

PROPOSED DECLARATION OF BATHPOOL PARK AS A LOCAL NATURE RESERVE

Submitted by: Head of Operations, Roger Tait

Portfolio: Environment & Recycling

Ward(s) affected: Ravenscliffe, Talke and Butt Lane

Purpose of the Report

To seek to secure the long-term future of Bathpool Park for nature conservation and an informal community education and recreation resource.

Recommendation

That Bathpool Park be formally declared as a Local Nature Reserve under the provisions of the National Parks and Access to the Countryside Act 1949.

Reasons

- To increase people's awareness and enjoyment of the natural environment.
- To protect wildlife habitats and natural features.
- To demonstrate the Council's commitment to nature conservation.
- To contribute to meeting the Council's performance targets.

1. Background

- 1.1 Bathpool Park is a large area (62.8 ha) and lies to the north of Newcastle and The Potteries, stretching south to north for 2km along the valley between Peacock Hay and Acres Nook. South via the canal corridor it is linked with Bradwell Woods and at the northern end with other nearby ancient woodland and SBI designated areas. The Newcastle Way runs through the park, providing a pedestrian link between the Birchenwood and Apedale country parks.
- 1.2 Bathpool is easily accessible on foot from nearby suburbs (Acres Nook, Clough Hall and Talke Pits), with a ½ mile walk to the nearest bus route along First Avenue, Kidsgrove. There are two car parks and wheelchair access through the length of the park. There is a network of informal paths through the woods, also a bridle route, with orienteering, BMX and other recreational activities permitted.
- 1.3 There are a large number of regular users including daily walkers, joggers, and young families using the playground. Several recreation and amenity groups are based in the park. There are two secondary and seven primary schools within a couple of miles radius.
- 1.4 Bathpool Park and related woodland and open spaces provides an essential green lung for the local population.

2. Issues

- 2.1 The Council currently works with Newcastle Countryside Project to manage and promote the site.
- 2.2 Newcastle Countryside Project have prepared a management plan for the site, which aims to:

- Maintain a mosaic of habitats to enhance and maintain its biodiversity.
- Maintain habitat in a favourable condition for BAP species.
- Maintain the biodiversity of non-BAP species.
- Maintain and improve footpath access for recreation.
- Maintain and improve the quality of the landscape.
- Develop awareness of understanding the site, its history, and natural history.
- Support the participation of the local community.

A copy of the management plan will be on display at your meeting.

- 2.3 Your officers have been liaising with Natural England regarding the eligibility of Bathpool Park for declaration as a Local Nature Reserve and, have agreed a management plan for the park.
- 2.4 Natural England formally support the declaration of the site as a Local Nature Reserve, stating that it meets the following criteria:
- The requirements for consultation contained in Section 21(6) of the National Parks and Access to the Countryside Act 1949 (as amended).
 - Accords with the LNR selection criteria.
- 2.5 Your officers are of the view that it would be appropriate to declare the site as a Local Nature Reserve as it would demonstrate the Council's commitment to nature conservation, increase public awareness of the natural environment, and secure the long-term future of its wildlife habitats and natural features. The proposal is in line with the Urban North Staffs Green Space Strategy Action Plan, to declare Bathpool Park as a Local Nature Reserve.
- 2.6 Under section 21 National Parks and Access to the Countryside Act 1949, the council has the power to provide or secure the provision of nature reserves on any land in their area as to which it appears to the council expedient that it should be managed as a nature reserve.
- 2.7 In order to progress the declaration it is necessary under the provisions of Section 21 of the National Parks and Access to the Countryside Act 1949, to place a public notice in the local press and to place notices at the entrances to the site to make the public aware of the declaration.

3. **Options Considered**

3.1 Do not declare the site as a Local Nature Reserve:–

- Long-term future of site for nature conservation and public enjoyment of nature not secured.
- No contribution to Local Area Agreements and Corporate Targets.
- No raising of public awareness of nature conservation.

3.2 Declare the site as a Local nature Reserve:-

- Long-term future of site of nature conservation and public enjoyment of nature secured.
- Contribution to meeting Corporate Targets.
- Public awareness of nature conservation issues raised.
- Demonstration of Council's commitment to nature conservation issues.

4. **Proposal**

- 4.1 Purpose of proposal: It is proposed to formally declare Bathpool Park as a Local Nature Reserve under the provisions of Section 21 of the National Parks and Access to the Countryside Act 1949.
- 4.2 Outputs and outcomes: Fulfils the proposal set out in the Green Space Strategy and items set out in 3.2 above.
- 4.3 Time scale: It is proposed to complete declaration by November/December 2012. This will be undertaken by the Landscape Development team.

5. **Reasons for Preferred Solution**

- 5.1 To increase people's awareness and enjoyment of the natural environment.
- 5.2 To protect wildlife habitats and natural features.
- 5.3 To demonstrate the Council's commitment to nature conservation.
- 5.4 To contribute to meeting Local Area Agreement and Corporate Performance Targets.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 6.1 The proposal is inline with the following Corporate Objectives:
- creating a cleaner, safer and sustainable Borough
 - creating a Borough of opportunity
 - creating a healthy and active community
- 6.2 Designating Bathpool Park as an LNR will help to address the commitment to provide good quality open space as described in the SCS. "Good quality open space is an important resource for local people and improving access to it can have a positive impact on people's health and well-being. The focus on providing well-maintained, clean, and safe open spaces will continue to ensure increased recreational use of these areas which offer opportunities for play, exercise and social interaction.
- 6.3 The designation of Bathpool Park as an LNR will help towards the above and the generation of a sense of community pride as set out in Sustainable Community Strategy PL01, PL02, and PL03. The designation of Bathpool Park as an LNR will ensure that the natural landscape of the borough plays an essential part in making Newcastle-under-Lyme an attractive place to live and do business.
- 6.4 Bathpool Park fulfils the commitment set out in the Sustainable Community Strategy: "Families will be supported to live healthier lifestyles and be given more opportunity to take part in leisure and cultural activities, particularly children and young people, in order to improve their long term health". Through the parks outdoor gym and the extensive footpath network provision.

7. **Legal and Statutory Implications**

- 7.1 The Council is under no duty to declare the site as a Local Nature Reserve, but in doing so will confer upon the site some statutory control in land use planning terms and make it possible to apply by-laws to help manage and protect the site if necessary

7.2 The park is being designated under the provisions of section 21 of the National Parks and Access to the Countryside Act 1949.

8. **Equality Impact Assessment**

8.1 There are no adverse impacts towards equality relating to this proposal. Due to the open nature of the park, there is equal opportunity for all people to take advantage of the park and the proposal allows for improving access and interpretation to the park.

9. **Financial and Resource Implications**

9.1 There will be a small cost incurred in placing the required public notice in the local press, which can be met from existing approved revenue budgets.

9.2 The change to the existing management regime of the park to fit inline with the agreed LNR management plan can be accommodated within the existing revenue budgets.

9.3 The estimated cost of the capital elements of the proposal are £86,300 and works to implement the capital elements of the project will be undertaken when resources / funding is available, subject to further approvals.

9.4 There are no ICT implications related to this report.

10. **Major Risks**

10.1 A risk assessment is attached to this report.

11. **Sustainability and Climate Change Implications**

11.1 Newcastle under Lyme Borough Council already recognises that the global services provided by biodiversity are the life-support system for human beings and has signed the West Midlands Biodiversity Partnership's Biodiversity Pledge. One of the most effective, and cheapest, ways to both mitigate against climate change, and adapt to it, is to have a healthy green environment. Planning for Green Infrastructure gives a permeable network of nature reserves, parks, local wildlife sites, gardens, allotments, and green spaces, linked by wildlife corridors, rivers, and canals, with street trees, and buildings, which incorporate green roofs and walls. Species can move as climate changes and they need to find different habitats.

11.2 Green Infrastructure mitigates against extremes of temperature, offering shade in summer and a windbreak in winter, lessening energy use for air conditioning or heating in nearby buildings. Trees absorb particulates on their leaves, and produce cleaner air. Grass will provide a lower temperature than hard surfacing, and will provide drainage and water storage, mitigating flooding risk.

12. **Key Decision Information**

12.1 This report is a key decision as defined in the Council's constitution and is included in the forward plan for the period in which it is due to be reported.

13. **Earlier Cabinet/Committee Resolutions**

There are no previous reports associated with this matter.

14. **List of Appendices**

Risk Assessment.

15. **Background Papers**

There are no background papers associated with this report.