

CITY OF PLYMOUTH

Subject: Extended designation of Efford Marsh Local Nature Reserve

Committee: Cabinet

Date: 13 April 2010

Cabinet Member: Councillor Fry

CMT Member: Director for Development and Regeneration

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Part: I

Executive Summary:

This report proposes an extension to the designation of Efford Marsh Local Nature Reserve by 11 hectares. Efford Marsh is a 25 hectare green space in Efford, overlooking Marsh Mills. The entire area is currently owned and managed by PCC but a significant portion of these areas fall outside the Local Nature Reserve boundary.

The Council has the power to designate sites as Local Nature Reserves (LNR) under the National Parks and Access to the Countryside Act 1949. To declare a site as a LNR the land should have good natural interest and provide an area for the informal enjoyment of nature by the public. The proposed extension at Efford meets both these criteria. PCC Parks Services and Natural England fully endorse the extension.

To complete the process Cabinet must approve the extension of Efford Marsh LNR and instruct the Head of Legal Services to draw up and sign the legal documents that complete the formal designation.

Corporate Plan 2010-13:

The report supports Corporate Plan Improvement Priority 12: 'Delivering Sustainable Growth'. The effective conservation and enhancement of the city's green space is considered to play an important part in ensuring that economic and housing growth is sustainable by providing areas of recreation for the existing and future residents.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

The designation of the land as a Local Nature Reserve will have no additional revenue implications as work will be performed at current levels up to the existing local nature reserve maintenance budget limit. However, the longer term funding of works to local nature reserves, as they grow in volume and size, will need to be considered and will be the subject of a separate report. Plymouth City Council as owner of Efford Marsh has an existing commitment to manage this area's nature conservation interest and public access.

It is now proposed that this situation be reconciled so that formal designation covers all areas currently owned and managed by PCC as green space.

Other Implications: e.g. Section 17 Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.

The formal designation of the land in itself has no implications in terms of Section 17 and Health & Safety.

Recommendations & Reasons for recommended action:

It is recommended that the Cabinet approves the extension of Efford Marsh Local Nature Reserve, and that the Head of Legal Services is instructed to draw up and sign the legal documents that complete the formal designation.

Reason: To extend statutory protection for key areas of green space, and to raise the profile of the Council's work to provide spaces for people and wildlife. It will ensure that a valuable resource is maintained for the community's enjoyment and for the benefit the City's wildlife.

Alternative options considered and reasons for recommended action:

The alternative option of not designating the extension land as part of the Local Nature Reserve has a number of implications:

- It would result in a lower level of legal protection for this green space.
- The opportunity to secure external funding to promote healthy lifestyles and community engagement may be diminished.
- Not designating this site will mean the Council may not achieve Plymouth's Local Development Framework Core Strategy target for designating 100ha of new Local Nature Reserve by 2016.

Background papers:

n/a

Sign off: comment must be sought from those whose area of responsibility may be affected by the decision, as follows (insert initials of Finance and Legal reps, and of Heads of HR, AM, IT and Strat. Proc.):

<i>Fin</i>	<i>SA-DevF91 00073- 19-02- 2010</i>	<i>Leg</i>	<i>JAR/ 10/12 7</i>	<i>HR</i>	<i>N/ A</i>	<i>Corp Prop</i>	<i>N/ A</i>	<i>IT</i>	<i>N/ A</i>	<i>Strat Proc</i>	<i>N/A</i>
<i>Originating SMT Member Paul Barnard, Assistant Director of Development (Planning Services)</i>											

1. BACKGROUND

1.1. Efford Marsh is located in the neighbourhood of Efford looking over Marsh Mills (see attached map). 14 ha of the site was designated as a Local Nature Reserve in 1990 but 11 hectares currently managed and owned by PCC as greenspace were left outside this area for unknown reasons.

1.2. It is now proposed that this situation be reconciled so that formal designation covers all areas currently owned and managed by PCC as green space.

2. LOCAL NATURE RESERVE DESIGNATION

2.1. The Council has the power to designate sites as Local Nature Reserves (LNR) under the National Parks and Access to the Countryside Act 1949. To declare a site as a LNR the land should have good natural interest and provide an area for the informal enjoyment of nature by the public. The proposed extension meets both of these criteria.

2.2. Both PCC Parks Services and Natural England fully endorse the proposed extension as they acknowledge that this proposal reflects the status quo on the ground. The proposed extension areas are all covered by the extant management plan for the entire site.

2.3. To complete the process Cabinet must approve the extension of Efford Marsh Local Nature Reserve. It then instructs the Head of Legal Services to draw up and sign the legal documents that complete the formal designation. The designation will then be advertised to inform the public.

3. IMPLICATION OF THE EXTENDED DESIGNATION

3.1. Extending the designation of the site as an LNR places a statutory duty on the Land Owner (PCC) to maintain the natural interests, and access provision, in the same condition as when the site was designated. It also results in a restriction on the future use of the land as it can only be used as a nature reserve, unless the site is de-designated.

3.2. The extension of the designation of the Reserve will ensure that a valuable resource is maintained for the community's enjoyment and for the benefit of the City's wildlife. It will also help meet the LDF Core Strategy target and Plymouth Green Space strategy target of designating 100ha of LNR by 2016.

4. FINANCIAL IMPLICATIONS

4.1. There are no immediate revenue implications for PCC arising from the act of designation as the Parks team will continue to carry out works based on current activity levels.

4.2. However, in order to achieve all priority 1 and prioritise level 2 activities in the management action plan for all existing and proposed future local nature reserves a separate funding review is necessary. Implications will need to be brought through the formal decision making process in order to put a framework in place for all local nature reserves and to ensure value for money is achieved.

5. EFFORD MARSH PROPOSED EXTENSION TO LNR SITE MAP

