



Natural England Board

Paper number: NEB P07 09
Date: 18 April 2007

Title: The Bury Farm SSSI – confirmation of notification

Purpose: The purpose of the paper is to seek approval to confirm the notification of The Bury Farm SSSI

Recommendations

It is recommended that the Non-Executive Board: confirm the notification of The Bury Farm SSSI without modification

Background

1. The Bury Farm was notified on 31st August 2006 under Section 28 of the Wildlife and Countryside Act 1981, substituted by Schedule 9 to the Countryside and Rights of Way Act 2000.
2. The Bury Farm SSSI is nationally important for its complex of species-rich, unimproved neutral and calcareous grasslands, and an assemblage of saproxylic (dead wood) invertebrates chiefly associated with veteran orchard trees.
3. The Bury Farm SSSI lies on the lower western flank of the Dinmore Hill, 5 km south of Leominster, Herefordshire. The Bury Farm SSSI has an overall habitat diversity that greatly complements the special interest of the grasslands. Historic mapping shows that orchards have been present on this farm since at least the mid-19th century, and around half of the trees in each of the two orchards are now hollow and contain wood-mould. The scarce wood-mould resource, the continuity of orchard tree cover, and the juxtaposition of other quality habitats, have allowed a significant deadwood invertebrate community to establish, which is indicative of a high quality, ancient wood-pasture system.
4. The Bury Farm SSSI is a complex of 17 fields in two main blocks, separated by a lane. The SSSI boundary is drawn to encompass the whole farm unit with only the buildings and the roads excluded. This encompasses some areas of poorer quality grassland which account for a quarter of the site area and are included because they are essential to the management of the whole farm unit.
5. The boundary is defined for the most part by tall unmanaged hedgerows often containing mature and veteran trees. Where the farm's boundary meets ancient semi-natural woodland, e.g. Plock Wood to the north or Old Nash Coppice to the south, the field boundaries are formed by ancient wood banks. The boundaries of fields within site are also tall, unmanaged and defunct hedges, allowing livestock to roam from field to field unhindered.

6. The site has 5 owners and four organisations with wayleaves. Pre-notification contact was made with one owner who manages the farm but he refused permission for access for survey work. A Section 51 Order was obtained to carry out the survey in May 2006. Further pre-notification discussions were held with two owners but the contact details of the other 3 owners were withheld and a request made that, except for the principal owner, all the notification packages should be presented via the family solicitor.

7. Notification packages were dated 31st August 2006. The period for making objections and representations ran from 31st August 2006 to 2nd January 2007. During this time two objections were received.

8. Natural England has a duty to notify land as SSSI where it is of the opinion that land is of special interest. The selection of this site against the SSSI Guidelines is dealt with fully in the Supporting Information to the SSSI Notification package; for the assessment of each of the qualifying interests against the published guidelines please refer to pages 29 - 39 of Section 2 of the confirmation package.

9. The Officers' Report to the Non-Executive Board in the attached SSSI confirmation package describes the site and its special interest and considers the objections and representations made in respect of the 31st August 2006 notification.

Issues

10. The site is in the ownership of a single family who, with one exception (the principal manager of the farm), wish to sell their interest and believe the 'take over' of the land by Natural England will obstruct them from doing so. They believe the value of the land will be affected by the notification and do not feel that the research on Nature Conservation Designations and Land Values carried out in Scotland (provided by Natural England) is relevant to their intentions. This is the only study of its kind that goes into considerable depth; in addition, it is generally well regarded as being authoritative.

11. In addition, the principal manager of the farm does not wish to enter a management agreement with Natural England and wants to continue to farm in the way he always has. However, future owners of the farm may not wish to continue to farm in this way and the high probability of obtaining an HLS agreement needs to be taken into consideration in any sale as that funding together with the single farm payment would provide a viable basis to manage a small farm and is a guaranteed payment independent from market forces. A series of consents has been drawn up to cover the present management regime until December 2008, by which time it is hoped there will be an agreement to apply for an HLS agreement.

12. The grounds for the objections have been carefully considered by officers' of Natural England. Officers' recommend to the Non-Executive Board that the SSSI should be confirmed without modification. The Non-Executive Board is required to take a decision upon whether or not to confirm this SSSI on or before 30th May 2007.