

Overview and Scrutiny

DATE OF MEETING: 9th August 2022

TITLE OF REPORT: ODIHAM COMMON MANAGEMENT PLAN 2022-2032

Report of: Head of Environment and Technical Services

Cabinet Portfolio: Strategic Direction and Partnerships

Key Decision: Yes

Confidentiality: Non-Exempt

PURPOSE OF REPORT

1. To seek The Committee's views on the proposed draft Management Plan before submission to Cabinet

RECOMMENDATION

That the Committee's comments on the following recommendations prior to its approval by Cabinet

That Cabinet:

- I) Approves the draft Odiham Common Management Plan attached at Appendix 1.
- II) Approves and adopts a temporary Ash Dieback Strategy until a time where a more formal "Tree Strategy" will supplement this guidance.

BACKGROUND

2. As Odiham Common is a Site of Special Scientific Interest (SSSI), Natural England require the Council to prepare a Management Plan to show that the SSSI is reaching "Favourable Condition" and is meeting its legal duty as a Section 28 (g) Authority. (See section 14 for more detail)
3. A previous site management plan was developed in 2010 as a 10-year plan with the objective to restore the common to "Favourable Condition" from its previous level of "Unfavourable Condition". The management plan ended in 2020 having achieved "Favourable Condition" but due to the Covid pandemic, the new plan was not started until now.
4. In preparing a new Plan a consultation process was carried out with 11 key stakeholders. The draft plan was supported by the majority of the group. However, the plan has been subject to a petition and comments from some residents. These responses have been considered along with the other stakeholder responses who are listed and responded within Appendix 2.
5. The Council has signed an agreement with Natural England (NE) for a 10-year delivery funded plan (which forms the basis of the draft Management Plan). Any amendments to the plan that effects the agreement will need to get consent from Natural England.

6. To support this report the Committee will receive a brief presentation from Officers from the Countryside Team on the contents on the proposed Management Plan attached at Appendix 1.

MAIN ISSUES

7. As Odiham Common is a SSSI there is a need to conserve the biodiversity of the site as a priority over its public use. However, it is anticipated that the proposed plan will build on the successes of the past and represents a good compromise between biodiversity and the impacts of disturbance from recreational activities.
8. Biodiversity is a metric used to measure the variety of life in an ecosystem; the unit of biodiversity is the species. Greater biodiversity supports more resilient ecosystems, and careful management can be required to restore ecosystems to being healthy, functional, and resilient.
9. The UK is now in a biodiversity crisis with one if four species at risk in the UK we are in the 10% bottom performing countries in the world and last in the G7 group of nations. With half of our biodiversity left we are far below our “safe limit” of 90% decline and tipping into a “ecological meltdown”. This plan is intended to help build on the successes of its predecessor and provide a “haven” for biodiversity's continuing future in Hart.
10. The draft Management Plan includes a recommendation for Ash Dieback Management (see Appendix 3). Ash Dieback is a chronic fungal infection that is affecting ash populations across Europe and the UK. The pathogen attacks the internal capillary system that transports water and nutrients within the tree. This leads to loss of leaves, wilting, lesions in the bark and sometimes death.
11. The plan identifies and grades risk resulting from ash dieback. This considers the merits of retaining trees as a biodiversity resource where this risk is minimal. It is not designed to be a replacement for good woodland management.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

12. Alternative funding streams were considered as part of the development of this Plan. There is an alternative available (the Forestry Commissions woodland Grant Scheme) that offered more funding, but this option would have required more staffing resources and (to qualify) it recommended an elevated level of tree clearance that is unnecessary at this time to maintain the required “Favourable Condition” status and would have caused significant local disruption.

CORPORATE GOVERNANCE CONSIDERATIONS

Relevance to the Corporate Plan and/or The Hart Vision 2040

13. Approval of the Management Plan will contribute to the Harts Corporate Plan priority of “A Clean, Green and Safe Environment.” Specifically, by the commitment to “protect and enhance biodiversity” where this explicitly commits to the positive management of our Sites of Special Scientific Interest (Fleet Pond, Hazeley Heath and Odiham Common).

Service Plan

- Is the proposal identified in the Service Plan? No
- Is the proposal being funded from current budgets? Yes
- Have staffing resources already been identified and set aside for this proposal?
Yes

Legal and Constitutional Issues

14. As a Section 28g Authority, Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places a duty to conserve biodiversity. It requires local authorities and government departments to “have regard to the purposes of conserving biodiversity in a manner that is consistent with the exercise of their normal function.” The recent Environment Act (2021) updates the NERC duty on all public authorities to have regard, in the exercise of their functions, to the purpose of conserving and enhancing biodiversity it also requires Local Authorities to produce a biodiversity report every 5 years (which will include reporting on their ‘biodiversity actions’).
15. Odiham Common falls within the Odiham Common with Bagwell Green and Shaw Site of Special Scientific Interest (SSSI). The Wildlife & Countryside Act (1981, as amended) protects the interest features of the SSSIs from development, from other damage, and from neglect by ensuring that the SSSI interests are considered properly against other factors and requires the owners/occupiers to obtain consent for any operations likely to damage the SSSI interest. Local authorities must take reasonable steps to conserve and enhance the special features of SSSIs when carrying out statutory duties and giving others permission for works
16. See section 2.6 of the Management Plan for details of all legal issues.

Financial and Resource Implications

17. The Countryside Service has successfully applied for Countryside Stewardship funding to help deliver the plan. This amounts to a one-off capital payment of £6,384 and an annual average payment of £5,800 (varied dependant on amount of works particularly to veteran trees undertaken each year). This will help supplement the delivery of the Plan over a ten-year period.
18. Odiham Common has an approved revenue budget for 2022/23 which includes salary provision for a dedicated ranger. Any additional funding required to meet the recommendations of the draft Odiham Common Management Plan will be met from the Countryside Stewardship agreement which is funded by NE.

Risk Management

19. The current ranger post is vacant, whilst this is to be recruited to there is a risk that we will not be able to recruit to this post.
20. The Countryside Stewardship agreement (which has been used to inform the draft management plan) is a ten-year agreement (with review in year 5) that has been signed with NE and confirms the conservation management objectives and funding for the duration of the agreement. To draw down the funding Hart must annually provide NE with evidence of works and compliance with the agreement's objectives. Failure to meet the objectives will result in Hart losing future years funding and could require the council to repay monies received to date.
21. If the Council does not have a Management Plan and funding in place for the site longer term the council could face legal action from Natural England for failing to maintain and improve an SSSI. Natural England could force the council to undertake appropriate works on site and / or carryout works itself and bill the council for them.

EQUALITIES

22. An initial equality pre-assessment has been done and it does not require a full equality impact assessment to be undertaken.

CLIMATE CHANGE IMPLICATIONS

23. Management objective 9 relates to HDC's sustainability goals; specifically, the baseline for the site's habitat carbon sequestration will be established and options to increase sequestration will be considered. If any resulting options result in significant amendments to the planned management of the site, a revised management plan will be produced for consideration.

ACTION

24. The agreed comments of the Committee will be reported to Cabinet for its consideration.

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Appendices

- 1) **Odiham Common Management Plan 2022-2032 (final Draft for approval)**
- 2) **Consultation Responses**
- 3) **Ash Dieback Plan for Odiham Common**

Background Papers: [Devon Ash Dieback Advice Note](#)