



West Dean Parish Council

Biodiversity Policy

Introduction

Under the 2021 Environment Act, public authorities, including town and parish councils, operating in England must consider what they can do to conserve and enhance biodiversity.

In accordance with the duty imposed on town and parish councils by Section 40 of the Natural Environment and Rural Communities Act 2006, updated by Section 102 of the Environment Act 2021, West Dean Parish Council must from time to time consider what actions the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.

This duty also means that the Council can spend funds in conserving biodiversity.

West Dean Parish Council will be mindful of legislation and laws pertaining to the statutory forest – see appendix 1 for current laws briefing note.

This policy will be reviewed annually to ensure that any new or amended legislation incorporated.

Definition

According to DEFRA, biodiversity is the variety of all life on Earth. It includes all species of animals and plants – everything that is alive on our planet whether on land, in the air or in water.

Biodiversity is important for its own sake and has its own intrinsic value. A number of studies have shown this value goes further. Biodiversity is the building block of our 'ecosystem' that in turn provides us with a wide range of good and services that support our economic and social well-being. These include essentials such as food, fresh water, and clean air, but also less obvious services such as protection from natural disasters, regulation of our climate, and purification of our water or pollination of our crops. Biodiversity also provides important cultural services, enriching our lives.

Aims and Objectives

The object of this policy is to work towards conserving and enhancing the biodiversity of West Dean parish.

The Council and its Committees will consider sustainability, environmental impact and biodiversity when making decisions and will develop and implement policies and strategies as required.

In particular, West Dean PC will aim to improve the biodiversity of its area in the following ways:

- Consider the potential impact on biodiversity represented by planning applications.
- Manage its land and property using environmentally friendly practices that will promote biodiversity.
- Support local businesses and council operations in the adoption of low impact/nature positive practices.
- Encourage and support other organisations with West Dean parish to manage their areas of responsibility with biodiversity in mind.

- Support residents and local organisation activities to enhance and promote biodiversity.

Actions

Planning Applications

West Dean Parish Council will:

- When commenting on planning applications, support site and building design that benefits biodiversity through the conservation and integration of existing habitats or provision of new habitats.
- Support protection of sensitive habitats from development and will consider whether the development would mean the loss of important habitats for wildlife in respect of all applications.
- Consider what each proposed development might make in terms of biodiversity net gain.
- Include policies in support of biodiversity within the neighbourhood plan and any future neighbourhood plans within the parish.

Land & Property Management

West Dean Parish Council will:

- Consider the conservation and promotion of local biodiversity with regard to the management of its open spaces. This will include adopting beneficial practices with regard to cutting and removal of vegetation, application of chemicals and timing of maintenance work, paying attention to the Government's regulation for [plant protection products](#).
- Take special care in the specification of grounds maintenance contracts to ensure that the work, whilst reaching acceptable standards, does not harm the natural environment.
- Source sustainable materials when procuring supplies for Council's use.
- Consider biodiversity issues and the implementation of changes when managing its buildings.

Local Community

West Dean Parish Council will:

- Raise public awareness of biodiversity issues, including through its website and newsletters.
- Engage with local businesses and residents regarding biodiversity in the community and how members of the community can assist and make a difference.
- Where feasible, involve the community in biodiversity projects on its land including for example tree planting, wildflower meadows, birdbox making etc.

Partners

West Dean PC will work in partnership with other organisations, including The Verderers Court, The Commissioners of the Wood, Forestry England, Forest of Dean District Council, Gloucestershire County Council, Wye Valley National Landscape and other agencies to protect, promote, and enhance biodiversity within the parish.

It will review any local nature recovery strategies, species conservation strategies, or protected site strategies in respect of local Sites of Special Scientific Interest (SSSIs) and consider how it may become more involved in implementing the strategies' recommendations.

Monitoring

This policy was adopted on 28th February 2024, Minute Reference 24022.4 and will be reviewed in two years, or sooner should legislation dictate. A summary of how the policy has been implemented will be published annually to make residents aware of the actions taken and progress made to protect and enhance biodiversity within the parish.

APPENDIX 1

West Dean parish was created initially in 1842 prior to which it was part of an extra parochial area land that formed an area of royal hunting land. This area of hunting land formed part of an extensive area governed under Forest Law from the Norman period, and as an area of Forest Law was governed by the Verderer's Court, which had legal rights over the flora and fauna of the Forest land. The boundaries of Forest Law and hence the Statutory Forest were established in a permanent location by a charter of Edward III in 1327, and the formal rights of the Verderer's Court laid out in legislation dated 1927.

The parish as it exists now is mainly included in the Statutory Forest, but with two additions of former detached parts of land from Newland Parish (land removed from the Statutory Forest 1221 to 1327, probably 1282) at the north and south end of the parish around Joyford and Hoarthorns Farms and Bream and Brockhollands. The area around Joyford and Hoarthorns Farms is further located in a Conservation Area now called the Wye Valley National Landscape (which has its own legislation).

In 1982 the Commissioners of the woods and the two Verderers Court of the Forest of Dean and the New Forest laid a piece of legislation before parliament. this is known as the 1982 Forest Commission By-laws. The legislation appears ambiguously to cover land owned by the Forestry Commission (now Forestry England) in the Statutory Forest, though privately owned land in the Statutory Forest also lies under the jurisdiction of the Verderers for legislation passed prior to the Second World War. The Forest of Dean bylaws 1975 were replaced by this act.

The legislation clauses that may impact biodiversity are as followed:

Acts Prohibited on the Lands of the Commissioners

5. No person shall in or on the lands of the Commissioners:-

- Light any fire or stove or leave any lighted match, tobacco, cigar, or cigarette.
- Remove or damage any building, wall, gate, stile, fence, railing, post, chain, seat, drain, pipeline, noticeboard, receptacle for rubbish or any other thing belonging to the Commissioners.
- Dig up, remove, cut or injure any tree, shrub or plant, whether living or not, or remove the seeds therefrom, or dig up or remove any soil, turf, leaf mould, moss, peat, gravel, slag, sands or minerals of any kind.
- Disturb or remove archaeological or historical remains.
- Operate a metal detector.
- Set up or place any caravan, tent, booth, stall or erection of any kind, including equestrian equipment.
- Turn out to graze or feed or allow to remain thereon any animal or fowl.
- Permit any animal in his charge to be out of control.
- Except in the New Forest or on bridleways, which are public bridleways or bridleways specified by the Commissioners, ride or lead any horse.
- Permit a dog for which he is responsible to disturb, worry or chase any bird or animal or, on being requested by an officer of the Commissioners, fail to keep the dog on a leash.
- Ply for hire with, or let out for hire, any mechanically propelled or other vehicle of any horse or other animal.
- Set up beehives.
- Wilfully disturb, injure, catch, net, destroy or take any bird, fish, reptile, or animal, or attempt to do so, or take the eggs of any bird.
- Catch or net for the purposes of any collection any butterfly, moth, or dragonfly.

- Wilfully disturb, damage, or destroy the burrow, den, set or lair of any wild animal.
- Carry or use any firearm, shotgun, bow or other missile weapon, or any ammunition or missile for use therewith.
- Dam or obstruct or restrain the flow of water in any watercourse or break the banks thereof, or open or close any sluice belonging to the Commissioners.
- Play or practise any game or sport in such a manner as to disturb the peaceful use of such lands or endanger the public or animals.
- Play any musical instrument or operate any radio receiving set or any other apparatus for the production or emission by electrical or mechanical means of sound, speech, or images in such a manner as to cause annoyance to any person lawfully in or on such lands.
- Place or leave on such lands (except in receptacles provided for the purpose by the Commissioners or by any other competent authority) any litter, rubbish, filth or refuse of any kind.
- Direct or discharge or cause to be directed or discharged, whether by means of a pipe, stream, or excavation or in any other manner, any sewage or other noxious substance or any dangerous chemicals in such a manner as to constitute a nuisance.

These pieces of legislation would imply that rewilding of an area must take place around its important historic landscape. There are further specific pieces of legislation for the Forest of Dean:

Additional Acts prohibited in the Forest of Dean

12. No person shall in the Forest of Dean:-

- Turn out in any area of plantations enclosed by the Commissioners to graze or feed or allow to remain therein any animal or fowl.
- Without lawful authority, turn out in any area of the Forest (not being an area of plantations enclosed by the Commissioners) to graze or feed or allow to remain therein any animal or fowl except such sheep as the Commissioners suffer to graze therein.
- Turn out in any area of the Forest (not being an area of plantations enclosed by the Commissioners) to graze or feed or allow to remain therein any sheep, other than a lamb, which is not clearly marked with the owner's identification marks being identification marks registered with the Deputy Surveyor of the Forest of Dean as the owner's.