceed to a formal period of Notice - by end of January 2024.
* The draft legal Order would then be subject to a 28-day Notice period prior to submission to the Secretary of State (DEFRA) for confirmation. The Notice period allows anyone who wishes to do so to make representations to Natural England, objecting to, supportive of, or proposing amendments to the Order, and stating the grounds on which they are made.
* Following analysis of all representations made, Natural England Board will then be asked to give final approval for the submission of an Order for confirmation to the Secretary of State (Defra) varying the boundary of the Surrey hills AONB. Natural England then ‘makes’ (signs and seals) the legal Order prior to submission to the Secretary of State- by end of June / July 2024.

**Please note that the timescales provided are only indicative and may change. A national landscape designation (AONB/ National Park) is a significant undertaking requiring robust evidence gathering, engagement and consultation with local and national communities and stakeholders and is therefore rightly not a quick process or one where timescales can be firmly determined. Overall, we expect a designation to take 2-3 years. Previous designations have taken three to five years from commencing technical assessments to the submission of a designation order for confirmation by the Defra Secretary of State. The time until the Minister confirms an order varies according to several factors including whether a public inquiry is deemed necessary.**

 **It is not possible to say how long the Secretary of State’s decision will take following submission or whether a Public Inquiry will be called.**

**COMMUNITY ENGAGEMENT, CONSULTATION AND PROMOTION**

As you are aware the Surrey Hills boundary variation process is complex and has involved several opportunities for a range of local authorities, interest groups and individuals to have an opportunity to comment on and influence the development of the proposals.

The process requires a formal statutory consultation of the Local Authorities involved[[1]](#footnote-1), together with a formal ‘Deposit period’ during which anyone can make representations about the proposed variation.

In addition, since the proposals will affect a wide range of local organisations and the local communities in the area, a wider public consultation is proposed in order to maximise opportunities to gather evidence and engage local people.

Since AONB designation is a national designation, the consultations are national consultations, though with an additional focus at local level aimed at stakeholders who would be more directly affected by any designation.

We are in the process of developing a detailed consultation plan. The purpose of the plan is to define how awareness of the project will be raised, what opportunities for engagement and consultation will be offered in order to seek, record, analyse and report on opinions and evidence as to whether:

1. The areas proposed for designation meet the criterion for designation, namely possessing outstanding natural beauty,
2. By reason of their outstanding natural beauty, it is desirable that they should be designated as AONB for the purpose of conserving and enhancing their natural beauty,
3. The proposed boundaries are suitable and robust.

The evidence on these topics provided during the consultations will be used to inform and influence the proposals as they develop and will contribute to the evidence base for the project. It would also potentially be used as part of the evidence base for any future Public Inquiry into the proposals.

The objectives of the consultation and engagement process are to:

* Consult widely with both statutory consultees and other stakeholders, including communities of interest and place who live, work, visit or otherwise have an interest in or near the areas under consideration.
* Ensure people have an opportunity to discuss issues, impart information and suggest alternatives through ensuring that:
	+ any information provided is simple to understand,
	+ the process is as inclusive as possible, including for hard-to-reach groups.
* Ensure Natural England has access to the best available evidence.
* Comprehensively record and analyse responses
* Ensure the process follows best practice, in particular the current (2018)[[2]](#footnote-2) Cabinet Office Consultation Principles and the 2010 Government Compact with the Voluntary and Community Sector[[3]](#footnote-3); and takes account of relevant Local Authorities’ Statements of Community Involvement.
* Ensure timely effective communications between all parties.
* Ensure the consultation and engagement is delivered to schedule, allowing adequate time for preparation, organisation, analysis and feedback and to subsequently influence the proposals as they develop.

**Target Audiences**

Broadly speaking, there are several overall groupings, i.e., audiences who have similar understanding or background knowledge and should be consulted/engaged by the same means, these being:

* Individuals, communities of place and interest, recreational users, visitors
* Professional Organisations, Government Agencies and NGOs
* Local Authorities and MPs.

|  |  |
| --- | --- |
| **Generic Group** | **Audiences** (not exhaustive) |
| Individuals  | Individual residents, visitors, recreational users,  |
| Business interests | farmers and landowners; other local businesses |
| Local authorities (cabinet members & officers) | LAs with land in areas under consideration,LAs in current AONB LAs adjacent to areas under consideration |
| Parish Councils | PCs with land in areas under consideration,PCs in current AONB PCs adjacent to areas under consideration  |
| Government Agencies | Environment Agency, Forestry Commission, Historic England, Highways Agency, Network Rail, National Grid,  |
| Voluntary Bodies, Interest Groups & Professional Bodies | AONB Board/ Partnership plus other conservation bodies: National Trust, Council for the Protection of Rural England, Surrey Wildlife Trust, Woodland Trust, National Trust other local conservation groups.Recreation bodies: Ramblers Association, British Horse Society, Mountain Biking Association, Cyclists Touring Club, Surrey Local access Forum, other local recreation groupsLocal Enterprise PartnershipsFarming bodies: Local Country Landowners and Business Association, Local National Farmers Union, Young Farmers Groups, Community bodies: Surrey Association of Local Councils, Surrey Rural Community Council, Community Action Surrey, Volunteer groups, SACVS, BME groups, youth groups |
| Business Organisations | Chambers of Commerce, Visit Surrey, Statutory Undertakers e.g., Utilities Companies, Minerals and Waste Organisations, Rail Industry Groups, Wind Energy Groups, Local Business Associations. |
| MPs  | Paul Beresford, Crispin Blunt, Claire Coutinho, Michael Gove, Chris Grayling, Jeremy Hunt, Kwasi Kwarteng, Jonathan Lord, Dominic Raab, Angela Richardson, Ben Spencer, Chris Philp |
| National organisations | England National Parks Association, Council for National Parks, Association of AONBs, Commoners Association, Tenant Farmers Association, National CBLA and NFU. |
| Within NE | Board members, Area Team AONB Account Officers and Area Managers+ relevant Area Team contacts in or near the proposed variations. |

**Consultation Method and key Tasks**

There is a range of small organisations, charities, businesses, rural communities and individuals with a potential interest in the area and given the need to elicit detailed evidence from the replies to the consultation process, we are planning to hold a 12 (14 tbc) week formal statutory consultation as well as adopting a range of other techniques to ensure good awareness of the consultations and that we reach local ‘hard to reach groups’.

The aims of the consultation are to:

* Ensure all stakeholders are able to obtain the information and understanding that they require in order to reach informed conclusions about Natural England’s proposal to vary the boundary of the AONB. This is specifically ensuring that stakeholders are able to understand
	+ The way in which Natural England has assessed the landscape and desirability of designation.
	+ The degree to which their involvement can influence Natural England’s decision making.
* Ensure that all stakeholders are given the opportunity to make a constructive contribution to Natural England’s decision making in a manner and level of detail that is appropriate to each stakeholder group.
* Ensure people have an opportunity to discuss issues, impart information and suggest alternatives.
* Comprehensively record and analyse responses and demonstrate how they have been taken into account.

**The Formal Statutory and Public Consultation:**

CRoW Act 2000, Section 83 requires Natural England to consult every local authority whose area includes any part of the area to which the proposed Order is to relate.

Good practice and recent precedent require that communities and groups which may be affected by the proposals should also be consulted, so a wider public consultation will also be undertaken. In order to maximise accessibility of the consultation process and raise awareness of the scope for and opportunities available to engage and influence Natural England during the designation process, a range of methods will be used.

It is anticipated that the formal community engagement and consultation processes will be run by Natural England’s consultants as well as by Natural England staff.

A range of consultation materials will be produced to make up a simple consultation pack that will be available on demand for distribution to all stakeholders, including the public via post, email and digitally via Citizen Space. The purpose of the consultation pack is to brief stakeholders on the project, providing sufficient background information to ensure that responses can be informed and providing a simple means of recording and submitting their responses. All documents in the pack will be produced in electronic and where appropriate printed formats.

***The Formal Consultation pack*** will include:

* A project summary document including an introduction to the work and process, key information on AONB designation, a précis of the assessment methods used, summary statement about the candidate area(s) being considered for designation (including text on natural beauty and issues affecting special qualities and a summary statement of reasons why it is desirable to designate the area as a whole.
* Detailed proposed boundary maps on A3 sized paper and 1:25,000 scale, with an A4 key map.
* Consultation Questionnaire and Response Form, suitable for all audiences, posing questions and seeking evidence related to:
	+ Whether the area has sufficient natural beauty to warrant designation as an area of outstanding natural beauty
	+ Whether as a result of its natural beauty it is desirable that the area should be designated
	+ Whether the draft boundaries are sensible and robust.
* Consultation Letter introducing the project to stakeholders and how they can respond to the consultation.

All parts of the consultation pack will be designed to be attractive/engaging, clearly presented and accessible to a broad public audience (suitable for 12 years old and up). The requirements of consultees with visual impairment will be provided for by using Citizen Space to host the consultation documents.

***Additional information*:** a folder containing the detailed assessments undertaken, as well as the designation guidance will be produced for those stakeholders who require more technical information. The contents of this folder will be made available in electronic format via.GOV.UK, and in print form in local libraries and at consultation events, and if specifically requested.

***Consultation Letters*:** Separate letters will be produced targeting different audiences, including statutory consultees, MPs, Parishes with land in the proposed variation, Parishes with land in neighbouring areas to the proposed variation and Parishes in the existing AONB, AONB Partnership Organisations and NGOs including recreation and conservation groups as well as community groups and individuals. Hard copies of consultation letters will be sent to Local Authorities, MPs and Parishes to ensure that they are aware of the consultation windows. Other organisations will be contacted electronically where electronic contact details are available or by letter if not.

***Frequently Asked Questions (FAQ):*** A short summary document suitable for use as a hand-out at events has been produced. An electronic version will also be maintained and updated for internal use by the project team (for use in dealing with queries).

**Distributing Consultation Documentation**

In line with the Government Consultation Principles, electronic access will be the preferred option for internal and external stakeholders to access project and consultation documentation and to respond to the consultations, via Citizen Space.

However, in order to allow full accessibility in this rural area, and particularly to those with no access to the internet or limited digital skills, the Consultation Pack will also be made available to stakeholders in hard copy if requested. This will be distributed via the following methods:

* Available at events
* Available at meetings
* By post if requested

**Events:**

It is anticipated that the following events will be held.

* We are proposing a series of **warm up webinars** will be held ahead of the consultation period to inform people of how to engage with the formal consultation process. Details of these webinars will be confirmed in due course.

**During the consultation:**

* ***One meeting of the Technical Advisory Group*** either at or just before the start of the consultation
* ***One briefing for the AONB Board/ Partnership*** This will be held during working hours, early in the consultation period in order to enable Councils to consider their response during their normal meeting cycle. A fairly informal approach is planned. Refreshments will be provided. A presentation will outline the proposals and if numbers are sufficient, participants will be invited to discuss the proposals for 15 minutes, in small groups around their table and formulate key questions which will then form the basis for a plenary session during which NE and the AONB Unit would answer the key questions. Responses and key issues raised will be recorded.
* ***Briefing meetings for Parish and Town Councils*** (including both those in, and those adjacent to, the candidate area(s) and the existing AONB. This will be held during working hours, early in the consultation period in order to maximise time for Councils to go back and gauge community views and respond in line with their meeting programmes. They will also be asked to help spread the word locally about the consultation and promote the meetings and drop-in events. Again, a fairly informal approach is planned to encourage discussion. Refreshments will be provided. A presentation will outline the proposals and if numbers are sufficient, participants will be invited to discuss the proposals for 15 minutes, in small groups around their table and formulate key questions which will then form the basis for a plenary session during which NE and the AONB Unit would answer the key questions. Responses and key issues raised will be recorded.
* ***Two briefing events for special interest groups,***
	+ ***one for recreation and conservation groups, and***
	+ ***one for business, landowner and farming interests***.

These will follow the same plan as the other briefing sessions.

* ***Two public meetings (Tbc)*** *(one in the east and one in the west*). These evening meetings will aim to give people the opportunity to access sufficient information to give an informed response to the proposals, an opportunity to meet the project team, to discuss the proposals and to ask questions. It is anticipated that these events will also involve a presentation and the opportunity to ask questions, though layout will need to be conference style in order to allow larger numbers of people to attend this type of event. Again, refreshments will be made available
* ***Two / four (Tbc) all day/evening drop-in events***. These informal events will enable people who are not confident enough to engage in public meetings, an alternative means of finding out more about the proposals and an opportunity to meet people from the Project team and ask questions. It is anticipated that the large-scale maps produced for the informal consultation stage will be the primary means used to stimulate discussion, though copies of all documentation will also be available.

All the meetings and events will be held in local, fully accessible locations, predominantly village halls, within the candidate area(s).

**Publicity and Media relations**

We will be promoting and publicising the various opportunities to engage with and comment on the designation proposals via the media, including newspapers, radio, and TV as well as via NE twitter feed etc.

**The aims of the publicity and media coverage are to:**

* Make people aware of the various opportunities to have an input into the designation process, supporting seamless promotion of the consultation processes
* Maximise public participation in the designation process
* Avoid misinformation and/or misunderstanding
* Ensure timely and appropriate responses to any challenge in the press

Since the designation will affect local people most directly and given resource constraints, the majority of effort will be directed at local media rather than national media.

**Messages that we will put across:**

* What designation means
* Why Natural England is undertaking this project (to cover duties and powers etc)
* What it will mean for those living or working in, or visiting the area
* How to take part in the consultations
* What will happen after each stage of consultation
* Timetable

**Following the Formal Statutory and Public Consultation** the detailed analysis of responses will be undertaken, and we will provide further updates relevant to the stages of the project that follow the Formal Statutory and Public Consultation at a later date.

**Annex 1:**

**Introduction and a recap on the earlier stages of the project prior to September 2022**

The Written Ministerial Statement of 24th June 2021, by George Eustice Secretary of State (Defra), confirmed that Natural England is taking forward the government’s commitment to designate additional protected landscapes and is currently considering the designation of four new areas which included an extension to the Surrey Hills AONB.

 Since that time, Natural England and Surrey Hills AONB officers working with the AONB Board Chairman have developed a collaborative approach with an emphasis on a comprehensive review of the boundary, undertaken as efficiently and quickly as possible whilst encouraging significant local stakeholder engagement in the process.

The June WMS was an initial response to Julian Glover’s [Landscapes Review,](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F833163%2Flandscapes-review-final-report.pdf&data=04%7C01%7CDavid.Vose%40naturalengland.org.uk%7C8e2a18396fa84df4d1e708d9db419e1d%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C637781898376647615%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=LT0rmd4JVwLb3tZVIPRu%2Bnc3ze5q6%2F%2Btsa4LtS4%2BwEk%3D&reserved=0)  commissioned by Michael Gove and published in September 2019.  Government’s more substantive response to the ‘Glover’ Landscape Review[[4]](#footnote-4) was published on 15th January 2022.

The approach that has been developed for the Surrey Hills AONB project strikes a balance between ensuring that Natural England fulfils its statutory responsibility with the rigour that experience has shown is required in such projects, whilst working collaborative with the AONB team and seeking active and meaningful engagement with local people and stakeholders from an early stage in the process.

Management Advisory Group (MAG)

This group, meeting monthly and comprising officers from Natural England and the Surrey Hills AONB has been very active in codesigning the project, including in agreeing the ‘area of search’ and in overseeing the approach to stakeholder engagement that was carried out at the start of the year. The MAG is chaired by Stephen Rudd, Natural England’s Senior Responsible Officer for this project.

Technical Advisory Group (TAG)

The group brings together officers from each of the relevant local authorities as key partners contributing technical expertise and relevant background evidence to support the project. The group meets on an *ad hoc* basis and is chaired by Ian Dunsford, Planning Policy Manager, Reigate and Banstead Borough Council.

### Appointment of Consultants

Resources for Change (R4C) were appointed by Natural England in September 2021 with the initial task of undertaking a stakeholder engagement exercise in order to gather locally generated evidence. They are a consortium which collectively combines innovative approaches to stakeholder engagement with a high level of expertise in the evaluation of natural beauty.

### Call for evidence 1st December 2021 – 31st January 2022

* At the end of the evidence gathering period, we had 2117 separate evidence submissions, which were all assessed and evaluated to help inform the natural beauty assessments.
* A series of webinar briefings, 4 in total, were then run in the second half of March to brief people on how their evidence was being used by our consultants to help inform the assessments of natural beauty. They also provided information on the results of the desk research and outlined when next there would be an opportunity to engage in the process. Over the 4 webinars we had 222 people book on to the webinars and 175 people attended.

The following link will take you to both the questions and the webinar recordings:

 <https://www.dropbox.com/sh/1wrs264pwp46k11/AABCzPgZ86_Hjk5SubcGIGN5a?dl=0>

Technical assessment of natural beauty

* Since March our consultants have been very busy carrying out the technical assessment of natural beauty to identify ‘Candidate Areas’; these being areas assessed as meeting the natural beauty criterion prior to a consideration of the desirability of such areas being proposed as potential extensions to the Surrey Hills AONB.
* At the end of May we held an all-day workshop at Warren Farm Barns with the Management Advisory Group. This workshop came at the point where the Natural Beauty assessment has been completed and candidate areas have been developed. The session involved, presentations, a review of physical maps and facilitated face to face discussions.

On the 13th of June we held an informal and targeted consultation with the Technical Advisory Group/ representatives of the Surrey Planning Officers Association (SPOA). A series of online meetings were also held with special interest groups – National Trust, Wildlife Trust, Woodland Trust, NFU/ CLA, Environment Agency and the Banstead Commons Conservators.

The venue for the workshop was the Surrey Hills AONB Office at Mickleham.

## The workshop came at the point where the Natural Beauty assessment had been completed and candidate areas had been developed. It acted as a link between this element of the work and the forthcoming desirability assessment. Therefore, the focus for the discussion was to:

Develop a shared understanding of

* 1. what is being proposed and why in terms of candidate areas
	2. likely concerns these proposals might raise

The workshop provided the opportunity to discuss if there was any additional evidence which required further review at that stage. It also explored the desirability of designating the proposed candidate areas to help us understand what issues are possibly affecting the proposed Extension Areas, such as:

-current management arrangements

-alternative management arrangements

- what difference would AONB designation make

-effect of AONB funding/expertise/resources

-effect of long-term commitment

- will designation result in other issues which mean it is not desirable to proceed

Why we consider desirability

It is important to understand what difference designation will make. Designation of qualifying areas may give rise to issues which are unfavourable to effective management, such as:

- poorly connected

-leave areas vulnerable to adverse change

-increase administrative complexity

**Words of Statute**

***…it is desirable that the protective provisions of Part IV of the CROW Act should apply to it for the purpose of conserving and enhancing the area’s natural beauty.***

Desirability is subsequently at the heart of the legislation.

Overall, the meeting was well attended by all local authorities, and they welcomed the opportunity to be consulted on the proposed Candidate Areas. In summary we didn’t receive any objection to our proposals which were generally supported by all in attendance.

Following the TAG workshop and online conversations with the special interest groups our consultants have been working on determining the desirability of designating the qualifying Candidate Areas. They have now submitted their reports on natural beauty and desirability to Natural England for fact checking and detailed consideration.

**Report contact:** Stephen Rudd, Natural England’s Senior Responsible Officer for this project.

**Stephen Rudd MCIEEM**

Manager

Thames Solent Team

Tel: 07785 720536

Email: stephen.rudd@naturalengland.org.uk

website: [www.gov.uk/natural-england](http://www.gov.uk/natural-england)

1. Local authorities in this context include the relevant counties, district and parish councils with land in the existing AONB and proposed areas to be varied. [↑](#footnote-ref-1)
2. [Consultation principles: guidance - Publications - GOV.UK](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0ahUKEwjWruDMgsfRAhVMOMAKHQFoBFQQFgghMAE&url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fconsultation-principles-guidance&usg=AFQjCNE3PrxH33Kqbb-uLEcvCcDWD1keYw) [↑](#footnote-ref-2)
3. [The Compact - Gov.uk](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&cad=rja&uact=8&ved=0ahUKEwiGjI-sg8fRAhUmAsAKHSX5DjIQFggoMAI&url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F61169%2FThe_20Compact.pdf&usg=AFQjCNH1ip8Q-8CaXLSvnfjyT3Xe5t1-ww) [↑](#footnote-ref-3)
4. [https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response/landscapes-review-national-parks-and-aonbs-government-response](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Flandscapes-review-national-parks-and-aonbs-government-response%2Flandscapes-review-national-parks-and-aonbs-government-response&data=04%7C01%7CDavid.Vose%40naturalengland.org.uk%7C8e2a18396fa84df4d1e708d9db419e1d%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C637781898376647615%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=EJGfOZVolI6lfoZPZr76ELHlqEfnGKiuZHQAYanQkrw%3D&reserved=0) [↑](#footnote-ref-4)