



Joint Local Access Forum (JLAF)

for Bath & North East Somerset, Bristol City and South Gloucestershire

JLAF24: Report on Actions of Natural England

Rob Leek of Natural England has kindly reported (below) on actions he agreed on at the JLAF24 Meeting. If you have any further queries, please contact Chris Hogg, Secretary of the JLAF or Rob Leek direct:

Rob Leek
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The actions I noted for myself were as follows:

- Before the meeting proper I spoke to Bernadette Macey a volunteer walk leader for the Bath Walking for Health group. She mentioned that she had never received any walk leader equipment from Natural England which has been available for accredited groups for nearly a year now. I've passed this on to my colleague Kate James who is a WfH Adviser and she is looking into the matter and she said she's been in contact with Bernadette.
- Also before the meeting I mentioned to you and Ray about Local Nature Partnerships and asked whether JLAF knew of or were involved in any being developed. I believe you both said you aren't but below are some links to the details about them as there is funding available and the deadline for the first round is the end of the month. I've heard of at least one LAF currently applying so it might be of interest to JLAF or some of its members:

<http://www.defra.gov.uk/environment/natural/whitepaper/local-nature-partnerships/>

<http://www.archive.defra.gov.uk/environment/natural/documents/newp-lnp-fund-application-110707.pdf>

- Feedback to Natural England that JLAF would like Hilary Winter to be funded for longer than this financial year. I have done this and will continue to do so but at the moment at least it's not looking very likely.
- Peter Gould from the Ramblers proposed that Monarchs Way be put forward to become a National Trail. I'm waiting to hear back from a colleague about this but on the National Trail website FAQ (<http://www.nationaltrail.co.uk/faq.asp?PageId=7>) it says the following:

“Are any more National Trails planned?”

Natural England and the Countryside Council for Wales are concentrating their efforts on completing the Pennine Bridleway and improving the current network of National Trails. Natural England is also creating a route round the entire coastline of England, which will in effect be a new National Trail, therefore there are no resources for creating further National Trails at the moment.”

- Later confirmation: Peter Gould from the Ramblers proposed that Monarchs Way be put forward to become a National Trail. I’m waiting to hear back from a colleague
 - I’ve heard back from my colleague and the statement from the website FAQ on National Trails is correct.
- Forward links to summaries of the Natural Environment White Paper – as follows:
 - citizens (PDF), <http://archive.defra.gov.uk/environment/natural/documents/newp-summary-individuals-110607.pdf>
 - local authorities (PDF), <http://archive.defra.gov.uk/environment/natural/documents/newp-summary-la-110607.pdf>
 - businesses (PDF), <http://archive.defra.gov.uk/environment/natural/documents/newp-summary-business-110607.pdf>
 - environmental organisations (PDF), <http://archive.defra.gov.uk/environment/natural/documents/newp-summary-conserv-orgs-110607.pdf>
 - farmers and landowners (PDF) <http://archive.defra.gov.uk/environment/natural/documents/newp-summary-land-managers-110607.pdf>
 - schools (PDF). <http://archive.defra.gov.uk/environment/natural/documents/newp-factsheet-schools-110607.pdf>
- David Waterstone has a volunteers project and needs £3000 funding. There’s a very small amount of funding available for communities projects so if David could contact me as soon as possible with details of the project, I’ll see if it would be suitable or if not, I might be able to point him to other possible sources of funding. Otherwise, the below may be suitable?:

Design Council launched its “Neighbourhood Projects Small Grants Programme”.

The Programme will award grants of up to £7,000 to not-for-profit organisations. The grants are for improving the design quality of the built environment, by providing support to neighbourhood projects. This of course includes green space projects. The deadline for applications is 1 August.

More here: <http://www.designcouncil.org.uk/our-work/CABE/Localism-and-planning/Grant/>

- At the meeting, Ray mentioned the demise of the English Access Forum which he felt was a shame as it was a good opportunity for LAFs around the country to communicate with each other and also a way to have direct access to ministers. To replace this, Natural England are encouraging LAFs to use Huddle which is an online communication tool, forum and information/document resource which will be used by LAFs nationally, Natural England, DEFRA and also Richard Benyon MP is very keen on its use and will be registered on it and using it himself. This will be of no cost to JLAF and I can organise training for any members who would like to join though if only one JLAF member wants to be the sole JLAF representative on it to

feedback to the rest of the group, that's fine too. Please contact me for further details and to register on it.

- [On the current situation re: Natural England and the Chew Valley Lake route nature conservation assessments. Below is] an email statement from my colleague Alison Howell about it which she sent to Ray – I'll forward it to you now as it's quite detailed and I don't believe NE's position has changed since. If you need any more detail let me know and I'll have a word with Alison next week.

From: Howell, Alison (NE)

Sent: 04 April 2011 10:57

To: Raymond Newbigin (Newbigin@BTinternet.com)

Cc: Martin, John P (NE); chris_hogg@bathnes.gov.uk; Thomas, Richard (NE)

Subject: Chew Valley Lake walking and cycling trail

Dear Ray

Thank you for your email and we have since spoken on the telephone. I have set out the summary which you request below and, needless to say, if you have any further queries then please do not hesitate to contact me.

Natural England were first consulted on Sustrans' proposal for a walking and cycling route around Chew Valley Lake in August 2008. At that stage, Sustrans proposed to develop the route right around the lake. As you are aware, the lake as a biodiversity resource is protected to the highest international standard by its designation as a Special Protection Area for birds under the Birds Directive. The lake qualifies for this European designation because of the population of Shoveler which it supports. Nationally, the lake is designated as a Site of Special Scientific Interest because of the large population of breeding Great Crested Grebes; aggregations of non-breeding Coot, Gadwall, Shoveler, Teal, Great Crested and Little Grebes which it supports, as well as for the species-rich lowland neutral grassland and reed beds around the lake.

The planning application which was received in 2008 did not take account of the fact that the lake is designated and hence protected at this very high level. The application did not include an ecological survey, did not contain an assessment of the likely impacts of the proposed route on the internationally and nationally important features of the lake and did not contain an assessment of the quality or quantity of grassland which was likely to be lost in construction of the proposed route. Notably, the application failed to take account of the fact that, over a period of years, a careful balance has been struck between different users of the lake. This "zoning" of different activities on the lake seeks to achieve a balance so that recreational activities can still take place whilst leaving sufficient undisturbed zones so the important bird populations are not significantly disturbed. *Some* disturbance does undoubtedly occur at present, and sometimes it is probably above levels that Natural England would wish to see. It was made clear to Sustrans that introducing a new route bringing people very close to the edges of the lake in areas where previously access had been restricted, was likely to have a significant impact on the bird populations for which the lake is designated. We recommended that Sustrans undertook assessments of the quality and quantity of grassland which was likely to be lost in constructing the proposed route and that they also assessed the likely impacts of the new route on bird populations. The application was subsequently withdrawn.

Natural England were then consulted on a second planning application in November 2010. This application was for a section of the proposed cycle route only. This was to be on the East side of the lake, leading from the dam, past the visitor centre and down to Ham Lane. I believe that you met with my colleagues, John Martin and Amanda Grundy, to discuss this proposal before the application was submitted. At that meeting, John set out Natural England's concerns regarding the inadequacies associated with the first application and gave advice on the surveys which would need to be undertaken in order to support the planning application. Where a site is protected at the highest level, as Chew Valley lake is, any planning application which affects it must make an assessment of the impacts which the proposed development is likely to have on the protected area. Where impacts are identified then these must be "mitigated" or reduced, and the planning application must put forward ways of doing this so that the impacts of the proposed development are reduced to an acceptable level. I believe that all of this was made clear at that meeting and it has also been made clear to Sustrans.

Sustrans' second application contained an assessment of the impacts of the proposed route on the lake. It proposed measures to lessen the impacts (for example, replacing hedgerows which would be removed, restricting works to a physically delineated corridor so that impacts on grassland were minimised, working on particularly sensitive areas only at certain times of year when bird numbers are low) *however*, the Ecological report which Sustrans submitted in support of its application expressly recognised that constructing the route would involve the destruction of some grassland and that no means of compensating for this loss had been found. Natural England's response letter therefore contained suggestions as to how this loss could be addressed. One of those suggestions was for Sustrans to secure and enhance an area of grassland on the other side of the lake *in compensation for* grassland which would be lost on the East side. As Sustrans were only charged with obtaining planning permission for the scheme and not with actually taking the project forward (which would be done by B&NES), it was important that the means of securing a management plan on this area of grassland was identified before any planning permission could be granted. In other words, Sustrans needed to identify the owner of the area of land in question and investigate the possibility of managing the grassland in the future as a condition of a planning permission.

I had several discussions with Sustrans about this proposed solution and understood that they were happy to investigate this possibility. However, the second application was then withdrawn.

The question of funding is not relevant to the consideration of a planning application. Where a site is designated at the highest level, as Chew Valley lake is, Natural England is concerned with protecting the features which are identified as special and with minimising the impacts of development on those features. However, I should make it clear that at no stage has it been indicated to me that funding for the cycle route around Chew Valley lake was dependent on a planning permission being granted by a certain date. In fact, when I spoke to Sustrans about this question, Patrick Tully (the project manager) indicated that Sustrans have only ever had funding for the planning application and were not involved in funding for the project itself as this would be undertaken by B&NES.

Unfortunately I do not have plans in an electronic form but I hope that I have explained the position clearly and answered your query.

Regards

Alison Howell

Lead Advisor

Sustainable Land Use

(Monday and Tuesday 9-5pm and Wednesdays 9-12.30)

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We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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