

Council

Declaration of Local Nature Reserve – Adderbury Lakes

1 November 2011

Report of Kevin Lane, Head of Service

PURPOSE OF REPORT

To enable Members to decide whether to delegate authority to the Executive to consider requests from Parish Councils to delegate to them the power to establish Local Nature Reserves

This report is public

Recommendations

Council is recommended:

- (1) To delegate to the Executive Lead Member the authority to consider requests from Parish Councils to delegate to them the power to establish local nature reserves.

Executive Summary

Introduction

- 1.1 Adderbury Parish Council would like to designate land they own at Adderbury Lakes as a Local Nature Reserve (a “LNR”).
- 1.2 A LNR is a protected area of land designated by a local authority because of its local special natural interest and, where possible, educational and community value. Natural England sees LNRs as an important way to achieve its goal of maintaining England’s rich natural heritage, and giving people access to places where they can enjoy that heritage.
- 1.3 Section 21 of the National Parks and Access to the Countryside Act 1949 gives the District Council the power to acquire, declare, and manage nature reserves. The responsibility for selecting, acquiring and making arrangements for management of these reserves lies with local authorities. A local authority can only declare a local nature reserve after consultation with Natural England.

- 1.4 The Parish Council does not have the power to establish a LNR unless such power is delegated to them by the District Council.
- 1.5 The power under section 21 National Parks and Access to the Countryside Act 1949 to establish a LNR can be delegated (with the agreement of both parties) to Adderbury Parish Council pursuant to section 101 Local Government Act 1972.
- 1.6 In addition to considering the request from Adderbury Parish Council, Cherwell District Council may receive future requests from other Parish Councils for the delegation to them of powers to establish LNRs.

Conclusion

- 1.1 It is recommended that authority be delegated to the Executive Lead Member to consider requests from Parish Councils to delegate to them the power to establish local nature reserves.

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

Option One To agree the recommendations as set out

Option Two Not to agree the recommendations

Consultations

None

Implications

Financial: There are no financial implications arising from the report.
Comments checked by Karen Muir, Corporate System Accountant 01295 221559

Legal: The proposals in this report are in accordance with Countryside Act 1949.
Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 221587

Risk Management: There are no risks to the Council arising from the proposals set out in this report.
Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 221587

Wards Affected

All

Document Information

Background Papers	
None	
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