

Report to: **Lead Cabinet Member for Transport and Environment**

Date: **10 October 2005**

By: **Director of Transport and Environment**

Title of report: **Delegation of local nature reserve declaration powers**

Purpose of report: **To obtain authority to delegate to Crowborough Town Council the power to declare a local nature reserve**

RECOMMENDATION

To delegate to Crowborough Town Council the power to declare a local nature reserve.

1. Financial Appraisal

1.1 The process of delegating to Crowborough Town Council the power to declare a local nature reserve will involve some staff time but the cost is minor.

1.2 The County Council would not be required to contribute any funds towards the management of a local nature reserve declared by Crowborough Town Council under delegated powers.

2. Supporting Information

2.1 The County Council has power, under the National Parks and Access to the Countryside Act 1949, to declare as local nature reserve land that it considers expedient in the interests of the locality should be managed as a nature reserve. However, the power can only be exercised where the County Council owns the land or has an agreement with the landowner to manage the land as a nature reserve.

2.2 The Local Government Act 1972 provides for local authorities to delegate powers to other local authorities.

2.3 Crowborough Town Council acquired (under a Section 52 Agreement, Town and Country Planning Act 1971) an area of land known as Crowborough Country Park and now wishes to declare and manage this land as a local nature reserve under powers delegated from the County Council.

2.4 Local Authorities are required to consult English Nature before declaring land as local nature reserve. English Nature has been consulted by the Town Council and has supported the declaration of Crowborough Country Park as a local nature reserve.

3. Environmental Issues

3.1 Failure to delegate these powers would make the good environmental management of this site more difficult.

4. Conclusion and Reason for Recommendation

4.1 I recommend that the power under the National Parks and Access to the Countryside Act 1949 to declare as local nature reserve land at Crowborough Country Park should be delegated to Crowborough Town Council because this will assist the Town Council in achieving its objectives for the land without creating a resource commitment for the County Council.

BOB WILKINS
Director of Transport and Environment

Contact Officer: Dr Alex Tait Tel. No. 01273 481621

Local member: Councillor Mrs Tidy

BACKGROUND DOCUMENTS

None