

## WRITTEN MINISTERIAL STATEMENT

*Statement made by*

*Dr Thérèse Coffey  
Secretary of State for Environment, Food and Rural Affairs  
Conservative  
Suffolk Coastal*

*Commons*

Statement

Our National Parks and Areas of Outstanding Natural Beauty (AONBs), collectively known as Protected Landscapes, are home to some of our most iconic and beautiful places. These remarkable landscapes support our nation's health and wellbeing and are crucial to delivering our commitments to tackle climate change and restore nature, including our international commitments under the UN Convention on Biological Diversity.

As we approach the 75th Anniversary of the National Parks and Access to the Countryside Act, which legally safeguarded these precious landscapes, the government is acting to accelerate the recovery of nature in England's National Parks and AONBs.

### 1. Delivering enhanced management plans that contribute to our targets

Through the introduction of new legislation in the Levelling Up and Regeneration Bill, we are enhancing management plans and placing a stronger requirement on partners to contribute to their delivery. This will ensure Protected Landscapes organisations and their partners collaborate effectively, creating a national network of beautiful, nature-rich spaces that can be enjoyed right across the country. We will table an updated government amendment to the Bill at Third Reading to deliver this and will shortly publish our response to the Landscapes Review consultation which will set out our action plan for these special places.

We will also shortly publish our new Outcomes Framework. The Outcomes Framework will define the contribution that our Protected Landscapes should make to national targets to guide local decision-making and prioritisation. This is a landmark step forward in achieving our global goal to protect 30% of land for nature by 2030.

### 2. Establishing a new Protected Landscapes Partnership

We are supporting the creation of a new partnership between the National Association for AONBs, National Parks England, National Trails UK and Natural England to deliver a range of exciting projects and programmes on nature recovery and widening access to nature. The partnership will also boost opportunities for private sector investment in our Protected Landscapes. The first meeting of the partnership will take place by the end of November, and it will be backed by over £2m of funding.

### 3. Enhancing support for farming in protected landscapes

We have extended the Farming in Protected Landscape (FiPL) programme by a further year until March 2025 with £10m additional funding each year in recognition of the positive feedback and outcomes delivered. In the first two years we have:

- Supported more than 2,500 projects, engaging around 5,000 farmers and land managers

- Created 41 new farm clusters and supported more than 100 existing ones
- Funded more than 400 projects to make the landscape more inclusive for visitors, including around 200 projects delivering educational access visits
- Created more than 40 miles of new permissive access
- Engaged more than 5,000 volunteers
- Planted around 100 miles of hedgerow and restored 8 miles of dry-stone walling
- Created or restored 262 ponds
- Undertook positive management on around 27,000ha of SSSIs
- Improved management for biodiversity on around 69,000ha
- Funded more than 400 projects reducing carbon emissions and other forms of pollution
- Restored, enhanced and better interpreted more than 300 historic structures, buildings and features

#### 4. Improved access to nature in Protected Landscapes

The £9.3m 3-year Access for All programme in our Protected Landscapes is now at the halfway point. We have already distributed £3.6m to our National Parks and AONBs to deliver accessibility improvements across all 44 Protected Landscapes. This has resulted in more accessible paths, more Changing Places toilets and rest stops, more accessible physical and digital way-marking of paths including access guides for autistic and visually or hearing-impaired visitors, new equipment such as accessible e-bikes, or beach access kits and other accessible infrastructure such as upgraded bridges.

Together with our local partners, we will ensure people and nature can thrive in these special places for the next 75 years and beyond.

# DEFRA BRIEFING NOTE ON THE AMENDMENTS IN CONTEXT

## National Parks and Access to the Countryside Act 1949

### **4A.— Application of Part II of this Act in Wales.**

(1) The provisions of this Part of this Act shall, subject to the next following subsection, apply to land in Wales as they apply to land in England.

(2) Where a provision of this Part of this Act confers a function on [ Natural England ] as respects England (or areas of any description in England), the [ Natural Resources Body for Wales ] shall have the corresponding function as respects Wales (or areas of a similar description in Wales).

(3) Subsection (1) does not apply in relation to section 11A(1A) or (1B) (duty to further statutory purposes of National Parks in England).

### **11A.— Duty of certain bodies and persons ~~to have regard~~ in relation to the purposes for which National Parks are designated.**

(1) A National Park authority, in pursuing in relation to the National Park the purposes specified in subsection (1) of section five of this Act, shall seek to foster the economic and social well-being of local communities within the National Park [...]2 and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of the National Park.

(1A) In exercising or performing any functions in relation to, or so as to affect, land in any National Park in England, a relevant authority other than a devolved Welsh authority must seek to further the purposes specified in section 5(1) and if it appears that there is a conflict between those purposes, must attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.

(1B) In exercising or performing any functions in relation to, or so as to affect, land in any National Park in England, a devolved Welsh authority must have regard to the purposes specified in section 5(1) and if it appears that there is a conflict between those purposes, must attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.

(2) In exercising or performing any functions in relation to, or so as to affect, land in a National Park in Wales, any relevant authority shall have regard to the purposes specified in subsection (1) of section five of this Act and, if it appears that there is a conflict between those purposes, shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.

(2A) The Secretary of State may by regulations make provision about how a relevant authority is to comply with the duty under subsection (1A) (including provision about things that the authority may, must or must not do to comply with the duty).

(3) For the purposes of this section “relevant authority” means — (a) any Minister of the Crown, (b) any public body, (c) any statutory undertaker, or (d) any person holding public office.

...

(5A) In this section, “devolved Welsh authority” has the same meaning as in the Government of Wales Act 2006 (see, in particular, section 157A of that Act).

### Environment Act 1995

#### **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 [ and corporate joint committee ] 1 whose area is wholly or partly comprised in the relevant Park and, according to whether that Park is in England or in Wales, to [ Natural England ] 2 or to [ the Natural Resources Body for Wales ] 3 ; (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. [

(7A) A National Park authority for a park in Wales which is proposing to publish, adopt or review any plan under this section must have regard to— (a) the state of natural resources report published under section 8 of the Environment (Wales) Act 2016, and (b) any area statement published under section 11 of that Act for an area that includes all or part of the park. Environment Act 1995 Page 146 ] 4

(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. [

(10) In this section "corporate joint committee" means a corporate joint committee to which Part 6 of the Planning and Compulsory Purchase Act 2004 applies by virtue of regulations under Part 5 of the Local Government and Elections (Wales) Act 2021. ]

#### **66A National Park Management Plans (England): further provision**

**(1) The Secretary of State may by regulations make provision—**

**(a) requiring National Park Management Plans for parks in England to contribute to the meeting of any target set under Chapter 1 of Part 1 of the Environment Act 2021;**

**(b) setting out how such Management Plans must contribute to the meeting of such targets;**

**(c) setting out how such Management Plans must further the purposes specified in section 5(1) of the National Parks and Access to the Countryside Act 1949.**

**(2) The Secretary of State may by regulations make provision—**

**(a) requiring a relevant authority other than a devolved Welsh authority to contribute to the preparation, implementation or review of National Park Management Plans for parks in England;**

**(b) setting out how such a relevant authority may or must do so.**

**(4) In this section-**

**“devolved Welsh authority” has the same meaning as in section 157A of the Government of Wales Act 2006;**

**“relevant authority” has the same meaning as in section 11A of the National Parks and Access to the Countryside Act 1949**

#### **66B Regulations under section 66A: procedure etc**

**(1) The power to make regulations under section 66A—**

**(a) is exercisable by statutory instrument;**

**(b) includes power to make different provision for different purposes or different areas;**

**(c) includes power to make incidental, supplementary, consequential, transitional, transitory or saving provision.**

**(2) A statutory instrument containing regulations under section 66A is subject to annulment in pursuance of a resolution of either House of Parliament.**

## 85.— General duty of public bodies etc.

(A1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

(A2) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a devolved Welsh authority must have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in Wales, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

(1A) The Secretary of State may by regulations make provision about how a relevant authority is to comply with the duty under subsection (A1) (including provision about things that the authority may, must or must not do to comply with the duty).

(2) The following are relevant authorities for the purposes of this section—

- (a) any Minister of the Crown,
- (b) any public body,
- (c) any statutory undertaker,
- (d) any person holding public office.

(3) In subsection (2)—

“devolved Welsh authority” has the same meaning as in section 157A of the Government of Wales Act 2006 (see, in particular, section 157A of that Act);”.

“public body” includes

- (a) a county council, county borough council, district council, parish council or community council;
- (b) a joint planning board within the meaning of section 2 of the Town and Country Planning Act 1990;
- (c) a joint committee appointed under section 102(1)(b) of the Local Government Act 1972;
- (d) [...]1 Countryside and Rights of Way Act 2000 Page 96 [
- (e) a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021; ] 2

“public office” means—

- (a) an office under Her Majesty;
- (b) an office created or continued in existence by a public general Act; or

(c) an office the remuneration in respect of which is paid out of money provided by Parliament. [

“statutory undertaker” means a person who is or is deemed to be a statutory undertaker for the purposes of any provision of Part 11 of the Town and Country Planning Act 1990. ] 3

### **87.— General purposes and powers.**

(A1) It is the duty of a conservation board established in relation to an area in England, in the exercise of their functions, to seek to further—

(a) the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, and

(b) the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty,

but if it appears to the board that there is a conflict between those purposes, they are to attach greater weight to the purpose mentioned in paragraph (a).

(1) It is the duty of a conservation board established in relation to an area in Wales, in the exercise of their functions, to have regard to—

(a) the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, and

(b) the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty,

but if it appears to the board that there is a conflict between those purposes, they are to attach greater weight to the purpose mentioned in paragraph (a).

(2) A conservation board, whilst fulfilling their duties under subsection (A1) or (1) (as the case may be) while having regard to the purposes mentioned in subsection (1), shall seek to foster the economic and social well-being of local communities within the area of outstanding natural beauty [...] and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of outstanding natural beauty.

(3) Sections 37 and 38 of the Countryside Act 1968 (general duties as to the protection of interests of the countryside and the avoidance of pollution) apply to conservation boards as they apply to local authorities.

(4) The powers of a conservation board include power to do anything which, in the opinion of the board, is calculated to facilitate, or is conducive or incidental to—

(a) the accomplishment of the purposes mentioned in subsection (1), or

(b) the carrying out of any functions conferred on it by virtue of any other provision of this Part or by virtue of any enactment not contained in this Part.

(5) The powers conferred on a conservation board by subsection (4) do not include—

(a) power to do anything in contravention of any restriction imposed by virtue of this Part in relation to any express power of the board, or

(b) power to raise money (whether by borrowing or otherwise) in a manner which is not authorised apart from that subsection,

but the things that may be done in exercise of those powers are not to be treated as excluding anything by reason only that it involves the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights.

(6) Schedule 14 (which relates to the supplemental and incidental powers of conservation boards) has effect.

(7) An order under section 86(1) may—

(a) make further provision with respect to the supplemental and incidental powers of the conservation board to which it relates or the limits on those powers, including provision relating to the borrowing of money, and

(b) provide for any enactment which relates to or limits the supplemental or incidental powers or duties of local authorities or relates to the conduct of, or transactions by, local authorities to apply in relation to the conservation board with such modifications as may be specified in the order.

#### **90.— Supplementary provisions relating to management plans.**

(1) A conservation board or relevant local authority which is proposing to publish, adopt or review any plan under section 89 shall—

(a) give notice of the proposal—

(i) if the area of outstanding natural beauty is in England, to [ Natural England ] 1  
[...]<sup>2</sup>,

(ii) if the area of outstanding natural beauty is in Wales, to the [ NRBW ] 3, and

(iii) in the case of a conservation board, to every local authority whose area is wholly or partly comprised in the area of outstanding natural beauty,

(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), and

(c) take into consideration any observations made by any such body. [

(1A) In the case of an area of outstanding natural beauty in Wales, a conservation board or relevant local authority which is proposing to publish, adopt or review any plan under section 89 must have regard to—

(a) the state of natural resources report published under section 8 of the Environment (Wales) Act 2016, and

(b) any area statement published under section 11 of that Act for an area that includes all or part of the area of outstanding natural beauty. ]



(2) A conservation board or relevant local authority shall send to the Secretary of State or the National Assembly for Wales a copy of every plan, notice or report which they are required to publish under section 89.

**(2A) The Secretary of State may by regulations make provision—**

**(a) requiring any plan under section 89 relating to an area of outstanding natural beauty in England to contribute to the meeting of any target set under Chapter 1 of Part 1 of the Environment Act 2021;**

**(b) setting out how such plans must contribute to the meeting of such targets;**

**(c) setting out how any plan under section 89 relating to an area of outstanding natural beauty in England must further the purpose of conserving and enhancing the natural beauty of that area.**

(3) In this section “relevant local authority” has the same meaning as in section 89.

### **90A Duty of public bodies etc in relation to management plans**

**(1) The Secretary of State may by regulations make provision—**

**(a) requiring a relevant authority other than a devolved Welsh authority to contribute to the preparation, implementation or review of plans under section 89 relating to an area of outstanding natural beauty in England;**

**(b) setting out how such a relevant authority may or must do so.**

(2) In this section-

“devolved Welsh authority” has the same meaning as in section 157A of the Government of Wales Act 2006;

“relevant authority” has the same meaning as in section 85.”

### **91.— Grants to conservation boards.**

...

### **91A Regulations under Part 4**

(1) A power to make regulations under this Part—

(a) is exercisable by statutory instrument;

(b) includes power to make different provision for different purposes or different areas;

(c) includes power to make consequential, incidental, supplementary, transitional, transitory or saving provision.

(2) Regulations under this Part are to be made by statutory instrument.

(3) A statutory instrument containing regulations under this Part is subject to annulment in pursuance of a resolution of either House of Parliament.”

### **Norfolk and Suffolk Broads Act 1988**

#### **3.— The Broads Plan.**

(1) The Authority shall, before the end of the period of three years beginning with the operative date, prepare and publish a plan (to be known as “the Broads Plan”) setting out its policy with respect to the exercise of its functions.

(2) The Authority shall review the Broads Plan at least once in every five years.

(3) If, as a result of any such review, the Authority is of the opinion that it is appropriate to vary the Broads Plan, it shall do so in such manner as it thinks fit.

(4) The Authority shall publish a report on the result of any review carried out under this section and the report shall set out the variations (if any) which the Authority has made following the review.

(5) Before preparing or varying the Broads Plan the Authority shall—

(a) publish a draft of its proposals; and

(b) consult each of the appointing authorities, the internal drainage board for each internal drainage district which is wholly or partly within the Broads and such other bodies as appear to it to represent interests likely to be concerned.

(6) The Authority shall send to the Secretary of State a copy of any plan, or variation, published under this section.

(7) The Secretary of State may by regulations make provision—

(a) requiring the Broads Plan to contribute to the meeting of any target set under Chapter 1 of Part 1 of the Environment Act 2021;

(b) setting out how the Broads Plan must contribute to the meeting of such targets;

(c) setting out how the Broads Plan must further the purposes mentioned in subsection (8).

(8) The purposes are the purposes of—

(a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;

(b) promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and

(c) protecting the interests of navigation.”

#### **17A.— General duty of public bodies etc.**

(1) In exercising or performing any functions in relation to, or so as to affect, land in the Broads, a relevant authority ~~shall have regard to~~ must seek to further the purposes of—

- (a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
- (b) promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and ] 2
- (c) protecting the interests of navigation.

(1A) The Secretary of State may by regulations make provision about how a relevant authority is to comply with the duty under subsection (1) (including provision about things that the authority may, must or must not do to comply with the duty).

(2) The following are relevant authorities for the purposes of this section—

- (a) any Minister of the Crown,
- (b) any public body,
- (c) any statutory undertaker,
- (d) any person holding public office.

(3) In subsection (2)—

“public body” includes

- (a) a county council, district council or parish council;
- (b) a joint planning board within the meaning of section 2 of the Town and Country Planning Act 1990;
- (c) a joint committee appointed under section 102(1)(b) of the Local Government Act 1972;

“public office” means—

- (a) an office under Her Majesty;
- (b) an office created or continued in existence by a public general Act; or
- (c) an office the remuneration in respect of which is paid out of money provided by Parliament.

### **17B Duty of public bodies etc to contribute to the Broads Plan**

**(1) The Secretary of State may by regulations make provision—**

- (a) requiring a relevant authority other than a devolved Welsh authority to contribute to the implementation or review of the Broads Plan;
- (b) setting out how such a relevant authority may or must do so.

(2) In this section-

“devolved Welsh authority” has the same meaning as in the Government of Wales Act 2006 (see, in particular, section 157A of that Act);

“relevant authority” has the same meaning as in section 17A

**24.— Orders, regulations and byelaws.**

- (1) Any power to make orders or regulations under this Act shall be exercised by statutory instrument.
- (2) Any such statutory instrument (other than one made under section 26 of, or paragraph 1(3) of Schedule 7 to, this Act) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Orders, regulations and byelaws under this Act may make different provisions for different cases or different circumstances and may contain such incidental, consequential, supplemental or transitional provisions as the Secretary of State or (as the case may be) the Authority thinks fit.
- (4) Where the Secretary of State holds a local inquiry before deciding whether or not to—
  - (a) confirm byelaws made under section 6(1) or 10(3) of this Act; or
  - (b) make an order under paragraph 7 of Schedule 2 to this Act; the provisions of subsections (2) to (5) of section 250 of the Local Government Act 1972 (evidence at, and cost of, local inquiries) shall apply in relation to that inquiry as they apply in relation to a local inquiry held under section 250(1).