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CABINET – 18th MARCH 2002

PROPOSED NEW FOREST NATIONAL PARK

1. Introduction

- 1.1 The New Forest National Park (Designation) Order has been submitted by the Countryside Agency to the Secretary of State for Environment, Food and Rural Affairs; and was published on Thursday, 21st February 2002 (copy attached at Annex A). Objections or other representations to the Order must be made no later than 25th March 2002. Following consideration of representations the Secretary of State will decide whether to confirm the Order or whether a public inquiry is needed. It is likely that there will be a public inquiry held locally in the autumn / winter this year.
- 1.2 In addition, but separately the Countryside Agency has submitted advice to the Secretary of State on special administrative arrangements for the setting up and running of a National Park Authority (copy attached at Annex B). The establishment of a National Park Authority will be the subject of a separate subsequent Statutory Instrument, about which local authorities will be consulted. This would include details of National Park proceedings and the relative numbers of members to be drawn from local authorities and appointed by the Secretary of State. It could be accompanied by specific advice issued by the Secretary of State in the form of a Circular or ministerial statement.
- 1.3 Copies of all of the published documents are held at each of the District Council offices to be publicly available. An additional map showing the detailed alignment of the proposed boundary is being kept on display in the main reception of Appletree Court throughout the deposit period. The Countryside Agency has also distributed a summary leaflet to households within the area.

2. The Proposed National Park Boundary

- 2.1 The Countryside Agency published a draft boundary for public consultation in October 2000 (Policy and Resources Committee Report A and minute of 21st February 2001). An amended boundary was published as a statutory consultation with local authorities in June 2001 (Cabinet Report F and minute of 6th September 2001). The District Council responded to both consultations supporting designation, but with recommended changes to parts of the boundary.
- 2.2 The Countryside Agency has assessed the responses to the boundary consultation against the statutory criteria and the Agency's adopted policies, including some further research and field work. A diagrammatic map is attached as Map 1 within Annex B. Copies of the

detailed boundary maps are available in the Members room (as well as being on display in the Appletree Court reception).

- 2.3 The main changes that have been made to the boundary as it is now set out in the Designation Order are outside New Forest District. Part of Christchurch Borough adjacent to Burton that was previously proposed to be included has been removed. Additional land on the northern boundary in Salisbury District and Test Valley Borough has been included.
- 2.4 The changes made to the proposed boundary, including a summary of the responses previously made by NFDC are set out in a table attached at Annex C.
- 2.5 Much of the boundary was previously supported by the District Council:
- Apart from minor differences the proposed eastern boundary from Ower to Calshot is the same as that recommended by NFDC and can be supported.
 - The southern boundary between Calshot and Hurst Spit follows that recommended by NFDC.
 - The southern boundary between Hurst Spit and the Avon Valley excludes Milford-on-Sea. NFDC previously objected to the omission of this area.
 - The western boundary includes the Avon Valley in principle but, as before, excludes some land on the western edges of the valley. NFDC previously supported inclusion of the Avon Valley, but objected to the proposed boundary, recommending a more robust boundary including the western slopes of the Avon Valley within the designation.
 - NFDC previously made no objections to the northern boundary. The changes now proposed do not conflict with any previous NFDC comments

Officer comments:

It is suggested that in response to the Designation Order the District Council:

- Welcomes the conclusion of the Countryside Agency's considerations that the New Forest meets National Park designation criteria and requires statutory designation in order to provide this important area with long-term definition and protection.
- Supports the proposed boundary, apart from
- Objects to the exclusion of Milford-on-Sea and western parts of the Avon Valley.
- Draws to the attention of the Secretary of State other minor points about the boundary previously made to the Countryside Agency.

3. Advice on Special Administrative Arrangements

- 3.1 In June 2001 the Countryside Agency published a public consultation document setting out options and draft views on various issues relating to advice about administration for the New Forest National Park (Cabinet Report E and minute of 6th September 2001. Minute 72 is attached at Annex D).

- 3.2 The District Council response re-affirmed this Council's view that there should be a tailor-made New Forest Authority. This should be a statutory co-ordinating body set up through special legislation so as to meet the unique needs of the New Forest. Its membership should be comprehensively representative of all authorities and other bodies with functional responsibilities that impact directly on the National Park. A summary description of such a body is attached at Annex E. In particular NFDC's response drew attention to the costs of an additional local authority, whereas increased funding should be focussed directly on the Forest; and to the difficulties in achieving a representative balance within a standard National Park Authority because of the prescriptive membership formula.
- 3.3 Notwithstanding the above comments the District Council also made detailed comments on each of the issues raised in the consultation document.
- 3.4 At their meeting on 13th November 2001 (from which there was a direct video link to Appletree Court) the Countryside Agency concluded that while understanding some of the concerns which had prompted calls for new legislation, they did not believe this to be necessary. The Agency Board did, however, agree that they should advise the Secretary of State that special administrative arrangements are needed to address the particular circumstances of the New Forest. This was strongly emphasised by Victoria Edwards, who is the lead Board member for the New Forest, and by Ewen Cameron the Agency Chairman.
- 3.5 Following the Agency's Board meeting and in line with established NFDC policy, the Leader of the Council wrote in February this year as a joint signatory to a letter to the Secretary of State, expressing disappointment at the Countryside Agency's decision. A copy of the letter is attached at Annex F. A reply is still awaited.
- 3.6 A copy of the Countryside Agency's advice to the Secretary of State is attached at Annex B. In drawing up this advice the Agency have taken on board all of the comments made by the District Council in response to the public consultation.

Officer comments:

Clearly the decision to proceed with a standard National Park Authority is contrary to the preference for special legislation consistently expressed by NFDC, and other bodies including the New Forest Committee and Hampshire County Council.

If, however, special legislation is not forthcoming the Countryside Agency's response to NFDC's comments on special administrative arrangements is welcomed. The Agency's advice to the Secretary of State should be strongly supported as an essential component accompanying any decision she might take to proceed with an Order to establish a National Park Authority.

At this stage there is no indication of the Secretary of State's views. She should be pressed to give an early reassurance to New Forest

bodies that if in due course she is minded to proceed, then in principle she will act on the Countryside Agency's advice.

4. Other Ongoing Work

- 4.1 Throughout consideration of the designation of the New Forest the District Council has made a firm commitment to work with other New Forest bodies and the Countryside Agency to secure the best possible outcome for the long-term and sustainable protection that can be secured for the New Forest.
- 4.2 In addition to other partnership arrangements NFDC is continuing to participate in various New Forest Committee working groups, which are being adapted to provide continuity through any transition period. The District Council is also engaged in the process for reviewing the New Forest Strategy. Work on the review of the District Local Plan includes a close dialogue with the Commoners Defence Association and other New Forest bodies. And specifically on administrative arrangements for any future National Park Authority, NFDC officers are involved with other local planning authorities in devising a model development control delegation scheme.

5. Financial Implications

- 5.1 None arising directly from this report

6. Environmental Implications

- 6.1 As set out in report

7. Crime and Disorder Implications

- 7.1 None arising directly from this report.

8. Portfolio Holder Comments

For this issue the relevant portfolio holder is the Leader of the Council.

- 8.1 The District Council has consistently initiated and supported measures intended to help the New Forest adapt to changing circumstances while securing its sustainable long-term protection. This aim is embodied in "The Heart of the Forest", our corporate plan. This Council led the way in promoting a recognised designation of the New Forest through the New Forest Heritage Area; and was instrumental in setting up the New Forest Committee to co-ordinate better the work of statutory and other bodies with New Forest responsibilities. We have pressed successive ministers properly to designate the New Forest as a national park or equivalent status area in order to provide long-term certainty. We have worked with the Countryside Agency (and its predecessor, the Countryside Commission) over a long period to try to secure a specially constituted and fully recognised statutory co-ordinating body to replace the voluntary arrangements of the New Forest Committee.
- 8.2 Designation of a New Forest National Park would go a long way to meeting our objective of securing an appropriate permanent statutory designation, but it is disappointing that the Countryside Agency have

not been persuaded that the unique circumstances of the New Forest warrant recommending to the Secretary of State that there should be special legislation. This would secure proper representative membership of a statutory co-ordinating body, while also retaining local accountability through existing local authorities for their statutory functions.

- 8.3 The Secretary of State should be advised that New Forest District Council:
- Welcomes the recognition that the New Forest meets National Park designation criteria and requires statutory designation in order to provide this important area with long-term definition and protection.
 - Generally supports the proposed boundary set out in the Designation Order, but objects to the exclusion of Milford-on-Sea and some western parts of the Avon Valley.
 - Believes that a tailor-made New Forest Authority would be preferable to a standard National Park Authority, is disappointed that the Countryside Agency has not recommended that there should be special legislation, and for these reasons objects to the Designation Order.
- 8.4 The Secretary of State should also be informed that in the absence of its preference for tailor-made legislation, the District Council strongly supports the Countryside Agency's advice on special administrative arrangements. These should be embodied in a Government Circular that is specific to the New Forest. The District Council seeks early confirmation from the Secretary of State that any confirmed Orders for the New Forest would be accompanied by such advice.

Recommendations:

That responses to the New Forest National Park (Designation) Order 2002 be made as set out in the comments within the above Report.

That the District Council continues to work actively in partnership with New Forest bodies to try to secure the best outcomes for the long-term protection of the New Forest; and offers to co-operate with and support the Countryside Agency and Secretary of State in achieving this aim.

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Background papers:

Published material

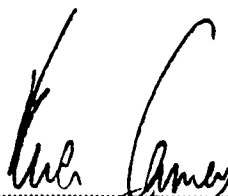
NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT 1949

**NEW FOREST
NATIONAL PARK
(DESIGNATION) ORDER 2002**

IN pursuance of Sections 5 and 7 of the National Parks and Access to the Countryside Act 1949, and all other powers enabling them in that behalf, the Countryside Agency hereby designate as a National Park all that area of land comprising approximately 670 square kilometres situated in the counties of Hampshire, Wiltshire and Dorset, and shown bounded by an orange line on the map annexed hereto and further described in the Schedule to this order.

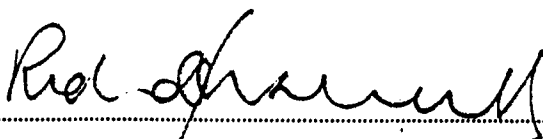
This order may be cited as the New Forest National Park (Designation) Order 2002.

G I V E N under the Common Seal of the
Countryside Agency this 24th day of January,
two thousand and two.



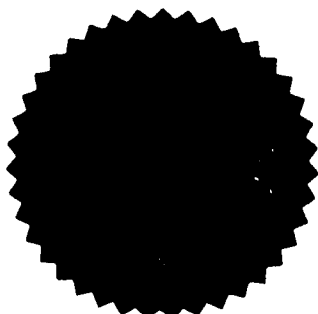
.....
EWEN CAMERON

Chairman of the Countryside Agency



.....
RICHARD WAKEFORD

Chief Executive of the Countryside Agency



New Forest National Park

Special arrangements for a New Forest Park

**Countryside
Secretary of**

Environment, Food and Rural Affairs

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Introduction

1. The New Forest, much loved and enjoyed by many for centuries, is a very special place. It has been a protected area for more than 900 years, originally as a Royal Hunting Forest. Today, although parts of it are subject to statutory designations, national, regional and local pressures threaten its future and the very qualities that make the area special.
2. The Countryside Agency believes that national park designation is the best way to protect all of the New Forest, build on the achievements of the many organisations already involved in caring for the area, and conserve the New Forest in the widest sense for future generations. National park status will give this valuable area the highest level of protection. It will also bring the management and resources focused on conservation and visitor management which it needs. The Countryside Agency has therefore used its powers in sections 5 and 7 of the National Parks and Access to the Countryside Act 1949 to make the New Forest National Park (Designation) Order 2002.
3. The Countryside Agency also has a duty under section 6 of the 1949 Act to advise on the management of National Parks. Funding of national park authorities by the Secretary of State is provided for in section 72 of the Environment Act 1995. The Countryside Agency is consulted by the Secretary of State on the purposes of such funding. Paragraph 4 of Schedule 7 to the Environment Act 1995 provides for the Countryside Agency to be consulted by the Secretary of State on members (other than parish members) he/she appoints to national park authorities. All existing National Parks in England are managed differently, with resources, structures and policies tailored to meet their own particular circumstances, within the existing legislation (principally the Environment Act 1995).
4. When the Countryside Agency decided in 1999 to begin the process of designating the New Forest as a national park, it recognised that the unique characteristics of the New Forest would require a national park authority to be set up in a way that reflected the needs of the area. It would be imperative that management of the New Forest National Park took account of the unique qualities of the area, especially:
 - the statutory role of the New Forest Verderers and the Forestry Commission under the New Forest Acts (which will remain in force unamended);
 - the importance of commoning;
 - the very high nature conservation value of much of the area;the particular importance of transport and socio-economic issues due to the location of the park in a region of high population and rapid economic growth.
5. At the same time as deciding to make the New Forest National Park (Designation) Order in December 2001, the Agency therefore agreed the special administrative measures it believes to be necessary to properly manage the New Forest National Park. Its conclusions drew on a great deal of work, including discussions with national and local bodies, technical studies, working groups, seminars and a three month public consultation. All of this was invaluable in shaping the Agency's thinking.
6. This document sets out the Agency's advice to the Secretary of State for Environment, Food and Rural Affairs on establishing a New Forest National Park Authority and how it should operate. It is being submitted alongside the New Forest National Park (Designation) Order 2002. The Agency believes it is essential that such

measures are put into place to ensure the proper management of the New Forest National Park.

Background

7. The Countryside Agency considers that the New Forest meets the statutory criteria for designation as a national park because of its:
 - natural **beauty**,
 - importance for recreation,and the need for management by a special authority with responsibility for conservation and visitor management.
8. In October 1999, the Agency decided to start the process of national park designation. The Agency carried out two tasks:
 - identifying a boundary for a New Forest National Park and making a designation order;
 - identifying the arrangements needed for a national park authority to take account of the New **Forest's** special circumstances.
9. In December 2001, the Countryside Agency agreed:
 - the boundary for the New Forest National Park (**scc** map 1) and to make a New Forest National Park (Designation) Order. The Order was made on 24 January 2002, for submission to the Secretary of State in February 2002, following its placement on deposit and public advertisement, as required by the legislation.the basis for the Countryside Agency's advice to the Secretary of State on special **arrangements** needed for a New Forest National Park Authority.

The need for special measures

10. The New Forest has particular characteristics and administration (including its own legislation) which will make it different from any existing English national park. The Countryside Agency believes it is essential that these special qualities are taken into account in setting up a national park authority for the New Forest and in the way that the authority operates.

11. The New Forest's special circumstances include:

a. Existing New Forest legislation

The New Forest Acts give the Verderers of the New Forest and the Forestry Commission specific powers and responsibilities. The Verderers have statutory powers and duties under these Acts for the protection and administration of the rights of common and the health of commoning animals. Their jurisdiction extends over the area within the Perambulation¹ which is subject to rights of pasture. The New Forest Acts and forestry acts determine the duties and powers of the Forestry Commission in relation to the New Forest, including management of the Crown land. It also has responsibilities under various other acts of Parliament for conservation, environment and recreation which apply to management of the Crown land. These statutory powers and responsibilities will not be changed by national park designation and should not conflict with the powers of a national park authority, although they may overlap. Therefore consideration needs to be given to the future working relationships between these three bodies.

b. Crown land

The New Forest National Park will include a significant area of land owned by the Crown (see map 2), over which the public has a privilege of access on foot and horseback. This land is vested in the Minister of Agriculture and managed on his behalf by the Forestry Commission. Management of the Crown land is integral to the overall management of the New Forest. The New Forest Acts, supplemented by guidance to the Forestry Commission under a mandate from the Minister of Agriculture, gives the Forestry Commission an explicit role in recreation and conservation management which are similar to the duties of a National Park Authority. Close working and clarity of roles between the Forestry Commission and a New Forest National Park Authority will be needed. It is important that where duties overlap, the relevant authorities liaise closely to ensure responsibilities are discharged effectively and efficiently in line with national park purposes.

c. Commoning

Forest and commoning rights, such as the grazing of certain animals, exist within

the New Forest Perambulation (see map 2), which is defined in the New Forest Act 1964. The grazing of stock by commoners is vital in creating and maintaining the New Forest landscape and its distinctive wildlife. Commoning as a way of life is also a key element of the cultural heritage, economy and community life of the area. The Court of Verderers, a historic institution set up under the New Forest Act 1877, is charged with

¹ The Perambulation is defined in the New Forest Act 1964 and encompasses Crown land, privately owned common land, manorial wastes subject to common rights and privately owned enclosed land.

managing commoning on the New Forest. The importance of **commoning** in the area will need to be reflected in the way a New Forest National Park Authority is set up and works.

d. **Nature conservation**

Over 50% of the New Forest National Park is of **international** importance for nature conservation, reflected in a number of designations under the EC Habitats Directive, the EC Wild Birds Directive and the **Ramsar International** Convention for the Protection of **Wetlands**. The particular importance of nature conservation and the requirements of these designations need to be taken into account in arrangements for a New Forest National Park Authority.

e. **Access**

The New Forest is unusual in that at its core is a large tract of open land, owned by the Crown, over which the public have a privilege of access on horse and foot. This land, managed by the Forestry Commission, means the Forest has for many years been used as a recreational resource by locals and visitors. The Forest is easily accessible from large conurbations, including London, which brings it under increasing recreational pressure. It will be particularly important to ensure that visitor management is considered within this context and that management of the Crown land is integrated with management of the surrounding area within the National Park.

f. **Planning arrangements**

Since 1994, the New Forest Heritage Area (see map 2), the boundary of which is defined in local plans, has largely had equivalent planning protection to that of other English national parks, through the provisions of Planning Policy Guidance Note 7. The New Forest is very close to a number of large **settlements** and is in an **area** of rapid economic growth, with development pressures in and around the boundary. **It** will be very important for its planning to make strong links between the national park and surrounding areas. The New Forest National Park will also include larger towns and settlements than other English national **parks** and will therefore need to address more urban planning matters. This **also** needs to be taken into account in considering how best to administer planning functions within a New Forest **National** Park.

g. **Communities**

The New Forest National Park will have many people living in and very near to the park, in towns and settlements close to the boundary. It will be very important for a New Forest National Park Authority to make strong links with the wide range of communities living in and around the Park and reconcile their differing needs.

The views of others

12. During summer 2001, the Countryside Agency undertook a three month public consultation on options for special arrangements for a New Forest National Park Authority². The Agency consulted on nine issues and possible ways to address them, indicating in each case its preferred option, and also identifying other options. The issues and options addressed in the consultation were identified following a series of working groups and seminars, as well as technical studies of the area. Almost 1,000 responses were received to the consultation, which were analysed by an independent consultant.
13. The consultation responses confirmed that the key issues identified by the Countryside Agency are the major ones to be addressed in setting up a New Forest National Park Authority. There was general support for the Agency's preferred options. However, some parties believe that tailor made legislation for the New Forest would be preferable. In essence, the calls for legislation were to address:
 - a specific purpose for commoning;
 - appropriate membership of the national park authority to take account of the Forest's special nature, culture and wildlife;
 - overlap of statutory functions between the national park authority, the New Forest Verderers and the Forestry Commission.
14. In addition, the Verderers proposed new legislation to require the national park authority to seek the Verderers' consent for any recreational activity on common lands³.
15. The Agency recognises the concerns that underlie calls for new legislation. We agree that it is crucial that the special circumstances of the area are properly taken into account in establishing a New Forest National Park Authority. After carefully considering all the responses to the public consultation, however, the Agency took the view that the needs of the New Forest and its special circumstances could be addressed within the existing legislation (notably the 1995 Environment Act) and government policy (notably Circular 12/96) for national parks, provided they are supplemented by the special measures set out below.

² "A New Forest National Park Authority: proposed special arrangements" CA 67 (main document) and CA 68 (leaflet)

³ The clause they have drafted is: "The National Park for the New Forest shall not exercise its powers (other than as a local planning authority) on or in respect of commonable land within the New Forest without the consent of the Verderers of the New Forest." This clause would actually require a New Forest National Park Authority to seek their approval for any exercise of its powers (other than its planning powers).

Special measures for establishment and administration of a New Forest National Park Authority

16. The Countryside Agency advises that the Secretary of State should establish a New Forest National Park Authority under the provisions of section 63 of the Environment Act 1995. In addition, the Secretary of State should put in place the following special measures.

17. **Special guidance**

The Secretary of State should issue guidance to a New Forest National Park Authority on the unique qualities of the New Forest, These should also be reflected in Government funding for the national park authority.

Guidance should encompass an explicit recognition of the special qualities of the New Forest and advice to a New Forest National Park Authority that it should reflect these in carrying out its statutory duties. It should cover in particular:

- a. the statutory role of the Verderers of the New Forest and the Forestry Commission under the New Forest Acts;
- b. the high nature conservation value of the area;
- c. the importance of commoning in shaping and maintaining its character.

18. **Membership of a New Forest National Park Authority**

Under paragraph 4 of Schedule 7 to the Environment Act 1995, the Secretary of State has the power to make appointments to national park authorities. The Countryside Agency is consulted by the Secretary of State on such appointments, which comprise about **one-quarter** of the membership of a national park authority. In making appointments to a New Forest National Park **Authority**, the Secretary of State should have regard to the New Forest's unique qualities by:

- a. including the New Forest **Verderers'** interest and expertise in the members he/she appoints and seeking the advice of the Official Verderer in making such appointments;
- b. seeking advice from the Forestry Minister for England with regard to appointments encompassing expertise in forestry, woodland and land management, and implementation of the New Forest Acts;
- c. including land management expertise relating to **commoning** and farming; forestry and **woodland** management; and nature conservation in the members he/she appoints and seeking advice from specialist statutory bodies (e.g. English Nature) and appropriate local bodies (e.g. the New Forest Commoners' Defence Association) in making such appointments;
- d. ensuring that a range of other relevant expertise and experience is included on the New Forest National Park Authority, including:
 - recreational uses compatible within a national park;

- other farming and land management interests;
 - cultural heritage, particularly in view of the importance of the New Forest as a cultural landscape (as indicated by its inclusion in the UK Tentative List of **candidate** World Heritage sites);
 - communities in and around the New Forest National Park who visit the area or otherwise value its special qualities;
 - local business interests, including tourism;
 - coastal management and recreation.
- e. encouraging a wide range of groups to bring forward applicants for membership and giving them adequate opportunity to identify and nominate suitable candidates;
19. The Secretary of State should make a statement that she intends to take this approach in exercising her powers to make appointments to a New Forest National Park Authority under section 63 and Schedule 7 to the Environment Act 1995,
20. The Secretary of State should also:
- a. remind local authorities that they must have regard to national park purposes when making appointments to a New Forest **National** Park Authority (section 11A of the National Parks and Access to the Countryside Act, 1949). It will be particularly important to have local authority members with an interest in and commitment to national park objectives, not only because it will be new, but also because it will be a particularly challenging national park to administer;
 - b. in keeping with the principles contained in “**Modernising** the Local Government Agenda,” ensure that the new authority achieves a balance of membership that will properly reflect the national and the local interest, provide the requisite expertise and knowledge, and meet the need to be efficient and effective.
21. **Relationship between a New Forest National Park Authority, the New Forest Verderers and the Forestry Commission**
- The Secretary of State should make a statement to make **explicit** the ongoing role of the New Forest Acts and the lack of conflict between them and national park legislation. She should, along with the Ministers responsible for bodies with duties under the Acts, advise a New Forest National Park Authority and other statutory agencies, particularly the Verderers of the New Forest and the Forestry Commission, on how best to work together to deliver the purposes of the 1949 Act.
22. Guidance should:
- a. ensure that the relevant parts of the national park management plan are jointly prepared by the national park authority and the Forestry Commission to ensure that Crown land is managed in accordance with national park purposes and the purposes and directions given to the Forestry Commission;
 - b. encourage the national park authority, the Verderers and the Forestry Commission to form a joint committee to formalise an effective three way relationship.

23. **The Secretary of State should also remind the Ministers responsible to reflect the duty of the three bodies under section 11A of the National Parks and Access to the Countryside Act 1949 to have regard to National Park purposes in any guidance they issue, as Ministers are also bound by the duty.**

24. **Planning**

The National Park Authority should be the local planning authority for its area, responsible for delivery of functions under section 4a of the Town and Country Planning Act 1990 (including structure planning, local planning, minerals and waste planning and development control), as provided for by section 67 of the 1995 Environment Act. **The Secretary of State should, however, advise the Authority and local authorities to establish clear, efficient and effective arrangements with neighbouring planning authorities which encompass:**

- a. a joint structure plan (and joint minerals and waste plans) for the National Park, prepared by the New Forest National Park Authority with the Hampshire structure plan authorities, with an advisory role for Dorset and Wiltshire County Councils;
- b. a joint local plan for the National Park, prepared by the New Forest National Park Authority with New Forest District Council, with an advisory role for the other district councils with land which falls within the national park⁴;
- c. a locally agreed scheme of delegation by the national park authority to other local authorities for development control casework. Such a scheme might provide for planning decisions with no overall impact on National Park purposes to be taken by local authorities, with the New Forest National Park Authority taking decisions on significant cases and retaining overall responsibility.

25. **Guidance should also encourage:**

- a. local authorities (as highway authorities) and a New Forest National Park Authority to work together on preparing a local transport plan for the area;
- b. local authorities and a New Forest National Park Authority to put in place arrangements to work together on preparing community strategies, which should be reflected in the national park management plan.

26. **Land management**

The Secretary of State, through guidance and funding, should encourage a New Forest National Park Authority to give particular priority to commoning in its policies and operations. The Authority should be advised to ensure it has expertise available to it on other local land management issues, notably nature conservation, cultural heritage, farming and forestry, and to develop policies and programmes for these that meet New Forest needs.

27. **Guidance should encourage the Authority to foster partnership working and an integrated**

⁴ Should the planning system be changed in line with the proposals set out in the Government's December 2001 Green Paper on planning, a joint Local Development Framework should be prepared with New Forest District Council, with advice from other authorities. The Park Authority should also have a seat on the body preparing the Regional Spatial Strategy.

approach, building on the culture of cooperation that has developed between existing bodies in the Forest. The Authority should be encouraged to draw on best practice from **elsewhere**, including **for example**, working groups, establishment of a land management forum and voluntary working agreements between key local bodies, including the Forestry Commission, particularly in its role in managing Crown land.

28 **Visitor management**

a. Rights of way and access: responsibility for rights of way should remain with the highway authorities, but the **Secretary of State should issue guidance to highway authorities** to work closely with a New Forest National Park Authority and to exercise their responsibilities in line with National Park purposes and policies. The Forestry Commission should act similarly in managing access on the Crown lands. A New Forest National Park Authority should thus set the standards by which access is managed, for example, by:

- giving a strategic lead for access, rights of way, and recreation policies across the **Forest**;
- setting high and common standards (e.g. in the design of way marks, stiles and gates);
- monitoring visitor use and impact.

In doing so the Authority would be guided by its Local Access Forum.

b. Countryside management and rangers: bodies with responsibility for countryside management, such as Hampshire County Council, the Forestry Commission and the National Trust, should be encouraged to work to common policies defined by the Authority. In particular, the Authority should develop a “New Forest Code” for the whole Park to bring together the various **byelaws** which currently exist.

c. Information and understanding: a New Forest National Park Authority should be encouraged through guidance to produce educational and informative material to explain and support national park purposes, promote a clear “New Forest First” message and work with others, including local tourism and business initiatives which deliver national park purposes.

29. **Involving local expertise and working in partnership**

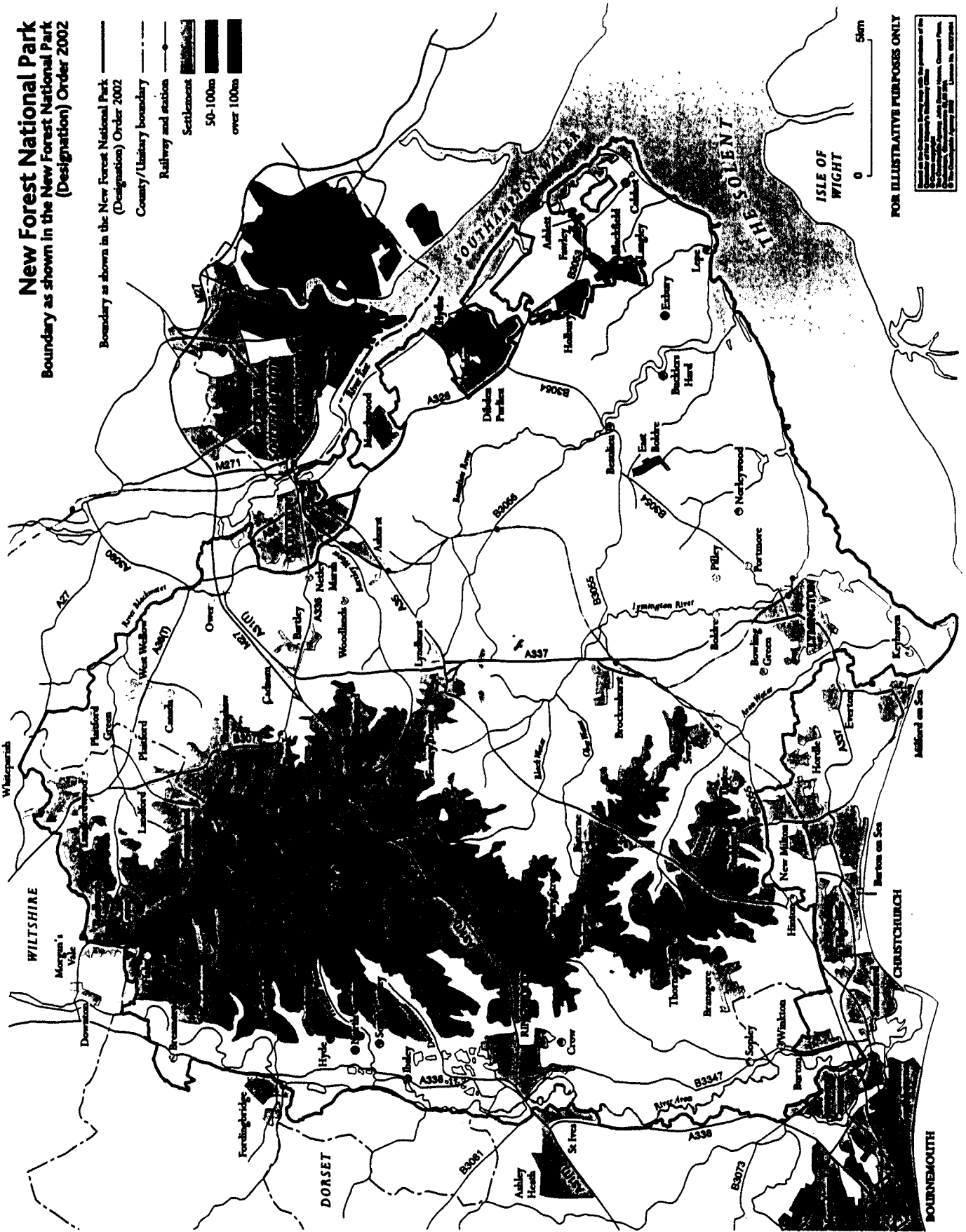
Guidance from the Secretary of State should encourage a New Forest National Park Authority to work closely with local organisations and take account of the views of local people and visitors, drawing on local expertise and building on existing relationships. Mechanisms could include, for example, involvement in consultative and working groups and committees. The Authority should, in particular, be advised to continue, and support, the work of the New Forest Consultative Panel.

Conclusion

30. National Park designation and creation of a national park authority will give the New Forest the protection, resources and management it needs. The Countryside Agency and the great majority of respondents to the public consultation, including statutory bodies, special interest groups and local people, agree that special arrangements are needed to ensure a New Forest National Park Authority takes account of the special character, culture and management of the area in achieving national park purposes.
31. Whilst some believe that new legislation is needed to secure special arrangements, the Countryside Agency believes that they can be achieved in a perfectly adequate way by the measures set out in this advice. We therefore commend this advice to the Secretary of State.

New Forest National Park
 Boundary as shown in the New Forest National Park
 (Designation) Order 2002








- Boundary as shown in the New Forest National Park
 (Designation) Order 2002
- County/Unitary boundary
- Railway and station
- Settlement
- 50-100m
- over 100m

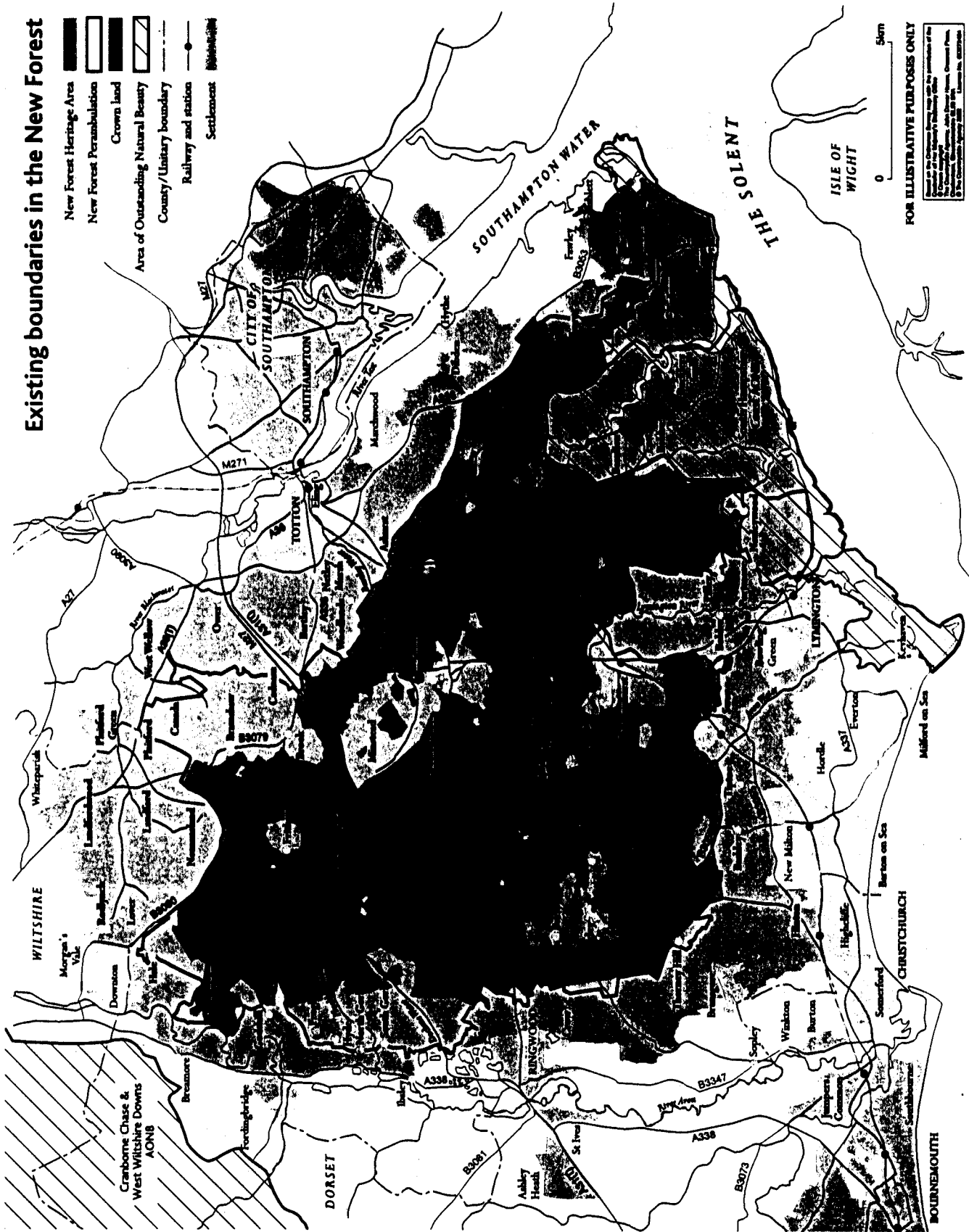


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Existing boundaries in the New Forest

-  New Forest Heritage Area
-  New Forest Perambulation
-  Crown land
-  Area of Outstanding Natural Beauty
-  County/Unitary boundary
-  Railway and station
-  Settlement



0 5km

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Cabinet

6 SEPTEMBER 2001

- ~~(m) That the amendments to Standing Orders for Meetings, as shown in Appendix 14 to Report D to the Cabinet be approved;~~
- ~~(n) That the revised procedures for calling in Executive decisions, as attached at Appendix 15 to Report D to the Cabinet be approved;~~
- ~~(o) That the revised procedures for Best Value, as shown in Appendix 16 to Report D to the Cabinet be approved;~~
- ~~(p) That the Proper Officer appointments attached at Appendix 17 to Report D to the Cabinet be approved;~~
- ~~(q) That the Housing Review Panel be re-named "Housing, Health and Social Exclusion Review Panel", and that any changes to the Constitution necessary as a consequence be made.~~

72. PROPOSED NEW FOREST NATIONAL PARK – COUNTRYSIDE AGENCY CONSULTATION ON PROPOSED SPECIAL ARRANGEMENTS (REPORT E).

The Cabinet considered a response to the informal consultation by the Countryside Agency on the proposed administrative arrangements for a New Forest National Park Authority.

Members noted that no new major issues were raised in the consultation document that had not previously been considered by the Council. The closing date for comments on the consultation was 28 September, 2001.

Members discussed the advantages and disadvantages of the proposed administrative arrangements and agreed that whilst, ideally, there should be a tailor made New Forest Authority, it was important for the Council to try to influence the outcome of the arrangements whatever, ultimately was proposed in order to protect the best interests of the New Forest in the long term.

Some members expressed concern that the consultation document had not been considered by the appropriate Review Panels. It was agreed that special meetings of the Corporate and Finance and Economy and Planning Review Panels should be scheduled to enable them to consider the issues before the closing date for responses.

Taking into account the comments expressed during the debate an amended recommendation was moved, seconded and agreed.

RESOLVED:

That the Countryside Agency be informed that:

This Council's response to the Countryside Agency Consultation is as detailed below but that the Council's Economy and Planning and Corporate and Finance Review Panels will be considering the matter further at meetings in September 2001, that the matter will be further considered by the Cabinet at their meeting on 3 October, 2001, after which a further response may be submitted.

- (i) New Forest District Council considers that for the area of a New Forest National Park, or equivalent status designation, there should be a **tailor-made** New Forest Authority. This should be a statutory **co-ordinating** body specifically set up to meet the unique circumstances and special needs of the New Forest. Its membership should be comprehensively representative of all authorities and other bodies with functional responsibilities that directly impact on the purposes of the National Park.
- (ii) New Forest District Council objects to the administrative arrangements based on a "standard" National Park Authority that are proposed in the Countryside Agency's consultation document. Although presented as "special arrangements" they serve to demonstrate the fundamental inadequacy of a New Forest National Park Authority to best meet the long-term needs of the New Forest. The proposed arrangements would create costly and confusing duplication of some functions, for no claimed advantage to the Forest, while at the same time failing properly to co-ordinate others within one body having sole responsibility for all of the designated area:
- The creation of an additional local authority, with its attendant running costs, would be expensive with little tangible benefit to the New Forest. Increased grant funding should be focussed directly on the Forest not on administration.
- Proper full representation is essential. The suggested approach of a Circular and/or ministerial statements regarding Secretary of State appointees cannot give certainty regarding representation. And in any case whatever the mix of appointees it would not be possible to achieve the right representative balance for a New Forest Authority, because the required membership formula results in a local authority dominated body.
- (iii) The Countryside Agency should not continue with the process for establishing a New Forest National Park Authority until the full extent of required amending legislation is further considered. In any event it should be deferred until the outcome on current work on a possible South Downs National Park is completed. This work could produce other models or ideas that could be adapted to suit the New Forest and there is no imperative need to designate the New Forest ahead of this process. Also, although parliamentary time may not currently be available, it could be more likely that legislation to deal with both areas together would be feasible in the future.
- (iv) Notwithstanding the above resolutions, in the event of a standard New Forest National Park Authority being set up, with or without some amending legislation, the District Council's comments on the consultation document are as set out in each of the suggested responses to the nine issues in Report E to the Cabinet.