

Project Title	Herefordshire Biological Records Centre
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Background

Part of Herefordshire Council's plans for remodelling of their Planning, Regulatory, Conservation and Archaeological Services involves the closing of Herefordshire Biological Records Centre (HBRC). The Association of Local Environmental Records Centres has been invited to comment on the proposals, the details of which are provided below.

Introduction

The Association of Local Environmental Records Centres represents local environmental records centres (LRCs) across England, Scotland and Wales. Herefordshire Biological Records Centre is one of ALERC's members, so the association is anxious to make sure that it provides representation for HBRC. This consultation response responds to Herefordshire Council's initial proposal to close HBRC and makes the following key points:

- There is a need for an LRC in Herefordshire
- HBRC should therefore be continued
- ALERC supports the view that this can be with HBRC as an independent organisation
- ALERC is on hand to provide further support to HBRC and the Council

The need for an LRC in Herefordshire

An LRC is a very cost effective way of providing ecological information to local authorities, other statutory bodies, local businesses, developers and the general public. LRCs are in the best place to do this because of their unique position as a local liaison with volunteer naturalists on the one hand, whilst on the other hand providing a professional service to their clients. The table below provides a summary of important policy and legislation which are relevant to LRCs, and which an LRC ensures compliance for. For more detailed information, see appendix one.

Legislation and Policy relevant to the services provided by Local Records Centres
International Legislation
EU Habitats Directive (92/43/EEC) EU Birds Directive (79/409/EEC) EU Water Framework Directive (2000/60/EC) The Conservation of Habitats and Species Regulations 2010 EU Environmental Assessment Directive (85/33/EEC as amended 97/11/EC) EU Strategic Environmental Assessment Directive (2001/42/EC) EC Public Access to Environmental Information Directive (2003/4/EC) 2003 INSPIRE Regulations 2009
National Legislation
UK Environmental Information Regulations, 2004 Natural Environment and Rural Communities Act 2006 Wildlife and Countryside Act 1981 (as amended) Countryside and Rights of Way Act 2000 Community Strategies, Local Government Act 2000 and Local Government White Paper 15, 2006 Planning and Compulsory Purchase Act, 2004
National Policy
Biodiversity 2020: A strategy for England's wildlife and ecosystem services National Planning Policy Framework Office of the Deputy Prime Minister Circular 06/2005 Hedgerow Regulations 1997 Audit Commissions Quality of Life Indicators The Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006 Green Infrastructure Agenda UK Location Strategy Local Government Transparency Programme Environmental Stewardship and Farm Environmental Plans

As well ensuring compliance with national policies, the LRC also provides information vital for local policies, particularly in planning, by making protected and priority species information available for developers, ecological consultants and planners. This information is also available for use in local authority work such as local plans.

The role of the LRC goes far beyond simply managing a database and supplying species and habitat records to those who need them. The LRC acts as a fulcrum, balancing the business and interests of several local and national groups, and facilitating work such as training, communication, coordination, validation and verification, all of which are required in order for accurate ecological information to be made to available to the local authority, ecologists and Herefordshire public.

The Future

LRCs across Britain have a reputation for innovation and an ability to change to reflect the times. This is particularly important in the current climate when

economic circumstances mean older ways of doing things may no longer be robust. HBRC is no different in this respect, as ALERC understands they have already drafted a counter proposal to Herefordshire Council's original recommendation to close the LRC. The new proposal is to allow for the continuation of HBRC as a Council hosted LRC in the short term, whilst the necessary preparations are made for the LRC to become an independent organisation. Council officers also seem confident that this proposal offers the necessary cost savings to be viable, as stated in an email response to questions asked by ALERC.

Having discussed the new proposal with HBRC, and looked at how similar situations have worked elsewhere in the country, ALERC believes this is the best course of action for Herefordshire. ALERC recommends that this proposal be adopted by the Council and is willing to offer all the support it can give in order to help HBRC achieve a secure and independent future. In fact, ALERC has already been assisting HBRC in its initial research by analysing the income and expenditure of some independent LRCs in order to give the HBRC a firm grasp on how they might balance their books. This work has received input from five other LRCs, some of whom have experience of the move from being a hosted organisation to becoming fully independent.

Finally, ALERC would like to offer further support to the Council as well as the LRC. It is appreciated that HBRC actually only represents a small part of the Council's overall output, although an important one, so it may be the case that the Council needs to find out more about what the LRC does, or may have questions about how LRCs in other parts of the country may operate. Naturally, ALERC would be delighted to answer these queries.

For more information on ALERC visit www.alerc.org.uk

Appendix One

Legislation and Policy relevant to the services provided by Local Records Centres	
Requirement	Description/Information Required
EU Habitats Directive (92/43/EEC) EU Birds Directive (79/409/EEC) EU Water Framework Directive (2000/60/EC) The Conservation of Habitats and Species Regulations 2010	Species listed here are subject to strict regulations Member states are required to introduce a range of measures including the protection of species and habitats, to produce a report every six years on the implementation of the Directive. Comprises 189 habitats and 788 species to be protected by means of a network of Special Areas of Conservation, and Special Protection Areas (Natura 2000 Sites). An appropriate assessment is required for any large-scale development which is likely to affect these sites, which should comprise a review of biological data
EU Environmental Assessment Directive (85/33/EEC as amended 97/11/EC)	Environmental impact assessments are required for most types of large-scale development prior to planning approval, which should include biological data. Most LRCs derive an income from time given to informing EIAs
EU Strategic Environmental Assessment Directive (2001/42/EC)	Strategic environmental assessments are required to protect the environment and promote sustainable economic development. They predict, evaluate and mitigate the environmental impacts of strategic decision making. Biological data should be used to inform a robust baseline assessment
EC Public Access to Environmental Information Directive (2003/4/EC) 2003 UK Environmental Information Regulations, 2004	Freedom of access to information on the environment and biodiversity data 'Public authorities are required to make all reasonable efforts to organise the environmental information which is relevant to their function and which is held by or for them, with a view to its active and systematic dissemination to the public, by means of ICT'
Natural Environment and Rural Communities Act 2006	'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity..... Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat' (Section 40) Contribute towards 'publishing a list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity' (Section 41)
Wildlife and Countryside Act 1981 (as amended)	Gives legal protection to the most important conservation sites in the country, designated as Sites of Special Scientific Interest (SSSIs), and to a number of the UK's threatened species. Biological data required at a local level to inform designation of these sites
Countryside and Rights of Way Act 2000	Duty of statutory public bodies to take reasonable steps to further conserve and enhance SSSIs. Includes monitoring and new allocations. To positively manage SSSIs so that they are in favourable condition

Legislation and Policy relevant to the services provided by Local Records Centres	
Requirement	Description/Information Required
National Planning Policy Framework	<p>Published in March 2012 setting out the Government's planning policies for England and how these are expected to be applied. Chapter 11 'Conserving and enhancing the natural environment', paragraph 117:</p> <p>To minimise impacts on biodiversity and geodiversity, planning policies should:</p> <ul style="list-style-type: none"> • Identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation; • Promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan; • Aim to prevent harm to geological conservation interests
Office of the Deputy Prime Minister Circular 06/2005	<p>Published in August 2005, by the ODPM and Defra, this circular provided an administrative guide to accompany Planning Policy Statement 9. Although PPS9 has now been superseded by the NPPF, Circular 06/05 has not been revoked and its guidance currently remains in place. This document highlights application of the law relating to planning and nature conservation in England, including obligations relating to International and National Sites, conservation of priority habitats and species outside designated sites and in UK and local Biodiversity Action Plans. The Defra guidance on Local Sites is also mentioned, as well as the implications relating to Protected species under international and national law. Its practical implementation will rely, sometimes heavily, on information held within LRCs.</p>
Planning and Compulsory Purchase Act, 2004	<p>Local Development Frameworks require a robust evidence base. Targets are linked to the Regional Spatial Strategy</p>
Hedgerow Regulations 1997	<p>These regulations came into force in 1997 and aim to protect important hedgerows by controlling their removal through a system of notification to local planning authorities. In determining the relevant hedgerows, part two of schedule 1 (criteria) specifically refers to information that could be held by a local records centre.</p>
INSPIRE Regulations 2009	<p>The INSPIRE Directive aims to make it easier to access and combine environmental spatial datasets held by public authorities, to support environmental policy and practice at a national and international level. This Directive became UK law under the INSPIRE Regulations 2009, setting standards for public authorities on metadata creation and the provision of publicly accessible data services.</p>
<p>Community Strategies, Local Government Act 2000 and Local Government White Paper 15, 2006</p> <p>Audit Commissions Quality of Life Indicators</p>	<p>The 2006 White Paper sets out further reforms to reshape community strategies as sustainable community strategies in line with the recommendations of the Egan Review. It recognises that greater links exist between community and environmental health. Identifies need for robust data/evidence base</p> <p>30 a) The percentage area of land designated as SSSIs in the local authority area in favourable condition; and b) the area of land designated as a local nature reserve per 1000 population</p>

Legislation and Policy relevant to the services provided by Local Records Centres	
Requirement	Description/Information Required
The Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006	These regulations protect uncultivated land and semi-natural areas from being damaged by agricultural work, and guard against possible negative environmental effects from the restructuring of rural land. Often LRCs hold information on land which can inform and enable appropriate decisions to be made.
Green Infrastructure Agenda	The 2006 Northern Way report proposed a framework for City Regions to integrate Green Infrastructure into their forward strategic planning Natural England is seeking to identifying strategic corridors relating to both Green Infrastructure and biodiversity
UK Location Strategy	UK Location is a pan-government initiative to improve the sharing and re-use of public sector geographic information, maximising its value to UK citizens and communities, government, commerce and industry. UK Location is the basis for delivering the UK's obligations under the INSPIRE Regulations 2009.
Local Government Transparency Programme	An objective of the Local Government Transparency programme is to: develop a sector-led approach to data transparency which puts local authority data into the public realm in ways that provide real benefits to citizens, business, councils and the wider data community.
Biodiversity 2020: A strategy for England's wildlife and ecosystem services	This strategy comes after the publication of the Natural Environment white paper, in 2011, by Prof Sir John Lawton. It describes how important conservation charities are in achieving the Government's biodiversity aims, and commits support to biodiversity recording in the voluntary sector.
Environmental Stewardship and Farm Environmental Plans	Environmental Stewardship is the term given to schemes for farmers and other land managers, subsidised by public money, that enhance the natural environment. There are several levels of these schemes and LRC data can be useful in preparing applications for all of them. For Higher Level Stewardship, a Farm Environment Plan is required. This is a detailed assessment of the wildlife value of a farm and could be enhanced by incorporating LRC data.