

# Lead Member Report for Leader of Council

## Declaration of Local Nature Reserve – Adderbury Lakes

### Report of Head of Law and Governance

11 November 2011

#### PURPOSE OF REPORT

To consider a request from Adderbury Parish Council to delegate to them the power to establish a Local Nature Reserve.

This report is public
Reason Non-Key Decision below £50,000 and only affects one ward.

#### Recommendations

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The Lead Member is recommended:

- (1) To agree that Adderbury Parish Council be given delegated power to establish a local nature reserve.

#### Executive Summary

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##### 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.

### **Conclusion**

It is recommended that power be delegated to Adderbury Parish Council to establish local nature reserves.

### **Key Issues for Consideration/Reasons for Decision and Options**

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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**

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None

### **Implications**

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**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**

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Adderbury

## Document Information

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<b>Background Papers</b>	
None	
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