

DELEGATION OF POWERS TO CHURCH STRETTON TOWN COUNCIL TO DESINGATE RECTORY WOOD AND FIELD -AS A LOCAL NATURE RESERVE

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1. Summary

- 1.1 Rectory Wood and Field is a 10.1ha public open space that sits between the town of Church Stretton and the Long Mynd. The origins of the site were as a formal designed landscape. It now comprises of ancient woodland, grassland (some of which is species-rich) and watercourses. The location of the site makes it a popular amenity for local people. In April 2015, the site was transferred on a freehold basis to Church Stretton Town Council. The site is managed in partnership with Rectory Wood and Field Interest Group (a community group made up of interested parties). The Town Council would like to designate the area as a Local nature Reserve.
- 1.2 Shropshire Council has the power under the 1949 National Parks and Access to the Countryside Act 1949 to dedicate land as a Local Nature Reserve (LNR). This is an executive function for the purposes of the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and accordingly can be delegated to another local authority by Cabinet. Sections 13 and 19 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. Church Stretton Town Council is also required to formally accept the delegation.
- 1.3 Environmental designation raises the profile with the public and can increase visitor usage and the health and wellbeing benefits this provides. LNR designations also provides some protection for the site's nature conservation and recreation interest. Declaring Rectory Wood and Field as an LNR will:
- improve local quality of life, health and wellbeing.
 - create opportunities for education, enjoyment and recreation, helping attract visitors and preserving links with the local community's past.
 - safeguards local ecosystem services – the benefits nature provides for people – such as reducing carbon in the atmosphere or absorbing surface water.
 - protect and enhance the natural heritage as a key part of building sustainable communities.
 - raise the nature conservation and recreation interest.
 - help to recognise the site's wildlife value
 - give recognition of local community involvement
 - provide protection within the planning system from future development.

- 1.4 The anticipated benefits of a Local Nature Reserve dedication in this location lead to the conclusion that it would be appropriate to formally delegate the Council's power to make a Local Nature Reserve dedication in accordance with section 21 of the National Parks and Access to the Countryside Act in respect of the land known as Rectory Wood and Field, to Church Stretton Town Council.
- 1.5 Church Stretton Town Council will therefore also be responsible for undertaking the necessary formalities to give effect to the dedication.

2. Recommendations

- 2.1 That the Council delegates power to Church Stretton Town Council to enable the designation of Rectory Wood and Field as a Local Nature Reserve.

REPORT

3. Risk Assessment and Opportunities Appraisal

- 3.1 Along with the benefits identified above, LNR designation meets the following Shropshire Council strategic outcomes set out in the following Strategies:
 - Vibrant Shropshire- Cultural Strategy for Shropshire (draft) 2021-31
 - Shropshire's Great Outdoor Strategy 2018-2028
 - Shropshire's Economic Growth Strategy- developing the visitor economy, agricultural support post- Brexit, developing skills, improving Quality of Life and ensuring attractive environments.
 - Shropshire's Local Plan- Better planning of meaningful greenspace and non-motorised access, new destination country parks, protecting environmentally sensitive sites.
 - Shropshire's Health and Wellbeing Strategy- harnessing the power of the outdoors to increase physical activity, address mental health issues and help people stay independent for longer.
 - Local Transport Plan for Shropshire- encouraging walking and cycling.
 - Shropshire Council Corporate Plan- helping deliver across the board: resilient communities, healthy people and prosperous economy.
- 3.2 There are no discernible risks to Shropshire Council of making this delegation.
- 3.3 The designation of Rectory Wood and Field to a Local Nature Reserve will enhance the site status giving greater emphasis on community involvement and giving rise to enhanced opportunities for external funding and support. LNR designation will safeguard the site into the future. It will encourage stronger community benefit and support Rectory Wood and Field Interest Group with their aims and objectives. The process of designating Rectory Wood and Field as an LNR has full Natural England backing.
- 3.5 Other opportunities and impacts:
 - Impact on Looked After Children – No negative impacts identified
 - Impact on Vulnerable Children, Young People and Adults – No negative impacts identified – Enhanced opportunities for experiencing Shropshire's great outdoors contributing to physical and mental well-being.

- Supports family approach, community resilience. - Enhanced community cohesion and opportunities for experiencing Shropshire's great outdoors contributing to physical and mental well-being.
- Human rights – No issues identified.
- Equalities – No issues identified.
- Environmental consequences of the proposal – Enhanced protection of the site and access to additional external funding allowing greater protection of habitat and species in the long-term.

4. Financial Implications

- 4.1 There are no financial implications of the delegation beyond staff time to create this report. Church Stretton Town Council will be responsible for making a formal resolution to accept the delegation from Shropshire Council and a separate resolution to make the dedication. They will then be responsible for undertaking all relevant procedures with Natural England etc to give effect to the dedication.

5. Climate Change Appraisal

- 5.1 Local Nature Reserves are important habitats, offering carbon storage and biodiversity gains helping to mitigate the impact of climate change and aid nature recovery. Analysis of Council owned parks and sites demonstrated that the carbon capture value of Rectory Wood and Field is over £1m.

6. Background

- 6.1 Rectory Wood and Field is part-woodland and part-meadow. The wood comprises mature native broadleaf species, with supplementary mixed planting; the meadow is on a steep bank adjacent to the wood. The site gets its name from being formerly part of the grounds of the Old Rectory. These grounds were laid out in the late 18th century and have associations with Lancelot (Capability) Brown. The well-preserved remains of this landscape comprise woodland walks, a stream and artificial pool, and sites of buildings, which include a pumping house, summerhouse and icehouse.
- 6.2 The site has a south-easterly aspect and its topography and structure is varied forming several different management compartments. Although the site is steep in places there are no exposed rocks. Flat ground is confined to the amenity area of the field and the watercourse in the wood.
- 6.3 Rectory Wood and Field provides important recreational open space. The site has full public access by foot and there is a good network of paths. It forms an important gateway to the Long Mynd for both the local community and tourists providing a variety of short walks and access to hills beyond.

7. Legal requirements and other criteria to consider

- 7.1 Schedule 11 (12) of the Natural Environment and Rural Communities Act 2006, which replaced Section 15 of the National Parks and Access to the Countryside Act 1949 (1949 Act), describes a 'nature reserve' as:
- land managed solely for a conservation purpose, or

- land managed not only for a conservation purpose but also for a recreational purpose, if the management of the land for the recreational purpose does not compromise its management for the conservation purpose.

7.2 Land is managed for a conservation purpose if it is managed for:

- providing, under suitable conditions and control, 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 in the area; or
- preserving flora, fauna, or geological or physiographical features of special interest in the area or for both these purposes.

7.3 Land is managed for a recreational purpose if it is managed for the purpose of providing opportunities for the enjoyment of nature or for open-air recreation.

7.4 The power to dedicate a Local Nature Reserve rests with Shropshire Council as the principal authority under the 1949 Act. However, under that 1949 Act, the local authority must first have or acquire a legal interest in the land in question through ownership, lease or an agreement with the owners and occupiers involved. Shropshire Council does not have a legal interest in Rectory Wood and Field, and therefore cannot dedicate it as a Local Nature Reserve.

7.5 Shropshire Council does have powers under Sections 13 and 19 of the Local Government Act 2000 and the Local Authorities and (Arrangements for the Discharge of Functions) (England) Regulations 2012 to delegate its functions in this regard to a parish, town or community council. The Council's Constitution allows Cabinet to delegate Cabinet functions to another local authority or Cabinet of another local authority. Declaration of a Local Nature Reserve is an executive function and accordingly can be delegated to another local authority by Cabinet.

7.6 The Council receiving the delegation will need to formally resolve to accept the delegation and then make the dedication and undertake the necessary formalities with Natural England.

7.7 Natural England believes LNRs should be of high value locally for environmental education and/or research. People are more likely to be aware of and value the natural environment when they can experience it at first hand in places such as LNRs. LNRs can help safeguard not just rare but also more common, locally valued species, habitat and geodiversity. They can play an important part in Local Biodiversity Action Plans and Local Geodiversity Action Plans.

7.8 Natural England recommends that everyone should have an accessible greenspace of 2 ha within 300m of home; at least one accessible 20 ha site within 2km of home; at least one accessible 100ha site within 5km of home; and at least one 500ha site within 10km of home. LNR's can contribute to these targets and the ANGSt standard of a minimum of 1ha of LNR per 1000 head of population.

7.9 The Natural England LNR Visitor Standards set out what an LNR should offer to provide a quality experience for visitors.

8. Consequences of designation as a Local Nature Reserve

- 8.1 In terms of the management of Rectory Wood and Field, there will be no change. The site will continue to be managed by Church Stretton Town Council as an area of public open space for quiet recreation and for the enhancement and protection of flora and fauna together with cultural and historic access.
- 8.2 Designation will benefit the site in terms of recognition by local residents and visitors, offering encouragement to enable continued positive input by the community.

9. Procedure to declare a local nature reserve

- 9.0 The site needs to be identified *as suitable for an LNR*. Natural England have confirmed suitability following correspondence. The Management Plan has been accepted by Natural England with a review due to take it to 2022. Interested parties must be informed of the intent to proceed to declaration.
- 9.1 A public notice announcing the declaration should be placed in a local paper and copies of the declaration and map made available for the public to inspect free of charge.

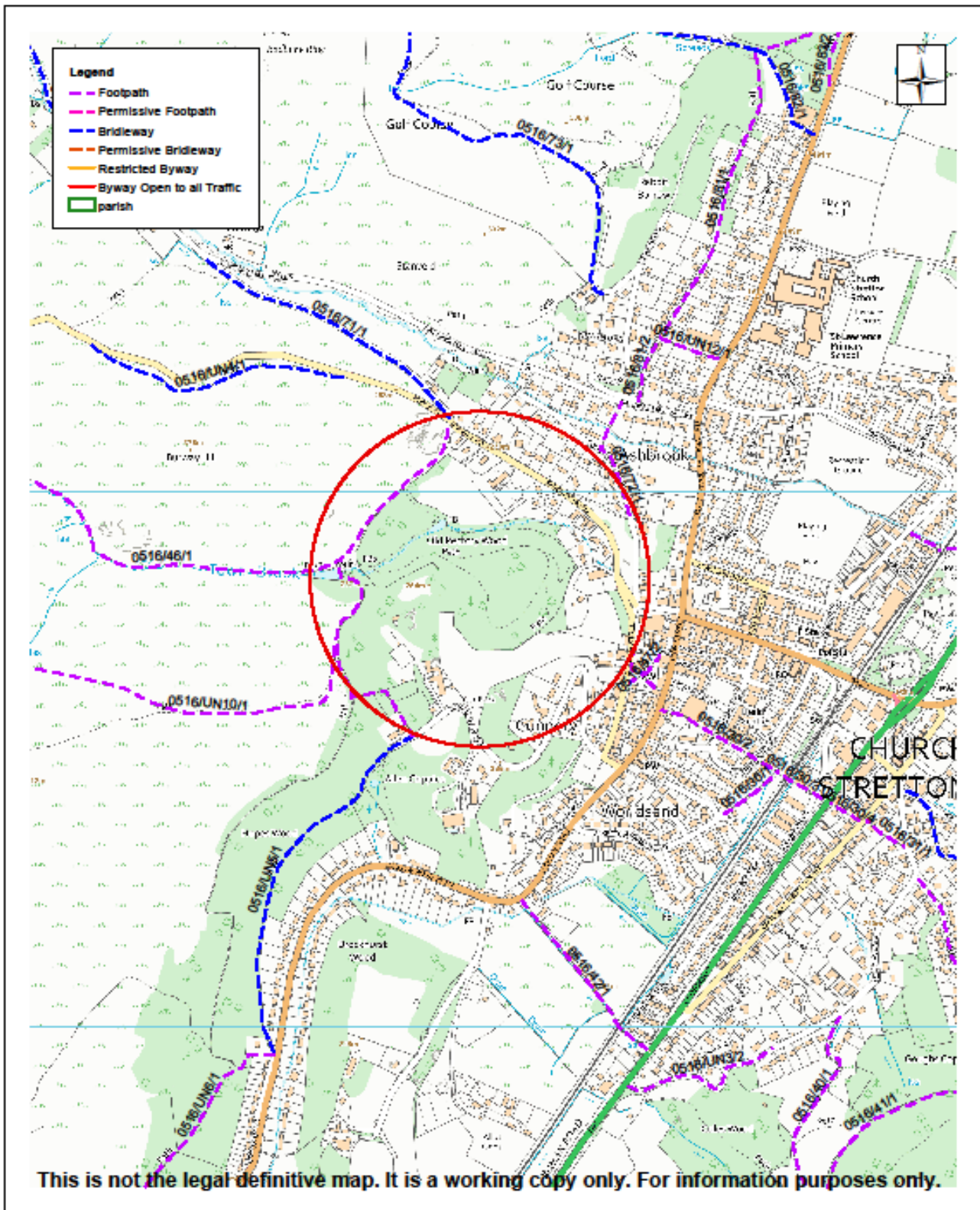
10. Conclusions

- 10.0 It is considered that designation of Rectory Wood and Field as a Local Nature Reserve will enhance the sites status within Shropshire as an area for quiet recreation, nature conservation and heritage interpretation, along with offering Climate Change mitigation. Management of the site in future will follow the management plan which will be reviewed on a 5-year basis and community involvement with the site will be encouraged through a voluntary group known as Rectory Wood and Field Interest Group, in partnership with Church Stretton Town Council. In order for this to take place it is therefore considered appropriate to delegate the power to designate the land as a LNR to Church Stretton Town Council.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information):
Key Decision:
Included within Forward Plan:
Name and Portfolio of Executive Member responsible for this area of responsibility: Cllr Lezley Picton
Local Member: Cllr. Lee Chapman Cllr. David Evans
Appendices: 1. Location Map

2. Site Maps

Appendix 1. Location Map



Shropshire Council
 The Shirehall, Abbey Foregate
 Shrewsbury, Shropshire, SY2 6ND

Rectory Wood and Field Location
 Scale: 1:9,000

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