

Overview and Scrutiny Committee 9 November 2022 Advance Questions

Agenda Item 4 – Presentation on the Work of the Banstead Commons Conservators

Question 1

How does the level of management activity compare across the 4 common areas.

How is it impacted by the SSSI status of some of the commons. (Pages 41 and 42 notes that parts of Banstead Downs that is an SSSI and similarly Park Downs are under prescriptive management - what does this mean?)

How is the management of the SSSIs managed where this extends past the boundary of the commons (as noted regarding the Chipstead Downs SSSI on page 16). In particular, what is the boundary of the Chipstead Downs SSSI and who are the other landowners?

Written Answer

It is difficult to compare management activity across the four areas that make up Banstead Commons because most of our countryside management duties are delivered by our inhouse team using agricultural machinery owned by the Conservators.

The Banstead Commons Conservators believe that managing an inhouse operational team enables us to control expenditure effectively whilst delivering a gold standard of countryside management across all four of our sites.

Annual work programmes are developed for each site and most tasks are seasonal and vary depending on the habitat. Specific management areas are mapped in compartments to assist with reporting. Different habitats require specific management priorities to enhance and increase biodiversity of a site. For example, the maintenance of species-rich, semi natural grassland requires the grassland areas to either be grazed or managed mechanically and all arisings removed from the site. Tasks require a different amount of time to be allocated sometimes due to the geology, surrounding habitat of the site or because the management process is time consuming.

In addition, management priorities can often also be influenced by external factors such as weather conditions (storms, drought conditions etc.), especially during the winter months, and the lack of funding.

Sites that are designated SSSI and under Higher Level Stewardship by Natural England require specific management duties (prescriptive management) to be carried out each year to:

- Conserve wildlife (biodiversity)
- Maintain and enhance landscape quality and character
- Protect the historic environment, including archaeological features
- Promote public access and understanding of the countryside
- Protect natural resources

Banstead Downs SSSI falls completely within the boundary of Banstead Commons.

Banstead Commons Conservators are responsible for units 4 & 7 of the Chipstead Downs SSSI. The boundary of Banstead Commons runs adjacent to Holly Lane. The remaining area of Chipstead Downs SSSI falls under the management of the respective landowner.

Chipstead Downs SSSI

Unit	Unit name	Condition	Condition Threat Risk	Habitat	Area (ha)	GridRef	Map
001	THE LONG PLANTATION	Unfavourable - Recovering	No identified Condition Threat	CALCAREOUS GRASSLAND - Lowland	16.7789 ha	TQ 268 562	View map
002	FAMES ROUGH	Favourable	Medium	CALCAREOUS GRASSLAND - Lowland	5.5242 ha	TQ 264 572	View map
003	BANSTEAD WOOD	Favourable	No identified Condition Threat	BROADLEAVED, MIXED AND YEW WOODLAND - Lowland	84.2356 ha	TQ 264 579	View map
004	PARK DOWNS (W)	Favourable	No identified Condition Threat	CALCAREOUS GRASSLAND - Lowland	19.4136 ha	TQ 266 585	View map
005	STAGBURY DOWNS	Unfavourable - Recovering	No identified Condition Threat	CALCAREOUS GRASSLAND - Lowland	11.4962 ha	TQ 271 578	View map
006	FAMES ROUGH	Unfavourable - Recovering	No identified Condition Threat	BROADLEAVED, MIXED AND YEW WOODLAND - Lowland	9.948 ha	TQ 266 573	View map
007	PARK DOWNS (E)	Favourable	No identified Condition Threat	CALCAREOUS GRASSLAND - Lowland	10.4833 ha	TQ 271 585	View map

The Banstead Commons Conservators are not able to answer any management questions for areas that fall outside our responsibilities. You can find further information on designated sites if [you click here](#).

We believe Reigate and Banstead Borough Council are the landowners for the remaining compartments of the SSSI – the Greenspaces Team can confirm land ownership and comment on management for the rest of the site.

Question 2

Page 18 notes that any money raised across the commons through leases, wayleaves, and licensing, goes directly to the landowner, Reigate and Banstead Borough Council. How much has this been for the past five years for the four areas? Please confirm that these figures are not included at all in the BCC accounts on pages 30-32.

Written Answer

The BCC does not have any visibility of the income raised from Banstead Commons. We believe that RBBC receives c. £55K per annum in revenue from Banstead Downs Golf Club – *the agreement with the Golf Course predates our Act* - and various other sources of income from wayleaves and licensing.

Our Act states that any income raised on the Commons is allocated directly to the landowner. The Conservators accounts do not include revenue generated on the Commons by the landowner.

Question 3

Page 19 notes that there has been a loss of rural payments following Brexit and that some, but lower levels of payments might be received from 2024. I understand the Environment Act passed in September 2021 was supposed to ensure that Brexit did not have any such effects. The slide on page 37 suggests that rural payments funding is expected to be lost over seven years. Please can you confirm what the current annual shortfall in national grants is, what the total shortfall is anticipated to be until

new funding arrangements are put in place, and if there is any indication how much more or less than future funding is likely to be.

Written Answer

On average, the BCC received c.£40K per annum from the [Basic Payment Scheme](#).

The scheme has been reduced incrementally since Brexit and will cease in 2024. The following payments are expected:

2022 - £26,355

2023 - £17,131

2024 - £8,565

At present, Common Land is excluded from the recently introduced Sustainable Farming Incentives (ELMs) and we are in regular communication with the Rural Payment Agency and Farming in Protected Landscapes to recognise any future funding opportunities.

You can find further details related to our financial position if you read the supporting document from the minutes of our [October 2021 Quarterly Meeting](#).

Our three-year budget forecast projections commencing 2023 and work programme for each site have been supplied to Cllr Mark Brunt and Cllr Tony Schofield and form part of our current negotiations regarding the future funding and sustainability of Banstead Commons Conservators.

Question 4

Page 20 notes a loss of staff which might create a shortfall in house operational capacity and the need to use external contractors. Please provide details of any increased use of external contractors last year and this year and when BCC expects to restore the size of its operational team.

Written Answer

The BCC is currently recruiting for a Senior Ranger and Keeper. We hope the new staff will be in place by January.

Contractors have been used only for urgent arboricultural works on Banstead Commons. The operational team need to work in a team of at least two to use Chainsaws on Banstead Commons and safety procedures must be always adhered to. As a result, seasonal tasks have been prioritised by the existing staff team. Existing staff have also worked overtime to ensure statutory and management objectives are met.

Question 5

Page 28 notes that litter bins have been installed by RBBC and that litter and fly tipping issues persist. Are litter bins on the commons and the fly tipping cleared by RBBC, and if so, what has been the impact of this on BCC and on RBBC?

Written Answer

Two litter bins have been installed on Banstead Heath (Mill Road and New Road). The bins are situated within the 1.8 metres of the highway which means they are entirely under the responsibility of Reigate and Banstead Borough Council.

The Conservators do not have the resources to manage litter bins on Banstead Commons. It is also our policy to limit the amount of furniture on the Commons to preserve the natural landscape.

Fly tipping on Banstead Commons is cleared by the Conservators and all costs absorbed in our running costs. Fly tipping is a concern across the borough.

The BCC works in collaboration with the Surrey Police and the RBBC JET Team to manage difficult or persistent concerns related to fly tipping and antisocial behaviour.

Question 6

What has been the impact of the higher visitor numbers on the 4 commons during and since Covid-19 lockdowns on visitor amenities provided and the level of work needed to maintain a) the footpaths, bridleways and permissive rides, and b) the rest of the area of the commons?

Written Answer

Antisocial behaviour and the significant increase of litter were the biggest two concerns to the Commons and visitor safety since the Covid-19 pandemic.

The negative effect of increased footfall across all our sites was that footpaths become wider as people drifted off the footpaths and compacted the soil to the detriment of the environment. In some selected areas, the Conservators made the decision to proactively widen and introduce new temporary footpaths to help alleviate compaction and allow for social distancing.

We believe the increase in visitor numbers and dog ownership has also had an unquantifiable effect on our native wildlife due to disturbance. Increased disturbance, combined with the loss of habitats and change in climate is having a significant negative impact on the prevalence and breeding cycles of many of our native species.

Biological surveys like butterfly transects and the BTO breeding bird survey provide valuable data which can be used to measure changes in species prevalence across the Commons.

The Conservators have increased interpretation and visitor engagement opportunities to help mitigate some of the above concerns.

Question 7

What are the differences and similarities between the way that the Banstead Common Conservators management practices contrast to those used by Greenspaces team for the other pieces of land across the borough? What examples are there of RBBC and Greenspaces sharing best practice?

Written Answer

I am not able to answer the question related to differences and similarities between the way that the BCC management practices contrast to those used by Greenspaces. The Council team is resourced differently from the Conservators.

Our understanding is that Greenspaces prioritise amenity spaces and decisions regarding the management of some sites are influenced by the public whereas the BCC must ensure statutory duties are always met when delivering site management. Habitat restoration, increasing biodiversity and preserving the natural environment are key management priorities for the BCC.

We organise a quarterly liaison meeting with the Countryside and Woodlands Officer at RBBC which provides an opportunity for BCC to report on management priorities and concerns affecting Banstead Commons. Tree safety on Banstead Commons is addressed at each meeting which includes the management of Chalara ash die back and Oak Processionary Moth. The Conservators recognise the financial support the Council gives in helping us to manage tree pests and diseases on Banstead Commons.

The Conservators are collaborating with the Leader of the Council to establish two meetings a year with senior leaders within the Council to address concerns related to legislative responsibilities and funding concerns.

The priority habitats on Banstead Commons have been proactively and expertly managed by BCC for over 30 years. We have achieved favourable condition for all three sites (Banstead Heath, Park Downs, Banstead Downs) under Higher Level Stewardship with Natural England.

The BCC also engages with the following bodies to share resources and best practice:

Attends a quarterly forum with other Conservator bodies (Ashdown, Epping, Cleeve, Tunbridge Wells & Rusthall, Wimbledon & Putney)

Natural England

Surrey County Council

Downlands Trust

Surrey Hills Society

Butterfly Conservation

Surrey Amphibian and Reptile Group

Surrey Wildlife Trust

Surrey Archaeological Society

DEFRA

Question 8

What is the financial saving from using animals for 'conservation grazing' as opposed to using machinery to undertake cuts? Are different animal species used for grazing across the four different common areas?

Written Answer

The Conservators use both mechanical methods and conservation grazing (sheep) to maintain the calcareous grassland (chalk downland) areas on Park Downs and Banstead Downs.

Due to concerns with security and public perception, the situation of Burgh Heath and geology of the site, conservation grazing would not be considered for this site.

The species rich grassland areas on Banstead Heath are managed entirely by mechanical methods at present. Options to potentially graze the site will be explored in the development of the Site Management Plans (funding for new Site Management Plans for each of the four sites has recently been obtained thanks to the CIL Local Fund).

Question 9

On behalf of wildlife lovers across the Borough I would like to congratulate Banstead Commons Conservators on maintaining a healthy, biodiverse Commons through their enlightened management. My question to them is do they have plans to further enhance the site with a rotational cutting regime and hand removal of invasive species. May I suggest the creation of shallow ponds as a further enhancement of the biodiversity of this site?

Written Answer

Thank you!

A rotational cutting regime is already active on Banstead Heath, Banstead Downs and Park Downs preserving scrub habitats (thorn, gorse) on cycle to create what is referred to as 'successional scrub' and maintain a mosaic of habitats on the sites. This helps to create the niche habitats which invertebrate and bird species rely upon to support breeding cycles.

Some areas of grassland are also on a rotational cutting regime and are managed by conservation grazing or mechanically cut to enhance the botanical diversity of the site. Please see question 8 above.

Small patches of Canadian Goldenrod can be found growing on Banstead Downs which are currently being hand pulled each year by volunteers with the aim to eradicate the invasive species from the site.

You can find small numbers of other invasive species across all four of the sites, such as buddleia and aquilegia, which are normally removed when noticed.

There are also extensive amounts of Cherry Laurel on Burgh Heath which requires chemical treatment when resources are sufficient.

Pond management requirements for each site will be identified in Site Management Plans. The Conservators will focus resources on the restoration of existing ponds before creating new ponds on any of our sites.

Agenda Item 5 – Organisation Portfolio Holders Update

Question 10

Addendum page 33 - Please confirm whether the replanting of the trees felled on the Meadowcroft site will be in the location they are felled and what involvement the council has had in ensuring that the site is returned to its original state.

Written Answer

The felled trees were not subject to a tree preservation order (TPO) and so the Council has limited control in how or where they must be replanted. However, upon reports of the tree felling the Council sought to TPO the remaining trees on the site and inform the Forestry Commission. The Forestry Commission has separate powers relating to largescale tree felling and is taking action against those responsible for the tree felling. The outcome of this action, including where any replanted trees will be required, is unknown. The Council is preparing a Supplementary Planning Document (SPD) for the site, which is at a second draft stage, after Executive Members made clear the need for the SPD itself to show trees felled to be more than compensated for by replacement planting in the iterative design sketches.

Question 11

Addendum page 33 - What is the status and time of the Horley Business Park Sustainable Planning Document? What are the Council's plans for the site?

Written Answer

The SPD was scheduled for the November 2021 Executive meeting where it was withdrawn at Executive members' request to be amended to show a higher level of replacement planting to mitigate for that felled. The SPD has been paused whilst other high priority work such as the LDS and SIP have taken priority, together with the need to better understand the implications of any potential large-scale tree planting upon the layout and viability of the Business Park. The timescale for resumption of the SPD will be dependent on prioritization of resources for it and so is presently unknown.

Question 12

Addendum page 33 - What discussions have there been between Reigate and Banstead Borough Council and Surrey County Council with regard to use of land at the Horley Business Park site in connection with the proposed second runway at Gatwick Airport?

Written Answer

In responding to the Gatwick Airport DCO, the Council has raised concerns over the proposals impacting its ability to deliver the site allocation within the plan period. Separately, Greensands Holdings Limited (a council company) as landowner, has been approached regarding acquisition of a small part of its landholding for the Gatwick construction compound for the duration of the 15-year build period. Such discussions are at an early stage and it is not known what discussions have been held with Surrey County Council who are the main landowner of this site.

Question 13

Addendum page 9 - Customer contact. Can an example be given of how the council approach to residents has or will change as a result of the learning from complaints approach?

Written Answer

Our 'learning from complaints' work seeks to make several improvements in our approach to complaints, for example:

- exploring opportunities for prompt informal resolution, though early direct discussion between a service and a complainant
- improved data capture to ensure meaningful data is available to inform and improve discussion/decisions/service improvements
- a regular review of the topics and themes emerging from complaints made, to identify where service improvements can be made
- integration of stage 1 and stage 2 complaints systems and processes – to improve efficiency and a simpler online process for users (complainants and officers).

Question 14

Addendum page 18 Council tax collection.

2a. How do the figures include the amounts collected through Council tax reduction scheme?

2b. How did the level of funding for council tax support/reduction measure up to previous years and other councils?

2c. How will the likely increase in residents struggling with council tax payments/defaulting on payments be adapted to in the coming year to enable flexible support for those residents?

Written Answer

2a. The amount of Council Tax collectable is net of any reductions in liability through the Local Council Tax Support scheme. The support scheme is essentially a discount, applied to a person's Council Tax liability, and is not therefore collected.

2b. The government does not provide any details about the specific amount attributable to the funding of the Local Council Tax Support scheme. A grant is paid to the Council to administer the scheme, which in 2022/23 is £106,553; this level of grant has been consistent since 2013 when the scheme was localised.

2c. Support for residents who are struggling with their bills is provided through the Local Council Tax Support scheme, and additionally through a discretionary reduction in their Council Tax liability in certain cases, which is allowed within regulations, the cost of which is incurred by the billing authority (Reigate and Banstead).

Question 15

Addendum page 24 - Legal and Governance. Can the link to the decision making and accountability audit be shared?

Written Answer

The report has recently been completed by Council's Internal Auditors. The next step is for the report to be presented to the Audit Committee.

Question 16

This question and response contain exempt information.

The question and response have been circulated to O&S Committee members but will not be published in the ModGov library.