

Bath & North East Somerset Council

MEETING:	Cabinet	
MEETING DATE:	13 th June 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2387
TITLE:	Procedure for designation of Local Sites in Bath & North East Somerset	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1: Local Sites Designation Procedure		

1 THE ISSUE

- 1.1 This paper sets out the procedure for assessing and designating Sites of Nature Conservation Interest (SNCIs) and Regionally Important Geological Sites (RIGS), collectively known as "Local Sites" using an objective process and criteria.
- 1.2 This procedure has been recommended as standard good practice for some time, but has never yet been formally adopted by the Council.
- 1.3 Adoption of this criteria-based and objective process for designation of Local Sites within the District will bring the Council in line with the current guidance, increase the robustness and defensibility of the system, raise standards and improve consistency of approach.

2 RECOMMENDATION

The Cabinet agrees that:

- 2.1 The procedure as detailed in **Appendix 1** shall be followed for designation of Local Sites in Bath & North East Somerset.

3 FINANCIAL IMPLICATIONS

There are no additional financial implications to the Council arising from adoption of this procedure. This proposal describes how the existing system of Local Sites can be best implemented, using a clear criteria-based designation procedure. Clarification and adoption of this designation procedure does not commit the Council to additional site designations or amendments nor would additional work be expected as a result. The current level of implementation is as resources allow and according to need. The Council is already a funding partner to the Bristol Regional Environmental Records Centre (BRERC) which (among other services) provides the necessary ecological and geological data and mapping services that underpin the Local Sites System for the former Avon area. Surveys and reviews of Bath and North East Somerset Local Sites are initiated by Bath and North East Somerset Council as and when required, and as and when resources allow. This will not change as a result of this proposal. All other work is already within the remit of the Council Ecologist.

4 CORPORATE OBJECTIVES

- This report describes a system and process that delivers environmental protection and enhancement through the network of Local Sites within the District, and contributes to the key objective for the Council of *Building a Stronger Economy*, directly impacting on the Council's stated outcome of this objective of *Maintaining and enhancing the quality of the environment*.
- There are, additionally, well-known benefits from a high quality natural environment for the health and wellbeing of people. There is therefore a positive contribution towards the Council's other key objectives of *Creating Neighbourhoods where People are Proud to Live* and *Promoting Independence and Positive Lives for Everyone*.

5 THE REPORT

- 5.1 Sites of Nature Conservation Importance (SNCI's) and Regionally Important Geological Sites (RIGS) are collectively termed Local Sites. Where they have additional particular value for public enjoyment, education and research they may be further designated as Local Nature Reserves. In addition to scientific biological or geological importance, local community value may contribute to the designation of a site.
- 5.2 There are currently over 300 Local Sites within the District; this network forms one of many "Local Sites Systems" across the UK.
- 5.3 Local Sites in Bath and North East Somerset are designated through the Local Sites Partnership for the West of England. The Partnership is made up of Local Authority Ecologists from the four Unitary Authorities, together with local representatives from relevant statutory and non-statutory environmental organisations including Natural England and the Environment Agency. Proposed sites are judged objectively against set criteria based on governmental guidance.
- 5.4 The Authority uses best endeavours to consult with owners of land before designating their land as a Local Site.
- 5.5 Human Rights Act 1998: It is considered that the designation and/or modification of Local Sites may impact upon Article 1 of the First Protocol (peaceful enjoyment of possessions) and Article 8 (right to respect for private and family life, home and

correspondence) of the European Convention on Human Rights since the ecological or geological value recognised by designation as a Local Site is capable of restricting the future development of the land in question. However, as outlined above, in all cases the Council will use its best endeavours to liaise with the owner of the land and take their views into account prior to making a decision. This will enable the Council to consider the human rights implications in each individual case.

5.6 In April 2000 the then Department of the Environment, Transport and the Regions (DETR) defined the overall objective of a Local Sites system as follows: *“The series of non-statutory Local Sites seek to ensure, in the public interest, the conservation, maintenance and enhancement of species, habitats, geological and geomorphological features of substantive nature conservation value. Local Site systems should select all areas of substantive value including both the most important and the most distinctive species, habitats, geological and geomorphological features within a national, regional and local context. Sites within the series may also have an important role in contributing to the public enjoyment of nature conservation.”*

5.7 Local Sites Systems:

- Provide a comprehensive rather than representative suite of sites.
- Provide wildlife refuges for most of the UK’s fauna and flora and through their connecting and buffering qualities, they complement other site networks.
- Play a significant role in meeting overall national biodiversity targets.
- Local Sites represent local character and distinctiveness
- Local Sites contribute to the quality of life and the well-being of the community, with many sites providing opportunities for research and education.

5.8 This Designation Procedure brings Bath and North East Somerset in line with the national guidance “Local Sites – Guidance on their Identification, Selection and Management” (Defra 2006) which was published to promote a more robust and consistent approach to the operation of Local Sites Systems across the UK.

5.9 The designation of Local Sites aids their conservation by all by facilitating promotion, by a range of organisations, of best practice methods of management; facilitating and prioritising provision of advice, support and grant aid as and when available; enabling identification and addressing of potential threats and risks to Local Sites such from climate change and changes to hydrology, land use and farming practices; development; waste and pollution; both on site or locally as well as threats from further afield.

5.10 The Local Sites System supports the current government thinking for wildlife and habitats of *“more, bigger, better and joined”* (Natural Choices: securing the value of nature - HM Government, February 2012).

6 RISK MANAGEMENT

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

7.1 This paper describes a process that aims to provide a greater consistency of approach to assessment of areas of land. An Equalities Impact Assessment has been completed. No adverse or significant issues were found.

8 RATIONALE

The rationale is to provide a systematic, robust, defensible approach to the designation and review of Local Sites in the District, and to bring the Council in line with current guidance.

9 OTHER OPTIONS CONSIDERED

9.1 None.

10 CONSULTATION

10.1 Consultation has been carried out with the Cabinet Member for Homes and Planning; relevant Staff; Stakeholders/Partners; Section 151 Finance Officer; Chief Executive; Monitoring Officer.

10.2 Consultation was carried out by email, in addition to discussions and meetings with key stakeholders.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 This report deals with protection and enhancement of the environment through a process of designation of Local Sites within Bath and North East Somerset. The Local Sites System supports relevant policies within the Local Development Framework.

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

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Background papers	None
Please contact the report author if you need to access this report in an alternative format	