

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE

Decision Made: 18 April 2023

Declaration of Local Nature Reserves

Issue for Decision

An update had been provided to the progress to declare Local Nature Reserves within the Borough. Five have now progressed, with three ready to be declared and the other two to follow once Natural England's assent has been received. Approval is sought to approval to make the official declaration for all five sites.

Decision Made

RESOLVED: That

1. The three sites, Allington Millenium Green, Fant Wildlife Site and the combined site of Weaving Heath, Five Acre and Wents Wood, be officially declared as Local Nature Reserves; and
2. The two sites, Hayle Park and Spot Lane, be officially declared as Local Nature Reserves following assent from Natural England.

Reasons for Decision

Local Nature Reserves (LNR) are a statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949 by principal local authorities. They are places with wildlife or geological features that are of special 388 interest locally and are a natural resource which makes an important contribution to England's biodiversity.

There are currently three formally adopted LNRs in the Borough: Vinters Valley Park (declared 1 April 1993) Boxley Warren (declared 27 April 2005) and River Len (declared 29 October 2014).

In 2018, the Heritage, Culture and Leisure Committee resolved that a detailed evaluation and feasibility assessment of LNRs be carried out. The outcome of this was presented to the Communities, Housing and Environment in December 2019 and it was agreed to progress a programme of new LNRs. Progress against this was reported to the Committee in April 2021, confirming that the following six sites would be declared:

- Fant Wildlife Area
- Allington Millennium Green
- Weaving Heath
- Five Acre and Wents Wood
- Hayle Park
- Spot Lane

As set out in the original feasibility study, there is a comprehensive list of requirements for establishing and declaring a LNR:

1. A legal agreement with the landowner to be secured if not a Council owned site
2. Management plan to be reviewed or drafted and approved by the Council.
3. Council to authorise declaration to make a LNR.
4. Draft documents submitted to Natural England with consultation
5. Representations considered and Council to make final declaration of LNR
6. Declaration to be sent to Natural England. LNR announced in local paper and copy of documents to be made available for public inspection and site added to website.
7. LNR officially opened.
8. For third party owned sites with existing community groups in place, Management Committee to be set up and maintained. For Council sites with no existing Friends group, engagement with the community will be needed, potentially through the formation of a Friends group, plus a Management Committee.
9. If required, byelaws to be drafted and formally approved by the Secretary of State. Council officers will be responsible for enforcement.

Since 2021, significant work has been undertaken to progress the six sites including site surveys, the preparation of management plans, development of community support, definition of land boundaries and the preparation of legal paperwork, including draft declarations and public notices.

Two of the proposed LNRs discussed in 2021 , Weaving Heath and Five Acre and Wents Wood, have also now been combined as one nature reserve.

The draft management plans for three LNRs (Fant, Allington Millenium Green and the combined site of Weaving Heath, Five Acre and Wents Wood) have been submitted to the Government's Advisors on Nature, Natural England. Letters of Assent were received in February 2023 from Natural England enabling the Council to make the formal declarations and publish notices.

Hayle Park and Spot Lane are more complex sites requiring additional work and their management plans are now being finalised to be sent to Natural England for assent.

Alternatives considered and why rejected

Option 1: That the five proposed LNRs are declared upon receipt of Natural England's assent, public notices are issued and they are officially opened.

Option 2: No further action is taken and the declarations are not made.

Option 3: The three sites that have received Natural England's assent (Fant, Allington Millenium Green and Weaving Heath, Five Acre and Wents Wood) are declared as LNRs, but the other two sites are not progressed.

The three sites that have already been given Natural England's assent should be

declared immediately and then the other sites are declared following receipt of Natural England's assent.

Given the previous committee support, the approval from Natural England and the benefit this will create for the identified open spaces, and it is not recommended that this work is now abandoned and therefore options 2 and 3 should not be considered.

Background Papers

Communities, Housing and Environment Report – Local Nature Reserves Feasibility Study – 16 December 2019

Communities, Housing and Environment Report – Declaration of Local Nature Reserves – 6 April 2021

I have read and approved the above decision for the reasons (including possible alternative options rejected) as set out above.



Signed: _____
Lead Member for Planning and Infrastructure

Full details of both the report for the decision taken above and any consideration by the relevant Policy Advisory Committee can be found at the following area of the [website](#)

Call-In: Should you be concerned about this decision and wish to call it in, please submit a call-in form signed by any three Members to the Proper Officer by: **5pm on Tuesday 25 April 2023**