

Local Nature Reserves: How to get them designated.

Order of events required to declare an LNR.

1. Identify area (see section 1, 2, 3 and 5).
2. Gain community support.
3. Identify the landowner(s) and gain their support.
4. Organise general meeting to discuss designating the area.
5. Create a LNR Committee – made up of all the key stakeholders - to take forward the designation process.
6. Draft two documents for SNH approval of the LNR designation (see section 4).
7. Get SNH approval.
8. Draft agreements between the Council and other landowners (if any).
9. Submit paper to Planning and Development Committee for approval.
10. Advertise the designation.
11. Site designated!

Within 3 years of designation a management plan for the area must be submitted to SNH.

Note: The Biodiversity Officer can help with action 6 and 9.

1. Definition of a Local Nature Reserve

A Local Nature Reserve (LNR) is a protected area of land designated by a local authority because of its local special natural interest and/or educational value. Section 15 of the National Parks and Access to the Countryside Act 1949 describes a “nature reserve” as:

“land managed for the purpose:

- *of providing under suitable conditions and control, special opportunities for the study of and research into matters relating to the fauna and flora of Great Britain and the physical conditions in which they live, and for the study of geological and physiographical features of special interest,*

or

- *of preserving flora, fauna or geological or physiographical features of special interest in the area,*

- *or for both purposes.”*

Section 21 of the Act gives local authorities the power to establish nature reserves:

“The council of a county or county borough shall have power to provide, or secure the provision of, nature reserves on any land in their area ... as to which it appears to the council expedient that it should be managed as a nature reserve.”

2. Legislative Requirements

In order to meet the legislative requirements of the 1949 Act, it is essential that the proposed LNR should:

1. consist of land (generally interpreted to include the foreshore above low water mark of ordinary spring tides or inland waters);
2. be managed;
3. provide special opportunities for study and research of the flora and fauna of Great Britain and the conditions in which they live, and for study of earth sciences of special interest in the area; and/or preserve the special natural or earth science interest in the area; or for both of those purposes²;
4. consist predominantly of flora or fauna of Great Britain;
5. have the study and research into, or preservation of, nature or the earth sciences as a priority objective and not as an incidental land management consideration;
6. lie within the jurisdiction of the local authority concerned (or local authorities, where an LNR is declared by more than one authority acting jointly);
7. be owned or leased by the local authority, or be under an agreement from the owner or tenant;
8. be the subject of consultation with Scottish Natural Heritage.

3. Recommended Additional Selection Criteria

Given that these legislative considerations are complied with, SNH considers that sites most appropriate for LNR status are those where both sets of policy objectives outlined in section 4 above are met. Thus, SNH recommends that sites should be selected which:

1) provide accessible, positive, current (or potential) informal opportunities for raising people's awareness, understanding and enjoyment of, and involvement with, their local natural heritage;

AND

2) be (or have the potential to be) of special natural heritage interest in the area, through good management and safeguarding of the site.

4. When being formally consulted over a proposed LNR, SNH requests the following information, in order that consistent and meaningful advice can be offered:

- a statement outlining why the site was selected;
- a map;
- tenure details;
- a reserve management statement setting out a brief description of the site aims and objectives - including actual or potential biodiversity management, opportunities to be realised for environmental education and community participation, arrangements for access and visitor management - and setting out the management arrangements and initial management priorities;
- outline costs and funding arrangements.

5. Choosing the LNR Boundary

One additional consideration when deciding the LNR boundary is the inclusion of buffer zones. These are areas of lower value than the main special interest of a site, but the management of which is linked to maintaining the special interest. A buffer zone can lie:

1. Within the LNR Boundary If an area of land, the management of which is closely associated with maintaining the special interest of the LNR, even although that land may not itself be of special interest, then it could be included within the boundary. The whole site may then be protected and managed as a unit, and byelaws applied accordingly. Buffer zones can be managed primarily for other purposes, so long as that management is compatible with, and supports the interest of, the LNR. Examples may include land necessary for managing access to, or within, the LNR, eg: for car parks, storage sheds or a reserve centre; or agricultural land that supports species that are of special interest in the reserve.

2. Adjacent to the Boundary Adjacent areas may also be important, eg: to absorb potentially damaging recreation pressures, wildlife corridors connecting LNRs to green networks, or agricultural land. If these are not crucial to the management of the special interest of the site, but flexibility or

restrictions in their future management is sought, such areas can simply be managed in a complementary manner, eg: through zoning as public open space in a local plan, or through negotiating restrictions as part of an agreement with the local authority. The application of byelaws is restricted to within the boundary of the LNR except for byelaws which “prohibit or restrict the shooting of birds or of birds of any description within such area *surrounding or adjoining* a nature reserve as appears ... requisite for the protection of the reserve”⁴. Such a byelaw could create a de facto buffer zone for birds.

It is SNH policy to prefer the first option.

Text From; LOCAL NATURE RESERVES IN SCOTLAND:
A Guide to their Selection and Declaration (2000). SNH.
<http://www.snh.org.uk/pdfs/lhrs/finguide.pdf>