

Public Document Pack

NOTICE OF MEETING



COMMUNITIES OVERVIEW & SCRUTINY PANEL

will meet on

MONDAY, 25TH OCTOBER, 2021

At 7.00 pm

by

GREY ROOM - YORK HOUSE, ON [RBWM YOUTUBE](#)

TO: MEMBERS OF THE COMMUNITIES OVERVIEW & SCRUTINY PANEL

COUNCILLORS JOHN BOWDEN (CHAIRMAN), GREG JONES (VICE-CHAIRMAN), GURPREET BHANGRA, HELEN PRICE, CATHERINE DEL CAMPO, PARISH COUNCILLORS MARGARET LENTON (WRAYSBURY PARISH COUNCIL) AND PAT MCDONALD (WHITE WALTHAM PARISH COUNCIL)

SUBSTITUTE MEMBERS

COUNCILLORS CLIVE BASKERVILLE, MAUREEN HUNT, LEO WALTERS, JON DAVEY AND CHRIS TARGOWSKI

Karen Shepherd – Head of Governance - Issued: 15 OCTOBER 2021

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Shilpa Manek** 01628 796310

Recording of Meetings – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain.

If you have any questions regarding the council's policy, please speak to Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>WELCOME FROM THE CHAIRMAN</u>	
2.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	
3.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.	7 - 8
4.	<u>CALL IN - BATTLEMEAD COMMON</u> <ul style="list-style-type: none">• After the Chair opens the meeting the members who asked for the decision to be called in will be asked to explain their reasons for the request and what they feel should be reviewed;• On matters of particular relevance to a particular ward, ward division Members who are not signatories to a call-in have the opportunity to make comments on the call-in at the meeting, such speeches not to exceed five minutes each. Ward Members will take no further part in the discussion or vote. Ward Members must register their request to speak by contacting the Head of Governance by 12 noon on the day prior to the relevant hearing;• The relevant Cabinet Member for the portfolio (or holders if more than one is relevant) will then be invited to make any comments;• The relevant Director or his representative will advise the Panel on the background and context of the decision and its importance to achieving Service priorities;• Panel Members will ask questions of Members and officers in attendance;• The Cabinet Member(s) will be invited to make any final comments on the matter before the Panel votes on a decision. <p>*Please note that non-Panel Members will not have an opportunity to speak at the Panel meeting. Non-Panel Members can submit questions in advance to which a written response will be published. The deadline for submission of such questions is 5pm Thursday 21st October. The Chairman has agreed this approach using his discretion as set out in the constitution.</p>	9 - 36

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MEMBERS' GUIDE TO DECLARING INTERESTS AT MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a Disclosable Pecuniary Interest (DPI) or Other Registerable Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

DPIs (relating to the Member or their partner) include:

- *Any employment, office, trade, profession or vocation carried on for profit or gain.*
- *Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses*
- *Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.*
- *Any beneficial interest in land within the area of the council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
 - a) *that body has a place of business or land in the area of the council, and*
 - b) *either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.*

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other Registerable Interests (relating to the Member or their partner):

You have an interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority*
- b) any body*
 - (i) exercising functions of a public nature*
 - (ii) directed to charitable purposes or*

one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter **affects** your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer, you do not have to disclose the nature of the interest.

Other declarations

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

Report Title:	Member Call In – Battlemead Common
Contains Confidential or Exempt Information	No - Part I
Meeting and Date:	Communities Overview and Scrutiny Panel – Monday 25 th October 2021



In accordance with Part 3 B7 and Part 4 A16 of the Constitution, the Cabinet decision on 30th September 2021 relating to the item Battlemead Common has been called in for review by the Communities Overview & Scrutiny Panel.

1. REASON(S) FOR CALL IN

1.1 The call-in notice was submitted on Monday 11th October 2021, stating the following reasons for the decision being called in:

- The decision is considered to be contrary to the Environment and Climate Strategy 2020-2025 for the following reasons:
 - i. The decision is in conflict with the objective to protect and enhance our natural environment as Cabinet have resolved to provide a new path through the East Field without also resolving to pursue creation of additional wetland habitat in the northern part of the East Field; this was an integral part of the recommended approach presented in the Briefing Note to the Friends of Battlemead Common Steering Group.
 - ii. The decision is prejudicial to the creation of a Borough-wide Biodiversity Action Plan (BAP), a key action of the Strategy, as the BAP has not yet been published.
 - iii. In making the decision prior to the delayed publication of the BAP, the executive are not yet in a position to manage the Borough's biodiversity assets in as effective a way as envisaged in the Strategy.
- The decision is considered to be contrary to Policy QOL6 (Natural Environment) of the Local Transport Plan 2012-2026, which requires the Council actively to seek to mitigate the impacts of transport movements on the natural environment by routing traffic and people away from sensitive sites.
- In making the decision, Cabinet failed to give due consideration of the legal implications and relevant duty, pursuant to Section 40 of the Natural Environment and Rural Communities Act 2006, "...to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity," as this duty was not cited in the report supporting the decision, nor was the fact that pathway approved bisects a Section 41-listed Habitat of Principal Importance for the purpose of conserving biodiversity.

2. MEMBERS CALLING IN THE REPORT

2.1 The call-in notice was signed by:

- Councillor John Baldwin
- Councillor Mandy Brar
- Councillor Karen Davies
- Councillor Geoff Hill
- Councillor Simon Werner

3. PANEL OPTIONS

3.1 Having considered the Call-In the Overview and Scrutiny Panel may decide:

- i. to take no further action, in which case the decision will take effect immediately;
- ii. to refer the decision back to the decision-maker for reconsideration, setting out the nature of the Panel's concerns. The decision-maker must then re-consider the matter, taking into account the concerns of the Overview and Scrutiny Panel, before making a final decision. In the case of Cabinet as the decision maker, the Leader can call a Cabinet meeting within 5 working days to expedite the process or refer the item to the next appropriate scheduled meeting. In the case of any decision maker, consideration must take place within a maximum of 28 days;
- iii. if the decision is considered to be outside of the budget or policy framework, to refer the matter to next scheduled ordinary full Council or an extraordinary full Council meeting within 28 days if appropriate, in which case paragraph (3.3) below will apply;

3.2 If, following a call-in, the Overview and Scrutiny Panel does not meet within 10 clear working days of receipt of the decision to call-in, or does meet but does not refer the matter back to the decision making person or body, or Full Council under iii above, the decision shall take effect immediately.

3.3 If the matter was referred to Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, it has no locus to make decisions in respect of an executive decision unless it is contrary to the Policy Framework, or contrary to or not wholly consistent with the Budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's view on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet as a whole or a committee of it, a meeting will be convened to reconsider within 5 clear working days of the Council request.

Where the decision was made by an individual, the individual will reconsider within 5 clear working days of the Council request.

- 3.4 If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

4. APPENDICES

4.1 This report is supported by two appendices:

- Appendix A – Cabinet Report – Battlemead Common – 30th September 2021
- Appendix B – Extract from Cabinet Minutes – 30th September 2021

5. BACKGROUND DOCUMENTS

5.1 This report is supported by two background documents:

- [Council Constitution – Part 4A – Purpose and Procedure Rules for O&S](#)
- [Cabinet Agenda - 30th September 2021](#)

Report Title:	Battlemead Common
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Stimson, Cabinet Member for Climate Change, Sustainability, Parks and Countryside
Meeting and Date:	Cabinet - 30 September 2021
Responsible Officer(s):	Andrew Durrant, Executive Director of Place, Chris Joyce, Head of Infrastructure, Sustainability and Economic Growth
Wards affected:	(Bisham and Cookham, Maidenhead Riverside)

REPORT SUMMARY

The council purchased land at Battlemead Common in December 2018. The purpose of the purchase was to provide additional public open space. The council has since adopted an Environment and Climate Strategy which aims to protect and enhance the natural environment and to raise awareness and education in biodiversity issues across the borough.

This report sets out a series of recommendations for the east field, to support the objectives of the Council in relation to the site and the environment and climate strategy. This includes a fenced and screened path with seasonal access between April and October, which will support biodiversity enhancements in the rest of the east field as well as opportunities to raise awareness and education of the biodiversity protection and enhancements across the borough.

A petition related to the proposals was listed on the Council website which will be considered alongside the paper.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) Approves the proposals for the East Field as set out in the report.**
- ii) Approves the updated terms of reference for the Friends of Battlemead Commons and the Steering Group**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Provide a new fenced and screened path through the East Field.	This supports the outcomes within the climate strategy helping to

Option	Comments
This is the recommended option	protect and enhance our natural environment and increase awareness of biodiversity.
Do nothing and leave arrangements as currently provided in the East Field. This is not recommended	The evidence is that despite there being no formal path, that people are accessing the East Field in an uncontrolled way. Continuing on this could have a significant detrimental impact on the habitat and wildlife in the East Field.
Provide additional fencing to prevent access to the East Field. This is not recommended	Whilst this would protect wildlife and habitat in the East Field it would also significantly reduce the opportunity to raise awareness of the nature conservation work and go against a key objective of the Environment and Climate Strategy.
Provide an alternative path through the wet woodland This is not recommended	The initial ecological surveys show that there are protected habitats and species within the wet woodland. The potential impact on ecology and the significant estimated costs of introducing a new path mean that any further work is not being taken forward at this time.

- 2.1 The council purchased land at Battlemead Common in December 2018 to provide additional public open space. A ‘Friends of Battlemead Common’ group was set up in June 2019 with the aim to provide guidance, advice and recommendations to the Council to ensure the effective management of Battlemead Common. The terms of reference for the Friends of Battlemead Common and its steering group are included as Appendix A for adoption.
- 2.2 A meeting of the Friends of Battlemead Steering Group was held on 3rd August 2021 to consider a briefing paper by the officer project team. A copy of the briefing note is provided at Appendix B. Whilst there are a range of views within the steering group, there is a consensus on the need to move forward. The proposals represent the right balance of the council’s objectives and there is no compelling evidence not to take forward the recommended approach to the east field. A copy of the minutes of the steering group are included as Appendix C.
- 2.3 The proposals in the east field include a new fenced and screened path through the causeway on the east field connecting to the Thames riverside path, with seasonal access between April and October. Seasonal access will ensure the protection of over wintering birds from disturbance. The screened path will also mitigate the impact of people and particularly dogs during the summer months.

- 2.4 By allowing controlled access, this will allow improvement to the habitat in other parts of the east field. It will also provide opportunities for education and raise awareness of the nature conservation work within the east field and across the Battlemead Site.
- 2.5 The intention is for the path to be open by April 2022, with installation and planting during October 2021 ahead of the arrival of overwintering birds. Ongoing surveys and monitoring of the habitats and birds within the east field to ensure the screening and protection is effective and that bird species and populations continue to grow.
- 2.6 A petition was listed on the Council website related to the proposals. The petition was entitled 'reject any proposal to open public access across the designated priority habitat of the East Field at Battlemead Common'. The petition received 886 signatures.

3. KEY IMPLICATIONS

- 3.1 The key implications are set out in table 2.

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Path open for the East Field	Not open by 1 st April 2022.	Open for public access by 1 st April 2022	N/A	N/A	1 st April 2022
Protection of overwintering birds	Works not complete by 30 th November 2021	Works complete by 30 th November 2021	Works complete ahead of 31 st October 2021	N/A	30 th November 2021
Protection of birds within the east field	Reduction in bird species and population within the east field	Protection of current numbers of bird species and populations within the east field.	Increase in bird species and population within the east field	N/A	Ongoing

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The proposals for the new path, fencing and screening through the east field will be funded from the capital budget for Battlemead Common which was approved in the Capital Programme for 2021/22. The proposals have been designed to be low maintenance and therefore ongoing costs will be limited and can be covered by the ongoing revenue budget we have for our open spaces within the borough.

- 4.2 Other proposals referenced within the meeting minutes of the steering group, such as the proposed car park are not considered in this paper and are subject to separate decision making processes.

5. LEGAL IMPLICATIONS

- 5.1 The council does not require any third-party approvals to implement the proposals for a new path within the East Field. There have been discussions with the Environment Agency and we will continue to work closely with them as wider plans for Battlemead Common develop.

6. RISK MANAGEMENT

Table 3: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Disturbance to birds within the east field.	Medium	Fenced and screened access during summer months only. Monitoring surveys to be undertaken to understand changes in bird species and populations.	Low
Access to the remainder of the east field causing damage to habitats.	Medium	Fencing to control access to the remainder of the east field. Educational boards explaining the habitat and nature conservation work in the remainder of the east field.	Low

7. POTENTIAL IMPACTS

- 7.1 Equalities. No negative impacts identified. The steering group includes representation from the disability and inclusion forum to ensure that these issues are considered at an early stage of development.
- 7.2 Climate change/sustainability. The proposals support the key objectives of the environment and climate strategy offering appropriate protection to the natural environment and an opportunity to support enhanced habitat within the east field. It also supports opportunities to raise awareness of biodiversity and nature conservation work that the Council is undertaking within the east field and at Battlemead as a whole.
- 7.3 Data Protection/GDPR. No personal data is being collected as part of this decision and no issues have been identified.

8. CONSULTATION

- 8.1 The proposals have been developed in consultation with the Friends of Battlemead Common Group, over a number of months. The detailed proposals have been presented to the Steering Group.

9. TIMETABLE FOR IMPLEMENTATION

- 9.1 The timetable for implementation is set out in Table 4:

Table 4: Implementation timetable

Date	Details
30 th November 2021	Fencing and path installed, screening planted.
1 st April 2022	Public access to east field open

10. APPENDICES

- 10.1 This report is supported by four appendices:

- Appendix A – Friends of Battlemead Common Terms of Reference
- Appendix B – Briefing note to the Friends of Battlemead Common Steering Group
- Appendix C – Minutes of meeting of Friends of Battlemead Common Steering Group 3rd August 2021

11. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputy)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	06/09/21	16/09/21
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	06/09/21	08/09/21
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	06/09/21	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	06/09/21	
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	06/09/21	09/09/21
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	06/09/21	08/09/21
Andrew Durrant	Executive Director of Place	06/09/21	06/09/21
Kevin McDaniel	Executive Director of Children's Services	06/09/21	
Hilary Hall	Executive Director of Adults, Health and Housing	06/09/21	08/09/21

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Sustainability, Climate Change and Parks and Countryside	Yes
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key decision First entered into the Cabinet Forward Plan: August 2021	No	No

Report Author: Chris Joyce, Head of Infrastructure, Sustainability and Economic Growth
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‘FRIENDS OF BATTLEMEAD COMMON’

and

‘FRIENDS OF BATTLEMEAD COMMON STEERING GROUP’

TERMS OF REFERENCE

AIM

To provide guidance, advice and recommendations to the Borough Council, to ensure the effective management of Battlemead Common, to protect and enhance the wildlife, biodiversity and landscape value of the site whilst enabling public access and enjoyment.

OBJECTIVES

- To assist with the development of a ‘Management Plan’ for Battlemead Common, to be implemented by the Borough Council in conjunction with partners and volunteers.
- To review and oversee the progress and successful delivery of the ‘Management Plan’ proposals, within the available budget and agreed timeline.
- To identify potential risks and issues that could impact the effective management of the site as they arise.
- To promote open and positive communication between all parties and residents with an interest in the site, and better understanding and appreciation of the project’s objectives.
- To provide and consider guidance, advice and recommendations and make non-executive decisions.
- To assist in securing funding to deliver the objectives set out in the Management Plan.
- To monitor and assess the on-going benefits of the implementation of the Management Plan.

DECISION MAKING

This Friends of Battlemead Common has been established to advise and oversee the implementation of the agreed objectives for the site. The Group will meet to discuss issues, express views and make recommendations, however the Group has no executive decision making powers on behalf of the Council. Decisions shall be made in accordance with the mechanisms in the Council’s Constitution.

MEMBERSHIP

Membership of the ‘Friends of Battlemead Common’ comprises of representatives from a wide range of wildlife and amenity groups, as listed below, as well as representatives from the Environment Agency, Cookham Parish Council and Borough Council ward members and officers. Wild Maidenhead; Wild Cookham; The Cookham Society; Maidenhead Civic Society; National Trust; Maidenhead Rotary; East Berks Ramblers; Local Access Forum/Access Advisory Forum; BBOWT; Binfield Badger Group; Maidenhead Waterways; ‘Our Dogs View’; Thames Path Partnership; RBWM Climate Emergency Coalition.

The Steering Group comprises a nominated member from each of the sub-groups, a ward member from Maidenhead Riverside and a ward member from Bisham and Cookham. The Steering Group and Friends of Battlemead Common are Chaired by the Cabinet member for Climate Change, Sustainability, Parks and Countryside.

MEETINGS

RBWM Councillors who are not formal members of the Group may attend meetings of the 'Friends of Battlemead Common' or the 'Friends of Battlemead Common Steering Group' as observers, at the discretion of the meeting Chair. Meetings are held as required and at the request of the Chair. Agendas and minutes of meetings are published on the borough website.

FRIENDS OF BATTLEMEAD COMMON

White Brook at Battlemead Common SUB-GROUP

TERMS OF REFERENCE

AIM

To discuss and formulate proposals and recommendations relating to the **White Brook** at Battlemead Common; these proposals and recommendations to be presented to the wider 'Friends of Battlemead Common', for further discussion and consideration, and then on to the Borough Council for implementation in conjunction with partners.

OBJECTIVE

- To assist with the development of a 'Management and Maintenance Plan' for the White Brook at Battlemead Common, to be implemented by the Borough Council in conjunction with partners and volunteers.

DECISION MAKING

This Friends of Battlemead Common, and associated sub-groups, have been established to advise and oversee the implementation of the agreed objectives for the site. The Group, and associated sub-groups, will meet to discuss issues, express views and make recommendations, however the Group has no executive decision making powers on behalf of the Council. Decisions shall be made in accordance with the mechanisms in the Council's Constitution.

MEMBERSHIP

The membership of the sub-group will include representatives of Environment Agency, Maidenhead Waterways, Cookham Parish Council, Wild Maidenhead, Wild Cookham, Maidenhead Civic Society, East Berks Ramblers.

The sub-group is made up of volunteers from organisations represented on the wider Friends group and are not 'fixed' appointments; the membership organisations will vary from time to time. It is chaired and facilitated by an officer from the Borough Council's Battlemead Project Team.

MEETINGS

RBWM Councillors may attend meetings of the sub-group as observers, at the discretion of the meeting Chair. Meetings are held as required and at the request of the Chair. Agendas and minutes of meetings are published on the borough website.

FRIENDS OF BATTLEMEAD COMMON

Biodiversity SUB-GROUP

TERMS OF REFERENCE

AIM

To discuss and formulate proposals and recommendations relating to **biodiversity** at Battlemead Common; these proposals and recommendations to be presented to the wider 'Friends of Battlemead Common', for further discussion and consideration, and then on to the Borough Council for implementation in conjunction with partners.

OBJECTIVE

- To protect, improve, and enhance biodiversity at Battlemead Common.

DECISION MAKING

This Friends of Battlemead Common, and associated sub-groups, have been established to advise and oversee the implementation of the agreed objectives for the site. The Group, and associated sub-groups, will meet to discuss issues, express views and make recommendations, however the Group has no executive decision making powers on behalf of the Council. Decisions shall be made in accordance with the mechanisms in the Council's Constitution.

MEMBERSHIP

The membership of the sub-group will include representatives of Environment Agency, Cookham Parish Council, Wild Maidenhead, Wild Cookham, East Berks Ramblers, Binfield Badger Group, RBWM Climate Emergency Coalition.

The sub-group is made up of volunteers from organisations represented on the wider Friends group and are not 'fixed' appointments; the membership organisations will vary from time to time. It is chaired and facilitated by an officer from the Borough Council's Battlemead Project Team.

MEETINGS

RBWM Councillors may attend meetings of the sub-group as observers, at the discretion of the meeting Chair. Meetings are held as required and at the request of the Chair. Agendas and minutes of meetings are published on the borough website.

FRIENDS OF BATTLEMEAD COMMON

Accessibility SUB-GROUP

TERMS OF REFERENCE

AIM

To discuss and formulate proposals and recommendations relating to **accessibility** at Battlemead Common; these proposals and recommendations to be presented to the wider 'Friends of Battlemead Common', for further discussion and consideration, and then on to the Borough Council for implementation in conjunction with partners.

OBJECTIVE

- To ensure and improve accessibility both to and within Battlemead Common for all legitimate users of the site

DECISION MAKING

This Friends of Battlemead Common, and associated sub-groups, have been established to advise and oversee the implementation of the agreed objectives for the site. The Group, and associated sub-groups, will meet to discuss issues, express views and make recommendations, however the Group has no executive decision making powers on behalf of the Council. Decisions shall be made in accordance with the mechanisms in the Council's Constitution.

MEMBERSHIP

The membership of the sub-group will include representatives of Cookham Society, Wild Maidenhead, East Berks Ramblers, Binfield Badger Group, Local Access Forum, 'Our Dogs View'.

The sub-group is made up of volunteers from organisations represented on the wider Friends group and are not 'fixed' appointments; the membership organisations will vary from time to time. It is chaired and facilitated by an officer from the Borough Council's Battlemead Project Team.

MEETINGS

RBWM Councillors may attend meetings of the sub-group as observers, at the discretion of the meeting Chair. Meetings are held as required and at the request of the Chair. Agendas and minutes of meetings are published on the borough website.

FRIENDS OF BATTLEMEAD COMMON

Communications and information SUB-GROUP

TERMS OF REFERENCE

AIM

To discuss and formulate proposals and recommendations relating to **communications and information**, these proposals and recommendations to be presented to the wider 'Friends of Battlemead Common', for further discussion and consideration, and then on to the Borough Council for implementation in conjunction with partners.

OBJECTIVES

- To ensure that communication channels are in place to enable effective working of the Friends of Battlemead Common and associated sub-groups.
- To ensure effective provision of information to the public about Battlemead Common, including both on-site information and electronic/on-line information.

DECISION MAKING

This Friends of Battlemead Common, and associated sub-groups, have been established to advise and oversee the implementation of the agreed objectives for the site. The Group, and associated sub-groups, will meet to discuss issues, express views and make recommendations, however the Group has no executive decision making powers on behalf of the Council. Decisions shall be made in accordance with the mechanisms in the Council's Constitution.

MEMBERSHIP

The membership of the sub-group will include representatives of Cookham Parish Council, Wild Maidenhead, Wild Cookham, East Berks Ramblers and the Local Access Forum

The sub-group is made up of volunteers from organisations represented on the wider Friends group and are not 'fixed' appointments; the membership organisations will vary from time to time. It is chaired and facilitated by an officer from the Borough Council's Battlemead Project Team.

MEETINGS

RBWM Councillors may attend meetings of the sub-group as observers, at the discretion of the meeting Chair. Meetings are held as required and at the request of the Chair. Agendas and minutes of meetings are published on the borough website.

Subject:	Proposals for the East Field at Battlemead Common
Reason for briefing note:	To inform the Friends of Battlemead Common Steering Group of the Project Team's recommended approach to the East Field.
Responsible officer(s):	Anthony Hurst, Parks and Countryside Manager
Senior leader sponsor:	Chris Joyce, Head of Infrastructure, Sustainability and Economic Growth
Date:	3 rd August 2021

1 BACKGROUND

- 1.1 The Borough Council purchased the land at Battlemead Common in December 2018 to provide additional public open space.
- 1.2 A 'Friends of Battlemead Common' group was set up in June 2019 with the aim to *"Provide guidance, advice and recommendations to the Borough Council to ensure the effective management of Battlemead Common, to protect and enhance the wildlife, biodiversity and landscape value of the site, whilst enabling public access and enjoyment"* (extract from agreed Terms of Reference).
- 1.3 A smaller Steering Group was then set up in March 2021 to help guide decision making on the site. Following the first meeting of the 'Friends of Battlemead Common Steering Group' held on 29th March 2021, the Project Team was given an action to *"draw up a detailed proposal for the East Field to include; fencing and screening of the Causeway footpath; planting and biodiversity improvements; survey/monitoring details. Also, to draw up details of surveys/habitat assessment of the Wet Woodland area, to include initial scoping of the feasibility of creating a Wet Woodland footpath, and to prepare a revised carpark plan for resubmission of a planning application"*.
- 1.4 Further surveys have since been undertaken at the site to provide additional evidence to support development of the proposals. These included an updated Breeding Bird Survey undertaken by Austin Foot Ecology between mid-April and mid-June 2021 (updating the 2020 Breeding Bird Survey) and a Preliminary Ecological Appraisal of the Wet Woodland undertaken by Austin Foot Ecology in May 2021.
- 1.5 This report sets out the recommended approach for the East Field, prepared by the Project Team. It seeks to explain the rationale for each of the recommendations and takes into account the supporting evidence contained in the ecology reports.

2 PROPOSALS

Recommendation 1 – A new fenced and screened footpath along the Causeway

- 2.1 The proposals are shown on the attached updated Masterplan. This includes a new footpath route along the 'Causeway', fenced on both sides, which would be open to public access only during the period from 1st April to early October. Dogs will be required to be kept on a lead when using this footpath.

- 2.2 The new footpath would be open to the public from April 2022, as this will allow sufficient time for fencing and screen planting to be undertaken in autumn 2021: this planting will help to lessen the visual impact of the fencing, as well as deterring access to the wetland habitat but will be designed so as not to obscure the open views across the site.
- 2.3 The cost for these works is estimated at around £14k.

Reasons for the recommendation

- 2.4 There is evidence from observations on site that despite there being no formal access to the East Field at present, there are people walking this route. This represents a significant risk to the existing habitat and birds nesting in the field. It is not practical to have a frequent enforcement presence and therefore without significant additional fencing and security measures, this is likely to continue. As such a fenced footpath with suitable screening and controlled access during particular times of year represents the best way to control this risk.
- 2.5 Providing a footpath route through the East Field also provides an excellent opportunity to raise awareness of the nature conservation work taking place at Battlemead. This is not just through formal education opportunities but also through regular users being able to see the habitat being created, observing the increase in birds which is more likely to build support for wider conservation and biodiversity measures than seeking to exclude access entirely, which will generate opposition and resentment.
- 2.6 This approach has been developed based on the recommendations of the most recent Breeding Bird Survey report produced by Austin Foot Ecology and is supported by the Council's internal experts.

Recommendation 2 – Creation of additional wetland habitat

- 2.7 It is proposed that the northern part of the East Field would be used to create additional wetland habitat. Initial discussions with the Wildfowl and Wetland Trust have indicated that this would be feasible, and we will continue to work with them to develop the detail of the proposals.

Reasons for the recommendation

- 2.8 This would help to increase the biodiversity value of the East Field, creating new habitat and support delivery of our Environment and Climate Strategy.

Recommendation 3 – Discontinue investigations into the wet woodland walk

- 2.9 It is recommended that a new path through the Wet Woodland area is not progressed.

Reasons for the recommendation

- 2.10 The Preliminary Ecological Appraisal of the Wet Woodland produced by Austin Foot Ecology identifies that the wet woodland currently supports a number of badger setts. It also has the potential to support a number of protected species and species of conservation importance, including invertebrates, fish, amphibians, reptiles, breeding birds, roosting, commuting and foraging bats, water vole, otters, foxes, deer, and hedgehogs.

2.11 The appraisal also identifies that in order to provide a footpath and boardwalk through the woodland a number of trees would need to be felled. The Council's own ecological advisers do not support the creation of a footpath along this route.

2.12 The relatively high cost of providing a footpath through the Wet Woodland (approximately £160,000) reflects the constraints associated with the woodland route:

- The route would pass through an ecologically sensitive area (including passing close to existing Badger setts, and Otter habitat), and the footpath/boardwalk would therefore need dog-proof fencing throughout.
- The woodland is very wet, particularly over the winter months (including areas of standing water). Therefore, the footpath/boardwalk would need to be fully enclosed for safety reasons, to prevent people (including young children) straying into submerged or flooded areas of the woodland.
- It is very likely that further tree safety works would be required (subject to the Arboricultural survey), which would add further to the quoted costs.
- The boardwalk would need to meet current accessibility standards.
- The EA have confirmed they would require a minimum bridge height clearance of 600mm above the bank of the brook.
- The area would be difficult to access for the construction work, which would add significantly to the cost.

3 NEXT STEPS

3.1 The screen planting and fencing alongside the Causeway, and the tree planting in other areas of the site such as along the northern and eastern boundaries, (as shown on the Masterplan), will be undertaken in autumn/winter 2021, in preparation for opening of the new footpath in April 2022. Discussions with the Wildfowl and Wetland Trust on the wetland creation proposals will also continue during 2021.

FRIENDS OF BATTLEMEAD COMMON STEERING GROUP

3rd AUGUST 2021

PRESENT

Cllr Donna Stimson (Cllr DS); Cabinet Member for Climate Change, Sustainability, Parks and Countryside (Chair)

Chris Joyce (CJ); Head of Infrastructure, Sustainability and Economic Growth

Anthony Hurst (AH) Parks & Countryside Manager

Jacqui Wheeler (JW) Parks & Countryside Access Officer

Jason Mills (JM) Countryside Manager

Ambika Chouhan (AC) Landscape Officer

Rebecca Anderson (RA) Ecologist

Cllr Mandy Brar (Cllr MB), ward member for Bisham and Cookham

Cllr Greg Jones (Cllr GJ), ward member for Maidenhead Riverside

Ian Rose (IR) Maidenhead Waterways, and White Brook sub-group

Steve Gillions (SG) East Berks Ramblers, and Accessibility sub-group

Mike Copland (MC) WildCookham, and Biodiversity sub-group

Lisa Hughes (LH) Local Access Forum, and Information and Communications sub-group

1. INTRODUCTIONS:

Cllr DS welcomed everyone to the second meeting of the Steering Group and thanked those who had sent in written comments in advance of the meeting.

2. NOTES OF MEETING HELD ON 29TH MARCH 2021:

The notes of the meeting held on 29th March 2021 were approved. AH confirmed that the de-silting works to the Whitebrook, which were subject to an EA permit, would be undertaken w/c 23rd August.

3. CARPARK PROPOSAL:

AH presented a proposal for a 14-space carpark (which would be subject to a planning application) and asked for comments, both on the principle of providing a carpark at the site and the detailed design and layout that had been circulated in advance of the meeting.

No objections were raised to the principle of providing a carpark. MC asked whether any further consideration had been given to the access point and road safety implications. AH explained that the current maintenance access point (formerly the farm access) was the optimum location achievable, considering sightlines, visibility, and the configuration of the road.

A further reduction in the recently introduced 40mph speed limit had been considered in discussion with traffic colleagues, but this was deemed not to be feasible; however, other road safety measures were being explored to increase driver awareness. CJ added that these measures could include a 'gateway feature' where the speed limit changes to 40mph on the northern approach to the site, additional signage, and improvements to

the crossing points to make them more visible to drivers. CJ also advised that when the previous planning application was submitted for a 26-space carpark (subsequently withdrawn) no objection was raised by the Highways Development Control team on road safety grounds.

LH raised concerns regarding the detailed layout of the 4 disabled parking bays, in particular the access spaces available alongside and behind these parking bays. AC will review this point in discussion with LH, prior to the design being finalised and submitted for planning approval. LH also raised concerns about the design of the more northerly pedestrian access point into the site, opposite the entrance to Widbrook Common on the opposite side of the road. AH agreed to revisit this point to assess whether anything further can be done to improve this secondary pedestrian access point.

Cllr MB asked whether consideration could be given to a controlled crossing at the carpark entrance (e.g. a zebra or pelican crossing). IR expressed reservations about whether this would be appropriate, given the rural setting of the site. CJ responded that an uncontrolled crossing would normally be considered more appropriate at this type of location, and therefore the planning application wouldn't include provision of a controlled crossing.

MC asked whether it was envisaged that charges would be applied to the carpark; CJ responded that this wasn't currently proposed, as there would be a risk of drivers continuing to use the nearby roads where no charges apply.

4. ECOLOGY SURVEYS FEEDBACK:

JM reported back on the second annual Breeding Bird Survey, completed in June 2021 (the full report had been circulated in advance of the meeting) and highlighted some notable species that had been recorded, including Kingfisher, Skylark, Water rail and Reed bunting. The report from Austin Foot Ecology included some useful recommendations on grassland management and mowing regimes, for example to create a varied mosaic of grass lengths, aimed at encouraging the breeding bird populations at the site.

RA reported that an Otter and Water vole survey undertaken in June 2021 had recorded the presence of Otters in the wet Willow Woodland at Battlemead. No Water vole presence had been recorded, which may be a result of predation by Mink which are known to be present. A further Otter and Water vole survey is scheduled for September. Consideration is being given to enhancing the Otter habitat, for example by creating log piles within the wet Willow Woodland, and the potential for Mink control is also being explored in collaboration with Ecologists from neighbouring local authorities. RA also reported that the wet Willow Woodland Ecological Appraisal completed in May 2021 had identified a significant amount of Badger activity within woodland.

Cllr DS asked whether volunteers could help with clearing invasive Himalayan balsam at the site and JM confirmed that this will be followed up.

In response to a question from IR, RA confirmed that the Appraisal of the Willow Woodland included an assessment of potential habitat improvements as well as identifying species currently present.

5. EAST FIELD PROPOSAL:

CJ presented a proposal for the East Field based around the following three recommendations, which had been prepared following a review of the recently completed ecological surveys:

(i) Creation of a fenced and screened footpath along the Causeway, to be open between April and early October, (opened from April 2022).

(ii) Creation of additional wetland habitat in the northern part of the East Field (initial discussions had been held with the Wildfowl and Wetland Trust).

(iii) Discontinue investigations into the wet Willow Woodland footpath (in light of the findings of the recent Ecological Appraisal).

The following comments were made by members of the Steering Group:

SG stated that his preference would be for year-round access along the Causeway footpath, rather than seasonal closure, and asked whether the fencing/screening would mitigate disturbance to overwintering birds as well as breeding birds. RA confirmed that although the fencing and screening would mitigate disturbance to breeding birds, the seasonal closure is considered necessary to avoid disturbance to the large numbers of overwintering migratory birds.

SG also asked what the proposed width of the Causeway footpath was, and whether it was intended that the footpath would be surfaced. AH responded that it was not envisaged that additional surfacing would be required as the Causeway already has a reasonably firm surface, particularly over the summer months. The Causeway would need to have sufficient width to accommodate vehicular access for hay-cutting, and the width was therefore likely to be approximately 5m between the fences/screen planting.

Cllr GJ expressed concern that only 29% of the site is currently available for public access, with 71% being closed to the public, particularly as the stated purpose of purchasing the site was to provide public open space for the benefit of residents, and therefore he felt strongly that the Causeway footpath should be available all year round. He had been approached by residents who felt 'locked out' of the site, and he considered it imperative that the Council should honour the original purpose of acquiring the land, and that any decisions on the recommendations presented in the reports should be signed-off by Cabinet.

Cllr MB stated that she believed the main priority for the site should be to protect and enhance biodiversity, and that the Council should bring forward their work with the Wildfowl and Wetland Trust and the Environment Agency on these aspects before considering any further access to the East Field. CJ confirmed that the Council had been working with the EA since the purchase of the site and would continue to do so and would

also be working in partnership with the Wildfowl and Wetland Trust following the initial discussions that had recently been held.

Cllr MB also referred to the recent petition that had been submitted to the Council opposing access to the East Field, and CJ confirmed that the petition had been received and would be followed up in accordance with the petitions process. CJ also emphasised that providing controlled access to the Causeway footpath across the East Field was an opportunity to help raise awareness of the importance of biodiversity, and build support for nature conservation efforts more widely, and this was a key objective of the Councils Environment and Climate Strategy.

MC concurred that raising awareness of the importance of biodiversity was of critical importance and recognised the positive work that is being undertaken at Battlemead to further this objective. However, he felt that any further provision for public access to the East Field should be delayed until after environmental enhancements have been undertaken, including establishing sufficient screening along the route of the proposed footpath. In response to this point, JM explained that the proposed screening alongside the footpath was primarily intended to screen the adjacent wetland areas from dogs using the footpath, as nesting birds in wetland areas were known to be particularly sensitive to passing dogs, whereas they can become more habituated to the presence of people.

Summer access along the Causeway footpath, with fencing and low-level screening (such as reeds, grasses, low hedging, or willow), which could be established quite quickly, was therefore considered acceptable in terms of potential impact on breeding birds. However, overwintering migratory birds would be much more susceptible to disturbance, even with fencing/screening in place, and therefore the advice from Austin Foot Ecology was that the footpath should be closed over the winter period.

LH requested that accessibility issues be fully considered in relation to management of the grassed footpaths, both in the West Field and potentially along the Causeway and through the East Field, particularly during the growing season, and taking into account the needs of visitors with limited mobility. AH confirmed that regular cutting of the grass paths was an important aspect of managing the site, and care would be taken to ensure the footpaths are easily accessible; if necessary, localised levelling of the footpath surfaces could be undertaken, although the site is generally flat, and therefore suitable for establishing easy-access footpaths.

LH also referred to the importance of carefully managed access, as she felt most visitors valued and appreciated the surrounding wildlife and habitats and were supportive of measures to avoid disturbance to birds and other wildlife. Signage explaining the reasons for restricted access at certain times of the year would be very helpful, as she felt most visitors would respect such closures if the reasons were made clear.

IR noted that the recommendations to discontinue investigations into a new footpath through the wet Willow Woodland, and to create additional wetland habitat in the East Field both seemed to have general support, and asked that the investigations into the

creation of additional wetland areas should include an assessment of the potential impacts on the overall hydrology of the site and discussion with the Environment Agency.

CJ confirmed that on balance it was considered that the potential adverse ecological impacts as well as the costs and complexity of creating a new footpath through the wet Willow Woodland outweighed the potential benefits that would be achieved by pursuing this option further. The Project Team will continue to work with both the Environment Agency and the Wildfowl and Wetland Trust on the proposal to create additional wetland areas in the East Field, as this is seen as the best way of enhancing the biodiversity of this part of site.

6. NEXT STEPS AND DATE OF NEXT MEETING:

Cllr DS thanked everyone for attending the meeting and for their contributions, and added that there were opportunities at the site to encourage more involvement of volunteers, and that the Friends Group had a key role to play in encouraging greater community engagement. The Council is very mindful of the views of the various interested groups and individuals and recognises that the site has great potential both from a biodiversity and public engagement perspective.

Post-meeting note: a report will be submitted to the 30th September meeting of the Cabinet, based upon the recommendations set out above, and a further meeting of the Steering Group will be arranged following that meeting.

CABINET

THURSDAY, 30 SEPTEMBER 2021

PRESENT: Councillors Andrew Johnson (Chairman), David Cannon, David Coppinger, Samantha Rayner, David Hilton, Gerry Clark, Donna Stimson and Ross McWilliams

Also in attendance: Councillors L Jones, Werner, Bhangra, Bateson, Larcombe, Price, W Da Costa, Baldwin, Brar and Davies. Ian Bravier-Dubber (RBWM Property Company)

Officers: Kevin McDaniel, Adele Taylor, Hilary Hall, Andrew Durrant, Chris Joyce, David Wiles and David Cook

CABINET MEMBERS' REPORTS

A) BATTLEMEAD COMMON

Cabinet considered the report regarding the proposed accessibility to Battlemead Common.

The Lead Member for Climate Change, Sustainability, Parks and Countryside informed Cabinet that it gave her great pleasure to propose this paper. It had been three years since the common had been purchased by the Royal Borough of Windsor and Maidenhead in December 2018, comprising of 110 acres mostly farmland with a willow wood to the south. When purchased it was to be used for public open space.

Friends of Battlemead Common was set up in June 2018 to offer guidance, advice and recommendations to the council. Since then, the Council had adopted its Environments and Climate Strategy. A Steering group had been set up in March 2021 to help guide decision making. During the course of three years many surveys have been undertaken, eventually, after many discussions, we are ready to make our recommendations.

There were groups who had opposing views on the way forward between public access verses maintaining protection for several years and not having public access. There were those that wished to have the common open to all with dogs off leads, but we also need to be mindful of protecting the wildlife. She mentioned that she walked regularly along the boundary and had to remove a ear that had been killed by a dog.

The Lead Member said that she had listened to all the discussions and all were very passionate. She had also had discussions with a director of Britain Rewilding, the Chairman of the Royal Society for the Protection of Birds and the local MP. Taking onboard the different views she believed that the recommendations in the report protected the habitats and species, raise awareness of the local environment, increased biodiversity and provided an opportunity for education. She looked forward to working with Friends of Battlemead Common.

The Deputy Leader of the Council, Corporate & Resident Services, Culture & Heritage, and Windsor informed that she endorsed and supported the paper. I think it's absolutely fantastic that the Royal Borough of Windsor and Maidenhead purchased the land for public open space. It showed a great commitment to green open spaces for our residents, especially during lockdown. I think the green open space was much valued and much needed by lots of people

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as they were going through the pandemic, to have the space which was an absolutely stunning place and also protected the green space between two big towns.

Phoebe Ibison, addressed Cabinet with regards to a petition submitted on this topic. She informed that her generation, as well as your descendants, who have to live through the repercussions of your actions, as well as the actions of other governmental leaders. We need to shift behaviours of local residents through education, so that we can all have the access to resources to fully comprehend the co-dependent relationship between humans and nature.

We set an example by counsel. We want to support encourage counsel during future decisions, which will have an impact on the nature. however, we will not stand by and allow actions to go ahead which will be a detriment of our futures. I like many young people in the borough are striving for a better future. I myself volunteer in the community to benefit society. I am currently working on a solar panel projects with John Simpson in a school and in possibly one or two special educational needs schools in South Africa. I also do this and as do others. It's important that while children and young people are putting in as much firepower as they possibly can into environmental activism, adults, particularly leaders are matching their efforts to ensure that actions are sustainable and impactful.

We must not think in the short term, but the long term, not the now but the when, when will adding a housing development types contribute to a rise in our deficit in the era where more substantial number of our children become ill because of the pollutants they breathe in their walks to school? When will we no longer be able to observe the nature of wildlife in our community? These are genuine concerns from my generation.

Why did Rosie take it upon herself to start a petition about the path you are about to open the common, why did nearly 900 residents respond in under two weeks? The answer is simple, residents want to have their voices heard and it is your opportunity to listen to them to explain to local people that if you're going to tackle big environmental challenges, we must stop following the often reckless actions of our predecessors, and create new pathways for future generations to follow.

The pandemic had made it blatantly obvious of the importance of green spaces to public health. And while these places must be available to the residents we must also find genuinely effective ways to work in harmony with nature. Young People's increasing concern about the stability of the climate in the future, as well as adults such as yourselves, it's also impacting our daily lives. According to global action plan 77% of students find that thinking about climate change makes them anxious, which is eco anxiety is protecting more youth and our seniors every day. Healthy nature and humans have always been a need to be intertwined, we cannot address one issue without addressing the other. Myself and my peers were incredibly excited when the climate emergency was declared. I know residents who are under 30 years of age will be observing future actions either in admiration, concern or horror.

The Chairman thanked Phoebe for presenting to Cabinet. He informed Cabinet of the balance, that they were seeking to strike within this report between access to green public open space and preserving and enhancing biodiversity. When the land was purchased it was to have for public accessible open space.

Today they had come to the position as a reflection of not only the obligations to seek to mitigate climate change, but also to encourage biodiversity and indeed, species retention, as a reflection that there were always compromises to be had and that you can only really ever appreciate and understand nature, if you have access to it. We are blessed to have publicly accessible areas of open countryside so people can enjoy the recreational benefits of that space.

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The Chairman said he had listened to many arguments, many valid arguments on both sides of this debate in terms of that balance between biodiversity and effectively lending to a significant part of rewild of the site. Coupled against the overriding need for people who do not have access to and are not fortunate enough to have large accessible gardens, or indeed open space of their own. There were benefits of green open space on physical health, but also mental health and he was sure Councillor Stuart Carroll would undoubtedly endorse that statement. He was convinced that they have struck an appropriate balance with this report.

The majority of the fields would be left to nature, the rest of the site would be managed in a sympathetic sensitive manner going forward, which means that we have achieved our original objective of buying the land and secure its future, we have implemented an approach based on custodianship and stewardship of the land. They had started the process of achieving some of the objectives with the biodiversity strategy. He would welcome any organisation who purchased land within any part of the Royal Borough who wished to fully implement that biodiversity net gain. In this instance, the balances between public accessibility and enhanced biodiversity have been struck.

The Lead Member presenting was also pleased to hear the presentation and informed that she had listened to the experts and had been informed that the plans for the causeway would have no negative impact for wildlife. They had also been told that plastic fencing would be sufficient to keep dogs away, however they planned to go beyond this with more sturdy fencing. She felt strongly that the recommendations were the right compromise.

The Lead Member for Planning, Environmental Services and Maidenhead informed that this was a matter of balance. At Council a councillor made the case to keep green open spaces but closed in the golf course, the administration wanted to open it up, create new green and blue infrastructure. Other councils approach things with a much more laissez faire attitude. Bracknell Forest had an area which was for people to walk with their dogs but they had great concern over the nesting of birds. They put up signs every spring saying, follow the footpath, but dogs do not read notices and the dogs and the people roam everywhere. The balances that was being promoted reached the right level of balance of climate change, protecting the area, but still letting the public see the areas that means so much to them.

The Lead Member for Housing, Sport & Leisure, and Community Engagement informed that in his ward they had opened up a new park a few years ago that had not previously been available to the public. They had also planted thousands of trees as part of the boroughs 10,000 tree planting programme. They helped to preserve wildlife as well as encouraging new wildlife. With regards to tonight's paper there was a pathway that allowed access but also protected the amazing flora and fauna and creating habitats. The sites also provided excellent educational opportunities.

The Lead Member for Transport, Infrastructure, and Digital Connectivity informed that there were polarised views of having no access and full access. The Lead Member was proposing a balance that allowed access and also preserved wildlife. We are here to represent all residents and he believed this paper provided that balance.

Cllr Brar informed Cabinet that the residents who were opposed to opening the common were not saying that the path should never be open but just that there should be ecological management of the common and that this should be given time to take effect before a path was opened. The Government and experts have started to say we should protect our wildlife. The proposals did not make sense as there was already a path on the northern boundary that linked to the same spots as the proposed path. The report said that the causeway was regularly used but she felt that as a walker in the area this was not the case. There had also been incidents of a goose and a deer being killed by dogs and the Lead Member had said if there were more incidents she would close access. The Lead Member responded that the

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walkway would be fenced off to protect wildlife and that there could be an annual review to see if biodiversity had improved.

Cllr Werner mentioned that a biodiversity action plan had been promised by June 2021 and that it had not yet been published. He also questioned the promise made by the Lead Member that if another deer was killed by a dog on the site she would close access. Would this promise stand.

The Lead Member responded that the plan had been produced but not yet published. It was confirmed that there would be a period of consultation with stakeholders. With regards to the incident with a dog she informed that the walkway would be fenced off protecting wildlife.

Resolved unanimously: that Cabinet notes the report and:

- i) Approves the proposals for the East Field as set out in the report.**
- ii) Approves the updated terms of reference for the Friends of Battlemead Commons and the Steering Group.**

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