

REPORT FROM: CORPORATE DIRECTOR

TO: POLICY AND RESOURCES COMMITTEE

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PROPOSED DESIGNATION OF GIB HILL AS A LOCAL NATURE RESERVE

PURPOSE OF REPORT:

To consider the request from the Gib Hill Working Group to seek designation of the site as a Local Nature Reserve.

RECOMMENDATIONS

- (1) That approval in principle be given to the declaration of the land as a Local Nature Reserve.
- (2) That officers work with the Working Group to develop the draft declaration document and management plan and submit it to Natural England.
- (3) That approval be given to the Working Group taking on the role of management of the Local Nature Reserve.
- (4) That a further report be submitted to this Committee for the approval of the final declaration.
- (5) That the Environmental Services Officer be authorised to submit the necessary planning application.

REASON FOR RECOMMENDATIONS

- (1) To implement the policy of the Council.

1. At the meeting on 17th March this year the Committee received a report outlining the various options for the enhancement of Gib Hill ecologically and for the public good. It appointed a Working Group to develop a preferred option and the approach to discussions with interested organisations.

2. The Working Group of five Members has met on two occasions and has included representatives from Lancashire Wildlife Trust, other Local Nature Reserve Friends' Groups, Hillside Heroes, Nelson and Colne Town Councils in its discussions.
3. After considering the options the Group is requesting this Committee to declare the land as a Local Nature Reserve (LNR). This is a statutory designation made under s21 National Parks and Access to the Countryside Act 1949. LNRs are for people and wildlife. They are places with wildlife or geological features that are of special interest locally. They offer people opportunities to study or learn about nature or simply to enjoy it. Byelaws can be made to protect them from damage.
4. Declaration will require the support of Natural England and will require a draft declaration and Management Plan to be drawn up and sent to them prior to formal declaration.
5. It is a requirement for a LNR that the land is controlled by a local authority which in this case means retention by Pendle Council or else transfer to Nelson Town Council and/or Colne Town Council. After considering this question the Group recommends the Committee that it remains in the ownership of Pendle Council but that the two town councils be involved in its management. This would mean that a community asset transfer and consent to disposal by the Secretary of State will not be necessary.
6. The Working Group also recommends the Committee that it evolves to take on the management of the LNR, including in its composition representatives of the two town councils, members of other Local Nature Reserves in the Borough and other community representatives as appropriate. The role and composition of the Group will need to be set out in the Management Plan.
7. The Committee should note planning permission will be required for change of use from agricultural land to a LNR and is requested to approve the submission of the necessary application.

IMPLICATIONS

Policy:	The policy of the Council is set out in the motion passed by the Council on 25 th March 2021, namely to enhance the land ecologically. The planning policy for the use of the land is as set out in the adopted Part 1 Local Plan- Core Strategy.
Financial:	There will be costs arising from the management of the site following its declaration as an LNR. These will need to be assessed and form part of the management plan. Community organisations involved in its management may be able to access grant funding and the two town councils can also be asked to contribute.
Legal:	The Council has the power under the National Parks and Access to the Countryside Act 1949 to declare a LNR. It already has designated LNRs at Alkincoates Woodland, Ball Grove, Greenfield Road, and Lomeshaye Marsh.
Risk Management:	None arising directly from the report.
Health and Safety:	None arising directly from the report.
Sustainability:	The ecological enhancement of the site through the declaration as a LNR will contribute to sustainable biodiversity in the Borough.

Community Safety: None arising directly from the report.

Equality and Diversity: The LNR will be open and accessible to all.

APPENDICES

None

LIST OF BACKGROUND PAPERS

None