

# East Herts Council Non-Key Decision Report

**Date:** 8 July 2021

**Report by:** Councillor Eric Buckmaster, Executive Member for Wellbeing

**Report title:** Declaration of Pishiobury Park, Sawbridgeworth as a local nature reserve

**Ward(s) affected:** Sawbridgeworth

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## Summary

- Declaration of Pishiobury Park in Sawbridgeworth as a local nature reserve in recognition of its biological, geological and historical interest.

## RECOMMENDATIONS FOR DECISION:

**(A) To approve the declaration of Pishiobury Park, Sawbridgeworth as a Local Nature Reserve**

### 1.0 Proposal(s)

1.1 To meet the council's commitment to declare another local nature reserve in the district and, more specifically, to meet the council's and local residents' and stakeholders' aspiration that Pishiobury Park be declared a nature reserve.

### 2.0 Background

2.1 While East Herts is one of the largest and greenest districts within Hertfordshire and has the largest number of county designated local wildlife sites, it has limited national statutory recognition in terms of the high quality natural environment of its parks.

- 2.2 There has thus been a longstanding ambition to declare a further local nature reserve in East Herts in addition to the one declared at Waterford Heath some years ago. Local nature reserve status is considered a significant recognition of the quality of open space management for nature and public access and requires that an active and detailed management plan is in place.
- 2.3 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. The term 'local nature reserve' is not referenced in the act, however, this has become the term in common usage for nature reserves managed by local authorities in accordance with the act. In order to self-declare a site, any land must be acquired or held by the authority or be subject to an appropriate agreement and must also be currently managed as though a nature reserve.
- 2.4 Given the outstanding natural environment present at Pishiobury Park, it is clearly an ideal candidate to be declared as the second local nature reserve in the district. Pishiobury Park meets local nature reserve criteria in terms of its biological, geological and historical interest as well as having particularly strong community involvement, with a very active "Friends" group. It is already locally declared as a county wildlife site and has a comprehensive management plan in place.
- 2.5 A draft declaration document has been shared and discussed with Natural England. This has led to the organisation now giving its formal support for the declaration of the park as a local nature reserve – see **Appendix A**. Thus, Natural England has formally confirmed that the requirements for consultation contained in section 21(6) of that act have been met. The area to be covered is given in **Appendix B**.

- 2.6 In order to complete the process, having decided to declare the park as a nature reserve, the council will need to confirm formal declaration of the reserve and this can be achieved by the issuing of a public notice on the council's website – see **Appendix C** for a draft declaration document utilising the template promoted by Natural England. The council, the “Friends” group and local residents and stakeholders may wish to take the opportunity for local publicity to celebrate this declaration.
- 2.7 Once the full declaration process is complete, the council will need to supply to Natural England with the declaration date. Natural England will then include Pishiobury Park on its online based local nature reserve site finder.
- 2.8 It should be noted that no amendments are being made to any local bylaws concerned with Pishiobury Park.

### **3.0 Reason(s)**

- 3.1 It has been an aspiration of the council, Sawbridgeworth Town Council and local residents for some time that the park be declared a local nature reserve. This decision shall constitute that declaration and lead to notification of the declaration locally and to Natural England.
- 3.2 The Hertfordshire Climate Change and Sustainability Partnership, of which East Herts Council is a proactive member, has developed a countywide biodiversity action plan. One of the agreed actions is that each district authority in the county should declare at least one new local nature reserve by 2023/24. Declaration of Pishiobury Park as the second such reserve in East Herts will fulfil this action point

### **4.0 Options**

- 4.1 Not declare Pishiobury Park a local nature reserve – NOT

RECOMMENDED as this would fail to recognise and celebrate the quality of the park's biological, geological and historical interest. Furthermore, the park would not be eligible to be promoted on Natural England's online nature reserve finder.

## **5.0 Risks**

5.1 No material risks have been identified as the designation of Pishiobury Park as a local nature reserve does not of itself render any additional liabilities on the council.

## **6.0 Implications/Consultations**

6.1 The declaration is not expected to incur any substantive costs for the council. There will be no resultant additional grounds maintenance costs. The costs associated with updating local signage and publicising the designation can be met within existing budgets.

### **Community Safety**

No

### **Data Protection**

No

### **Equalities**

No – officers do not anticipate any risk of someone with a protected characteristic being disadvantaged by the declaration of Pishiobury Park as a local nature reserve.

### **Environmental Sustainability**

Yes – this declaration underlines the importance placed by the council on maintaining biodiversity within the district. The designation fulfils one of the actions incumbent on the council within the countywide biodiversity action plan to declare a new local nature reserve.

## **Financial**

No – the declaration is not expected to incur any substantive costs for the council. The costs associated with updating local signage can be met within existing budgets.

## **Health and Safety**

No

## **Human Resources**

No

## **Human Rights**

No

## **Legal**

Yes – the declaration is being made under Section 21 of the National Parks and Access to the Countryside Act 1949. Confirmation of support has been received from Natural England following submission of the council's draft proposal to declare the park as a local nature reserve under the provisions of sections 19 and 21 of the act. Publicity of the declaration will be in line with the requirements of the act.

This decision is being made by the Executive Member for Wellbeing under his delegated authority given in Part 3e, paragraph 1.3 (a) of the council's Constitution *"to exercise the Executive powers and duties of the council for strategic development, policy direction, partnership working, key decisions, programme and performance management, in accordance with the council's procedure rules, for their portfolio areas [in this case, relating to green space]"*.

## **Specific Wards**

Yes – Sawbridgeworth

## **7.0 Background papers, appendices and other relevant material**

7.1 **Appendix A** – confirmation of support from Natural England.

7.2 Map of the area to be designated a local nature reserved.

7.3 Draft declaration

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