

# Biodiversity

## 21 Legislation

Biodiversity has become increasingly important over recent years as species and habitats have declined and fragmented, and will continue to be so with the current threat of global warming and the potential impact on wildlife. Recently, new legislation has been enacted which has strengthened the protection of designated sites and placed new responsibilities on public bodies with regard to biodiversity conservation, so that they now have to have regard for biodiversity in all of their operations and activities. National policies derived from this legislation sets out how positive action for biodiversity can be achieved. The main relevant legislation is listed below:

Act	Main Points
National Parks and Access to the Countryside Act, 1947	<ul style="list-style-type: none"> <li>• Made provision for the setting up of National Parks and AONB's</li> <li>• Gave local authorities the power to create Nature Reserves</li> <li>• Established Sites of Special Scientific Interest</li> </ul>
Wildlife and Countryside Act, 1981	<ul style="list-style-type: none"> <li>• Principle mechanism for the legislative protection of wildlife in Great Britain</li> <li>• Contains lists of 'protected' species</li> <li>• National and Local Nature Reserves</li> <li>• Improved Sites of Special Scientific Interest process and protection</li> </ul>
Protection of Badgers Act, 1992	<ul style="list-style-type: none"> <li>• Introduced protection for badgers and badger sets (some operations can be undertaken by license)</li> </ul>
Conservation (Natural Habitats &c.) Regulations. (Habitats Directive), 1994	<ul style="list-style-type: none"> <li>• Provides for the protection of sites of European value</li> </ul>
Countryside and Rights of Way Act, 2000	<ul style="list-style-type: none"> <li>• Strengthens the Wildlife And Countryside Act 1981</li> <li>• Introduces open access land</li> <li>• Improvements to public rights of way legislation</li> </ul>
Natural Environment and Rural Communities Act, 2006	<ul style="list-style-type: none"> <li>• This is the first legislation to put a 'duty' on local authorities to have regard for conserving biodiversity outside of designated sites</li> <li>• Created Natural England and the Commission for Rural Communities (previously English Nature, Rural Development Agency and the Countryside Agency)</li> </ul>

The Council has, over the years, supported many projects aimed at safeguarding and increasing the biodiversity of the District, such as the Braydon Forest Project and the By Brook Project, two projects which have now come to an end. The intention is to continue to support appropriate projects in various ways. The role of the Council in the biodiversity field is often that of a project funder, or in the undertaking of its statutory duties of protecting wildlife sites through development control and the Local Plan process. However, a wider role is possible through the closer support of projects with officer time as well as funding.

Whilst biodiversity is the main focus of most projects, many extra benefits are realised through them. There is a close link between conservation and agriculture and other land management disciplines. The rural economy is supported by financial payments for management of the countryside for conservation purposes, whilst recreational opportunities provided by conservation also contribute to the local economy through tourism. There is also growing evidence of the benefits to humans from being in natural spaces and from being in contact with nature. The potential health benefits are impossible to measure financially.

## 22. Major Biodiversity Initiatives

The following list gives the main projects currently underway in the District, and the lead partner, which in most cases, understandably, is the Wiltshire Wildlife Trust. There are also many smaller projects being undertaken by community groups, and by organisations that appear in other sections of this Strategy.

<b>Project</b>	<b>Lead Partner</b>
Wiltshire Biodiversity Action Plan 2002	Wiltshire BAP Forum
Wildlife Sites Project	Wiltshire Wildlife Trust
Swindon and Wiltshire Biological Records Centre	Wiltshire Wildlife Trust
Rebuilding Biodiversity in North Wiltshire	Wiltshire Wildlife Trust

### Wiltshire Biodiversity Action Plan (BAP) 2002

The Wiltshire BAP is the main conservation document for the county, bringing together many years work by a range of organisations. The Council is a partner in

the BAP process and has, therefore, 'signed-up' to its principles and targets. The Wiltshire BAP sits within a hierarchy of BAP's, from the UK and South West BAP's down to BAP's targeted at more specific areas such as the Cotswold Water Park.

The BAP consists of habitat and species actions plans which serve to:

- Provide baseline information on current knowledge;
- Identify current conservation issues;
- Set out targets to work toward;
- Co-ordinate and focus action for biodiversity;
- Raise awareness in all sectors; and,
- Provide a monitoring framework.

Currently, action plans have been developed for the following habitats and one set of species:

- Woodland
- Wood-pasture
- Rivers, streams and associated habitats
- Standing open water
- Arable farmland
- Hedgerows
- Lowland calcareous grassland
- Unimproved neutral grassland
- Urban areas
- Bats

The dominance of habitat action plans is due to the fact that it is accepted that management of habitats is usually sufficient to ensure the requirements of individual species. Bats are included because of their dependence upon buildings and therefore their close contact with humans. A recent review of the BAP has showed good progress towards achieving the targets.

**BP1. As a member of the Wiltshire BAP Forum the Council has signed-up to the principles of the BAP. The Council will continue to support these principles and work towards achieving the targets set out in the action plans.**

## Wildlife Sites Project

Planning Policy Guidance 9: Nature Conservation, states that Local Authorities should have policies in the Local Plan to take into account the importance of sites which have a nature conservation interest, but do not have any form of statutory designation. These sites, which are known as Sites of Nature Conservation Interest, Local Sites or Wildlife Sites, are second only in importance to national and European designations. The work of the Wildlife Sites Project is fundamental to identifying and monitoring these sites. The aim of the project is:

‘to safeguard and enhance North Wiltshire’s wildlife through surveying and advising the owners of the most valuable areas of land outside statutorily protected sites and to give good quality management advice to landowners’.

**BP2. The Council will continue to support the work of the Wildlife Sites Project through financial support and by taking into account the recommendations that the Project makes with regard to individual sites.**

## Wiltshire and Swindon Biological Records Centre (WSBRC)

It is a statutory obligation that relevant wildlife checks are undertaken prior to any planning consent being given (or obligations placed upon that planning consent). This ensures that populations of certain species such as bats, great crested newts and badgers are protected, along with protection of Wildlife Sites and other environmentally sensitive situations, for example, barn conversions. However, there needs to be a comprehensive database of information that developers and local authorities can refer to. This is where the WSBRC provides a service.

The aim of the WSBRC is to:

“provide local authorities, statutory agencies, private sector environmental consultants, Wiltshire Wildlife Trust and other voluntary organisations with the information they need in order to make

environmental decisions, plan and prioritise their own environmental activities and fulfil the statutory requirements of environmental legislation”

This Council is one of the largest local authority users of the services provided by the WSBRC.

**BP3. The Council will continue to support the Wiltshire and Swindon Biological Records Centre, ensuring that an adequate financial contribution is made, to ensure that up to date information is available and sites of biological interest are not affected detrimentally, through inappropriate development.**

#### Rebuilding Biodiversity in North Wiltshire

Rebuilding Biodiversity is a relatively new project summed up by the following statement:

*‘Imagine the wildlife that has been squeezed into increasingly small, fragmented and isolated pockets over the last few decades, overflowing back into its former haunts amongst a revitalised landscape. This is the vision of Rebuilding Biodiversity’.*

Whilst much has been achieved in recent years to improve the biodiversity of the countryside, it is now recognised that there is a wider issue – most conservation sites are too small and isolated to ensure the success of the population of plant and animals that live there. These pockets of biodiversity are often surrounded by a hostile environment rarely offering the chance for migration, and frequently leading to extinction.

The project aims to re-create larger areas of land suitable for conservation by identifying core areas – those areas that are already valuable in biodiversity terms and have the potential to provide a gene pool for surrounding areas. By changing

the management of surrounding areas then isolated populations will be able to spread and colonise more easily.

In North Wiltshire the area of the old Braydon Forest has been identified as having great potential for piloting the Rebuilding Biodiversity approach, and also is an area where BAP targets could be achieved.

**BP4. The Council will support the work of the Rebuilding Biodiversity project through appropriate measures including financial support.**

## 23 Other Conservation Initiatives

### Designated Sites

Most successes in nature conservation have been due to the creation of a hierarchy of designations for sites following a raft of legislation since the National Parks and Access to the Countryside Act of 1949. Designations include National and Local Nature Reserves (NNR's and LNR's), Sites of Special Scientific Interest (SSSI's), Special Areas for Conservation (SAC's), Special Protection Areas (SPA's), and of course County Wildlife Sites. As at January 2007 there is one NNR (North Meadow), three candidate SAC's, 30 SSSI's, 420 CWS's, and three LNR's in the District.

There are many benefits to designating areas as LNR's including:

- increasing people's awareness and enjoyment of their natural environment;
- provide an ideal environment for everyone to learn about and study nature;
- build a relationship between the Council, national and local nature conservation organisations, and local people;
- protect wildlife habitats and natural features;
- offer a positive use for land where it is preferred that it is left undeveloped;
- make it possible to apply bye-laws which can help in managing and protecting the site.

The North Wiltshire Open Space Study identified several sites which may have the potential to be designated as LNR's. These sites are:

- Conygre Mead, Malmesbury;
- Corston Pond;
- Mortimores Wood, Chippenham;
- Box Common;
- Castle Park, Calne;
- Ashton Keynes Millennium Green;
- Jubilee Lake, Wootton Bassett.

The Council can either designate LNR's itself, or give authority to a town or parish council to do so. In either case Natural England is a statutory consultee. Three of the above sites (Conygre Mead, Corston Pond and Mortimores Wood) have been declared as LNR's. It is likely that Jubilee Lake will be declared at some point in the future, but it is uncertain at this point if the other sites will progress.

**BP5. Working with Natural England and landowners, the Council will designate as Local Nature Reserves those sites that are appropriate, if there is the support of the local community and funding is available for management, and consider other sites as they come forward.**

### Conservation Volunteering

Conservation volunteering has a long history and is now a very popular pastime with people spending days, weekends and even weeks undertaking practical conservation tasks, ranging from hedgelaying and tree planting to pond and footpath clearance. The main organisations involved in organising this type of activity are the British Trust for Conservation Volunteers (BTCV), the Wildlife Trust and the National Trust, although there are many smaller groups whose interests lie in just one site. These local groups are especially interesting as they have a wealth of knowledge about individual sites and can often be involved in managing adjacent areas as well.

Conservation volunteering has many other benefits, apart from nature conservation, for example it can help tackle social exclusion issues, it provides people with extra skills, and contributes to the rural economy.

Conservation volunteering should be welcomed and supported by the Council for the contribution it makes to issues described above.

**BP6. The Council should support conservation volunteering via appropriate mechanisms, including financial support where possible.**

### Biodiversity on Open Space

The North Wiltshire Open Space Study recognised that there is great scope to improve the biodiversity on public open space. Specific recommendations include:

- Where suitable, management of open space could be more biodiversity orientated with the creation of a more diverse range of habitats such as wildflower meadows or woodland.
- Work be undertaken to identify a 'green network' which could link sites via footpaths and cycle ways (or other smaller sites).
- The mapping of habitat types e.g. woodland, scrub etc., present on sites. This would be a useful addition to help with management and should be undertaken as part of any plans to improve individual sites.

Where new open space is to be created, thought should be given to the creation of 'alternative' open space, where this is suitable. For example, a new woodland could be created instead of the traditional grassed area with a few trees and shrubs. This could be especially the case where the site in question is next to an existing woodland. These recommendations would lead to an increase in biodiversity of public open space that is in the ownership of the Council, and may well contribute to Wiltshire BAP targets.

**BP7. Land in the ownership of the Council with a value in terms of biodiversity, or where there is the potential to increase the biodiversity, should be identified, and management plans drawn up and implemented, so that the site is safeguarded and managed sympathetically.**

**BP8. If a change of use is planned for Council owned land with a high level of biological interest, then that interest should be at least maintained, and ideally enhanced.**

**BP9. As a last resort, and if feasible, the Council should safeguard land of a high landscape or wildlife value, by purchasing that land, or helping others to do so.**

**BP10. A system will be established to ensure better cross-team working within the Council, so that land holdings are better managed, and opportunities for improving those holdings are not missed.**