

River Len Local Nature Reserve

Final Decision-Maker	Communities, Housing and Environment Committee
Lead Head of Service	William Cornall, Director of Regeneration and Place
Lead Officer and Report Author	Jennifer Stevens, Head of Environment and Public Realm
Classification	Public
Wards affected	High Street Ward

Executive Summary

Within the heart of Maidstone's town centre lies the River Len Local Nature Reserve (LNR). This valuable site not only provides a green corridor from the countryside and Mote Park in the west to the River Medway, but it is also home to several rare and priority species.

This report outlines the work being undertaken to protect the site and the threats it faces including anti-social behaviour and water pollution.

Purpose of Report

Noting

This report makes the following recommendations to this Committee:

1. To note the work being undertaken in the River Len Local Nature Reserve.

Timetable

Meeting	Date
Communities, Housing and Environment Committee	01/03/2022

River Len Local Nature Reserve

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>The protection and maintenance of the River Len Local Nature Reserve supports the Council's objective for a safe, clean and green environment.</p>	Head of Environment and Public Realm
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report seeks to highlight the role the River Len LNR plays in enhancing and protecting biodiversity. The LNR provides a range of habitats for several priority species.</p>	Head of Environment and Public Realm
Risk Management	<p>The report identifies several risks to the site including water pollution and anti-social behaviour. The purpose of this report is to highlight to the Communities, Housing and Environment Committee the importance this LNR has in wildlife and habitat protection in an inner-urban area and what measures can be taken to further protect it for the future.</p>	Head of Environment and Public Realm
Financial	<p>The report is for noting only. The cost of ongoing maintenance of the site is already</p>	Head of Environment

	included in the Parks and Open Spaces revenue budget.	and Public Realm
Staffing	The report is for noting only.	Head of Environment and Public Realm
Legal	The report is for noting only.	Interim Team Leader (Contentious and Corporate Governance)
Privacy and Data Protection	No implications as the report is for noting only.	Policy and Information Team
Equalities	No implications as the report is for noting only.	Equalities and Communities Officer
Public Health	The report is for noting only.	Public Health Officer
Crime and Disorder	The report is for noting only.	Head of Service or Manager
Procurement	No implications as the report is for noting only.	Head of Environment and Public Realm
Biodiversity and Climate Change	The River Len LNR supports biodiversity and habitat protection in the urban environment. The habitat management plan for the site seeks to further enhance biodiversity and protect habitats for several priority species and a number of invertebrates and is fully aligned with MBC's Biodiversity and Climate Change Action Plan	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 The River Len Local Nature Reserve (LNR) is a 2.54 hectare inner-urban site owned by Maidstone Borough Council and managed for the benefit of nature conservation, flood water storage and local residents. Natural England formally agreed that the Council could declare the site as a reserve in 2014/15 and has since be managed by volunteers along with support from the Council's Parks and Open Spaces Team.
- 2.2 The map below shows the definitive boundary of the River Len LNR, which extends from Wat Tyler Way in the West, to the edge of Turkey Mill and Mote Park in the East.



- 2.3 In addition to the site's own intrinsic landscape and amenity value, it also provides a significant wildlife habitat on a County-side scale and a vital green corridor link between the Town Centre and Mote Park.
- 2.4 The nature reserve comprises of open water habitats, woodland, species rich damp grassland with spring-line seepages, scrub and diverse wetland habitats including the sedge and reed-mace lined river channel and crack willow or alder carr. The reed bed and damp grassland at the South-west extent of the site is of considerable invertebrate interest.
- 2.5 The site is widely recognised for its abundance in rare wildlife. Two legally protected UK and Kent priority species have been recorded here; Desmoulin's whorl snail [*Vertigo moulinsiana*] and the water vole [*Arvicola amphibius (terrestris)*]. Other key invertebrate species identified here include the crane fly [*Tipula maxima*], white-legged damselfly [*Platycnemis pennipes*], large red damselfly [*Pyrrhosoma nymphula*], banded demoiselle [*Calopteryx splendens*], short-winged conehead cricket [*Conocephalus dorsalis*] and the soldier beetle [*Silis ruficollis*].
- 2.6 On average, the Council spends around £5,950 per annum on maintenance in the nature reserve. This includes grass cutting alongside the pathway, hedge pruning, waste removal, maintenance and inspections of water safety equipment, needle sweeps and arboriculture work.
- 2.7 There is a Habitat Management Plan for the site prepared by the management committee which outlines actions for 6 specific areas of the

nature reserve. This has been included in Appendix 1. This is due for updating.

Current Challenges

- 2.8 The location of this valuable site within the Town Centre also offers several challenges to its protection. The secluded nature of the site unfortunately attracts anti-social behaviour, particularly gatherings of individuals taking drugs or drinking alcohol and there have been small encampments in the past. This has resulted in littering and drug paraphernalia affecting the site and impacting key habitats, wildlife as well as visitors to the site. There have also been reports of illegal night-fishing in the river which can impact on the natural flora and fauna of the nature reserve.
- 2.9 These matters have been referred to the Community Protection Team and a meeting was held last year with the Police to discuss the concerns raised. There have also been requests for additional Police foot patrols to improve visibility of the area and make any necessary interventions.
- 2.10 There have also been incidences of the site and particularly the river being subject to sewage leaks which have reportedly affected wildlife and aquatic vegetation. These incidences were reported to the Environment Agency to investigate. They have advised that whilst all incidents are assessed, they are reducing the number of low-level risk environmental incidents that they act upon.
- 2.11 In respect of the pollution incidents reported to the Environment Agency on 25 July 2021 and 2 November 2021, both were assessed as having a low overall risk to the environment, in line with previous reports. On both occasions, Environment Agency officers passed on the reports to Southern Water Services Ltd (SWS), who owns and is responsible for maintaining and managing the foul sewer network, to advise them of the incidents and to request appropriate action in response, including a clean-up of any sewage debris. They are unable to confirm whether any action was taken by SWS.
- 2.12 Typically, discharges from the foul sewer network are caused by hydraulic overload after periods of heavy rainfall, when highly dilute sewage may overflow from manholes; and/or by blockages caused by items inappropriately flushed into the sewers (e.g. sanitary products, wet wipes, fats, and oils), or tree root incursion. The Environment Agency are aware that this sewer line has a history of incidents caused by hydraulic overload and the environmental impact, whilst unsightly, is considered generally low, with little or no ammonia detected in the watercourse. As part of ongoing investigations SWS will be undertaking a CCTV survey to establish whether there are issues restricting flows which may be exacerbating the overflows.
- 2.13 The Environment Agency are encouraging any further incidents to be reported as it will ensure they are aware of any emerging or escalating environmental threats. They use this information to prioritise work, monitor the environmental impact of incidents and support their regulatory activity. The information helps to identify trends and make planned interventions where required, particularly at permitted facilities.

Local Plan Review

- 2.14 The Local Plan Review, through its Spatial Objectives, places an emphasis on the need for the protection and enhancement of biodiversity and the protection and promotion of rivers and other watercourses. Specifically, Spatial Objective 4 states that having dependable wastewater infrastructure for the removal of sewerage and wastewater is key to achieving the Councils vision.
- 2.15 A range of policies in the plan review seek to address the need for new development to protect the borough's water resources. Policy SP14(a) Natural Environment requires that new development should control pollution to protect ground and surface waters where necessary and mitigate against the deterioration of water bodies and adverse impacts on Groundwater Source Protection Zones. Additionally, the policy requires the incorporation of measures to improve the ecological status of water bodies as appropriate. Relating to specific types of development that may give rise to water runoff pollution, policies CD5 and CD7 seek to control runoff from agricultural and equestrian development so as to protect watercourses. These policies have been subject to consultation with Southern Water and other interested parties throughout the development of the Local Plan Review.
- 2.16 Particular regard is given to the European sites which are considered through the HRA, including the Medway Estuary and Stodmarsh, as Natural England has placed a stricter test on plans and development which affect those. This stricter test requires the council to deliver development that is nutrient neutral and enables the council to seek greater mitigation for any effects of development on those sites.
- 2.17 In determining the need for additional wastewater infrastructure arising from the plan review, MBC has liaised extensively with Southern Water to establish suitable growth locations and to identify areas where additional capacity will need to be delivered by Southern Water. The Spatial Planning team has engaged with Southern Water throughout development of Southern Waters Drainage and Waste Management Plan (DWMP). This DWMP will identify areas within the Southern Water operating area where improvements to drainage and environmental water quality should be focussed.

3. AVAILABLE OPTIONS

- 3.1 There are no matters for decision in this report. The Committee is asked to note the contents but may choose to take further action depending on the matters reported here.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The Committee is requested to note the content of the report as no further actions are required.

5. RISK

- 5.1 This report is presented for information only and has no direct risk management implications.
- 5.2 However, it is recognised within the report that there are risks to the nature reserve, however the Parks Team continue to work with the Management Committee and other key agencies to identify improvements and capital investment in the nature reserve to help protect it.
- 5.3 Antisocial behaviour in the LNR will continue to be reported to the Community Safety Unit to monitor and act where possible.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The concerns about the River Len Local Nature Reserve have been previously discussed at Committee as part of wider discussions on biodiversity and the protection of our green spaces. Specific work has been identified in the Park's Delivery Plan for Biodiversity for this site which was agreed at the November meeting of the Communities, Housing and Environment Committee.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The Parks Manager will continue to engage with the Management Committee to identify further opportunities to protect the site whilst enabling local residents to benefit from its location in the heart of the town centre.
- 7.2 Any further incidences of water pollution will be reported to the Environment Agency for investigation.

8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

None