



Report to: Cleaner Safer Greener
 Decision Date: 20 March 2023
 Portfolio Holder: Councillor Roger Jackson
 Director Lead: Matthew Finch, Communities & Environment
 Lead Officer: Matt Adey, Development Manager, Environmental Services: Ext 5253

Report Summary	
Type of Report	Open Report
Report Title	Local Nature Reserve Declaration, Gunthorpe
Purpose of Report	To seek authority to: a) enter into a legal agreement to acquire an interest in the Local Nature Reserve site; and b) declare a Local Nature Reserve in Gunthorpe under the Access to the Countryside Act 1949 ('the 1949 act') and provide notice of said declaration
Recommendations	That the Portfolio Holder approves: a) the acquisition of an interest in the proposed nature reserve in accordance with the 1949 Act in order to enable a declaration, by way of an agreement with the landowner Gunthorpe Parish Council; and b) the declaration of a local nature reserve using the Council's powers under the 1949 Act.
Alternative Options Considered	Refusal of a declaration would be in opposition to our community plan aspirations.
Reason for Recommendation	By supporting this declaration, the council is confirming its commitment to improving and protecting our environment and improving accessibility to nature.
Decision Taken	As per the recommendations above.

1.0 Background

In 2022 Gunthorpe Parish Council contacted Newark & Sherwood District Council about the declaration of a new nature reserve in Gunthorpe Parish. Gunthorpe Parish has purchased 11 acres of riverside scrub land, mainly to the west of the Gunthorpe Bridge, including the bridleway under the bridge. This is an area which has been subject to flooding, so it is not suitable for development. The attached management plan details the extent of the area and the steps already taken to improve access and the conservation value of the site.

Officers from the Environmental Services Team met with volunteers and representatives from the Parish council to assess the site and were extremely impressed by the ambition of the team and the work they have already achieved. We fully support their efforts and have been working with Gunthorpe Parish Council and Natural England to help them achieve their aim of declaring the site a Local Nature Reserve. This report represents the culmination of that work.

1.1 Our Greening Agenda

In our Community Plan we made a commitment to Enhance and protect the district's natural environment. This declaration supports this ambition and builds upon our ongoing rewilding and tree planting work.

Since 2019 we have planted over 8100 trees and facilitated the planting of 11,600 trees by residents and community schemes. These figures include the development of a new woodland at the Vicar Dale site at Vicar Water Country Park in Clipstone. This new woodland has been named Platinum Jubilee Woods in honour of last year's historic event.

We have been 're-wilding' many sites across the district both as part of the target hardening work and in isolation, this includes the creation of wild meadow areas and wildflower seeding such as the wildflower bunds on the Newbury Road and Thorpe Oaks estates. New meadows have been created on multiple sites, including Clay Lane and Sconce and Devon Park. In 2023 we will be continuing this work, creating a new meadow area at Vicar Water Country Park and developing plans for the nearby Intake Wood to be developed into a new nature reserve under our direct control.

1.2 Progress So Far

Works have commenced on the site with 800 metres of native hedgerow being planted and significant scrub clearance and access works have been completed. In 2022 one of our officers (Lynn Preece) was seconded to our partners The Sherwood Forest Trust, to implement the Trees for Climate Scheme. She has contacted the team at Gunthorpe, and a support package is being developed which may facilitate the planting of nearly 2 hectares of land with native trees in accordance with the agreed management plan. This will create a new woodland bordering the River Trent which will be of great benefit to wildlife and a recreational area for generations to come.

1.3 Legal Requirements

In order to declare a Local Nature Reserve, the Council is required under the 1949 Act to carry out the following actions:

1. Consult with Natural England, including a management plan, proposed site plan and funding arrangements
2. Acquire a legal interest in the land
3. Make a declaration under s19 of the 1949 Act

Officers have consulted with Natural England who have approved the management plan (produced by Gunthorpe Parish Council) and legal agreement. Natural England have provided a letter confirming the duty to consult has been met.

The proposed site is wholly owned by Gunthorpe Parish Council. The 1949 Act requires the Local Authority acquires a 'legal interest' in the land. This can be done via a legal agreement. Officers have negotiated and agreed an agreement with Gunthorpe Parish Council which satisfies the requirements of the Act and has been approved by Natural England. A summary of the provisions of the agreement are:

1. The Parish Council agree to manage the nature reserve within the meaning of the 1949 Act and in accordance with the management plan.
2. The Council will not be required to give any assistance financial or otherwise in the management of the local nature reserve
3. The Parish Council will set up a management committee who will report to the Council as to the management of the Nature Reserve.
4. The agreement can be terminated with 12 months' notice

The Parish Council have signed the agreement which now requires execution by the Council.

Finally, a declaration is required under the 1949 Act to formally denote the Local Nature Reserve once the above agreement is completed. The Council is required to make a declaration that:

1. the land is subject to an agreement entered into with them or has been acquired and is held by the authority; and
2. the land is being managed as a nature reserve.

Along with the declaration, the Council is to publish a notice of the declaration, and this is best done in the local paper, along with a notice put on site.

2.0 Proposal/Details of Options Considered

It is clear that this declaration greatly supports our community plan objective to enhance and protect the districts natural environment. Through this declaration the council is confirming its commitment to improving and protecting our environment, whilst also improving accessibility to nature.

The council will continue to support the site through advice and signposting to relevant partners and funding sources.

3.0 Implications

In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability, and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Management Plan
- Letter from Natural England
- Draft Legal Agreement