

Date: 26 January 2010

Report: **RESPONSE TO THE CONSULTATION ON PROPOSALS TO EXTEND THE YORKSHIRE DALES NATIONAL PARK**

Purpose of the report

1. To (a) Outline Natural England's (NE) consultation on the proposals to extend the Yorkshire Dales National Park, and; (b) Agree the Authority's response to this consultation.

Strategic Planning Framework

2. The information and recommendations contained in this report are consistent with the Authority's statutory purposes and its approved strategic planning framework:

- **National Park Management Plan**

The review of the National Park Boundary and possible extension of the western and northern edge are identified as 'pressures for change' in the current National Park Management Plan.

Background

3. In 1945, at the request of the Government, the architect John Dower produced a report on how National Parks might be introduced in England and Wales. This was followed in 1947 by a further report from a committee chaired by Sir Arthur Hobhouse, which proposed that a number of areas, which were considered to be the finest landscapes in England and Wales, should be designated as National Parks in order to preserve them for the benefit of the nation.
4. The Hobhouse Report also recommended the creation of a 'Howgill and Orton Fells Conservation Area'. However, when the Yorkshire Dales National Park boundary was established, its western flank was based on the old administrative boundary of the West Riding rather than any particular topographic or landscape features. This included the southern part of the Howgill Fells only. The Howgill and Orton Fells conservation area was never created.
5. This administrative 'compromise' or anomaly has been discussed since the decision was taken, most notably when the Countryside Commission considered the boundary for the North Pennines Area of Outstanding Natural Beauty (AONB) in the mid 70s. Cumbria County Council asked that the Northern Howgills and Mallerstang be included within the proposed area of the North Pennines AONB. At around this time pressure

also emerged for the area, with the possible addition of the limestone fells to the north, to be considered as a new AONB. The outcome of these considerations was that the Commission gave a clear commitment to review the possibility of including the area within the Yorkshire Dales National Park. This commitment has since been referred to as 'unfinished business'.

6. In 1984, North Yorkshire County Council, through the National Park Committee, suggested to the Countryside Commission that they review the Lake District National Park boundary along with the Yorkshire Dales National Park boundary 'in order to rationalise the position of the M6/A6 River Lune corridor.' However, this work did not begin until 2004.
7. A public consultation by NE was intended to begin in the spring of 2008; however, the work was halted between early 2008 and May 2009 to await the outcome of the reconvened South Downs National Park Public Inquiry. In March 2009 the Secretary of State announced his acceptance of the South Downs Inspector's second report, which has gone a considerable way towards clarifying how the statutory designation criteria should be applied.

An overview of the proposals in relation to the Yorkshire Dales National Park

8. Natural England has now completed an appraisal of the M6/A6 River Lune corridor between the two National Parks. The purpose was to determine if the 'Evaluation Areas' (EA) met the natural beauty and opportunities for open air-recreation designation criteria for inclusion within a National Park or AONB. The outcome was reported to the NE Board meeting on 25 November 2009. (For full report see www.naturalengland.org.uk/about_us/ourpeople/neboard/meetings/november2009/default.aspx).
9. All the areas evaluated, apart from a small area at Cold Cotes east of Ingleton, were considered to meet both criteria for national park designation. These 'Evaluation Areas' are now being considered by NE as 'Candidate Areas' (**Appendix**) for inclusion in a National Park. Consequently NE has begun consulting on closely defined areas as potential additions to the Lake District and/or Yorkshire Dales National Parks. (For maps at 1:25,000 scale see www.lakestodaleslandscapes.org.uk/boundary-maps).
10. In summary the areas are:
 - **Yorkshire Dales North:**
Mallerstang and Wild Boar Fell
The Northern Howgills
 - **Yorkshire Dales West**
Barbon, Leck and Middleton Fells
The Upper Lune Valley to the north of Kirkby Lonsdale
 - **Lake District East:**
Birkbeck Fell to Whinfell

- **Lake District West:**
Helsington Barrows to Sizergh Fell
- **Orton Fells** (including the settlements of Ravenstonedale and Newbiggin on Lune)
The Orton Fells area is being considered as both a possible further extension to the Lake District East extension and as a possible Yorkshire Dales North extension.
NE hope the consultation will assist in determining the best option for this area.

The Consultation

The consultation report

11. The consultation is referred to as the 'Lakes to Dales Landscape Designation Project'. This is because it is about designating new areas as National Park, rather than reviewing the existing boundary. As well as detailed maps of the proposed areas, there is a consultation document which explains in simple terms:

- What designation means;
- How an area is designated;
- The proposed areas for designation;
- The implications of designation (this is in terms of the impact designation would have on the areas proposed for inclusion in a National Park, as well as the Yorkshire Dales National Park Authority);
- What happens next.

The response form

12. There is a response form which asks consultees a series of questions in relation to designation for each of the candidate areas. These can be summarised as:

- (a) Do the candidate areas have sufficient natural beauty?
- (b) Does each of the candidate areas offer sufficient opportunities for open-air recreation?
- (c) Is it desirable to designate each candidate area as national park for its conservation and management?
- (d) Where the detailed boundaries should be drawn
- (e) Is there any further information which needs to be considered at this stage?
- (f) Is it more practical and logical for the Orton Fells to be part of the Yorkshire Dales or the Lake District?

13. Further details can be found at the website www.lakestodaleslandscapes.org.uk which also has supporting information and reports.

Who is being consulted?

14. The consultation aims to solicit the views of all those with an interest in the area (to include statutory authorities, interest groups and members of the public) NE has

distributed information directly to residents, parish councils, statutory authorities and others in, and adjacent to, the areas concerned and the consultation is available to all interested parties via the NE website. The consultation is advertised widely in the local press, and the documents are available in libraries, information centres and council offices. The consultation lasts for 3 months and finishes on Wednesday 17 March 2010.

15. As part of this process NE has also arranged meetings for all stakeholders including specific meetings for parish councils, and local communities 'consultation meetings', as well as 'drop in sessions' throughout the areas. The 'drop in' events are advertised in the local press, and outside the location where they are being hosted. In addition other organisations, such as the Country Landowners and Business Association (CLA), are organising events for their members and inviting interested parties to attend, to debate the issues before responding to the consultation.
16. The Authority's officers are attending a number of these events to help answer questions about the National Park and the National Park Authority. Members will be aware that the Authority has not yet established a 'formal position'. We have simply been encouraging any interested parties to participate in NE's consultation so their opinions can be considered. The Authority's lack of any formal position has caused comment and a number of bodies/individuals have, understandably, been keen to hear our response to the proposals.
17. Prior to the consultation, Officers from the Authority were part of a technical advisory group of local authority officers established by NE. We played a part in contributing to discussion on methodology and judgments about the areas under consideration. This group has worked with NE's consultants to provide factual information on social and economic factors, historic environment, nature conservation, farming, forestry, landscape, recreation and spatial planning.

Policy Development Forum

18. The consultation was the subject of a Policy Development Forum (PDF) in late December when members had the opportunity to debate informally the implications of any extensions to the National Park.
19. At the PDF there was general agreement with the evidence, presented in the consultation document and supporting reports, that the candidate areas do indeed meet the natural beauty and opportunities for open-air recreation criteria; so are appropriate for consideration as part of the Yorkshire Dales National Park. Discussion also focussed on the desirability of any designation and the implications for resources and the Authority membership.
20. **Resources:** The majority view was that, given additional resources, the National Park Authority could make a real difference to the conservation and recreation management of the candidate areas.
21. **Authority Membership:** The proposals, if confirmed, would lead to the inclusion in the National Park of a larger area of Cumbria County Council and South Lakeland District Council, and the addition of areas of Lancashire County Council, Lancaster City

Council and Eden District Council. Each local Authority would be eligible for at least one seat on the National Park Authority. Given the current size of the Authority of 22 members, members expressed concerns about the effects that any new or increased representation might have on the existing membership. The view was expressed that consideration should be given, by Defra, to re-examining the size of the Authority with a view to increasing the numbers of members, if the candidate areas were to become part of the National Park.

The Authority's Response to the Consultation

The issues

22. There are three fundamental issues to consider, for the National Park Authority, when responding to the consultation. The first is the whether designating the candidate areas as national park, would help the long-term management of the area. The second is in terms of the effect of any extensions on the current National Park and the third is the impact of any new designations on the National Park Authority. These latter two issues raise questions of resources, regional influence and membership.
23. It might be difficult for Members not to give greater consideration to the implications for the Park and the Authority over the desirability of designating the candidate areas in terms of their natural beauty and amenity. However, the primary reason for considering designation is the fact that these areas have been found to meet the necessary criteria, and consequently it is desirable to include them as part of a national park for their long-term management. This is the focus of the public consultation. The PDF was very positive about the proposals from this angle. However, it is useful to explore these issues in greater detail.

Desirability to designate

24. In summary:

- There is a great deal of similarity in terms of the underlying geology, historic environment, nature conservation, farming, forestry, landscape, recreation and most importantly social (e.g. the issue of affordable housing) and economic factors (moorland management, diversification of farming, and promotion of sustainable tourism) between the Northern, Western Yorkshire Dales and Orton Fells candidate areas and the rest of the Yorkshire Dales National Park.
- These similarities create opportunities for synergy between these areas and the rest of the Yorkshire Dales which will benefit their long-term management. For example, sharing good practice in the area of sustainable tourism and working with local businesses along the long distance routes such as the Pennine Bridleway, or the Settle to Carlisle line, both of which traverse part of the candidate areas.
- Farming practices within the candidate areas are naturally very similar to current practices within the national park. The work of our Farm and Countryside Service through the Limestone Country Project, in providing on the ground advice to farmers on current Environmental Stewardship schemes and our proposed involvement in the new Uplands Entry Level Stewardship would extend seamlessly

to the new areas. It is certainly the case that being part of a National Park would increase the likelihood of Farms being eligible for HLS.

- The inclusion of all the Yorkshire Dales candidate areas including the Orton Fells would increase the proportion of the National Park, which is in Cumbria from 12% up to 27%. This will improve the recognition and the position of the existing Cumbrian areas of the National Park with the rest of Cumbria.

Orton Fells

25. The Orton Fells could be designated as part of the Lake District, part of the Yorkshire Dales, a new AONB or left un-designated. Administrative politics aside, the desirability of this area being part of the Yorkshire Dales is:

- The Orton Fells has very many similar landscape characteristics to the Karst area around Malham, it is similar limestone country
- Geologically it is formed by an extension of the rocks that make up Wild Boar Fell as they sweep to the North
- In terms of public access, the open access land is one contiguous piece from the Wild Boar area to the Orton Fells
- The Authority has a lot of experience within its staff of managing 'limestone country' in terms ecology, archaeology and path restoration
- In terms of 'forces for change' the Orton area is moving from a predominately agricultural economy to one based on low-key quality tourism - based on sustainable principles (i.e. long distance walking and cycling routes) in much the same way as the forces for change in the Dales. We have much to offer having recently received the European Charter for Sustainable Tourism.
- The M6 is an obvious 'barrier' between the Lakes and the Dales, again geologically - being a major fault, but also in terms of accessing the area. It is not possible to walk between the Lakes and Orton Fells for example without some difficulty identifying points to cross.
- Farming links between this area and the rest of the Dales.

Local authority membership

26. Currently, the Yorkshire Dales National Park does not cover land within Lancashire County Council, Lancashire City Council, or Eden District Council. Since each local authority is entitled to at least one member on the Authority, the membership of the Authority would have to be re-distributed if the proposed extension went ahead and the membership of the Authority remained at 22. This would be an extremely difficult situation to accommodate and it is suggested that representations should be made to Defra, through the NE consultation, to consider an increase in membership to reflect any new arrangements.

Resources

27. The management of a National Park which has increased in size from 1762 up to 2165 sq km (if Orton Fells is included) will require additional resources otherwise there would be a detrimental impact on the existing Park area. In particular resources will be needed for:

- recreation management - increased area of open access land, and a larger number of rights of way to maintain.
- planning – increase in land area and number of dwellings is likely to lead to more applications.
- farming – more farms who will potentially need support and advice
- regional planning and socio-economic responsibilities – the Authority will need to increase its engagement with the NW Region.

28. The consultation report recognises (page 34):

‘funding beyond 2011 will be the subject of the next round of grant negotiations. While the outcome is impossible to predict, the prevailing economic climate at the time will clearly play an important role. It is reasonable to assume that in determining the level of grant, the Government will take account of any increase in size of a National Park or any increase in administrative complexity arising from the addition of local authorities to a National Park.’

What happens after the consultation?

29. At the end of the consultation period NE’s Board will decide whether to make a ‘Designation’ Order to vary the boundary of the Yorkshire Dales and/or Lake District National Parks. This decision is expected sometime in 2010. It will depend upon the ‘evidence’ received as part of the consultation considered against the designation criteria. NE can revise their proposals at this stage. Once a Designation Order is made this is placed on deposit for anyone to make representations to the Secretary of State. If there are objections at this stage from any district or county council affected (the local authorities are the only statutory consultees in this process), and they are not withdrawn, then the Secretary of State must hold a public inquiry. Following the advice of the Inspector and any representations received, the Secretary of State will decide whether to confirm or modify the Designation Order - at this stage the Secretary of State makes a ‘Confirmation’ Order for any variation of the boundary to take effect.

Conclusion

30. The ‘candidate areas’ being considered for inclusion in the Yorkshire Dales National Park do meet the criteria of natural beauty and opportunities for open-air recreation required for inclusion. The key issue for NE is whether it is ‘desirable’ to designate these areas as National Park. This Authority must consider this issue from the perspective of the candidate areas and also the effect this would have on the existing National Park, and the National Park Authority.

31. This report outlines each of these considerations and concludes that:

If, following consultation, NE moved to a Designation Order the Authority would support the designation of the candidate areas as part of the Yorkshire Dales National Park subject to:

- (a) An increase in resources proportional to the increase in area, population and administrative complexity;

- (b) The membership of the Authority being increased in order to both adequately reflect the political representation of the areas designated and to maintain the current level of representation within the existing National Park area.

RECOMMENDATION

32. It is recommended that a positive consultation response is sent to Natural England, agreeing with the principle of the designation of the candidate areas, including the inclusion of the Orton Fells, subject to the caveats detailed in paragraph 31 of the report.

David Butterworth
Chief Executive
15 January 2010

Background documents:

Consultation documents

Candidate Areas under consideration as a National Park

