
**MAIDENDALE NATURE AND FISHING RESERVE, GENEVA WOOD,
BRANKIN MOOR AND ROCKWELL PROPOSAL**

**Responsible Cabinet Member(s) - Councillor David Lyonette,
Regeneration and Planning Portfolio**

Responsible Director(s) - John Buxton, Director of Development and Environment

Purpose of Report

1. To seek member approval for the designation of Maidendale Nature and Fishing Reserve, Geneva Wood, Brankin Moor and Rockwell as statutory Local Nature Reserves as shown in **Appendix 1** (maps).

Information and Analysis

2. Maidendale Nature and Fishing Reserve is an area of land to the east of the town, lying near to new housing and existing industry off Salter's Lane, bordered to the south by a railway line and the A66. Geneva Wood lies to the south of the town on an old railway sidings site just off the East Coast Mainline. Brankin Moor is a small site neighbouring both the football stadium and Geneva Wood. Lastly, Rockwell is a large centrally located area of land, on the site of the internationally recognised Skerne Restoration Project, off Haughton Road.
3. Each of the four sites is currently being managed to Local Nature Reserve standards, for the benefit of biodiversity and recreation in partnership with North East Community Forests (Tees Forest).
 - (a) Maidendale Nature and Fishing Reserve is a 6 ha site, a species-rich grassland with scattered wildlife ponds on a former farm site, home to the Great Crested Newt, UK Biodiversity Action Plan (UKBAP). Fish stocking by local people seeking an opportunity to fish has increased pressure on the ponds native wildlife. Darlington Borough Council have secured funding in creating new purpose built fishing ponds to meet this local demand and safeguard the wildlife ponds. The site is now part of a large scheme to bring purpose built fishing facilities and greater provision for recreation and aquatic wildlife.
 - (b) Geneva Wood is a 13 Ha site, predominantly a Scots Pine plantation in the north linked to a deciduous woodland to the south. The site has great value as it is one of the only areas of dense woodland close to the town and is home to roe deer and conifer specific birds, eg Goldcrest and Coal tit. The site has seen considerable recent improvements to floral biodiversity due to initial management works.

- (c) Brankin Moor is a small site of 2 ha. Positioned next to the new football stadium, this reserve enjoys some of Darlington's greatest diversity in damsel and dragonflies. Three ponds are present, along with damp grassland habitat and primary mixed deciduous woodland.
- (d) Rockwell is a large site of 22 ha, presently a Site of Nature Conservation Interest (SNCI), comprising recreational amenity grassland, the River Skerne and restoration areas, together with Rockwell Pastures Reserve, originally managed by Durham Wildlife Trust a wetland area home to Great Crested Newt (UKBAP), Water Vole (UKBAP) and Black Poplar a Durham Biodiversity Action Plan (DBAP) species.
4. All four sites are well served by transport networks and rights of way, which run through each of the sites. These features are to be upgraded in some cases and linked to wider rights of way networks and cycle routes to ensure ease of use by visitors and greater awareness of the sites.
 5. Each of the sites has exceptional value at a local level due to their close proximity to large populations of local residents and easy access from the town centre. Rockwell and Geneva Wood in particular have extremely high recreational values at present due to high daily visitor numbers. Maidendale Nature and Fishing Reserve will also play a vital recreational role to the existing and new residents of Firthmoor once the fishing facilities are opened in 2005. Brankin Moor has long been considered Darlington's premier site for damsel and dragonflies, indicating its local importance for biodiversity. Rockwell is well noted for the diversity of wetland habitats and its rarities including, Greater Pond Sedge, Pink Water-Speedwell and Common Meadow-Rue, all of which are rare in the county and not found elsewhere in Darlington.
 6. Each of the four sites offer unique opportunities, for the people of Darlington, to visit areas of good quality green space close to where they live. A chance to get away from everyday life and sample some of the county's most valuable wildlife within walking distance.
 7. Maidendale Nature and Fishing Reserve is nearing completion of major earthworks and habitat creation, which will be followed by the production of a management plan by Darlington Borough Council. Geneva Wood has been a previously unmanaged site. Darlington Borough Council is currently producing a management plan. Brankin Moor is managed in reference to a 2002 report produced by Durham Wildlife Services. Rockwell has had management suggestions produced for many years, the latest of which being produced by Durham Wildlife Services 2002 and The River Restoration Project 1996 (amended 2001).
 8. Rockwell, Brankin Moor and Maidendale Nature and Fishing Reserve are all currently shown in 'People and Nature in Darlington' as 'County Wildlife Sites' (CWS). Sites of nature conservation importance are given a degree of protection in the Local Plan from development which would have a detrimental affect on their conservation value (Policy E20). However, County Wildlife Sites are a means of recording sites which have a particular value when compared with the agreed set of criteria, and do not necessarily receive any positive management. Indeed many of them are not on land under the control of the Borough Council and although partially protected by the Local Plan, may not be available to the public at all. Local Nature Reserves, on the other hand, must consist of sites which lie completely within the jurisdiction of the local authority and must be owned by

them, or leased from the owner, or managed by means of a legal agreement. The sites now proposed as LNRs do meet these criteria. Policy E22 of the Local Plan states that declared Local Nature Reserves will be given the same degree of protection as set out in Policy E20. Designation as a Local Nature Reserve also allows the making of bye-laws to help control undesirable and unacceptable activities.

9. Section 21 of the National Parks and Access to the Countryside Act 1949 provides for Local Authorities to set up and manage Local Nature Reserves. Selecting, declaring and managing these sites must be done in conjunction with English Nature, whose agreement to the declaration must be sought before declaration can take place. Local Nature Reserves declared in this way are statutory, in the same way as National Nature Reserves and Sites of Special Scientific Interest (NNRs and SSSIs) are statutory, but the responsibility for managing them rests with the Local Authority rather than English Nature. There are now over 1,100 Local Nature Reserves (LNRs) in England, but English Nature have set themselves a target of 1 hectare of LNR per 1,000 head of population and the Borough Council is already responsible for three of these, The Whinnies in Middleton St George, Drinkfield Marsh and Brinkburn. With the Darlington Borough Council LNR officer in post the Council set its own target of fulfilling this 1 hectare to 1,000 people by 2010 in the borough. English Nature advises that sites proposed for declaration as LNRs should be:
 - (a) of high natural interest in the local context (SSSI or equivalent); or
 - (b) of some reasonable natural interest and of high value in the Borough context for formal education or research; or
 - (c) of some reasonable natural interest and of high value in the Borough context for the informal enjoyment of nature by the public; or
 - (d) any combination of these;
 - (e) capable of being managed with the conservation of nature and/or the maintenance of special opportunities for study or research as the priority concern.
10. The main steps in setting up an LNR are shown on **Appendix 2** and informal consultation with English Nature has already taken place. The officers of English Nature who have been consulted are satisfied that the current Management Plans and value of the sites are sufficient to allow the designations to be considered, and this report therefore seeks to secure the approval of Members to proceed with the more formal aspects of designation.
11. One of the benefits of declaring the site an LNR is that it will enable the Council to seek external funding to improve and develop the site. English Nature themselves provide grant aid for LNRs, and there are a number of other sources of grant aid that community lead initiatives like these can attract.
12. Other benefits of declaring the site as an LNR are that it demonstrates to the people of Darlington that there are areas of land even within the urban setting which are of value for wildlife, and that the Borough Council recognises the importance of providing these 'green lungs' for the local population to enjoy. The Council has already demonstrated that these spaces are important in producing 'People and Nature in Darlington' with the aim of encouraging and promoting ways of protecting, managing and enhancing Darlington's

green environment for the benefit of both the wildlife and the public. By declaring a site as an LNR, the Council can demonstrate its continued commitment to these aims in a practical way as the management of the site is secured.

13. Once agreement has been reached by the Council to propose the declaration of an LNR, a formal consultation with English Nature must take place, following which, if accepted, an Instrument of Declaration must be prepared and public notices announcing the fact must be published. English Nature recommends the setting up of small management committees which in the case of Maidendale nature and fishing reserve, Geneva Wood, Brankin Moor and Rockwell are already well established. English Nature also encourage authorities to have a formal launch ceremony to celebrate the declaration.

Outcome of Consultation

14. Each of the sites has undergone an extensive consultation process. Wildlife, management and anti-social aspects of each site have been addressed through partnerships, both inter-departmentally and externally with local resident Steering Groups, Police, Wildlife Trusts and English Nature.

Legal Implications

15. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

16. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

17. The issues contained within this report do not represent change to Council policy or the Council's policy framework

Decision Deadline

18. For the purpose of the 'call-in' procedure this does not represent an urgent matter.

Recommendation

19. It is recommended that:-
 - (a) Members agree to the formal declaration as Statutory Local Nature Reserves of Maidendale nature and fishing reserve, Geneva Wood, Brankin Moor and Rockwell as

indicated on the attached maps.

- (b) The Borough Solicitor be authorised to make and publicise the declarations for each site.

Reasons

20. The recommendations are supported by the following reasons:-

- (a) The need to provide the Darlington public with quality green space;
- (b) The need to continue in the process of reaching the 2010 target of 1 hectare of LNR per 1,000 head of population.

John Buxton
Director of Development and Environment

Background Papers

The background papers for this report are filed under COS/2/10 in the Countryside Team filing system.

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