

## AREA 2 COMMITTEE 2011

<b>Title of paper:</b>	<b>Local Nature Reserve Designations</b>	
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<b>Relevant Council Plan Strategic Priority:</b>		
World Class Nottingham		<b>X</b>
Work in Nottingham		
Safer Nottingham		<b>X</b>
Neighbourhood Nottingham		<b>X</b>
Family Nottingham		<b>X</b>
Healthy Nottingham		<b>X</b>
Leading Nottingham		<b>X</b>
<b>Summary of issues (including benefits to citizens/service users):</b>		
<p>This report seeks the support of the Committee in relation to proposals to designate Sandy Banks and part of Hucknall Road Walkway as Local Nature Reserves (LNR's). LNR's are protected open spaces for both wildlife to thrive and people to enjoy.</p>		
<b>Recommendation(s):</b>		
<b>1</b>	Support the proposals to designate Sandy Banks and part of Hucknall Road Walkway as Local Nature Reserves and	
<b>2</b>	Note the process to be followed.	

## 1. BACKGROUND

- 1.1 Section 21 of the National Parks and Access to the Countryside Act 1949 gives local authorities the power to acquire, declare and manage nature reserves. These sites are commonly known as Local Nature Reserves (LNR's) and are statutory protected sites which are of a high value for nature conservation and provide opportunities for people to enjoy wildlife and recreation. From Natural England's perspective LNR's have an important part to play in biodiversity conservation, the protection and interpretation of features and in helping to reach priority targets. Local Authorities can benefit from declaring Local Nature Reserves through the contribution that the sites make to the quality of the environment for local people, the part that they play in community development and their value in education.
- 1.2 Natural England recommends that Local Nature Reserves be provided at 1 hectare per 1000 population; Nottingham currently has 8 LNR's and LNR provision stands at 0.5 Ha per 1000 population.
- 1.3 Provision for further LNR's has been discussed at the Open and Green Spaces Champions Group and is an action in the 2011 Breathing Space strategy and the Biodiversity Position Statement. A list of proposed LNRs will be published following agreement with the Champions group.
- 1.4 The following sites within Area 2 have been selected for designation as LNR's and have been chosen for their ecological importance and position within the community. If the designations proceed these sites will contribute to the City Councils target of providing 1ha LNR per 1,000 population.

**Hucknall Road Walkway** runs from Moorbridge to Arnold Road and is a former section of the Great Northern Railway linking Daybrook to Newstead. As a result, the site is an important linear wildlife corridor through the City, linking open spaces within Ashfield District. Hucknall Road Walkway also spans into Area 1 totalling 8.65ha owned by Nottingham City Council and 1.32ha under private ownership. The site is within 1km of 23 other natural sites in the City, including Sunrise Hill and Bulwell Hall Park which are both Local Nature Reserves and SINCs. Hucknall Road walkway is part designated as a Site of Importance for Nature Conservation (SINC) reference 2/156 and is described as 'a valuable habitat with characteristic and notable with notable plant species'. Habitats found on site include oak birch woodland, exposed sandstone, grassland and scrub.

**Sandy Banks** is a Green Flag award winning site and is designated as a SINC, reference 2/1090, because it contains a significant area of acid grassland. Other habitats include mixed deciduous woodland, exposed sandstone, scrub and recently created heather scrapes. Covering 5.9ha, the site provides a valuable wildlife refuge in amongst a residential estate.

- 1.5 The proposed sites meet the criteria specified by Natural England and an initial consultation has been carried out with them. Natural England is in support of both proposals.
- 1.6 Before LNR designations are made further enquiries and consultations will be carried out. Designations can not be made unless the Council has a legal interest in the land. Whilst a majority of the proposed sites are within Council ownership part of the Hucknall Road Walkway is in private ownership. Ownership of that land needs to be established and discussions need to take place with the land owner(s) to

establish whether they would be willing for the Council to manage their land as an LNR or whether they would be prepared to dispose of the land to the Council. If management or ownership of this piece of Hucknall Road Walkway cannot be secured then the Council may proceed to make the designation over the separate parcels of land which is within its ownership. That part of the Walkway which is in private ownership is already protected by a Tree Preservation Order and is therefore relatively secure in terms of conservation.

- 1.7 In relation to all of the sites it is proposed that further consultations be carried out with interested bodies, and those who may have statutory rights over the land (statutory undertakers, Network rail etc). The decision to formally declare any or all of these sites as LNRs will then be referred to the relevant Portfolio Holder(s).
- 1.8 Exact site boundaries will be confirmed as part of the internal consultation process.
- 1.9 On 21<sup>st</sup> November 2007 an Area Committee Report was presented to inform Committee of proposals to designate Hucknall Road as an LNR. The report was noted and welcomed by Committee. Comments were provided that residents had not been involved in the consultation process at the time.

## **2. REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)**

- 2.1 To add to the protected sites network in Nottingham and safeguard Biodiversity Action Plan priority habitats and species, whilst providing valuable wildlife site for people to learn and enjoy.
- 2.2 Support our commitment to implementing the 'Biodiversity Duty' as set out under Section 40 of the Natural Environment and Rural Communities Act 2006 which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*
- 2.3 To deliver actions set out in the adopted 2010-2020 Breathing Space strategy.

## **3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

- 3.1 None

## **4. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)**

- 4.1 In declaring the sites as Local Nature Reserves there is a duty to maintain safe access and manage them for the protection of wildlife and biodiversity, however as the majority of these sites are already owned by Nottingham City Council and maintained as accessible sites, this duty already exists.
- 4.2 As indicated above part of the Hucknall Lane Walkway is in private ownership and if that area of land is to be designated the Council will have to acquire some form of interest in it. This issue (and any financial implications arising from it) will be the subject of further consideration as the consultation process proceeds

**5. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS AND EQUALITY AND DIVERSITY IMPLICATIONS)**

- 5.1 The declaration of these sites as LNRs is within the Council's powers subject to the relevant processes being followed.
- 5.2 All sites are free to access and aim to be accessible to all. Any capital works and improvements identified will consider the requirements under the Disability Discrimination Act and will seek to identify and remove physical and emotional barriers to access. Designating these sites will ensure that they remain as natural open space, which is accessible to disadvantaged communities and will therefore play a part in improving the quality of life of the local residents now, and into the future.

**6. EQUALITY IMPACT ASSESSMENTS (EIAs)**

Has an Equality Impact Assessment been carried out?

No. This report does not include proposals for new or changing policies, services or functions

**7. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

- 7.1 None

**8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

- 8.1 Breathing Space strategy 2010-2020
- 8.2 Biodiversity Position Statement 2011-2020
- 8.3 Site management plans
- 8.4 Evaluation of Possible Local Nature Reserve Sites, Sport Leisure and Parks, 2006
- 8.5 Natural England Publication '*Local Nature Reserves in England: A guide to their selection and declaration*' 2010