

REPORT TO: Cabinet Member - Leisure and Tourism
Cabinet

DATE: 12th October 2005
3rd November 2005

SUBJECT: Marshside Nature Reserve

WARDS AFFECTED: Meols and Cambridge

JOINT REPORT OF: Paul Williams Director of Technical Services
Graham Bayliss Director of Leisure Services

CONTACT OFFICER: Kevin Shutter, Telephone 0151 934 2754
Dave McAleavy, Telephone 0151 934 2967

EXEMPT/CONFIDENTIAL: No

PURPOSE/SUMMARY:

To consider revisions to the area of land to be leased to RSPB at Marshside, as well as the terms on which the land is to be leased.

REASON WHY DECISION REQUIRED:

To assist RSPB develop the nature conservation and visitor potential of the Marshside area by providing long term security which will justify investment by RSPB.

RECOMMENDATION(S):

1. That the surrender of the existing lease and supplemental lease of land at Marshside Nature Reserve to RSPB be approved
2. That the lease of the Reserve and adjacent land north of Marine Drive, currently owned and managed by the Council, to RSPB on terms summarised in this report be approved
3. That the proposed outline management plan for the area to be leased be brought to the Cabinet Member for Leisure and Tourism for approval
4. That, subject to (3) above, the Technical services Director be authorised to instruct the Legal Director to complete the new Lease on the terms provisionally agreed with the RSPB.
5. That the land subject to the terms of the new lease be declared a Local Nature Reserve

KEY DECISION:

NO

FORWARD PLAN:

N/A

IMPLEMENTATION DATE:

Following the expiry of the 'call-in' period for the minutes of this meeting. As soon as a date of the new Lease can be agreed which will be dependent on an approved outline management plan.

ALTERNATIVE OPTIONS:

- 1) continuation of the present lease – while this generates a small income to the Council, it does not provide RSPB with the security required under their charitable status to invest further in the Reserve
- 2) Review of lease for the Reserve only – while providing security for RSPB, there would be little compensatory gain for the council, and a major opportunity to expand the nature reserve status of the adjacent area would be lost

IMPLICATIONS:

Budget/Policy Framework: The proposal fits with the council's UDP, Coast Management Plan policies and Tourism strategy.

Financial: Should the report's recommendations be approved the cost to the Council would be the foregoing of rental income for the term of the existing lease. Currently this is £7,000 p.a.

Legal: See recommendations

Risk Assessment: There is a risk that the potential investment RSPB might make in Marshside will be lost if the required degree of security cannot be offered.

Asset Management: There is little risk to the Council in transferring a larger area of land to RSPB.
A large area of the Council's coastal estate will be brought under the management of a highly respected organisation, allowing the Council's coast management resources to be better focussed.

CONSULTATION UNDERTAKEN/VIEWS

LEISURE SERVICES DEPARTMENT
 LEGAL SERVICES DEPARTMENT
 FINANCE DEPARTMENT
 PLANNING & ECONOMIC REGENERATION DEPARTMENT
 ENVIRONMENTAL ADVISORY SERVICE
 ENGLISH NATURE

CORPORATE OBJECTIVE MONITORING:

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

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

A Review of the RSPB Marshside Perimeter Plan – RSPB 1996

BACKGROUND:

Introduction

Marshside Nature Reserve has strategic significance as it lies between two emerging Regional Park resources along the coast. It has an important role to play as a gateway into both the Merseyside Waterfront Park (MWP) from the north and also would mark the start of a future Ribble Estuary Regional Park (RERP) from the south. Both the Marshside Nature reserve and foreshore and salt marsh north of Marine Drive are Internationally important for their wintering waterfowl and are part of the Ribble & Alt Estuaries SSSI, SPA and Ramsar site.

ITEM NO. 4

Under the terms of the new lease the RSPB will produce a more detailed Management Plan for the Nature Reserve, reaffirming their commitment.

This will require consultation with the statutory agency for nature conservation (currently English Nature) and ensure that its consent to implement the Management Plan is received. This approach should ensure that the Council meets its statutory responsibilities with regard to the Habitat Regulations for the European site - the Ribble and Alt Estuaries Special Protection Area.

The extent of the existing RSPB Nature Reserve is shown on the attached plan. Since taking over management of the area RSPB have installed two bird watching 'hides', improved access and undertaken extensive water level management to improve the nature conservation value of the site. This represents an investment of some £500,000. Even with the relatively small scale of existing facilities, the reserve has become well known and receives upwards of 15,000 visitors per year.

The Perimeter plan showed that there is still much to do to improve parking and access requirements, improve site safety and develop the long term nature conservation and visitor potential of the existing site.

Discussions with RSPB on the relative responsibilities of the Council and RSPB in the area indicated that a review off the RSPB lease could provide a way of resolving some problems (e.g. continuing issues of maintenance of the Marine Drive verges), and open up the way for a long term approach to the management of land on either side of Marine Drive at Marshside.

Proposal

The basic RSPB proposal can be summarised as follows:

- Reduction of the premium from the present £7,000 per annum to a peppercorn. The resultant saving would be translated into investment in the site.
- Extension of the lease to 99 years from the current 25. This would provide RSPB with the security needed to justify more substantial investment in the site. They require this security under the terms of their charitable status.
- RSPB are seriously interested in taking over the marshland north of Marine Drive as part of the Reserve. This would be partly to compensate the Council for loss of income, but would also secure major improvements in site management since it would allow RSPB to control and improve the existing public parking area near the sandwinning plant, for example.

The extension area proposed would bring the northern boundary of the Reserve coterminous with English Nature's Ribble estuary National Nature Reserve, which is the largest Nature Reserve in England. The resulting RSPB area would certainly be one of their largest sites in the UK.

The RSPB are therefore seeking a new lease for a term of 99 years, in order to help realise the full implementation of the Perimeter Plan. In addition to the existing 110 hectares of coastal grassland that it leases at Marshside, the terms of new Lease would be subject to the incorporation of;

- i) The car park on Marine Drive
- ii) The area of the foreshore and salt marsh excluding the Rainford's sandwinning

- plant, north of the coast road
- iii) The area of marsh and lagoons south of Marine Drive that is currently leased to William Rainford Ltd.
- iv) A strip of land adjacent to the highways bordering Hesketh Road, Marine Drive and Marshside Road.
- v) An apron of rough grassland at the base of the road embankment bordering Crossens Inner Marsh.
- vi) An approved outline management plan

A plan is attached to this report indicating the areas and the amount in hectares. The maintenance responsibilities and obligations associated with the haul road and area either side would remain with Rainford's.

Outstanding actions include the need to improve management of traffic around the perimeter of the reserve and to implement comprehensive access improvements for pedestrians, cyclists and for those with mobility restrictions. The RSPB would also like to move forward with a proposal to manage the car park and develop a circular walk to improve carefully managed access to the salt marsh. A third significant proposal that the RSPB would like to take forward in the future is to identify the suitable location of a small visitor Centre' with much needed toilet provision.

These actions will require a major financial commitment from the RSPB, who have therefore requested that the Council consider foregoing the rental income (it presently receives a peppercorn rent of £7,000 p.a) for the term of the new lease.

Justification of financial implications

Given the contribution that the RSPB's plans would make to the vitality and diversity of the Southport and Sefton tourism economy and to the better management of the coastal areas it is suggested the Council demonstrate commitment to its partnership with the RSPB by agreeing to the proposal.

The Leisure Services Department is currently responsible for the area of foreshore and saltmarsh identified in this report as an extension to the existing lease. The Head of Coast and Countryside advises that this area of land would benefit from being managed as one habitat unit due to the interchange of birds between the marshes either side of the Marine Drive. The Coast and Countryside Service are often called to deal with problems at this location which draws resources away from its core work – especially during the summer season. There are no dedicated Coast and Countryside Service staff for the Marshside area; generally staff are called off other areas to deal with unauthorised vehicles and other problems. While it is difficult to quantify the cost of existing Council management of the area, as the RSPB are based in the area and have proposals for visitor facilities it would make common sense for a more holistic approach to management of the area. This would allow Council resources to be deployed more effectively elsewhere on the coast.

The Leisure Services Department have concerns with respect to the problems (off road vehicles etc.) that occur at this location. If the Council forego the rental income, then assurances will be required as part of the new lease agreement, that the RSPB provide an adequate management presence at the site. This may also need to cover control of spartina grass on the southern edge of the proposed extension. It is suggested therefore that any new lease be subject to agreement of an outline management plan which deals with these issues.

Conclusion

In the future the land which is SSSI and subject to the Countryside Rights of Way Act will need to be maintained in favourable status.

Assurance that the loss of income will be ploughed back into the reserve can be addressed through an outline management plan to be approved by Council.

The proposal would allow RSPB's planned improvements to progress, which would increase the attractiveness of the area.

It would establish Marshside as a significant national RSPB reserve, with tourism and recreation benefits to the local area.



Sefton Council

**Planning & Economic
Regeneration Department**
Andy Wallis - Director
Planning & Economic Regeneration is part of the
Regeneration & Environmental Services Directorate

RSPB Leases
Existing and Proposed extension

OSGR: 335589, 420530 Sheet(s): Area: 13791883 sqm

Standard Site Plan

Scale: 1:20155
Date: 09/09/2005
Drawn By: Pear V on
Contact Officer: Ah
Plan Ref: Q:\GIS\Wkdata\MerseyWaterfront
Ward(s): Cambridge, Meols
Postcode Sector(s): PR9 0, PR8 1, PR9 7, PR9 8, P
Polling District(s):
Parish(es): None Found



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