

# Gloucester City Council

<b>Meeting:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>15 January 2020</b>
<b>Subject:</b>	<b>Transfer of Hucclecote Hay Meadows East Site of Special Scientific Interest (SSSI) to Gloucester City Council</b>		
<b>Report Of:</b>	<b>Cabinet Member for Environment</b>		
<b>Wards Affected:</b>	<b>Hucclecote Parish is part of Tewkesbury Borough</b>		
<b>Key Decision:</b>	<b>Yes</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Meyrick Brentnall Climate Change and Environment Manager</b>		
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<b>Appendices:</b>	<b>1. Location Map</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To update Cabinet on the current situation relating to the use and ownership of Hucclecote Hay Meadows East and recommend that the City Council accepts ownership of the site contingent on receiving a commuted sum of £124,000 from Bovis Homes.

### 2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE** that subject to confirmation of receipt of a commuted sum of £124,000 and satisfactory deduction of title, the freehold interest in Hucclecote Hay Meadows East be transferred to the City Council. The transfer to be subject to such conditions as the Head of Place in consultation with the Cabinet Member for Environment and Council Solicitor consider appropriate.
- 2.2 Following transfer, the site will be managed by the City Council's Countryside Unit for the purposes of amenity and nature conservation.

### 3.0 Background and Key Issues

- 3.1 Hucclecote Hay Meadows is an area of unimproved neutral grassland to the east of Gloucester. The meadows have been managed in a traditional manner for many hundreds of years, and as such they have built up a rare assemblage of vascular plants such as green winged orchid and yellow rattle. The UK has lost 90% of its traditional meadows over the past 100 years, so because of its rarity Hucclecote Hay Meadows have been designated a Site of Special Scientific Interest (SSSI)
- 3.2 This did not however, protect it from M5 motorway and in the 1970s this was driven through the middle dividing the site in two with the western half in Gloucester and the eastern part in Stroud and Tewkesbury.
- 3.3 For many years the eastern section was owned and managed by the Ministry of Defence (MoD) as part of Brockworth airfield, This changed relatively recently when the site was sold to Bovis Homes. Although the wider site has now been built out, the Hay Meadows due to its designation have not been developed and have

continued to be managed in the traditional manner – an annual hay cut with ‘after math’ grazing by cattle.

- 3.4 During the planning process for the former airfield, English Nature (now Natural England) were instrumental in ensuring the protection of the site and helped negotiate a sum of money to allow the site to be managed in perpetuity as a hay meadow.
- 3.5 As a result, on the completion of 1,800 dwellings the site was to be passed to a competent body. Tewkesbury Borough and Stroud District were to be offered the site first (as it is within their boundaries) and if they were not interested then it was to be offered to Gloucester City. Natural England throughout the process expressed a desire for the City Council to take it on, as we managed the other half of SSSI, and almost uniquely had the stock and machinery to carry out the necessary management.
- 3.6 Development of the site has progressed over the past 10 years with Bovis Homes now seeking to transfer ownership and management of the site. In the intervening years the City Council’s Countryside Unit has at times and for a fee grazed the site and generally kept an eye on matters. Recently, our Rangers have been successful in setting up a friends group for our side of the site and as a number of the volunteers come from Brockworth side they expressed an interest in the management of the Eastern side. Indeed, with permission from the land owner they have, under the instruction of the City Council Rangers carried out occasional volunteer tasks there.
- 3.7 As per the original agreement, the site has now formally been offered to Tewkesbury Borough and Stroud District Councils who have decided not to take it on. Due to our experience and expertise. Natural England are keen for the City Council to manage the site.
- 3.8 The extra land will of course bring a little more work and new management challenges and it is proposed that the Ranger currently working 4 days a week extends this to a full 5 days to accommodate the extra work. There are also security issues as the site has been used by travellers in the past. Therefore, it is proposed we bolster security on this site and our current site within Gloucester which has also experienced encampments in the recent past.
- 3.9 The finances involved are as follows: £124,000 as a one of payment (essentially a commuted sum) to take on the ownership and management of the site. As an SSSI and farmland it will be eligible for agri-environment schemes and ‘Single Farm Payment’. Currently, this money comes from the EU via the UK Government so post Brexit it is likely to change.
- 3.10 However, the Government have said on a number of occasions that over the next 5 years they will phase out the current system and replace it with ‘Environmental Land Management System (ELMS)’. Usefully this will have a public interest focus underpinning any allocation of funds. Therefore, any changes that do occur are likely to adversely impact lower value sites with little public benefit whilst schemes such as the Hay Meadows are likely to be treated more favourably. As an indication of income, Hucclecote West is a little smaller and currently secures around £1200 a year.
- 3.11 The £124,000 is intended to be spent as follows:
  - (i) £53,000 as a contribution to the new barns at Netheridge without which we will struggle to sustainably manage the site

- (ii) Additional security for Hucclecote East and West at c £7,000
- (iii) The balance of funds will be used to maintain and replace equipment that will enable the Rangers to continue to do their job. For example, there are number of large capital items, such as tractors, that are currently reaching the end of their useful life, the Cabinet member for Environment will be consulted on all large capital purchase items.

#### **4.0 Social Value Considerations**

4.1 The social value of quality open space on people's doorstep is well documented. It is known to have a beneficial impact on wellbeing and an individual's mental health. The Rangers already run very successful volunteer groups on both sites, the intention being to extend this if it comes under City Council ownership.

#### **5.0 Environmental Implications**

5.1 Underpinning all of the above is the sustainable management of one of the UKs most treasured sites. English Nature and then Natural England have always been of the opinion that in order to ensure the long terms sustainability of the site then it needs to be managed by the City Council. We have the stock, the equipment, the skills and importantly the motivation to do the best for the site and ensure that future generations can enjoy a species diverse environmental asset.

#### **6.0 Alternative Options Considered**

- 6.1 The alternative is do nothing, the corollary of this is that the site will probably be looked after by a management company and the site will deteriorate further as they will not have the expertise or motivation to carry out the works properly. Thus, Gloucester City residents' in the longer term will be denied a quality public amenity.
- 6.2 The City Council would also lose a useful revenue stream from single farm payment and agri-environmental schemes as well as a £124,000 capital payment which would be a welcome addition to help with a number of capital purchases including the new barns at Netheridge.

#### **7.0 Reasons for Recommendations**

- 7.1 Hucclecote Hay Meadows East is an SSSI on the borders of Gloucester. Natural England are very keen for the City Council to adopt and manage it as we have an excellent track record on the neighbouring site within Gloucester.
- 7.2 It is not unusual for the City Council to own nature conservation assets outside of the City. We have owned Lassington Wood in Highnam for decades and more recently we took on Horsbere flood management area, the latter again managed by the Countryside Unit.
- 7.3 As well as providing a precious amenity for the residents of Gloucester the site also comes with a revenue stream and a large capital sum that will allow the continued efficient running of the Countryside Unit, in particular the construction of some new barns at Netheridge.

#### **8.0 Future Work and Conclusions**

8.1 The management of the site is straightforward and will involve an annual hay cut with 'aftermath' grazing. There will also be a need for hedge and tree maintenance. It is anticipated that the friends group can be extended to take account of the increased areas to enable more habitat management to be carried out. Additional security will be deployed to make the site more resistant to unauthorised encampments.

- 8.2 The legal agreement does require botanical and visitor surveys as part and parcel of the transfer. This is not considered onerous and is good practice for such a site and will be wrapped up as part of the Hucclecotte West work.

## **9.0 Financial Implications**

- 9.1 The site comes with a on off 'commuted sum' of £124,000. It is also expected that in the region of £1,200 revenue funding from 'Single Farm Payment' and agri-environment schemes will be forthcoming.
- 9.2 The form of any funding scheme post Brexit is unknown, but the Government has committed to maintaining the level of funding for the next 5 years and then replace it with something that has a public interest focus. It is also considered highly unlikely that money will be diverted from the most precious sites.
- 9.3 The capital receipt will also allow the barn re-location to be realised. This is in the region of £53k short so this capital receipt will allow this project to go forward and save us £6k a year and adequately cover any associated increase in staff time which should be about £6k per year including on costs.

(Financial Services have been consulted in the preparation of this report)

## **10.0 Legal Implications**

- 10.1 The Council would need to be satisfied that the commuted sum is not to be ringfenced if it is intended that some or all of the moneys are to be spent off site.
- 10.2 The Council has various powers to acquire land for recreational purposes and may acquire land outside of its area by virtue of s120 Local Government Act 1972 provided it is for any of their functions or for the "benefit, improvement or development of their area".
- 10.3 In addition to the designation of the area as an SSSI, there may be additional restrictions on use imposed by the title, whether existing or new.
- 10.4 Due to the restrictions on use imposed by the site's status, it may be difficult to find a new owner willing to take on the responsibilities if the Council wished to transfer the site in the future. The Council therefore needs to be satisfied that it is willing to take on such responsibilities for an indefinite period.

(One Legal have been consulted in the preparation of this report)

## **11.0 Risk & Opportunity Management Implications**

- 11.1 The main risk is from Brexit and a reduction/removal of single farm payment and agri-environment schemes. This is not just a risk for this site but the viability of the Countryside Unit as a whole as a significant portion of their funding comes from this source.
- 11.2 Indications are that for the next 5 years this will remain unchanged. When changes are implemented then it is considered unlikely that funding will be withdrawn from SSSIs due to legal duties to ensure their continued protection.
- 11.3 Notwithstanding the point made in 10.4 above, the Council will ensure that the ownership and management of the site may be transferred to a third party in the future should the need or opportunity arise.

## **12.0 People Impact Assessment (PIA) and Safeguarding**

- 12.1 The site is an area of open space that is available to all to use and enjoy. Less able individuals able to enjoy the site as are young the elderly and those from any minority background.

12.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

**13.0 Community Safety Implications**

13.1 The site will not change as a result of this site other than be used and managed by more people and therefore should only have a positive outcome

**14.0 Staffing & Trade Union Implications**

14.1 None

**Background Documents:** None