

**TELFORD & WREKIN COUNCIL****CABINET – 21 JULY 2016****DECLARATION OF THREE NEW LOCAL NATURE RESERVES: APLEY WOODS LNR, KETLEY PADDOCK MOUND LNR & THE BEECHES LNR****REPORT OF ASSISTANT DIRECTOR: BUSINESS, DEVELOPMENT & EMPLOYMENT****LEAD CABINET MEMBER – COUNCILLOR RICHARD OVERTON****PART A) – SUMMARY REPORT****1. SUMMARY OF MAIN PROPOSALS**

1.1 The Council has made a commitment through the Green Guarantee to the retention of locally important green spaces which have value to local communities. The declaration of three new Local Nature Reserves to add to the eight already designated in the Borough maintains that commitment extending the area of protection by 40 hectares. It also delivers against a key priority in the emerging Local Plan. The three new LNR being proposed are:-

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- 1) Apley Woods LNR including woodland, meadows and the lake south of the A442 Queensway and north of Princess Royal Hospital;
- 2) Ketley Paddock Mound LNR including woodland, grassland and pools between Holyhead Road and Shepherds Lane, Ketley; and
- 3) The Beeches LNR including a meadow with pond and a wooded Pitmound to the south and east of the former Beeches Hospital site in Ironbridge.

1.2 Maps showing the proposed LNRs are in Appendix 1, 2 and 3.

1.3 The proposal has been developed in liaison with the local community; the local Parish Council's and will involve local volunteers carrying out small scale conservation tasks as part of the management of the sites. The designation of additional LNR also reflects the Council's recognition of the value these spaces play in local communities and promoting health and wellbeing. It has been shown that living close to accessible green spaces can promote public health and reduce levels of obesity, heart disease, reduce stress and levels of depression<sup>1</sup>.

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<sup>1</sup> Our Natural Health Service: The Role of the Natural Environment in Maintaining Healthy Lives. Natural England. (2009).

- 1.4 The selection, declaration and management of Local Nature Reserves is a function of local authorities. These sites play an important role in maintaining a healthy balance in spatial planning between the built environment and green infrastructure. These green spaces also help to meet local and strategic green infrastructure needs.
- 1.5 There is clear evidence that green spaces are more widely used when they are located in close proximity to local communities. Natural England suggests that there should be a public open space of at least two hectares in size within 0.5km of every resident and that there should be at least one hectare of Local Nature Reserve for every 1000 people in urban areas<sup>2</sup>.
- 1.6 With the current known population of the borough at 167,000 (census 2011) and 334.4ha of currently declared LNR across 8 sites Telford & Wrekin currently exceeds the recommended supply of LNRs with two hectares of LNR for every 1000 people.
- 1.7 Repeated engagement with local people and businesses during the Local Plan process has highlighted that the green and natural environment within Telford and across the whole borough is one of the reasons most often given when people are asked why they live in, visit or locate their business in Telford & Wrekin.
- 1.8 The three proposed sites are all within Council ownership (with the exception of the meadow area of Apley Woods which is pending legal transfer from HCA – see section 5.2 below) and are considered to fulfil the requirements to become a formally declared LNR. The sites:
  - Are all at least partially designated as Local Wildlife Sites;
  - Have up to date management plans; and
  - Have a strong level of local involvement
- 1.9 Subject to approval, the next stage will be to progress the sites further through the formal process with Natural England prior to final legal declaration.

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<sup>2</sup> Accessible natural greenspace in towns and cities: A review of appropriate size and distance criteria, English Nature (1995)

## **2. RECOMMENDATIONS**

It is recommended that cabinet:

**2.1 Approve the declaration of the Apley Woods LNR, the Ketley Paddock Mound LNR and the Beeches LNR; and**

**2.2 Delegate authority to complete the declaration process to the Assistant Director: Business, Development & Employment (and any officer authorised in writing by that Assistant Director) following consultation with the Lead Cabinet Member for Housing, Leisure & Health.**

## **SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Co-operative Council priorities?	
	Yes	Designation of the LNR contributes to several priorities, including: -ensure that neighbourhoods are safe, clean and well maintained -improve the health and wellbeing of our communities and address health inequalities On each of the three proposed LNRs there is active community involvement
	Will the proposals impact on specific groups of people?	
	Yes	The LNR is a beneficial resource to people who live and visit the area and each site has parts which are accessible to all members of the community, including those with wheelchairs and pushchairs
<b>TARGET COMPLETION/ DELIVERY DATE</b>	August/September 2016 – formal consultation with Natural England December 2016 – formal legal declaration	
<b>FINANCIAL/ VALUE FOR MONEY IMPACT</b>	Yes/No	The designation of the land (as detailed in Appendices 1-3) as a Local Nature Reserve requires the Council to manage and maintain the land in accordance with a management plan. In order to avoid a financial pressure as a result of the designation, the Council will continue to maintain the sites at their current levels. The 'Friends of' groups associated with these sites will provide ongoing support and will be responsible for securing third party funding for any additional works or site improvements, over and above the current maintenance regime. Should additional

		<p>funding not be identified, the requirements under the site management plan will be amended accordingly.</p> <p>A Section 106 contribution is being sought as part of the planning obligations attached to development land adjacent to the Apley Wood site. The sums of the Section 106s are £261k split across two sites (£180k and £81k). These funds will provide improved access and angling facilities within the LNR boundary. If S106 funding is not received there will be no requirement to make these enhancements.</p> <p>The land to be designated is in the ownership of the Council, with the exception of a small parcel of land at Apley Woods, and the designation will offer protection from future development or inappropriate use. This may have an impact on future strategic options for asset use or disposal. The land at Apley Woods is in the process of being transferred to Council ownership from HCA.</p> <p>The Grazing income received from Ketley Mound site will not be affected by this LNR.</p> <p>Ketley Paddock Mound and The Beeches include colliery spoil mounds and a canal tunnel. Under the Mines and Quarries (Tips) Act TWC has responsibility as owner and Local Authority therefore liabilities need to be managed. However these sites currently have historic public access routes and it is not proposed to develop additional routes. Additional footfall is likely once designated as an LNR due to raised profiles.</p> <p>TWC have a number of Spoil mounds and as owner we currently have responsibility for them. Priority should be given to these two sites when TWC completes a Borough wide review under this act. Budgets are not currently available to complete a Borough wide review. ER &amp; AEM 24/6/16</p>
<b>LEGAL ISSUES</b>	Yes	<p>The Council has power under the National Parks and Access to the Countryside Act 1949 establish nature reserves and to declare that certain land is to be managed as a nature reserve. The declaration will stand as conclusive evidence that the land is being</p>

		<p>managed as such. There is a making and publication procedure that needs to be followed regarding the declaration which includes prior consultation with Natural England. Legal Services will assist the Assistant Director: Business, Development &amp; Employment as required regarding the process.</p> <p>(IR – 14.06.16)</p>
<p><b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b></p>	<p>Yes</p>	<p>The Council is following the formal process for declaring LNRs as set out in guidance from Natural England, ensuring compliance with the requirements.</p> <p>In liaison with stakeholders, the potential impact of the LNR declarations have also been taken into consideration and any adverse impacts addressed. The management plans provide a framework for ensuring the LNRs are maintained appropriately and continues to meet the requirements of an LNR.</p> <p>Enhances the natural environment of the Borough and contributes to the overall attractiveness of the Borough that will support the local business and visitor economy and support community health and wellbeing</p>
<p><b>IMPACT ON SPECIFIC WARDS</b></p>	<p>Yes</p>	<p>Apley Woods proposed LNR is located in Apley Castle Ward. Cllr Karen Blundell sits on the friends of group.</p> <p>Ketley Paddock Mound proposed LNR is located in Ketley &amp; Oakengates Ward. Ketley Paddock Council are involved in the management of the site.</p> <p>The Beeches proposed LNR is located in Ironbridge Gorge Ward. Cllr Nicola Lowrey sits on the Ironbridge Meadows and Pastures (IMAP) group and the Gorge Parish Council and Madeley Parish Council are also stakeholders.</p>

## **PART B) – ADDITIONAL INFORMATION**

### **3. INFORMATION**

- 4.1 This report sets out a proposal to declare three statutory Local Nature Reserves known as ‘Apley Woods Local Nature Reserve,’ ‘Ketley Paddock Mound Local Nature Reserve’ and ‘The Beeches Local Nature Reserve.’ This is in accordance with the provisions of Sections 19 and 21 National Parks and Access to the Countryside Act 1949. Subject to approval, the proposals will then need to receive a formal welcome from Natural England.
- 4.2 Declaration of the land as a LNR requires Telford & Wrekin Council to manage the land shown in Appendix 1, 2 and 3 as a nature reserve and to protect it from inappropriate uses or development. The largest part of each of the proposed sites is already adopted as Local Wildlife Site and so is already managed for conservation purposes.
- 4.3 The Telford & Wrekin Local Plan Submission Version Policies Map shows each of these sites as ‘Proposed Local Nature Reserves’ and the Local Plan commits to completing the declaration of these sites.
- 4.4 Over and above the areas already adopted as Local Wildlife Sites other parts of the sites also have nature conservation value and a high level of community interest and involvement. Each of the sites has an active ‘Friends of’ group. These groups have played a key role in developing the proposal in liaison with the local authority and the local Parish Council. Through active engagement with the community, local people are already getting involved in the management and protection of each of the sites and each has a regular program of volunteer work parties.
- 4.5 Except for the meadow area of the Apley Woods Site, the proposed LNRs are all within the Council’s ownership and meet the necessary criteria for declaration, each has an up to date management plan and has gained support from Shropshire Wildlife Trust and Natural England.

Before it can be declared that land is to be managed as an LNR, the Council must either be able to demonstrate a legal interest in the land or that a Nature Reserve Agreement has been entered into in respect of that land. Unless the Council acquires ownership of the meadow area of the Apley Woods Site, a Nature Reserve Agreement will have to be entered into with the Homes and Communities Agency which is the current owner of that area.

- 4.6 As part of the declaration process, subject to Cabinet approval, a consultation document will be issued to Natural England to seek their formal ‘Welcome’ prior to completion of the declaration and the associated legal seal.

- 4.7 Through the declaration of these Local Nature Reserves the Council recognises the value of local green spaces in providing places to walk and be active. Local Nature Reserves provide opportunities for volunteering in the natural environment which increases physical activity, social interaction, encourages life long learning of new skills and allows individuals to give back to their local community which lead to increases in physical and mental wellbeing<sup>3</sup>.

## **5 IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

- 5.1 Consultation with relevant stakeholders has taken place and the declaration of the sites as LNRs has received general support.
- 5.2 **Apley Woods** - The proposed boundary has been subject to internal officer consultation and external stakeholder engagement. The following should be noted:
- The meadow area of the site is not formally held under the ownership of TWC, the land is within the CRA 5 land transfer with HCA, but the freehold has not yet been transferred. This land will either need to be formally transferred or a Nature Reserve Agreement will need to be entered into with HCA before the LNR can be declared.
  - The proposed LNR is between two sites which have planning permission for additional residential development: the former Maxell Site which received outline permission for up to 495 dwellings and a local centre in September 2015 and the land at Peregrine Way which has a current reserved matters planning application pending decision (and an outline consent granted) and is awaiting supporting information from the developer. These two developments are likely to generate additional recreational interest in the proposed LNR and a Section 106 contribution was secured on the Maxell site development to support the management of visitors on the site through appropriate footpath and access infrastructure.
  - Appropriate management of the Apley Woods site is vital to ensure that the habitats and species present can be resilient to additional recreational pressure and declaration of the site would help secure appropriate long term management.
  - There is an active 'Friends of' group on the site with a high level of community involvement and a regular schedule of practical management, educational and forest schools activities already occurring on the site.
- 5.3 **Ketley Paddock Mound** - The proposed boundary has been subject to internal officer consultation and external stakeholder engagement. The following should be noted:

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<sup>3</sup> Living Well for Longer in Telford 2015/2016 – Telford & Wrekin Council

- The Council's Geotechnical Team noted that the site includes Colliery Spoil Mounds which are regulated by the Mines and Quarries (Tips) Act under which TWC has responsibility as owner and Local Authority. There are concerns when public access is allowed over these sites and a need to consider mine shafts and in this instance also a canal tunnel. These matters will have to be considered and addressed as part of the access and management arrangements for the site and it will be necessary for management and access arrangements at the site to be kept under regular review.
- An area of the site is currently leased by TWC for grazing but this is not in conflict with the management or declaration of the site as a LNR. TWC would write to grazing licence holders in advance of the formal declaration being made.
- TWC is working on establishing a Service Level Agreement with the Parish Council for the site and will continue to work in partnership with the Parish Council and the 'Friends of' group to achieve appropriate management. A regular program of work parties already occurs on the site.

5.4 **The Beeches** - The proposed boundary has been subject to internal officer consultation and external stakeholder engagement. The following should be noted:

- The proposed LNR is to the south and east of the Telford & Wrekin Local Plan Submission Version allocated site for housing H6 - the former Beeches Hospital site. The declaration of this site as a LNR will not constrain the development of the H6 allocation and the Planning Policy Team have confirmed that there is no conflict.
- The Council's Geotechnical Team noted that the site includes Colliery Spoil Mounds which are regulated by the Mines and Quarries (Tips) Act under which TWC has responsibility as owner and Local Authority. There are concerns when public access is allowed over these sites and a need to consider mine shafts. These matters will have to be considered and addressed as part of the access and management arrangements for the site and it will be necessary for management and access arrangements at the site to be kept under regular review.
- The Ironbridge Meadows and Pastures Group are active on the site and hold a regular program of site management and educational activities.

## **6 NEXT STEPS**

- 6.1 In the case that cabinet approves the principle of declaration of the three proposed Local Nature Reserves and the recommended delegation, then the required next steps include the following:
- A) a formal consultation process with Natural England will be undertaken in August/September 2016 which includes the submission of a formal consultation document and a site visit following which Natural England will write to formally 'Welcome' the sites
  - B) All necessary property/title enquiries and searches being undertaken regarding land in the Council's ownership.
  - C) The Nature Reserve Agreement being entered into with HCA in respect of the meadow area at Apley unless the Council acquires ownership prior to the declaration
  - C) The Assistant Director: Business, Development & Employment making or authorising the making of the formal declaration (NB the declaration will be made under seal (It is anticipated that the declarations in respect of these sites will have been made, processed and published in early 2017.)

## **7 PREVIOUS MINUTES**

Cabinet report 12th February 2007: 'Declaration of Local Nature Reserves'

## **8 BACKGROUND PAPERS**

- 7.1 Local Nature Reserves in England: A Guide to their selection and declaration Natural England, 2009
- 7.2 Local Nature Reserves: places for people and wildlife (English Nature)
- 7.3 Accessible natural green space in towns and cities: A review of appropriate size and distance criteria (English Nature Research Reports No. 153)

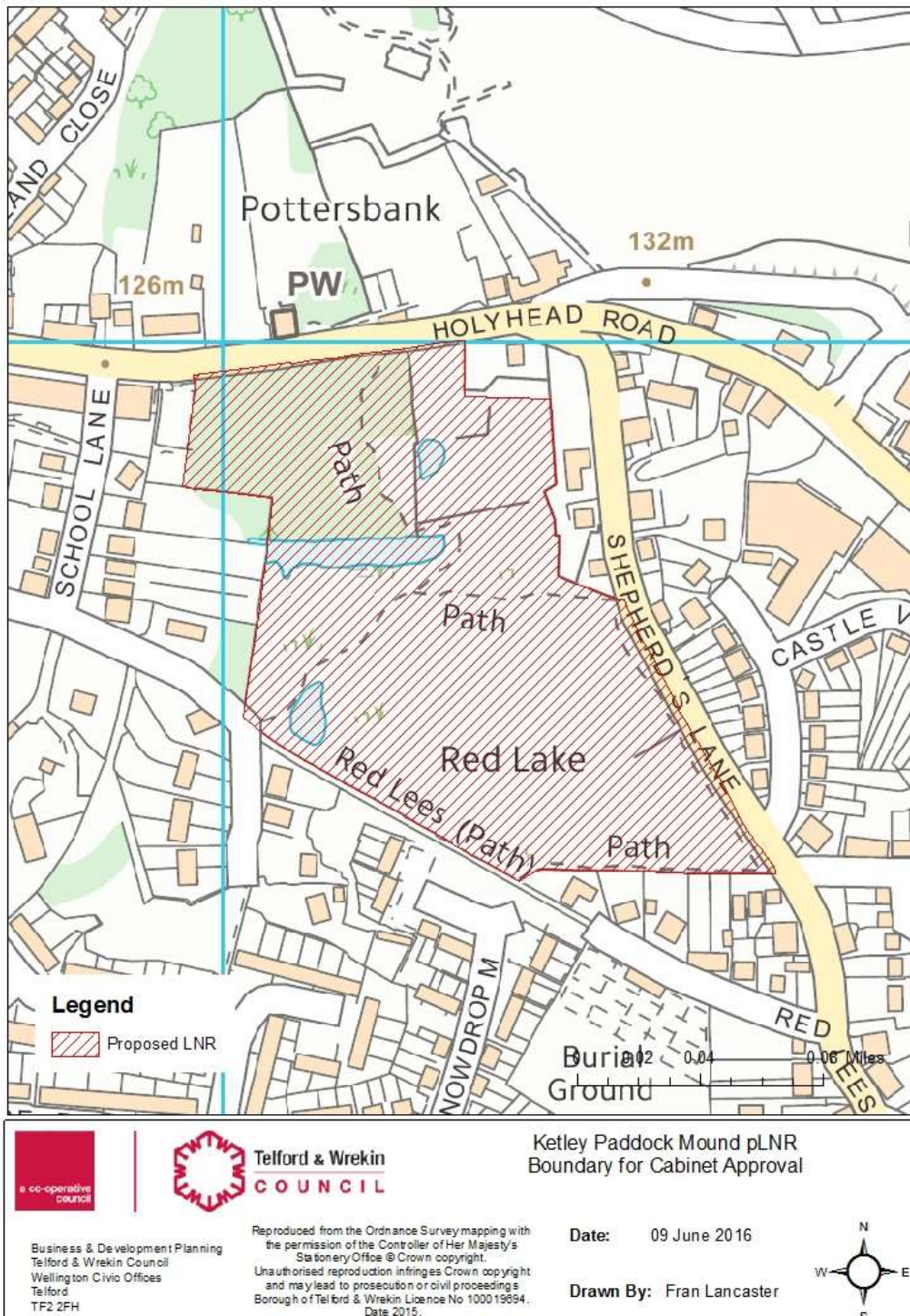
**Report prepared by Fran Lancaster, Planning Ecologist, Telephone:  
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## Appendix 1: Apley Woods Local Nature Reserve proposed boundary

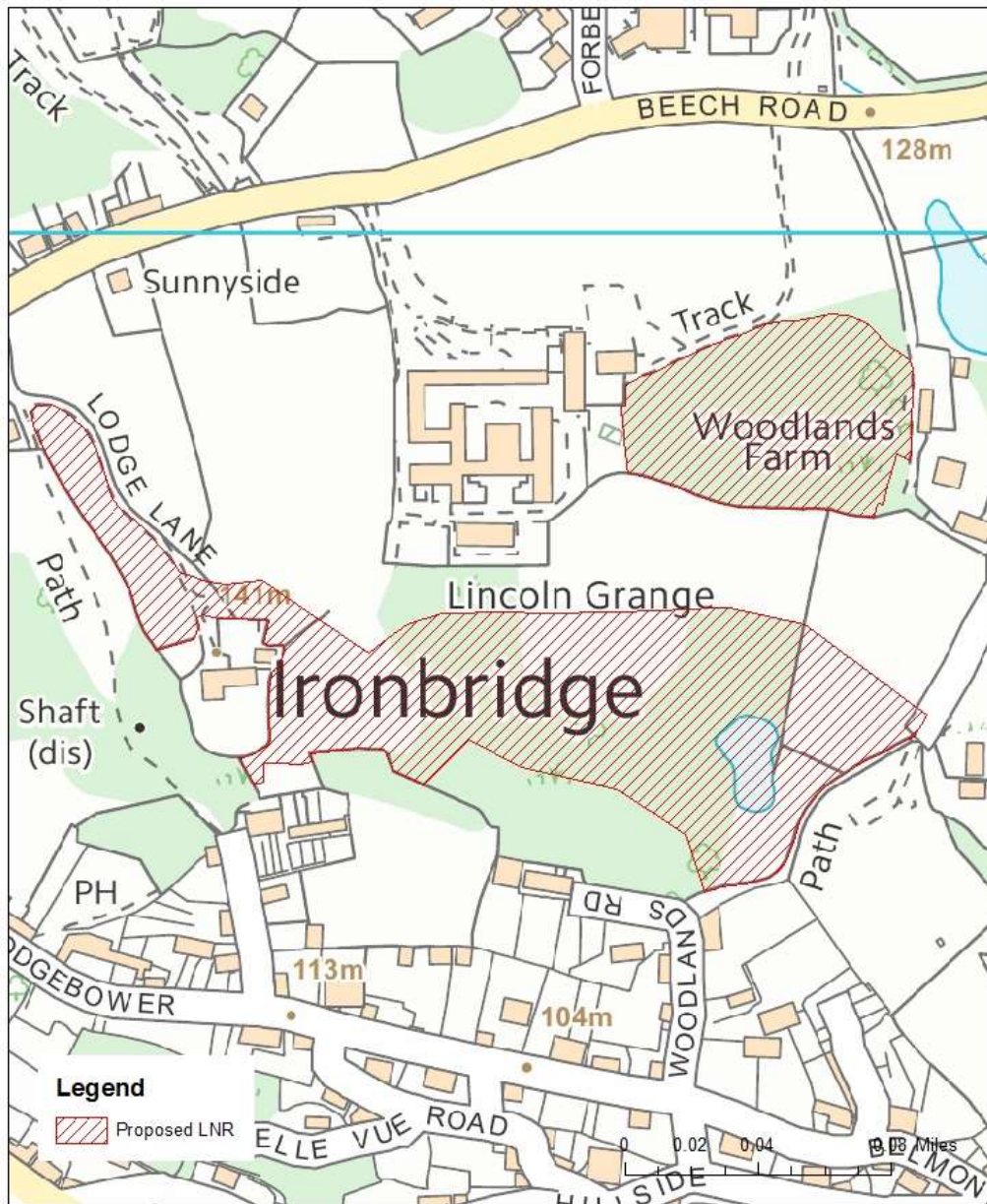


		<b>Apley Woods Proposed Local Nature Reserve</b>	
Business & Development Planning Telford & Wrekin Council Wellington Civic Offices Telford TF2 2FH	Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Borough of Telford & Wrekin Licence No 100019634 Date 2015.	<b>Scale:</b> 1:2,500 @ A3  <b>Date:</b> 12/07/2016  <b>Drawn By:</b> Fran Lancaster	

## Appendix 2: Ketley Paddock Mound Local Nature Reserve proposed boundary



### Appendix 3: The Beeches Local Nature Reserve proposed boundary



		The Beeches pLNR Boundary for Cabinet Approval
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