

13th May 2013

Petition regarding trees on Brownhills Common

Ward(s) Brownhills

Portfolios: Cllr A Harris – Leisure and Culture

Executive Summary:

A petition containing approximately 1,400 signatures was submitted to Council on 8th April 2013. The petition states: *“We the undersigned object to Walsall Council and Natural England’s proposals that will see 60% of the trees on Brownhills Common cut down and reduce the common to scrub land to encourage heather. We want and love our trees.”*

Brownhills Common is part of the Chasewater and Southern Staffordshire Coalfield Heaths Site of Special Scientific Interest (SSSI) on account of its wet and dry lowland heath, fens and standing open water habitats.

The Council has a legal obligation to manage the SSSI appropriately, but a condition assessment in 2010 found Brownhills Common to be ‘unfavourable recovering’: unfavourable because of the high scrub and woodland cover, with more intensive management needed, but recovering because management is deliverable.

Walsall Council entered into a Higher Level Stewardship (HLS) agreement with Natural England in October 2012, which will support management of the site for the next decade. A draft management plan produced in February 2013 proposed the removal of a number of conifer plantations and secondary broadleaved woodlands, and restoring these areas to lowland heathland.

Following consultation with local community groups, members of the public and the Forestry Commission, the proposals have been significantly revised to include the removal of two small conifer plantations and restoring these areas to lowland heathland, and thinning other plantations by 30%.

Undertaking this work would satisfy the Council’s legal obligations and result in the SSSI achieving favourable condition.

Reason for scrutiny:

The Council's petitions' scheme requires that, where a petition containing at least 500 signatures is received by the Council, the relevant senior officer will give evidence at a public meeting of one of the Council's Scrutiny and Performance Panels. The authority has determined that the response to such petitions must be given by either the Chief Executive or one of the Executive Directors, Assistant Directors or Heads of Service.

Background papers:

Draft Heathland Restoration Plan for Brownhills Common Site of Special Scientific Interest.

Resource and legal considerations:

The Wildlife and Countryside Act (1981) requires SSSI owners / managers to manage such sites appropriately. Natural England's SSSI condition assessment in 2010 found Brownhills Common to be 'unfavourable recovering': unfavourable because of the high scrub and woodland cover, with more intensive management needed, but recovering because it is in a stewardship agreement and management to tackle these concerns is deliverable.

Lowland heathland is a priority habitat of both the UK Biodiversity Action Plan and Birmingham and Black Country Biodiversity Action Plan (B&BC BAP).

In the Natural Environment White Paper (2011) the Government undertook to support the creation of Nature Improvement Areas. On 27 February 2012, 12 NIAs were announced, including Birmingham and the Black Country Living Landscape NIA (B&BC NIA), of which Walsall Council is a partner. A delivery theme of the B&BC NIA is to restore and link long-established heathland.

From 2002 to 2012, Brownhills Common was under a Countryside Stewardship agreement between Natural England and Walsall Council to manage the heathland habitats. This agreement was renewed in 2012 as a Higher Level Stewardship (HLS) agreement that will support Walsall Council with management of the site for the next decade.

Citizen impact:

Residents' concerns over the original proposals are acknowledged and their level of interest clearly demonstrates the value they place in the Common and the amount of enjoyment derived from it. Some support for the original management proposals has also been received.

There will be no direct impact on local residents from the heathland restoration. The HLS agreement will result in a better managed site with improved access and

increased wildlife value, which will contribute towards physical and mental wellbeing.

Environmental impact:

The HLS agreement and management plan will ensure the effective management of the SSSI, bringing it into favourable condition by 2022, and enhance the wildlife value of Brownhills Common.

Performance management:

The HLS Stewardship agreement and management plan will ensure the effective management of Brownhills Common and contribute towards UK Biodiversity Indicator C1c: Condition of Areas/Sites of Special Scientific Interest.

Equality Implications:

There are no direct equality implications arising from the management work on Brownhills Common. The HLS agreement will result in improved access and increased wildlife value, resulting in increased opportunities for access to nature.

Consultation:

Natural England and Walsall Council officers attended Brownhills Local Committee (BLC) meetings on 3rd December 2012 and 4th February 2013, and held a site visit with BLC and Brownhills Community Association representatives on 1st March.

The heathland restoration work was discussed at the Brownhills Area Partnership meeting on 4th February and Brownhills, Rushall, Shelfield and Pelsall Area Community meeting on 19th March.

In accordance with the Environmental Impact Assessment (Forestry) (England and Wales) Regulations (1999) a Determination Enquiry Form was submitted to the Forestry Commission in February and a meeting held with Forestry Commission and Natural England on 10th April.

Public consultation to date has included a display on the heathland restoration in Brownhills Library from 21st March, with information posters and leaflets issued to other local libraries. Similar information has also been placed on the Council's website and a series of news releases have been issued.

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1. Brownhills Common

- 1.1. Brownhills Common includes those parts north of Holland Park and bordered by Watling Street, The Parade and Chester Road North (outlined in white in Figure 1), covering a total area of 32.7 hectares.

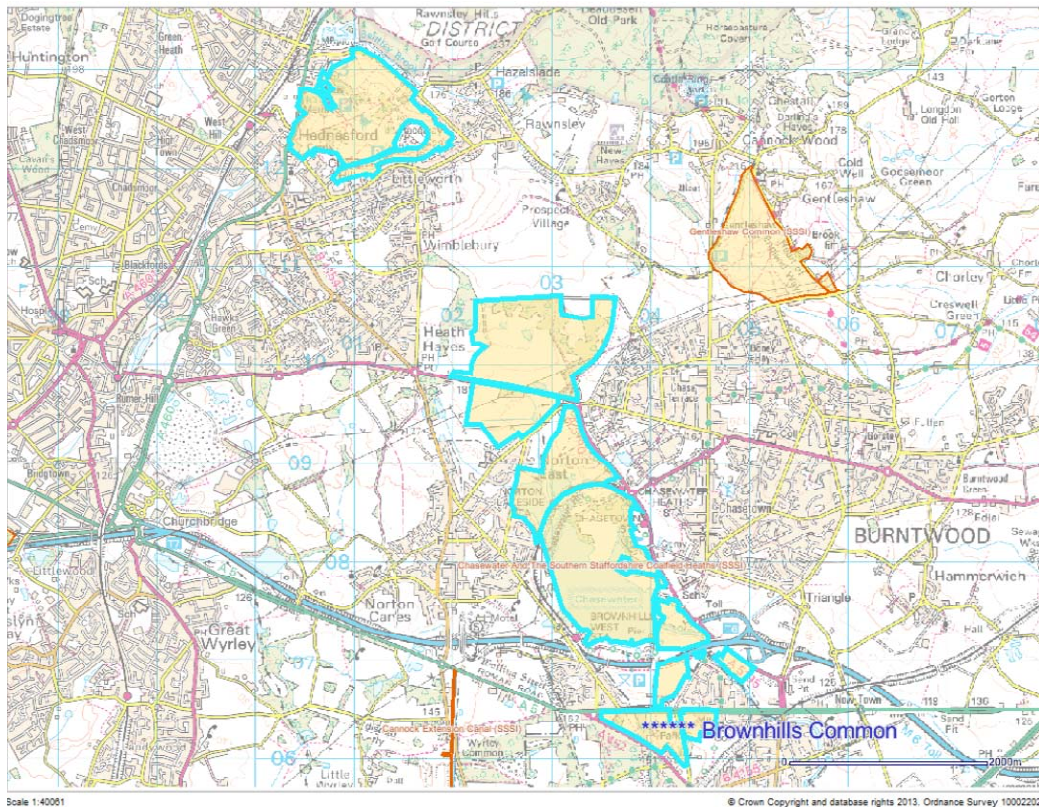


Not to scale

Figure 1. Brownhills Common

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- 1.2. Brownhills Common is part of the Chasewater and Southern Staffordshire Coalfield Heaths Site of Special Scientific Interest (SSSI), which was re-notified in December 2010 (see Figure 2). The SSSI is nationally important for its wet and dry lowland heath, fens (including habitats often referred to as mires and swamps) and oligotrophic (nutrient-poor) standing open water habitats. Walsall Council is legally required to manage the SSSI appropriately.
- 1.3. Brownhills Common is located at the southern end of a chain of lowland heaths connecting Cannock Chase to Sutton Park.
- 1.4. The SSSI condition assessment at the time of re-notification found Brownhills Common to be 'unfavourable recovering': unfavourable because of the high scrub and woodland cover (c37%), with more intensive management needed, but recovering because it is in a stewardship agreement and management to tackle these concerns is deliverable.



Not to scale

Figure 2. Chasewater and Southern Staffordshire Coalfield Heaths SSSI outlined in blue, stretching from Hednesford Hills to Brownhills Common.
(Source: WebMap, Natural England)

- 1.5. Natural England produced a Draft Heathland Restoration Plan for Brownhills Common Site of Special Scientific Interest for Walsall Council in January 2013 to inform and guide management of Brownhills Common and bring the SSSI into favourable condition by 2022.
- 1.6. An area of native broadleaved woodland (c3ha) stands in the northern part of the site and will continue to be managed as such.

2. Lowland Heathland

- 2.1. Lowland Heathland is a broadly open landscape on acidic mineral and shallow peat soil, characterised by the presence of plants such as heathers and gorses. Areas of heathland in good condition should consist of these plants of varying heights and structures with greater than 25% cover, plus some or all of the following features: scattered and clumped trees and scrub (less than 15% cover), Bracken, bare ground, acid grassland, lichens, gorse, wet heaths, bogs and open waters.
- 2.2. Lowland Heathland is a dynamic habitat, undergoing significant changes in different successional stages, from bare ground and grassy stages, to mature, dense heath. These different stages are often present together on a site. The presence and numbers of characteristic birds, reptiles, invertebrates, mosses, lichens and other plants are important indicators of habitat quality.

- 2.3. Lowland heathland is now incredibly rare. Over 80% has been lost since 1800 and mostly since 1950 to agriculture, afforestation, development and lack of management leading to the establishment of woodland. The UK holds over 20% of the world total.
- 2.4. Just 198ha of lowland heathland remains across Birmingham and the Black Country, with Walsall Borough containing the greatest proportion across the Black Country. Walsall Countryside Services have successfully created areas of heathland on Brownhills Common, Barr Beacon, Pelsall North Common and Shire Oak Park.
- 2.5. At the time of the SSSI notification, heathland habitats (including acidic grassland) covered 12.2 hectares of Brownhills Common. The remaining 20.5ha were made up of woodland (15.2ha) and other habitats (5.3ha) such as grassland, bramble, scrub, weedy areas and paths.

3. Biodiversity Action Plans and Nature Improvement Areas

- 3.1. Lowland heathland is a priority habitat of both the UK Biodiversity Action Plan and Birmingham and Black Country Biodiversity Action Plan.
- 3.2. In the Natural Environment White Paper (2011), the Government undertook to support the creation of Nature Improvement Areas. On 27th February 2012, 12 NIAs were announced, including Birmingham and the Black Country Living Landscape NIA (B&BC NIA), of which Walsall Council is a partner.
- 3.3. A delivery theme of the B&BC NIA is to restore and link long-established heathland, to be achieved through the clearance of undesirable vegetation, the re-introduction of appropriate management and targeted habitat creation.

4. Stewardship Agreement

- 4.1. From 2002 to 2012, Brownhills Common was under a Countryside Stewardship Scheme to manage the heathland and woodland habitats. The work included heathland management, rotational scrub clearance and thinning of some of the conifer plantations.
- 4.2. The agreement was renewed in 2012 as a Higher Level Stewardship (HLS) scheme that will support Walsall Council with continued management of the site for the next decade.

5. Heathland Restoration Management Plan

- 5.1. The Draft Heathland Restoration Plan for Brownhills Common Site of Special Scientific Interest proposed the removal of eleven conifer plantations and two areas of secondary woodland from the central parts of Brownhills Common by 2022 and restoring these areas as lowland heathland – circa 7.3ha in total i.e. 48% of the total woodland area, not 60% of the trees as stated in the petition.

- 5.2. The conifer plantations were planted on the heathland during the mid to late 1950s and are now regarded as being inappropriate given the SSSI designation. The two areas of secondary woodland have also become established on the heathland. The trees are changing the soils, seeding into surrounding heathland and causing further deterioration of heathland habitat.
- 5.3. The HLS agreement includes continued heathland management and rotational scrub clearance, plus the management of 3ha of broadleaved woodland in the northern part of the Common.
- 5.4. Due to the total area of woodland proposed to be removed over the ten years, a Determination Enquiry Form was submitted to the Forestry Commission in February 2013 for them to confirm whether an Environmental Impact Assessment was required. Their initial response was that the proposals were not in accordance with the Government policy 'When to convert woods and forests to open habitat in England', but would accept 30% thinning of all of the conifer plantations across the SSSI in accordance with standard woodland management practice (see Table 1 and Figure 3).
- 5.5. Following the aforementioned consultation, we have listened to public feedback and the views of the Forestry Commission, and taken full account of the overall balance of feeling in amending the management proposals, as follows:
- Remaining trees on mounds in the centre of the western part of Brownhills Common (compartments 11 and 15, see Figure 3) will be removed and the area (c0.5ha in total) restored to lowland heathland to reconnect existing areas immediately to the north and south.
 - All other conifer plantations will be thinned by 30% in accordance with standard woodland management practice on a five to eight year cycle, starting with those of non-native species (including Corsican Pine, Lodgepole Pine, European Larch and Red Oak). This will enable the remaining trees to grow on in a healthier and more uniform way, increase light levels and disturb the soil, thereby enabling ground flora to become established.
 - Depending of growth rates and lights levels reaching the ground, conifer plantations thinned initially may be thinned by a further 30% during the latter years of the agreement.
 - Heather will be encouraged by spreading cuttings around the edges of the plantations as they are thinned to increase the overall extent of heathland.
 - Trees and scrub will be removed on rotation from open areas of heathland to increase age diversity and benefit heathland communities.
 - All mature native broadleaved trees within plantations and heathland will be left.
 - The area of broadleaved woodland in the northern part of Brownhills Common will be managed in accordance with standard woodland management practice.
 - All trees to be removed will be checked for bats before felling.
 - No tree felling will start before autumn 2013.
 - Compensatory native broadleaved planting of at least double the number of trees to be removed will be undertaken during the first subsequent planting season in locations around the edges of Brownhills Common, starting during the 2013/14 season.

Table 1. Species Composition of Conifer Plantations on Brownhills Common

Compartment	Species	Notes
1	Scots Pine	Some Oak and Birch saplings in understorey
2	Scots Pine and some Lodgepole Pine on western edge	Some Oak and Birch saplings in understorey
3	Scots Pine	
4	Scots Pine	
5	Corsican Pine	
6	Scots Pine	Some Oak and Birch saplings in understorey, Birch scrub on edges
7	Lodgepole Pine	Some Oak and Birch saplings in understorey, Whitebeam and Sycamore on edges
8	Lodgepole Pine	Some Oak and Birch saplings in understorey, Whitebeam and Sycamore on edges
9	Lodgepole Pine and European Larch (4#)	
10	Larch	
10a	Lodgepole Pine	Some semi-mature Sycamore comprise part of this compartment
11	Lodgepole Pine (6#)	
12	Scots Pine	Heather regenerating beneath plantation
13	Scots Pine and Lodgepole Pine	Thin strip of plantation conifer with a mix of Oak and Birch saplings
14	Scots Pine	Dense stand
15	Lodgepole Pine (circa 70#)	Clear fell stand, regenerating heathland in this area
16	Scots Pine, Lodgepole Pine and European Larch	Compartment has a good mix of Oak and Birch developing as an understorey
17	Scots Pine	Some Oak and Birch saplings in understorey, Red Oak and Birch scrub on edges
18	Corsican Pine	Compartment has some semi-mature Red Oak and developing Oak and Birch woodland
19	Scots Pine	Compartment has some semi mature Red Oak and developing Oak and Birch woodland

5.6. Plantation thinning does not meet the criteria for HLS funding, as heathland is not being restored, so grant aid would not be forthcoming. Therefore, undertaking this work in a couple of years would represent more effective use of Council resources. However, further consultation will be undertaken to seek views on whether this would be acceptable or management should be spread over more years.



Not to Scale

Figure 3. Brownhills Common Conifer Plantations

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- 5.7. The proposed amendments to the management work would need to be formally agreed between Walsall Council, Natural England and Forestry Commission. This is likely to take place during May/June 2013.
- 5.8. The original proposals would have restored c7.3ha of heathland across Brownhills Common over the ten years of the HLS agreement, but the rate of plantation removal that this would have required was clearly unacceptable. However, the Council has a legal obligation to manage the SSSI appropriately, which the revised management work would still meet as well as restoring a smaller area of heathland and bringing the SSSI into favourable condition by 2022. The revised work strikes a balance between the requirements of the SSSI and objectives of the HLS agreement and the views of local people/users of the Common.