

Item No.	Classification: Open	Date: 28 March 2017	Meeting Name Cabinet Member for Environment and the Public Realm
Report title:		Local Nature Reserves: Designation of Russia Dock Woodland & Stave Hill Ecology Park	
Ward(s) or groups affected:		Surrey Docks	
From:		Strategic Director of Environment and Leisure.	

RECOMMENDATION

1. That the Cabinet Member for Environment and the Public Realm approves the statutory designation of two sites: Russia Dock Woodland and Stave Hill Ecology Park as Local Nature Reserves, (LNR).

BACKGROUND INFORMATION

2. Russia Dock Woodland and Stave Hill Ecology Park are currently designated Borough Sites of Importance for Nature Conservation and Metropolitan Open Land.
3. Russia Dock was designated a Queen Elizabeth II Field in 2015. This protects the site from development of the open space.
4. The designation of these sites as Local Nature Reserves was identified in accordance with the Southwark Biodiversity Action Plan (BAP), 2013 – 2019. The BAP Action is SOWES10.
5. Southwark has 5 Local Nature Reserves; Sydenham Hill Wood, Nunhead Cemetery, Lavender Pond, Dulwich Upper Wood and One Tree Hill totalling 39.2 ha.
6. The Parks Department manages Russia Dock Woodland. The Conservation Volunteers (TCV), manage Stave Hill Ecology Park under contract with Southwark Council.
7. Russia Dock Woodland, (RDW) & Stave Hill Ecology Park were created by the London Docklands Development Corporation in the 1980's on the site of Russia Dock and Stave Dock, part of the former Grand Surrey Inner Dock. These docks were filled in during the 1970's.
8. At 11.73 hectares Russia Dock Woodland & Stave Hill Ecology Park are sufficiently large enough to function as viable conservation units. Both Russia Dock Woodland & Stave Hill Ecology Park are currently designated as Borough Sites of Importance for Nature Conservation, (SINC), and as Metropolitan Open Land. They are listed as OS 38 and OS 37 respectively in the Unitary Development Plan.

9. Both sites have an established high natural value and contain a good range of natural habitats. A wide variety of flora and fauna has been recorded here. Including Kingfisher, Reed Warbler, Peregrine Falcon, Sparrow Hawk, Willow Warbler, Hedgehog, Slow Worm and several species of bats. This is one of the closest sites to Central London where people can access the diverse and rich natural environment.
10. The Rotherhithe peninsula is undergoing extensive development with over 4500 new homes being built here. This will mean the sites will provide an excellent opportunity for new residents to connect with nature. This will also result in increased visitor pressures on the sites. Local residents wish to protect the natural value of these sites before much of the development is completed.

KEY ISSUES FOR CONSIDERATION

Benefits

11. There are multiple benefits of designating a LNR. Protection and support of natural habitats and species is a primary benefit. They also allow people to connect with nature and appreciate the contribution it makes to their quality of life.
12. The community benefit from provision of natural environment and the opportunities it brings. Such as a place for children to explore or for people to learn about nature.
13. The friends groups support the designation and see it as an important step in protection and management of these two sites.

Risks

14. The designation of Russia Dock Woodland and Stave Hill Ecology Park as Local Nature Reserves means we are committed to managing these sites primarily for nature conservation. This could be seen as a limitation on activities which could be considered detrimental to nature conservation on these sites.
15. The designation could result in additional resource implications if these sites deteriorate or the managing responsibility changes.
16. The sites require specialist management prescriptions to conserve, enhance and protect biodiversity.

Policy implications

17. The designation of Russia Dock Woodland & Stave Hill Ecology Park meets the Corporate Plan and fairer future objectives under making the borough cleaner and greener.
18. The designation of these sites contributes to the actions commitment in the BAP. The Southwark Biodiversity Partnership identified the designation of these sites as Local Nature Reserves following a review of the first BAP and consultation of future actions. Stakeholders identified designating these sites through consultation.

19. The BAP contains 61 actions and is over 80% complete. The designation of Russia Dock Woodland and Stave Hill Ecological Park as Local Nature Reserves completes Action SOWES10 and meets our target for completion of the BAP.
20. The designation of LNR's gives local authorities a chance to highlight their commitment to nature conservation. This is currently set out in saved Planning Policy 3.28 Biodiversity, in the Southwark Plan:
 - I. *"The Council has a responsibility to protect areas of nature conservation value or ecological importance and protected species.*
 - II. *"..I.t is important that areas of nature conservation value or ecological importance are identified and the flora and fauna associated with these areas is protected as outlined in the councils Biodiversity Action Plan." LBSSP.*

Community Impact Assessment

21. Designating Russia Dock Woodland & Stave Hill Ecology Park as LNR's will have a positive impact on the community. The designation will offer increased value to the community in terms of improving the quality of life through access to nature, and will provide opportunity for education and for recreation.
22. The designation will help promote community cohesion and offer opportunities for the Friends Groups and the community to engage in nature conservation.

Legal implications

23. The statutory definition of "Nature Reserve" is set out in Section 15 of the National Parks and Access to the Countryside Act, 1949. The definition is land managed for a conservation purpose which is defined as being:
 - I. *For the preservation of "flora, fauna or geological or physiographical features of special interest in the area"; and/or*
 - II. *For the provision "under suitable conditions and control, of special opportunities for the study of and research into, matters relating to the fauna and flora of Great Britain and the physical conditions in which they live, and for the study of geological and physiographical features of special interest".*
24. This definition means that a LNR could be declared on a wide range of grounds such as educational value, natural history or social importance to the local community. Any one of these or similar grounds is sufficient in itself to enable LNR designation. It is more important for a site to have an identified local value, than any particularly rare or unusual species.
25. The power to select and designate LNR's constitutes an executive function that can be delegated to an individual executive member for determination. However, there is a statutory requirement under the Act to consult Natural England upon the proposal before the site is formally declared.
26. Natural England was consulted in spring 2016 and supports the proposal to designate Russia Dock Woodland & Stave Hill Ecology Park without reservation.

Planning Implications

27. A LNR does not enjoy immunity from possible future development or planning applications. However, as Russia Dock Woodland and Stave Hill Ecology Park are owned by Southwark Council it is very unlikely that there will be any applications in the foreseeable future for alternative uses. Both sites are designated as Metropolitan Open Land under the Southwark Plan. Should there be any planning applications following the LNR designation Members would have to take into account the LNR designation as a material consideration. It should also be noted that Russia Dock Woodland's dedication as a Queen Elizabeth II Field prevents use of the land for anything other than for sports or recreation for the benefit of the inhabitants of Southwark.
28. The existence of an LNR is a material consideration for planning applications that are made for adjacent sites. Declaration of an LNR also enables Members to call for a full Environmental Impact Assessment (EIA) should a road proposal be within a specified distance from the LNR boundary.

Resource Implications

29. Grant funding is available from Natural England for the management of sites that have been designated as LNR's. Natural England attaches a priority to LNR's and is currently encouraging LNR designations. However, there is no guarantee of funding to Southwark Council following this designation.
30. The Parks Department commits to £61,500 per annum for maintenance and management of Russia Dock Woodland under the grounds maintenance contract.
31. The Ecology Contract for TCV part finances the management of Stave Hill Ecology Park. The total value of this contract is £38,264 per annum until March 2018.
32. The LNR designation does not bind Southwark Council to any revenue or capital commitments.
33. There are no other financial implications arising from this report.

Consultation

34. The designation of these sites as LNR's was identified in the Southwark Biodiversity Action Plan (BAP), 2013 - 2019.
35. Southwark Council undertook consultation with Natural England on the proposed designation in March 2016. A letter of support was received from Natural England, (NE) on 16th August 2016.
36. Consultation has been undertaken by the respective Friends Groups. The proposed designation was unanimously supported at their respective AGM's.
37. The friends of Russia Dock Woodland and the Friends of Stave Hill Ecology Park both support the LNR designation. Southwark Council has received letters from both groups supporting the LNR designation.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

38. Section 21 of the National Parks and Access to the Countryside Act, 1949 enables local authorities to provide or secure the provision of nature reserves on any land in their area which it appears to the council to be expedient to be managed as a nature reserve.
39. Russian Dock Woodland and Stave Hill Ecology Park are both situated within the London Borough of Southwark and indeed are both owned by the council.
40. Section 21 of the National Parks and Access to the Countryside Act 1949 requires a council to consult with the "appropriate conservation body" before declaring an area of land as a nature reserve. The appropriate conservation body in this case is Natural England. Paragraph 26 of this report confirms that Natural England has been consulted and is supportive.
41. The cabinet member may therefore authorise the recommendations of this report.

Strategic Director of Finance and Governance

42. This report is requesting the Environment and Public Realm to approve the statutory designation of two sites: Russian Dock Woodland and Stave Hill Ecology Park as Local Nature Reserves, (LNR). Full details are provided within the main body of the report.
43. The strategic director of finance and governance notes that Officers will be exploring the potential funding available from Natural England for the management of the sites that have been designated as Local Nature Reserves.
44. It is also noted that there is sufficient funding within the departmental revenue budgets to maintain the sites if the potential grant funding is not confirmed and there are no other financial implications arising from this report.
45. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

Director of Planning

46. The sites in question benefit from existing designations on Southwark's planning policies map as Metropolitan Open Land and Sites of Importance for Nature Conservation. While statutory designation as Local Nature Reserves would be an additional material consideration, the sites are already afforded a high level of protection from inappropriate development under adopted planning policy. The identification of land for nature conservation is consistent with the aims of the Southwark Plan 2007, Core Strategy 2011, London Plan 2016 and the emerging New Southwark Plan.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
LNR Proposal to NE 01/04/16	Southwark Council Parks and Leisure Environment & Leisure PO Box 64529 London SE1P 5LX	Jon Best Parks
NE Approved of LNR 16/08/16	Southwark Council Parks and Leisure Environment & Leisure PO Box 64529 London SE1P 5LX	Jon Best Parks
Local Nature Reserves: A Guide to their Selection and Declaration. Natural England 2010.	Southwark Council Parks and Leisure Environment & Leisure PO Box 64529 London SE1P 5LX	Jon Best Parks
Russia Dock Woodland and Stave Hill Ecological Park management plans.	Southwark Council Parks and Leisure Environment & Leisure PO Box 64529 London SE1P 5LX	Jon Best Parks

APPENDICES

No.	Title
Appendix 1	Letters of support from the Friends of Russia Dock Woodland and the Friends of Stave Hill Ecological Park.
Appendix 2	Consultation response from Natural England

Audit Trail

Lead Officer	Rebecca Towers, Head of Parks and Leisure	
Report Author	Jon Best, Ecology Officer	
Version	Final	
Dated	27 March 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Director of Planning	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Support Services	27 March 2017	