YORKSHIRE DALES NATIONAL PARK AUTHORITY	**ITEM 10**
Date:	**26 March 2024**
Report:	**Levelling up Act and New Statutory Responsibilities**

Purpose of the report

1. To update to Members on recent national statutory and policy changes that will have an impact on the content and process for updating the Management Plan.

Background

2. In 2019 Julian Glover's review of protected landscapes recommended, amongst many other things, that:
    - The state of nature and natural capital in our national landscapes should be regularly and robustly assessed, informing the priorities for action; and,
    - Strengthened Management Plans should set clear priorities and actions for nature recovery including, but not limited to, wilder areas and the response to climate change (notably tree planting and peatland restoration). Their implementation must be backed up by stronger status in law.

3. As Members will be aware, the Government has been indicating for some time its intention to give effect to these proposals - in legislation and/or guidance. More specifically, the then Secretary of State for the Environment, Therese Coffey, confirmed back in September that the Government intended to:
    - set targets for National Parks and National Landscapes, quantifying the contribution they are expected to make to a number of national targets (as part of what is referred to as an 'Outcomes Framework').
    - introduce new legislation placing a stronger requirement on partner organisations to contribute to the production and implementation of National Park Management Plans.

Protected Landscapes Targets and Outcomes Framework

4. The Protected Landscapes Targets and Outcomes Framework was published on 31 January. It set out 10 new national targets to which all Protected Landscapes will be expected to contribute. These targets are listed in the **Annex**.

5. The key things for Members to note are:

- The targets are for the place, and so are the responsibility of all the relevant public bodies and statutory undertakers that operate in the National Park. Natural England, Environment Agency, Forestry Commission and Historic England will be the biggest contributors to the achievement of most of the targets but many other bodies will be expected to play a role;
- The Authority and its local partners are expected to agree these collective targets and include them in the National Park Management Plan;
- Natural England will provide the current baseline data for each target for the Yorkshire Dales National Park in April;
- Natural England will provide further advice and guidance in due course, particularly on the three instances (habitat creation; tree cover; and, peatland restoration) where a collective nationally-set target needs to be apportioned fairly between all the protected landscapes;
- The Outcomes Framework will include a range of other data/indicators that will be made available each year, and can be used to set local objectives in the Management Plan. Again, the first set of this information will be provided by Natural England in April.

Statutory responsibilities of 'relevant authorities'

6. In December, the Levelling Up and Regeneration Act 2023 became law. Section 245 (the 'Protected Landscapes' clause) of the Act, makes important changes to:
    - Section 11 of the National Parks and Access to the Countryside Act 1949; and,
    - Section 66 of the Environment Act 1995.

7. The clause places a revised duty on relevant authorities:

    "In exercising or performing any functions in relation to, or so as to affect, land in any [National Park] in England, a relevant authority **must seek to further the specified purposes** of National Parks…" This replaces the existing duty to "have regard to" the specified purposes.

8. Relevant authority includes:
    - all Government Departments, agencies and other advisory bodies, etc.
    - any local authority and parish council.
    - any person holding public office e.g. statutory regulators
    - any statutory undertaker, including water companies, National Grid, Network Rail and the Regional Electrical distribution companies.

9. The clause also grants powers to the Secretary of State to make regulations to:
    - direct a relevant authority in the discharging of the duty,
    - require a protected landscape management plan to contribute to meeting any national environmental target;
    - set out how a management plan must further the purposes of the designation;

- require and set out how a relevant authority must contribute to the preparation, implementation and review of a management plan,

10. We are not yet in a position to be certain exactly what the new duties mean in practice. The regulations to give full effect to s245 are likely to be at least 12 months away. Defra is currently considering issuing interim guidance. In the meantime, Natural England has provided some initial, informal guidance about the implications:

    - An *active* duty not a passive duty;
    - Outcomes-focused, not simply about following a process;
    - Underlines the importance of both avoiding harm to the purposes of designation *and* seeking to further those purposes;
    - Obliges relevant authorities to demonstrate they have actively sought to further the purposes of the designation.

Conclusion

11. Clearly, the preparation – and subsequent implementation – of the objectives set in the Management Plan (including those now being nationally-mandated by Government) will be key to making these new arrangements work. The existing Management Plan Partnership already has a collaborative process in place for updating the Management Plan, and the setting of the ten new targets can readily be incorporated into this process. The arrangements currently in place provide a sound basis for enabling relevant authorities to engage constructively in the process of preparing the Management Plan, and demonstrating compliance with the new duties.

Gary Smith
Director of Conservation & Community
12 March 2024

National Protected Landscapes Targets

Target 1

- Restore or create more than 250,000 hectares of a range of wildlife-rich habitats within Protected Landscapes, outside protected sites by 2042 (from a 2022 baseline).

Target 2

- Bring 80% of SSSIs within Protected Landscapes into favourable condition by 2042.

Target 3

- 60% of SSSIs within Protected Landscapes assessed as having ‘actions on track’ to achieve favourable condition by 31 January 2028.

Target 4

- Continuing favourable management of all existing priority habitat already in favourable condition outside of SSSIs (from a 2022 baseline) and increasing to include all newly restored or created habitat through agri-environment schemes by 2042.

Target 5

- Ensuring at least 65% to 80% of land managers adopt nature friendly farming on at least 10% to 15% of their land by 2030.

Target 6

- Reduce net greenhouse gas emissions in Protected Landscapes to net zero by 2050 relative to 1990 levels.

Target 7

- Restore approximately 130,000 hectares of peat in Protected Landscapes by 2050.

Target 8

- Increase tree canopy and woodland cover (combined) by 3% of total land area in Protected Landscapes by 2050 (from 2022 baseline).

Target 9

- Improve and promote accessibility to and engagement with Protected Landscapes for all using existing metrics in our Access for All programme.

Target 10

- Decrease the number of nationally designated heritage assets at risk in Protected Landscapes.