

**REPORT TO:** Cabinet Member for Leisure and Tourism  
**DATE:** 23<sup>rd</sup> March 2011  
**SUBJECT:** Ainsdale & Birkdale Sandhills Local Nature Reserve  
Environmental Higher Level Stewardship Agreement  
**WARDS AFFECTED:** Ainsdale, Birkdale, Dukes  
**REPORT OF:** Graham Bayliss, Leisure and Tourism Director  
**CONTACT OFFICER:** Dave McAleavy, Head of Coast and Countryside  
Rachel Northover, Principal Coast and Countryside Officer  
0151 934 2967  
**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To advise the Cabinet Member on the detail of the offer of grant from Natural England for Higher Level Stewardship funding for the Ainsdale & Birkdale Sandhills Local Nature Reserve.

**REASON WHY DECISION REQUIRED:**

Authorisation is required for the Council to enter into the agreement with Natural England.

**RECOMMENDATION(S):**

The Cabinet Member resolves:-

- (i) That the Council enters into the Higher Level Stewardship agreement with Natural England.
- (ii) The inclusion of the capital element of the scheme in the capital programme at a cost of £118,000, funded from £103,575 capital grant and £14,425 revenue resources.

**KEY DECISION:** No

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** Following the call-in period for the minutes of this meeting

**ALTERNATIVE OPTIONS:**

There are no alternative options offering a similar long-term financial agreement to assist the Council in meeting its Biodiversity Duty.

**IMPLICATIONS:****Budget/Policy Framework:****Financial:**

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>	<b>2014/ 2015 £</b>
Gross Increase in Capital Expenditure	39,333	39,333	39,334	
Funded by:				
Sefton Revenue Resources	4,808	4,808	4,809	
Specific Capital Resources	34,525	34,525	34,525	
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure	54,878	54,878	54,878	54,878
Funded by:				
Sefton funded Resources				
Funded from External Resources	54,878	54,878	54,878	54,878
Does the External Funding have an expiry date	<b>31<sup>st</sup> March 2021</b>			
How will the service be funded post expiry?				

**Legal:**

The Council as accountable body for the Sefton Coast Landscape Partnership Scheme has entered into a legally binding contract with the Heritage Lottery to deliver a number of schemes including scrub clearance and habitat restoration on the Local Nature Reserve – this HLS agreement is the Council's commitment to a sustainable management and maintenance regime relating to works carried out through Lottery funding.

**Risk Assessment:**

The Corporate risk of not meeting favourable condition for the SSSI was recognised in the Leisure and Tourism Service Plan in recent years – accepting this grant will remove any potential challenge as this risk will be reduced.

**Asset Management:**

Entering in to the agreement will improve the quality of the Councils landholdings

**CONSULTATION UNDERTAKEN/VIEWS**

FD701 – The Head of Corporate Finance & ICT has been consulted and her comments have been incorporated into this report.

**CORPORATE OBJECTIVE MONITORING:**

<b><u>Corporate Objective</u></b>		<b><u>Positive Impact</u></b>	<b><u>Neutral Impact</u></b>	<b><u>Negative Impact</u></b>
1	Creating a Learning Community	x		
2	Creating Safe Communities	x		
3	Jobs and Prosperity		x	
4	Improving Health and Well-Being	x		
5	Environmental Sustainability	x		
6	Creating Inclusive Communities	x		
7	Improving the Quality of Council Services and Strengthening local Democracy	x		
8	Children and Young People		x	

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

Sefton Coast Nature Conservation Strategy 2007-2015

Cabinet 22<sup>nd</sup> January 2009 Sefton Coast Nature Conservation Strategy

Cabinet 20<sup>th</sup> May 2010 Sefton Coast Landscape Partnership Scheme (LPS)

Cabinet Member for Leisure 21<sup>st</sup> April 2010 Sefton Coast LPS

## **1. BACKGROUND**

- 1.1 Sefton Council is the major landowner on the Sefton Coast. The Council is responsible for the management of a large proportion of the Sefton Coast Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). The SSSI is split into management units which are assessed (Conservation Assessment) on a 6 year cycle against the SSSI criteria for which they are designated. A set of conservation objectives are then developed to guide landowners in respect of suitable management.
- 1.2 Of the units under Council ownership nearly all are now in 'Unfavourable Recovering' condition with two continuing to be in 'Unfavourable Declining' condition. This latter condition description has been reported in the Leisure and Tourism Department Service Plan as a 'risk' in the last 5 years, because it was unlikely that the Council could meet its responsibility to achieve 'Recovering Condition' for the areas of SSSI in its ownership. To not attempt to deal with this 'declining condition' could result in the Council being seen as not fulfilling the Biodiversity Duty placed upon it through the provisions of various environmental legislation.
- 1.3 In order to fulfil its 'biodiversity duty' the Council identified scrub management and grazing as a key project in the Sefton Coast Nature Conservation Strategy 2007 – 2015, which set out these threats and future management options. Once adopted by the Council and its partners on the coast, the Sefton Council successfully attracted funding to carry out this work. Being fully aware of its biodiversity duty the Council worked to develop a package of funding identifying Heritage Lottery funding through the Sefton Coast Landscape Partnership Scheme and also through Natural England for Higher Level Stewardship (HLS) – the latter is specific funding to landowners with special habitats to manage.
- 1.4 Sand dune habitat on the Sefton Coast is under threat from a variety of factors. Of concern are over-stabilisation and scrub encroachment leading to a loss of diversity and in particular of the rare and specialised plants and animals for which the dunes are renowned, if this trend continues.
- 1.5 Evidence from the National Vegetation Survey, carried out every 10 years, and from aerial photography and other sources suggests a significant alteration in the vegetation with a loss of bare sand and a tendency towards domination by commoner 'course' grasses and invasion by non-native and native scrub species. This may be linked to increased nitrogen input from atmospheric deposition and is believed to be contributing to the loss of some features and the degradation of the SSSI.

- 1.6 Funding to help owners of Sites of Special Scientific Interest (SSSI's) meet targets to achieve Favourable Condition has been available in different forms over the years. In the mid 1990's and 2003 Sefton Council has been able to draw down money from Species Recovery Programme and Wildlife Enhancement Schemes to assist with habitat restoration works. These grants were used for scrub clearance and an initial grazing project on the Ainsdale and Birkdale Sandhills Local Nature Reserve within the Sefton Coast SSSI, Special Area of Conservation (SAC) and Ramsar site.
- 1.7 Most recently, a considerable sum has been awarded through the Sefton Coast Landscape Partnership Scheme (LPS) to control scrub levels on the 'Birkdale Hills' section of the Ainsdale & Birkdale Sandhills LNR and to restore wet slacks across the Coast.
- 1.8 The LPS is a coast wide scheme of nineteen projects managed through Leisure & Tourism on behalf of the Sefton Coast Partnership and supported by the Heritage Lottery Fund. The LPS outcomes refer to longer term sustainable management solutions for managing this habitat and landscape.
- 1.9 A number of Agri-environment grants, aimed at encouraging landowners to manage for wildlife have also been available to landowners for some years although not all were available to Local Authorities.
- 1.10 To apply for agri-environment grants (and forestry grants), land has first to be registered on the Rural Land Register. Previously Local Authorities were excluded from HLS but were able to claim Single Farm Payment (which Sefton Council, through this Department's Coast and Countryside Service have done for part of the landholding since 2005). However, when this position changed, the Coast and Countryside Service were encouraged by its partners on the coast, through the partnership Nature Conservation Task Group, to put forward an application to Natural England for HLS for the Ainsdale & Birkdale Sandhills LNR.
- 1.11 Acceptance of the Agreement will change the status of these declining units of the SSSI units to 'Unfavourable Recovering' condition, therefore fulfilling the Council's duty and responsibility for the SSSI.

## **2. The Proposal (Including Financial Implications)**

- 2.1 Sand dune systems contain a range of valuable habitats that support many specialised plant and animals. Maintaining sand dunes will help conserve and strengthen the distinctive local character of coastal landscapes including any important archaeological sites found under the dunes.
- 2.2 Consequently, Natural England have offered a Higher Level Stewardship Agreement for Ainsdale and Birkdale Local Nature Reserve, effective from the 1<sup>st</sup> April 2011 to the 31<sup>st</sup> March 2021.

- 2.3 The HLS proposal/agreement being offered by Natural England is the extension of conservation grazing on this LNR - the fixed dunes of the Ainsdale and Birkdale sandhills, the areas cleared on scrub in the 90's, 2003 and the ongoing scrub clearance project as part of the Lottery project described in this report. The agreement offers Sefton Council an annual revenue grant of £54,878.60 for 10 years up to April 2021 and a capital grant of £103,575.08 to use by April 2014. The cost of the fencing based on quotations is £118,000. Any additional cost is available from monies set aside as part of the planning for the project over the last five years. It is likely, however that the fencing construction will be a mix of contractor and the in-house Biodiversity and Access Project; therefore the costs will be as the grant offer.
- 2.4 The agreement covers 406ha of land and comprises annual payments for the maintenance of Coastal Sand Dunes, which at the current rate amounts to the annual figure above.
- 2.5 The agreement prescribes general management for Coastal Sand Dunes Priority BAP Habitat, which may include light grazing, scrub management, management of visitor access and control of water levels. These prescriptions have all been previously identified in the Management Plan for the LNR and described in the Nature Conservation Strategy; they are also recognised in the SSSI Conservation Assessment. Operations such as scrub control, mowing of slacks, creation of new slacks and limited grazing are ongoing.
- 2.6 The Agreement sets out Success Indicators which need to be met by the end of the 10 years: all SSSI land must be in favourable or recovering condition; full range of zonation and succession of habitats should be maintained; dune slacks should be retained; specific desirable species should be present at desired levels.
- 2.7 In addition, the Agreement requires that winter livestock grazing be extended across the LNR as a supplementary management tool. The Coast and Countryside Service have proposed that a further 87ha of the 406ha should be grazed with sheep, probably Herdwick or Hebridean, which are hardy and easily manageable. For the past 10 years, 7.2ha of the LNR has been grazed over winter with Herdwick sheep under a grazing licence with a farmer from Cumbria.
- 2.8 Conservation Grazing is a well-used management tool on a range of habitats across the UK and Europe, including coastal dunes. Different breeds, timing and stocking densities are used to achieve different outcomes and need to be fine-tuned for each individual site. Low level sheep grazing will help to maintain a species rich low sward and have a positive impact on controlling the spread of scrub species to the benefit of dune plants, invertebrates and herptiles in particular.
- 2.9 The HLS Agreement includes a capital sum for the erection of stock-proof fencing, stock handling facilities and access points (vehicle and pedestrian gates). Fencing is essential to contain the livestock and to allow rotation of stock across the dune grassland.

- 2.10 This sum for fencing etc is based on 3 estimates given by local contractors against the proposed grazing enclosures (see attached map). All the funding for the grazing project is in place including monies set aside as part of planning for the Sefton Coast Landscape Partnership Scheme. Costs are likely to be reduced due to part of the works being carried out by the Biodiversity and Access Project, which members will recall is an inclusion and training project based at the Ainsdale Discovery Centre complex.
- 2.11 Site users have expressed concern that fencing will restrict their recreational activities and be detrimental to the landscape. It must be stressed that the fencing is there to contain the livestock, not to keep people out. The site has always been open access and will continue to be so. However, it must be remembered that the site is a Local Nature Reserve and SSSI and that users and land managers have a responsibility to ensure that wildlife and habitat is not deliberately disturbed. For example dogs should be kept under close control at all times.
- 2.12 There will be restrictions in place when livestock are on site: dogs must be kept on a lead within enclosures when livestock are present and gates must be kept closed.
- 2.13 To cause the least disruption to users, the following measures will be taken: the location of gates will take into account desire lines and site users will be asked to contribute to their siting; all gates will be left open when stock are not present; advance warning will be given for when livestock will be arriving. These measures are already in place on the current enclosure and have worked well for the past 10 years.

### **3. Consultation**

- 3.1 Consultation for this scheme was undertaken as part of the process of developing a Nature Conservation Strategy for the Sefton Coast commencing in 2005 (adopted by Sefton – Cabinet January 2009) and also through the Heritage Lottery, Sefton Coast Landscape Partnership Scheme commencing in 2007 (approved – Cabinet May 2010). Later, the information on the full nineteen projects in the Landscape Partnership Scheme was made available for public viewing at the Ainsdale Discovery Centre in 2010.
- 3.2 The project was a key element of the development of the Landscape Partnership Scheme over the last three years and presented at numerous annual Sefton Coast forums, including workshops and site visits. The proposals were also displayed in the Ainsdale Discovery Centre and at consultation events linked to the 'Birkdale Cycle Route' project. It has also been discussed at two Sefton Coast Nature Conservation Forums and the Beach Consultation Group.
- 3.3 Both the consultations for the Nature Conservation Strategy and Landscape Partnership Scheme were extensive and vigorous, reporting to the Sefton Coast Partnership Working Groups and Board & Sefton Council.

#### **4. Consents and Permissions**

- 4.1 Sefton Council formerly notified Natural England in 2009 who then made an assessment of the project under the Habitat Regulations 1994 and Wildlife and Countryside Act 1981 (as amended). A Consent Notice was issued by Natural England for the scrub clearance and grazing project.
- 4.2 The agreement, if signed, also constitutes a permission and consent to carry out the prescribed works. Natural England has formally offered the agreement as described above.
- 4.3 A request for screening of the fencing element of the project has been submitted to Natural England and this is being carried out under the provisions of the EIA (Agriculture) Regulations 2006. In discussions with Natural England it is not clear if an EIA is required or not and at the time of writing this report, debate is ongoing – indeed it seems this the first time such a request has been considered. If an EIA is required, it is unlikely that it will be an onerous piece of work and some external funding made available to prepare the application could be utilised. However, it is anticipated that this work can be carried out in-house with the support of the Councils' partners on the coast.

#### **5. Summary**

- 5.1 The offer of Stewardship is permission or consent from Natural England to undertake these works on a SSSI under section 28E of the Wildlife and Countryside Act.
- 5.2 The agreement will provide financial support and stability to enable the Council to carry out its statutory duty to the conservation and management of this part of the Sefton Coast SSSI. Members will be fully aware of the extreme budgetary difficulties facing the Council and will note that the Coast and Countryside Service like all other Councils services has had to reduce operational/controllable budgets. The HLS is secure funding for a considerable period that will ensure that the Ainsdale and Birkdale Sandhills Local Nature reserve has resources for management in the next decade.

#### **6. RECOMMENDATION**

- i) That the Council enter into the Higher Level Stewardship agreement with Natural England.
- ii). The inclusion of the capital element of the scheme in the capital programme at a cost of £118,000, funded from £103,575 capital grant and £14,425 revenue resources.





Proposed grazing enclosures



Existing Enclosure

Enclosure 8

Enclosure 7

Enclosure 6

Enclosure 5

Enclosure 3

Enclosure 2

Enclosure 4

Extension to existing Enclosure 1