

Executive

Cherwell Biodiversity Action Plan

11 May 2009

Report of Head of Urban and Rural Services

Purpose of Report

To explain key changes in biodiversity legislation, policy and issues since the publication of the Cherwell Biodiversity Action Plan 2005-2010 (BAP). To consider the production of a revised and updated Cherwell BAP.

This report is public

Recommendations

The Executive is recommended to:

- (1) Note the key changes in biodiversity legislation, policy and issues since the publication of the current Cherwell Biodiversity Action Plan.
- (2) Approve the production of a revised and updated Cherwell Biodiversity Action Plan which works towards a rich and diverse local natural where wildlife is conserved and the benefits of nature are available to everyone.

Executive Summary

Introduction

- 1.1 Biodiversity is the variety of life, including all plants, animals and their habitats. A healthy and stable natural environment is important to economic prosperity and the district's desirability as a place to live, work and visit. The Cherwell District covers almost 59,000 hectares of some of the most beautiful areas of Oxfordshire, with the Cherwell and Ray valleys being of particular interest from a biodiversity point of view.
- 1.2 The current Cherwell BAP covers the period 2005-2010 and identifies a set of actions needed to protect and enhance habitats and species that are particularly important in the district. As Cherwell District Council owns and manages less than 5% of the district, the funding of biodiversity partner organisations that can directly influence management of priority habitats and species has been key to the delivery of the BAP.

- 1.3 A revised and updated BAP for Cherwell is required to continue the focus of attention and resources on important habitats and species. It is also necessary because of new government requirements for local authorities with regard to biodiversity; and rapidly evolving issues such as climate change and the need to plan and build sustainably.

Proposals

- 1.4 The overall vision of a revised and updated BAP would be to work towards a rich and diverse natural environment, where wildlife is conserved and the benefits of nature are available to everyone.
- 1.5 The two main aims of a revised and updated BAP would be:
- To identify the actions needed to protect and enhance habitats and species that are most under threat and of greatest importance to biodiversity in Cherwell;
 - To integrate biodiversity into Council services in accordance with the requirements of the Natural Environment and Rural Communities (NERC) Act 2006 and other relevant legislation and policy.

Conclusion

- 1.6 The importance of protecting and improving Cherwell's natural environment is recognised in the Council's third strategic priority (a cleaner, greener Cherwell), under which there is a target "to achieve a measurable improvement in biodiversity". This is also recognised under several themes of the Cherwell Community Plan and both the Environmental and Rural Strategies.
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2.0 Background Information

2.1 Cherwell Community Plan and Relevant Strategies

2.1.1 The current Community Plan includes the following themes, aims and actions relating to biodiversity:

- Theme 6 – Protect and enhance the local environment
Aim – Conserve and enhance the rural environment
Key Action – Support local projects that protect and enhance the interests of biodiversity and the character of the Cherwell countryside and raise awareness of these important issues
- Theme 8 – Rural perspective
Aim – Preserve the environmental character of Cherwell’s rural areas
Key Action – Develop and promote further nature conservation and biodiversity initiatives especially where public access and/or improved ecological understanding is achieved
- Theme 2 – Improve Health – improve mental health and well being.
Protecting and restoring the natural environment and providing easy access to it has clear benefits for the well being of the whole community.

2.1.2 The Cherwell Environmental Strategy for a Changing Climate, published in 2008, includes actions relating to financial support for key biodiversity partnership organisations; and the integration of biodiversity into all environmental services in accordance with the NERC Act 2006.

2.1.3 The Cherwell Rural Strategy 2009-2014 includes aims under Theme E, Objective 13 (Protect and Enhance Biodiversity and the Natural Environment). These include working with biodiversity partner organisations to deliver the Cherwell BAP; supporting farmers, landowners and local communities to protect and enhance the biodiversity of the Cherwell countryside; and supporting projects that reduce or mitigate the effects of climate change.

2.2 Partner Organisations and Key Achievements 2005 - 2009

2.2.1 The 2005-2010 BAP recognised that CDC resources for biodiversity were likely to remain limited, so delivery was focused through a small number of selected partner organisations, funded to deliver biodiversity action throughout the District. These organisations have been awarded annual grants in accordance with service level/funding agreements for the duration of the current BAP. The partner organisations and some of their key achievements are set out below:

- **Oxfordshire Nature Conservation Forum (ONCF)**
Development and co-ordination of the Conservation Target Area Project. Conservation Target Areas are priority areas for conservation action which have been identified and mapped. Department for Environment, Food and Rural Affairs (DEFRA) Environmental Stewardship Higher Level Scheme and landfill tax grants are used as the funding mechanisms to deliver on the ground conservation work.

Provision of advice, support and training opportunities to local environment groups and Parish Councils.

- **Thames Valley Environmental Records Centre (TVERC)**
Local Authorities are key users of TVERC's data, particularly Planning Departments. Within the current Cherwell BAP, TVERC is charged with providing accessible understandable information to aid the planning constraints checking process and the targeting of conservation work. Regular species, site and habitat data provision to Council staff is made on an on-going and regular basis and training has been provided. TVERC is also playing a significant role in helping the Planning Policy Officers with the provision of biodiversity information for the Local Development Framework (LDF).
- **Berks, Bucks and Oxon Wildlife Trust (BBOWT)**
(which hosts the Local Wildlife Sites Project)
Local Wildlife Sites (LWSs) are the most important areas for wildlife outside of SSSIs. They include ancient woodland, wetlands, chalk and limestone grassland, hay meadows and pastures. There are 72 sites in Cherwell District and 25 proposed extensions or new sites. A large proportion of these sites are in private ownership. Local authorities are now required to report against the proportion of local sites in positive conservation management under National Indicator 197. The LWS project has all the information and expertise which is required to report back in accordance with this indicator. This will also provide the monitoring needed to report against the target to "achieve a measurable improvement in biodiversity" identified in the Corporate Plan.
- **Farming & Wildlife Advisory Group (FWAG)**
During 2007/08, FWAG carried out 13 CDC funded farm visits in the District giving advice on a total of 2,251 hectares of agricultural land. These advisory visits were split 50/50 between Conservation Target Areas and the wider countryside. Advice was given on Entry Level and Higher Level Environmental Stewardship as well as specific advice on BAP habitats and species including species-rich grassland management, farmland birds, breeding waders, hedgerow management, pond design and resource protection.
- **RSPB** (for the Otmoor Reserve and the Lapwing Landscapes Project)
The ongoing restoration work on the Otmoor Reserve is significantly increasing the amount of wet grassland, grazing marsh and reedbed in the District, all of which are priority habitats within the UK Biodiversity Action Plan (BAP). The main aim of this work is to support breeding wading birds and wintering waterfowl including lapwings and redshanks. The visitor route and bird hide on the Reserve are open all year round and provide opportunities for informal recreation and public enjoyment of the wildlife and landscape of Otmoor. Family events and school visits are held on a regular basis and 10 volunteers from the local community are trained each year to undertake habitat and species surveys. Lapwing Landscapes, a wetland restoration, research and monitoring programme, aims to double the breeding wader population of the Upper Thames Tributaries (UTT) area within 10 years.

- Oxfordshire Woodland Project (OWP)**
 OWP's main role is providing management advice to owners and managers of small, vulnerable woodlands and promote conservation, amenity and sustainable production benefits. It also plays an advisory role with regard to community woodlands and encourages the participation of local people in the management of local woodland. Two small copses in the District are now being successfully managed by community groups as a result of advice received from OWP, one of which is now being visited by children as part of the Forest Schools programme. It also continues to advise the community groups that manage Daeda's Wood in Deddington and Bowler's Copse in Wendlebury and has been working recently with Bicester Green Gym.
- Warriner School Farm Trust**
 The Farm employs a full time Education Coordinator who is available to show visiting groups round the farm and visit schools and interested groups. It is involved in helping to support the work of the Council's Young Persons' Recreation Development Officer by providing a farm based course during the summer vacation under the Positive Activities for Young People banner. It is also part of the 'Oxfordshire Kids on Farms' scheme, which contributes to the broader aims of the Cherwell Rural Strategy.. The Farm is managed in a sustainable manner and strives to improve the biodiversity within its boundaries. Much of the land is farmed organically and is also entered into Environmental Stewardship.

2.2.2 Other key biodiversity achievements since 2005 include:

- Appointment of a part time Council Ecology Officer providing expert advice to inform development control and planning policy (three year post funded by Planning Development Grant)
- Work with County Council ecology staff and BBOWT towards the production of a guidance document on standards for biodiversity within the Local Development Framework (LDF).
- Biodiversity and Planning Training Seminar held in October 2007 to update members, planners and landscape staff with regard to the NERC Act and the Conservation Target Area Project. Cherwell Countryside Forum held in February 2008 to provide similar information for Parish Councils and local groups.
- Improving management of Council owned/managed biodiversity sites as a result of a commissioned TVERC report (2008) – Broadfield Road, Yarnton; The Bretch (Giants Cave); Trow Pool near Bucknell; Wildmere Wood, Banbury; Kirtlington Quarry, Enslow Marsh Sedgebed.
- Enhancement of Council facilities – swift and bat boxes installed in the new Spiceball Sports Centre
- Swifts Conservation Project – the Council and the Kirtlington Wildlife and Conservation Society are working together to encourage local recording of swift nesting sites in the Cherwell District so that they are known when planning applications are made. Swifts are a local character species in the current Cherwell BAP.

- Statutory designation of Bure Park in Bicester as a Local Nature Reserve in July 2005 and establishment of a successful Green Gym based on the site.

2.3 **New Requirements and Planning Issues**

Since 2005 there have been a number of key changes in legislation and policy that affect biodiversity practice and these need to be included in a revised and updated Cherwell BAP.

2.3.1 Natural Environment and Rural Communities (NERC) Act 2006

The NERC Act 2006 introduced a biodiversity duty for all public authorities. The duty requires public bodies to maximise opportunities for biodiversity through improvements to current services and to integrate biodiversity into all decision making. DEFRA advises that all local authorities should:

- Ensure that biodiversity and its benefits are integrated into policies, strategies and partnerships arrangements
- Protect and enhance biodiversity in forward planning and development control
- Protect and enhance biodiversity on their estate
- Enable access to biodiversity to help deliver a wide range of services such as community development, health and recreation

In the light of continuing change and threats to biodiversity, Government has published a revised list of priority habitats (2006) and species (2007). The new lists are now adopted under the NERC Act to guide decision makers in implementing the biodiversity duty. These need to be included in a revised and updated Cherwell BAP.

2.3.2 National Performance Indicators for Biodiversity and Climate Change

In 2007, biodiversity was introduced into the performance framework for local government. Performance Indicator 197 measures the proportion of local sites under active conservation management. The Council and other local authorities in Oxfordshire fund BBOWT on an annual basis to run the Local Wildlife Sites Project. It is this Project which offers management advice to Local Wildlife Site owners and, as a result, is able to collate all the information required to report back on the indicator.

Performance Indicator 188 is designed to measure progress in preparedness in assessing and addressing the risks and opportunities of a changing climate. There is an urgent need for plans to help wildlife adapt to changing conditions. These will be included in a revised and updated Cherwell BAP and will form part of the evidence base for reporting back on this indicator.

2.3.3 Planning Issues

There are many planning issues which increase the importance of biodiversity and need to be reflected in a revised and updated Cherwell BAP:

- Provision for biodiversity within the planning process has increased, exemplified by the new requirement to include biodiversity information in all planning applications
- Progress of the LDF: LDF policies need to reflect and seek to deliver local biodiversity priorities and objectives, and set targets to monitor progress
- Continuing proposals for new development make it essential for robust strategies that incorporate biodiversity priorities and objectives
- Fulfilment of other statutory and planning policy guidance requirements on local authorities for biodiversity such as protected species legislation and Planning Policy Statement 9 (Biodiversity and Geological Conservation). This statement emphasises not just the protection of habitats and species of importance but also the enhancement and restoration of sites of biodiversity value, together with new habitat creation.
- Protecting and restoring the natural environment and providing easy access to it has proven benefits for the wellbeing of the whole community and can contribute to the aims of achieving sustainable development.

Key Issues for Consideration/Reasons for Decision and Options

The following options have been identified. The approach in the recommendations is believed to be the best way forward:

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| Option One | Approve the drafting of a revised and updated Cherwell Biodiversity Action Plan based on principles different or additional to those identified above. |
| Option Two | To not have a Biodiversity Action Plan once the current one has expired at the end of March 2010 |

Consultations

Informal consultation has taken place with the Council's partner organisations.

Implications

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| Financial: | There are no financial effects arising directly from this report. Production of a new BAP will be contained within existing revenue budgets. Delivery of actions will require some on going grant aid support to partner organisations. |
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Comments checked by Karen Muir, Service Accountant
01295 221545

Legal: There are no issues arising from this report but there are many new areas of biodiversity legislation that need to be met in the delivery of council services.

Comments checked by Liz Howlett, Head of Legal and Democratic Services 01295 221686.

Risk Management: There are no significant risks to the Council arising from this report.

Comments checked by Rosemary Watts, Risk Management & Insurance Officer, 01295 221566

Wards Affected

All

Corporate Plan Themes

The Cherwell BAP is a significant contributor to the Council's Clean and Green strategic priority but also contributes to varying degrees to the other three priorities.

Executive Portfolio

Councillor Nigel Morris
Portfolio Holder for Urban and Rural Services

Document Information

Appendix No	Title
None	
Background Papers	
Cherwell Biodiversity Action Plan 2005-2010	
Report Author	Chris Rothwell, Head of Urban and Rural Services
Contact Information	01295 221712 chris.rothwell@cherwell-dc.gov.uk