

## Consideration of Feedback received from 2009 external consultation on proposed update to PCC Biodiversity Strategy

The external feedback laid out here was made against the external consultation version of the Biodiversity Strategy which included:

- Appendix A: Vision Statement.
- Appendix B: Action Points.
- Appendix C: Summary of BAP targets.
- Appendix D: Financial Implications.
- Appendix E: Policy with respect to works during the bird nesting season.

Appendices C and E have been removed from the updated strategy following internal scrutiny and Appendix D no longer forms part of the strategy itself but just part of the covering report to Cabinet.

The version of the Strategy upon which this feedback was given can be found on the City Councils [Website](#).

	Section/Reference	Feedback	Consideration	Changes made to Strategy
<b>Ufford Parish Council</b>				
1	General response	Overall support of document	N/A	N/A
2	Various	Various spelling errors	Accepted	Strategy updated accordingly.
3	Line 1 of table in Annex B	Farmers need more guidance about hedge management. There is more to it than not cutting hedges in the bird nesting season.	Outside of the scope of the Strategy and the City Councils Powers. However RSPB and other organisations are trying to work with farmers on this issue. Dialogue with the RSPB has taken place as part of the external consultation process, particularly in respect of hedge cutting during the nesting bird season.	None Possible.
4	Line 6 of table in	Confusion over road names. Locally people	The official County Wildlife Site Names	Local road names

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	Annex B	<p>call it Marholm Road west of the King Street cross roads and I believe the road sign confirms this.</p> <p>Southey Lodge is on Langley Bush Road which extends from the Marholm Road/King Street crossroads nearly to the A47.</p>	<p>have been used which correspond to the mapping of these sites and 1:10,000 OS mapping. However for clarity the suggested names can be added to the strategy in brackets after the CWS name.</p>	<p>added in brackets after official CWS names.</p>
5	Annex C	<p>People understand the term "Protected Verges" better than County Wildlife Site. Signs are certainly needed to identify such verges.</p>	<p>Annex C is a summary of Cambridgeshire and Peterborough Biodiversity Action Plans. Cambridgeshire still have protected road verges which are a lesser designation than County Wildlife Sites. It is however acknowledged that Protected Road Verge is a more accessible term</p>	<p>Text of Appendix C updated so that it is clear that this refers to County Wildlife Site and Protected Road Verges.</p>
6	Appendix D	<p>It is suggested that the grass on CWS verges should be cut at the beginning of the growing season as well as at the end of it. There seems to have been some confusion about this in the past, also about the removal of the cut grass. This needs clarification. It may vary between sites and may also depend on the weather conditions.</p>	<p>The cut at the start of the growing season would be additional to the current regime, no removal of cuttings would be proposed.</p> <p>The current regime is detailed in the landscape management specification for the verges and does depend on weather conditions.</p>	<p>Clarification made to text in Appendix D.</p>
7	Appendix D	<p>No a reference to the parish grants. These are highly valued and mean that local people have more sense of ownership of their environment.</p>	<p>These are referred to as "Natural Environment Grant Scheme" in line 13 of the table.</p>	<p>Clarification made to text in Appendix D.</p>

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<b>Newborough Parish Council</b>				
8	General response	Supportive of the draft.	N/A	N/A
<b>Natural England</b>				
9	Various	Various spelling errors	Accepted	Strategy updated accordingly.
10	Overall comment	Support aims, objectives and proposed actions outlined; and overall vision to maintain and enhance biodiversity within Peterborough.	N/A	N/A
11	Appendix A: Vision Statement	We suggest that this opening section makes reference to the relevant statutory requirements relating to biodiversity, including your authority's duties as a Section 28G authority under the Wildlife and Countryside Act 1981 (as amended by CRow) and its general biodiversity duties established under the NERC Act, the latter being a primary reason for updating the strategy.	Biodiversity Duty of the NERC Act is included in point 4 of the vision statement in Annex A.  Duty towards Sites of Special Scientific Interest under S28G of the Wildlife and Countryside act is included in the text of point 3 of the Approach in Annex A.	Footnote added making reference to S40 of the NERC act.  Text updated and footnote added.
12	Appendix A: Vision Statement	It may also be appropriate at this point to cross-reference current/proposed local biodiversity policies (including PCC Validation Checklists), as well as referring to the national policy requirements of PPS9.	It is not intended (or appropriate) that the strategy should be used in planning as its content is not solely focussed upon planning issues and therefore it would not be appropriate for it to become a Strategic Planning Document. It could not however fail to make mention of this area of the City Councils functions. These functions are however more appropriately governed by national and local planning guidance.	None

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		<p>There should also be specific mention of the main legislative drivers in relation to protected sites and species i.e. the Wildlife and Countryside Act and the Habitats Regulations.</p> <p>Reference to the UK and local Cambridgeshire and Peterborough Biodiversity Action Plans and associated priority habitats and species targets should also be made.</p>	<p>References to the Wildlife and Countryside act have been added in response to the above. The protection afforded to wild birds is also covered in some detail in appendix E. The strategy otherwise aims to capture the spirit of this legislation and it hasn't been felt to be appropriate to directly repeat large amounts of the text of these acts. The duty towards the Habitats Regulations is also felt to be too general to realistically be directly referenced. The individual elements of the habitats regulations are however intended to be covered through the overall approach.</p> <p>Covered under point 11 of the approach in appendix A. A summary of local Biodiversity Action Plan targets is included at Appendix C.</p>	<p>N/A</p> <p>N/A</p>
13	Appendix A: Vision Statement	Regarding wider biodiversity, the Habitats Regulations require policy <i>“to encourage the management of features of the landscape of major importance for wild flora and fauna which, because of their linear or continuous nature or their function as stepping stones, are essential for the migration, dispersal and genetic exchange of wild species”</i> ; this is also referenced in PPS9. The PCC Biodiversity	This is covered by point 2 of the approach outlined in appendix A. The strategy goes on to analyse how the City Council can directly contribute to this requirement directly through extending County Wildlife Road Verges and indirectly through working with partners such as the Natural networks Partnership.	Foot note added to point 2 of the approach in Appendix A.

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		Strategy should make reference to this and identify how it will seek to achieve compliance.		
14	Appendix A: Vision Statement	We would suggest that the requirements for multi-functional Green Infrastructure are also mentioned in context of development within the Growth Area; you may wish to refer to PPG17 and the forthcoming PPS17 which is expected to make direct reference to Natural England's Access to Natural Green space Standards (ANGSt). Reference to Peterborough's Green Grid Strategy (and the Green Wheel) should also be made.	See first part of response to line 12 above.	N/A
15	Appendix A: Vision Statement	The Vision identifies the percentage area of Peterborough covered by county/national designations. Would it be possible to make similar reference to international sites, or just list these sites by name (Orton Pit, Barnack Hills and Holes, Nene Washes)?	Noted.	Text added to reflect this.
16	Appendix A: Approach	Natural England supports the broad principles of this section but we believe some of these could be expanded, either here or in the relevant sections of Appendix D.  For example, the section on the Planning System and Green Spaces should make specific reference to the statutory and policy requirements (if not mention in the Vision), the	The principals are extrapolated and expanded in Appendices B and D.  See first part of response to line 12 above.	N/A  N/A

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		<p>aims of the Green Grid, Green Wheel, local BAP targets and your authority's responsibility to liaise with the relevant statutory bodies.</p> <p>Quantitative and qualitative objectives for green infrastructure could be incorporated, for example, to provide maximum benefit green infrastructure should be multi-functional so that in addition to providing areas for public access and recreation it could also provide biodiversity enhancements and/or sustainable drainage. Green infrastructure should also connect into the wider network of similar sites to improve access and provide linkages along which species can migrate.</p> <p>In Peterborough developers should be encouraged to incorporate the principles of the Green Grid Strategy into all development proposals as far as possible.</p>	<p>It has not been felt to be appropriate to repeat large bodies of text from statutes.</p> <p>The City Councils direct contribution for green infrastructure has been identified and is included in the strategy. This is based on a comparison of the City Councils direct land management responsibilities against the results of a habitat mapping and network analysis carried out by the Biological Records Centre on Behalf of the City Council.</p> <p>Where the City Council is not the land owner/manager the City Council would otherwise seek to work with the Peterborough Natural Networks Partnership as outlined in point 2 of the Approach outlined in Appendix A.</p> <p>See first part of response to line 12 above.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
17	Appendix B section 4 (Orton Pit).	Support of the actions identified to improve the woodland strip area within the Orton Pit Site.	Noted.	N/A

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18	Appendix B section 8 (Planning System).	<p>It would be useful in this section, or another suitable place in the document, to identify policies/principles adopted/proposed by your authority in relation to planning and biodiversity, such as:</p> <ul style="list-style-type: none"> <li>• local development control principles (e.g. protection and enhancement of statutory and other sites; mitigation and compensation);</li> <li>• planning obligations;</li> <li>• policies for priority habitats and species, protected species;</li> <li>• policies to encourage biodiversity enhancement within development (could be specific e.g. x% of housing will include swift bricks/bird boxes/bat bricks etc or x% of business/industrial footprints should include green roofs)</li> <li>• Green Infrastructure principles – requirement for all new residential development, quantitative/qualitative standards, multi-functionality to achieve biodiversity targets.</li> </ul>	<p>See first part of response to line 12 above.</p> <p>The Strategy is intended to be about all of the City Councils functions and not just those of the Planning Authority. A document such as that which is outlined would need to be adopted as a Strategic Planning Document to be afforded any weight in planning. Such a document would need to be narrowly focussed upon the Authorities Planning Functions. It is therefore not felt that this is the correct mechanism to establish these principles.</p>	N/A
19	Appendix B section 18.	Support of authority's aim to provide continued support to the Biological Records Centre for Cambridgeshire and Peterborough.	Noted.	N/A
20	Appendix E Section 1.3. (Nesting bird	Suggest that consideration be given to the inclusion of Hobby as a Schedule 1 species	Noted.	Text updated.

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	protocol).	<p>that could possibly be found nesting within council-owned trees.</p> <p>However, it is probably better to take the precautionary approach and make generic reference to all Schedule 1 species and how they should be dealt with, rather than just limiting this to those which might occur.</p>	<p>It has been felt necessary to be specific to just those schedule 1 species which might be encountered when undertaking tree works. This has been felt necessary as the guidance note would ultimately be issued to contractors for specific operations such as tree works. A generic reference to schedule 1 species was considered but was felt to be insufficiently helpful in guiding contractors in the implementation of works.</p>	N/A
<b>RSPB (from notes taken in meeting with RSPB officers)</b>				
21	Appendix E Paragraph 1.1.	Paragraph 1.1 is a summary, section 1 overall gives context and an introduction	Noted.	Strategy updated accordingly.
22	Appendix E Section 1.2.	Include reference to the legal defence given by Section 4.2.C of the Wildlife and Countryside Act. This defence is the underlying principal of the protocol.	Noted.	Strategy updated accordingly.
23	Appendix E Section 1.3.	<p>Honey Buzzard is unlikely to be encountered. Add Goshawk and Hobby.</p> <p>This would be useful as a conclusion at the end of the document. Keep the first part of 1.3 and repeat it at the end. Move second part entirely.</p>	<p>Noted. Removal of Honey Buzzard also verbally discussed and agreed with Natural England.</p> <p>Noted.</p>	<p>Strategy updated accordingly.</p> <p>Strategy updated accordingly.</p>

	Section/Reference	Feedback	Consideration	Changes made to Strategy
		Make reference to the legal defence given by Section 4.2.C of the Wildlife and Countryside Act.	Noted.	Strategy updated accordingly.
24	Appendix E Sections 1.4 and 1.5	Replace reference to RSPB with reference to Conservation best practice. (It is not just the RSPB that advocates this practice).	Noted.	Strategy updated accordingly.
25	Appendix E Section 1.4.	Make it clear that conservation best practice of not cutting hedges in the bird nesting season is above and beyond what is lawfully required.  Make it clear that some species such as barn owl will nest outside of the typical March to August season.	Noted.  Noted.	Strategy updated accordingly.  Strategy updated accordingly.
26	Appendix E Section 2.0.	Preamble text required along the lines that prior to hedge and shrub works during the period 1/3 – 31/8 the following procedure is adopted.  Repeat text with respect to schedule 1 birds including disturbance (unlikely to be present in hedges and shrubs).	Noted.  Noted.	Strategy updated accordingly.  Strategy updated accordingly.
27	Appendix E Table in section 2.1	Reverse order of table to give a logical escalation from the common place to the exceptional.	Noted.	Strategy updated accordingly.
28	Appendix E	It would be useful for the 1 page user's guide that this policy document would be distilled into to be produced and accompany/illustrate the	Noted.	Strategy updated accordingly.

	<b>Section/Reference</b>	<b>Feedback</b>	<b>Consideration</b>	<b>Changes made to Strategy</b>
		intended procedure.		
29	Appendix E Section 2.3.	Include a line with respect to Schedule 1 birds and disturbance (unlikely to be present).	Noted.	Strategy updated accordingly.
30	Appendix E section 4.	Include text with respect to schedule 1 birds.  Consider splitting down to make the distinction between street trees and shelter belts/woodland.	Noted.  Noted.	Strategy updated accordingly.  Strategy updated accordingly.
31	Appendix E section 4.2.1	Honey Buzzard is unlikely to be encountered. Add Goshawk and Hobby.	As for Line 23 above.	As for line 23 above.
32	Appendix E section 4.2.2	Greatly simplify this procedure. Remove 4.2.2 entirely and add to the end of 4.2.1 that if nest or cavities are present which might contain schedule 1 birds are present then works should cease and specialist advice should be sought unless it is an emergency and it would be unsafe to do so. Repeat the legal defence contained in section 4.2.c of the wildlife and Countryside Act.	Noted.	Strategy updated accordingly.
33	Appendix E section 4.3.1.	Reverse order of table to give a logical escalation from the common place to the exceptional.	Noted.	Strategy updated accordingly.
34	Appendix E section 4.2 and 4.3	Reverse the order of these sections. If bird nests are present then consideration of	Noted.	Strategy updated accordingly.

	<b>Section/Reference</b>	<b>Feedback</b>	<b>Consideration</b>	<b>Changes made to Strategy</b>
		schedule 1 birds needs to be made.		
35	Appendix E section 6.	Add RSPB enquiries number and website for further information.	Noted.	Strategy updated accordingly.

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