

## **Future Landscapes – Delivering for Wales – The review of AONBs and National Parks**

### **Comments of the UK Assessment Panel of the IUCN World Commission on Protected Areas**

#### *Introduction*

These comments are made by the UK Assessment Panel of the World Commission on Protected Areas (WCPA), which forms part of the International Union for Conservation of Nature (IUCN).

The panel consists of a number of leading UK experts in protected areas, with wide international and national experience<sup>1</sup>. It was set up in 2012 in order to determine which areas in the UK met IUCN's international standards for a protected area as set out in published guidance from IUCN<sup>2</sup>. The IUCN guidelines stress the primary role of nature conservation in protected areas, and the need (embodied in the UK by the Sandford principles) for nature conservation to take priority in the case of conflict with other uses.

The UK follows the IUCN guidelines, which are used to set protected area policies by virtually all countries around the world. The IUCN National Committee for the UK has undertaken a major review of their implementation, working with government and non-governmental agencies, in the four constituent countries. Its report is published under the title *Putting Nature on the Map: a Report and Recommendations on the Use of the IUCN System of Protected Area Management Categories in the UK*. See [http://www.iucn-uk.org/portals/0/PNOTM\\_2014\\_full\\_report.pdf](http://www.iucn-uk.org/portals/0/PNOTM_2014_full_report.pdf)

A significant conclusion of this report was to confirm that the National Parks in England, Scotland and Wales, and AONBs in England and Wales, met the IUCN definition of a protected area. They were assigned to the Protected Landscape category (Category V). Thus this report established that these two types of UK landscape protection designations met international standards, a conclusion that was determined through a process of independent peer review against internationally agreed standards.

However, the discussion that led up to that conclusion was not straightforward. The most contentious issue was the priority accorded to nature conservation in these areas, as this is a requirement to meet the test of the IUCN definition. This was explored in the 'Statements of Compliance' (SoCs) prepared by the NPs and AONB authorities and approved by the panel, which can be found on the IUCN/NCUK web site<sup>3,4</sup>. Both SOC's discuss the relationship between the aims of such areas and the concept of nature conservation, and the priority given in them to conservation. They conclude that on balance the NPs and AONBs do meet the definition though "AONBs (in

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<sup>1</sup> Roger Crofts, Nigel Dudley, Chris Mahon, Richard Partington, Adrian Phillips, Stewart Pritchard and Sue Stolton.

<sup>2</sup> *Guidance for Applying Protected Area Management Categories*, (Dudley, 2008), published by IUCN and endorsed by the UN. These guidelines provide an internationally agreed definition of protected areas such as national parks and AONBs as follows: "A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long term conservation of nature, with associated ecosystems services and cultural values"; and detailed guidance on how to interpret the definition. See

[https://cmsdata.iucn.org/downloads/guidelines\\_for\\_applying\\_protected\\_area\\_management\\_categories.pdf](https://cmsdata.iucn.org/downloads/guidelines_for_applying_protected_area_management_categories.pdf)

<sup>3</sup> [http://www.iucn-uk.org/Portals/0/National\\_Parks\\_Statement\\_of\\_Compliance\(May2013\).pdf](http://www.iucn-uk.org/Portals/0/National_Parks_Statement_of_Compliance(May2013).pdf)

<sup>4</sup> <http://www.iucn-uk.org/Portals/0/AONBfinalSC130325.docx>

England and Wales) stand near the ‘outer limit’ of what IUCN considers a protected area”<sup>5</sup>. The report recommended however that the protection given to nature in policy and practice should be strengthened in these areas to ensure that they retained their internationally-recognised status when future reviews were undertaken.

In conclusion, the NPs and AONBs in Britain have now been recognised by IUCN as protected areas. However, in the case of AONBs especially this decision was marginal and arrived at only after lengthy debate. In order to put the matter beyond doubt, the national committee recommended that the primacy given to the protection of nature should be strengthened.

#### The significance of international recognition

Protected areas benefit in a number of ways through international recognition:

- It is confirmation that a standard has been met, which will be to the credit of both the areas and those who manage them
- It provides assurance of consistency, so third parties know what to expect
- It ensures that data relating to the areas is used in reporting national protected area coverage (e.g. to meetings of the Convention on Biological Diversity)
- It provides access to international programmes run by IUCN and others for protected areas.

It is for these reasons that we were pleased to see the Future Landscape report recognise that “Wales’s suite of designated landscapes must continue to deliver, so as to be recognised as being of international significance and important national assets”. However, for reasons we discuss below, we do not think the new report reveals much understanding of what is implied by such a statement. In this it contrasts with the conclusions of the Marsden report<sup>6</sup>.

#### The Marsden report

A central principle of the Marsden report was that, whilst recommending three interlocking purposes, the primacy of the conservation purposes should apply across all three purposes in the designated landscapes. This would ensure that the so-called ‘Sandford principle’ would apply to socio-economic activities as well as recreation and access. This was set out in Recommendations 6 and 7 of that report. It is important also to note that the socio-economic purpose (the “third purpose”) was expressed in terms of promoting “*sustainable* forms of economic and community development, based on the management of *natural resources* and the *cultural heritage* of the area” (emphases added). It was not intended to be an open ended development aim, but one for development that was appropriate to these special areas.

These recommendations were accompanied by Recommendation 8, which aimed to replace the weak requirement to “have regard” to the NP and AONB purposes with one that would require relevant public bodies to “contribute to the delivery” of the three purposes.

We welcomed these recommendations as they clarified beyond doubt the primacy of the conservation purpose, in the context of three interlocking purposes. Applied, as recommended in the Marsden report, to the NPs and AONBs of Wales, it would have confirmed the case for international recognition. Along with other recommendations designed to strengthen the

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<sup>5</sup> This comment relates to AONBs in England and Wales; the report concluded however that Northern Ireland’s AONBs did not meet international standards, having failed the IUCN test.

<sup>6</sup> National Landscapes – Realising their Potential: The Review of Designated Landscapes in Wales (2015).

governance of Wales's NPs and AONBs, the Marsden report offered a way forward which other parts of the UK could have learnt from, demonstrating how landscapes of high conservation value could be conserved, whilst also meeting social and economic needs in a sustainable way.

### The Future Landscapes report

In contrast, we are disappointed to read this new report for a number of reasons.

In general, we consider that it marks a big retreat from the clear messages and recommendations of the Marsden report. There is no discussion of the purposes of designating these areas, and their conservation purpose is hardly mentioned at all. While the report does not disown the Marsden recommendations, its silence about most of them means that they now appear to be in limbo.

Worse than that, the report seriously misrepresents (or misunderstands) what the Marsden report said. Thus it says: "The crux of the reform being advocated by the Marsden report may be summarised as 'promoting' the current National Park duty to have regard to the socio-economic well-being of the area into one of its purposes, and to apply these same purposes to the AONBs"<sup>7</sup>. That is highly selective way of looking at the Marsden recommendations: for many it was the determination to reaffirm, strengthen and extend the Sandford principle that was the 'crux' of the report.

This misrepresentation is equally evident in Annex 1 about the Marsden report. None of the 10 bullet points that claim to be a distillation of the report mentions the key Recommendation on the Sandford principle. It also distorts the Marsden recommendation about the role of the Protected Landscapes in relation to the local economy: the original referred to these areas being positioned "as leading and innovative places for capturing and integrating the environmental economy, and the well-being and sustainability goals, and installing them as regional hubs for sustainable rural development and the providers of ecosystem services" (or 'Factories of Wellbeing'). This subtly balanced recommendation is referred to (bullet point 2) as a call for the areas to become "catalysts for regional development in rural areas", a much less environmentally sensitive aim. A far better way to have summarised the Marsden report would have been to reproduce the twelve principles that form Recommendation 1 of that report.

There are other places too where the strong environmental message from the Marsden report has been diluted. For example, it is not clear whether the new report is confirming the Marsden Recommendation 8, to strengthen the 'have regard' duty on public bodies in respect of NPs and AONBs to one of contributing to the delivery of the purposes for which these places were designated. And the report is remarkable for referring only once in passing to the role that these places play, and could play better, in conserving biodiversity in Wales.

As to the international perspective, it makes no mention of the European Landscapes Convention which is the international context (not affected by Brexit) within which Wales's efforts should be set, and which contains a useful definition of landscape. Nor does the report mention the IUCN system of protected area management categories, the very framework within which its declared aim of international recognition would have to be pursued (though it makes much of the IUCN guidance on protected area governance).

In addition the report is in many places rather opaque and confusingly written, thus creating uncertainty as to the future of the Protected Landscapes. Here again it contrasts unfavourably with the Marsden report with its clear structure: Principles, Purposes, Vision, the National Governance

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<sup>7</sup> From Section 3, Page 8 of the Future Landscapes report

Framework, and Delivery. The new report also calls for more work in many areas and could therefore be a recipe for delay. Throughout, it seems more concerned with process than promoting the status of these special areas.

### Conclusion

The Marsden report was a ground breaking report in the UK context, showing how Protected Landscapes could meet international standards whilst adapting to contemporary requirements for sustainable economic and community development. The new report is a big step backwards.

Our panel provides independent advice on whether areas in the UK meet IUCN's standards and can therefore be recognised as protected areas. In this context, the new report raises serious concerns. It conspicuously fails to endorse the core recommendations from Marsden about the primacy of conservation, and sets out a questionable view of these designated areas as "catalysts for regional development". If acted upon, the recommendations in the Future Landscapes report would make it impossible for the panel to continue to accord international recognition to Wales's NPs and AONBs as protected areas. If Wales desires to maintain and strengthen the international recognition currently accorded to these areas, then we suggest that the Welsh Government base future policy towards NPs and AONBs on the recommendations developed in the Marsden report.

*Signed by:*

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*13th July 2017*