

Biodiversity net gain. Good practice principles for development

Case studies

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14 Protecting cirl bunting at Ashill Nature Reserve, Devon

Details

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14.1 PROJECT SUMMARY

Cirl bunting, a priority bird species of principal importance under S41 of the NERC Act 2006, was once widespread and common across southern England, but has now become rare and mostly confined to South Devon. The RSPB has been working with farmers and other stakeholders for 25 years to prevent their extinction and recover their population and conservation status.

The cirl bunting is a highly sedentary species at risk from development of greenfield sites. High pressure of development on these sites has led to a decline in numbers and further development will have a huge impact on the population of the species. The RSPB developed a compensation mechanism with Teignbridge District Council (also now extended to other LPAs) to secure financial contributions for offsite measures in compensation for loss of breeding territories.

Allocations within Teignbridge local plan are anticipated to result in the loss of up to 14 cirl bunting territories. Local planning policies explicitly support mitigation and compensation measures for the species. Guidance by Miller and Jennings (2014) developed during the Defra pilot, identified cirl buntings as a key beneficiary of offsets.

The RSPB identified priority locations for delivering compensation to achieve population scale benefits. Through close working relationships with local farmers the RSPB agreed to purchase land for a cirl bunting reserve. A 37 hectare mixed farmland site near Teignmouth was purchased in August 2017 adding to three hectares of arable purchased in 2015 with previous cirl bunting compensation funds.

A detailed management plan has been agreed for the perpetuity management of the site. This will include managing arable land as low input spring barley, hedgerow restoration and creation, and species-rich grassland restoration.

The national cirl bunting survey 2016 (Croft, 2016) identified eight existing territories onsite. Based on experience following the creation of a cirl bunting nature reserve at Labrador Bay, it is predicted that an additional 14 breeding pairs can be supported on this site through onsite measures. However, receipt of cirl bunting compensation funding requires establishment of these additional breeding territories.

Restoration and creation of habitats for cirl buntings will also deliver a quantifiable uplift in biodiversity unit value. A theoretical compensation scheme is modelled to give predicted values that can be factored into BNG calculations for development sites that affect cirl buntings.

Developments that do not directly affect cirl buntings may require compensation that is consistent with cirl bunting habitat requirements. Such demand may be met by credits generated through this habitat bank. Where this is the case, any cirl bunting breeding territories that arise because of such enhancements are considered incidental and not attributable to other schemes.

14.2 ISSUES

Developer contributions were calculated based on five years of maintenance costs with the RSPB managing ongoing liabilities. Future costs will partly be met by farm tenancies with the remainder from the RSPB.

Individual developer contributions are insufficient to establish a strategic site upfront. However, the RSPB was able to acquire the land. As developer contributions are paid to the LPA, they were transferred to RSPB to reimburse the cost of land and establishment. The RSPB chose to temporarily use internal reserves, pending securing debt finance to cover the purchase cost, so adding capacity to their overall impact for nature. The cost of servicing the debt was in part met from income from leasing the farming tenancy.

There is a risk that insufficient developer contributions will arise or that they will take longer to accrue and so may cost more in debt repayments. Standard S106 agreement clauses allow developers to deliver the compensation on their own or provide the financial contribution. Allocated and approved development may also never appear, or policies change and agreements may be renegotiated. The full extent of anticipated developer contributions may not materialise, but RSPB is willing to accept this risk.

14.3 OUTCOMES

- Positive RSPB partnership with the landowner/farmer for the opportunity to buy the land, and with LPAs to agree and implement a compensation mechanism.
- A 40 hectares habitat bank established in a strategic location to provide credits for development-related impacts on cirl bunting breeding territories or other habitats.

14.4 KEY BENEFITS AND SUCCESS FACTORS

- Free or low-cost capital loans are important to ensure viability in the early stages of establishing a compensation framework. A rolling fund could be established by local enterprise partnerships (LEPs) or equivalent bodies to manage several strategic sites to meet demand.
- In the long term, the cost of delivery should be reflected in development land values reducing the need to rely on public or third sector subsidising ongoing delivery.
- Long-term relationships between the LPA, RSPB and farming community have generated trust and confidence, smoothing project conception, development and delivery.