

THE HIGHLAND COUNCIL
PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

14 November 2007

Agenda Item	
Report No	

DESIGNATION OF A LOCAL NATURE RESERVE AT MERKINCH

Report by Director of Planning and Development

Summary: This paper asks for approval of the declaration of an area of Merkinch (the Westfield, Muirton Ponds and associated foreshore) to be designated as a Local Nature Reserve. The Local Nature Reserve proposal is submitted on behalf of the South Kessock Environment Company, representing the local community, and has been approved by Scottish Natural Heritage. The designation would help facilitate improvements to the site for local people, visitors and biodiversity – linking with existing actions in several current strategies. If approved the Merkinch Local Nature Reserve would be the 50th in Scotland.

1. Introduction

- 1.1 A Local Nature Reserve (LNRs) is a place with special local natural interest, set up to protect nature, and for people to enjoy and appreciate. They offer a natural environment, in contrast with formal open green spaces such as parks and gardens, but are still readily accessible to people.
- 1.2 Local Authorities have exclusive statutory powers to set up and manage LNRs under Section 21 of the National Parks and Access to the Countryside Act 1949. When establishing an LNR, councils must consult with SNH who advise on the biodiversity context of the site. To make LNRs as accessible as possible, Scottish Natural Heritage (SNH) has stated it would like to see more designated LNRs in and around towns and cities.
- 1.3 In Highland there was an LNR designated at Munloch Bay. This designation lasted from 1975 to 1985. It was de-designated due to the owners not being willing to encourage the general public to access the site.

2. Designating Merkinch Local Nature Reserve

- 2.1 The South Kessock Environment Company (SKEC) approached the Council's Biodiversity Officer in January 2007 asking for advice on how to set up an LNR. A meeting of site owners and stakeholders was arranged in March 2007. After this, a working group has met 3 times to take the designation forward. It consists of SKEC, Councillor Peter Corbett, Highland Council, Merkinch Enterprise, greeninverness, British Waterways and SNH.
- 2.2 A map of the area was drawn up; it includes the Westfield, Muirton Ponds and associated foreshore, see Appendix 1. This area is owned by Highland Council, with the canal embankment owned by British Waterways. The railway line running through the site was excluded from the proposed LNR due to the difficulties of including it in the LNR designation. All Council departments with an interest in the land to be designated have been consulted and a boundary for the LNR agreed. They have no objection to the designation of this site.
- 2.3 In order to meet the legislative requirements of the 1949 Act, it is essential that the proposed LNR should fulfil 8 criteria; in addition SNH recommends two further criteria. All of these have been fulfilled (see Appendix 2).

- 2.4 When being formally consulted over a proposed LNR, SNH requests that a Reserve Management Statement is drawn up. It sets 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; and outline costs and funding arrangements. (see Appendix 3)
- 2.5 Many of the action in the Management Statement complement existing strategies and plans such as Core Paths, Inverness Greenspace Strategy, The Inverness and Nairn Biodiversity Action Plan, Scottish Biodiversity Strategy and the Council's Biodiversity Duty.
- 2.6 SNH have no objections to the proposals and are keen that Scotland's 50th LNR should be designated in the Highlands.
- 2.7 If the Council does support this paper then Local Nature Reserve Agreement will need to be drafted and signed by Highland Council and British Waterways. In addition a Local Nature Reserve Declaration will need to be drafted and publicised.

3. Resource Implications

- 3.1 At present there are no resource implications for the Council from the proposed declaration. However the Reserve Management Plan, when written, will likely highlight key areas requiring investment but these will link with responsibilities under Core Path networks, Inverness Greenspace Strategy and the Council's fulfilment of its Biodiversity Duty.
- 3.2 Extra grant aid from SNH is likely to be available after designation and there is also the possibility of corporate sponsorship of the site.

Recommendation.

Members are asked to:

Agree that the proposed area be declared the Merkinch Local Nature Reserve.

Signature:

Designation: Director of

Author:

Date:

Background Papers:

1. Map of proposed Local Nature Reserve.
2. Site selection statement.
3. Reserve management statement.