

# Sandy Town Council

To: Cllrs P N Aldis, P Blaine, T Cole, A M Hill, W Jackson, T Knagg, G Leach, C Osborne, M Pettitt, M Scott, D Sharman, P Sharman, J Sparrow, S Sutton and N Thompson

You are hereby summoned to attend a meeting of Sandy Town Council to be held in the Council Chamber at 10 Cambridge Road, Sandy, Bedfordshire on Monday 6 August 2018 commencing at 7.30pm for the purpose of transacting the items of business below



Chris Robson  
Town Clerk  
10 Cambridge Road  
Sandy  
SG19 1JE  
01767 681491  
31 July 2018

**MEMBERS OF THE PUBLIC AND PRESS ARE WELCOME TO ATTEND THIS MEETING**

## **A G E N D A**

### **1 Apologies for Absence**

To receive any apologies for absence.

### **2 Declarations of interest and requests for dispensations**

*Under the Localism Act 2011 members of Council are not required to make oral declarations of interest at meetings but may not participate in discussion or voting on any items of business in which they have a Declarable Pecuniary Interest (DPI) and under Sandy Town Council's Standing Orders must leave the room for the duration of all discussion on such items. (All members' register of interests are available on the Sandy Town Council website or on application to the Clerk.)*

*This item is included on the agenda to enable members to declare new DPIs and also **those who wish to do so** may draw attention to their stated DPIs and also any non-declarable personal interests which they have declared under Sandy Town Council's adopted Code of Conduct and which may be relevant to items on the agenda.*

- i) Disclosable Pecuniary Interests*
- ii) Non Pecuniary Interests*
- iii) Dispensations*

### **3 Public Participation Session**

To receive questions and representations from members of the public.

# Sandy Town Council

## 4 Minutes of previous Town Council meetings

To consider the Minutes of the meeting of Sandy Town Council held at 7.30pm on Monday 25 June 2018 and to approve them as a correct record of proceedings.

## 5 Minutes of committees and recommendations therein

To receive and note the minutes of the meetings of the following committees and sub-committees and (if applicable) to approve recommendations therein which do not arise elsewhere.

- i) Development Scrutiny Committee held on 2 July 2018 and 23 July 2018
- ii) Policy, Finance and Resources Committee held on 23 July 2018

**RESOLVED to RECOMMEND** that charges for the 2018/19 season include a separate charge for use of mini pitches agreed at;

Casual use of mini pitches - £10 + VAT  
Seasonal use of mini pitches - £55

**RESOLVED to RECOMMEND** that the committee agree in principle to the Friends of Sandy Christmas Lights becoming separate to the Council with its own bank account, subject to the group becoming a constituted charity and agreeing clarity over financial arrangements and areas of responsibility.

- iii) Community Services & Environment held on 2 July 2018.

## 6 Financial Matters

- i) To note a balance sheet and detailed financial report showing income and expenditure against the revenue budget for the year to 30 June 2018 (previously circulated and scrutinised at a meeting of the Policy, Finance and Resources Committee on 23 July 2018).
- ii) To note a budget overview report (previously circulated and scrutinised at a meeting of the Policy, Finance and Resources Committee on 23 July 2018).
- iii) To note a list of payments made since the last Town Council meeting (previously circulated and scrutinised at a meeting of the Policy, Finance and Resources Committee on 23 July 2018).

# Sandy Town Council

## **7 Reports from Central Bedfordshire Councillors**

To receive reports from Sandy's Central Bedfordshire Councillors. Members have already received Central Bedfordshire Council's briefing notes.

## **8 Action List**

To receive any updates and note the action report.

APPENDIX I

## **9 Report from Councillor meeting with Representatives of Highways England**

To receive notes from a meeting held with representatives of Highways England to discuss the proposed speed reduction scheme along the Biggleswade to Beeston section of the A1.

APPENDIX II

## **10 Report from Councillor meeting with Alistair Burt M.P**

To receive a report from a meeting between STC representatives and Alistair Burt MP.

To Follow

## **11 Model Standing Orders**

To approve amendments to the Council's standing orders in line with changes to NALC's model standing orders issued on 31 July 2018.

APPENDIX III

## **12 Section 106 Funding**

To note that the 1<sup>st</sup> Sandy Scouts have been successful in obtaining Section 106 funding for works to ensure the future of the Sandy HQ.

## **13 Play Park Improvements**

To note that new play equipment for Beeston Green and The Limes was installed on 1 August 2018. New swings and a slide will be installed in the Fallowfield play area the week starting 6 August 2018.

## **14 Consultations**

i) To receive details from the Bedfordshire Association of Town and Parish Councils on a Natural England consultation on the use of Sites of Specific Scientific Interest byelaw-making powers.

APPENDIX IV

ii) To note that Sandy Town Council has been invited to participate in the London Luton Airport consultation on the potential expansion of the airport. To consider whether the Council wishes to send representatives to a consultation event to be held on 31 August 2018.

APPENDIX V

# Sandy Town Council

## **15 Crime and Policing**

- i) To note that no CCTV incidents were recorded/reported in May and June 2018. Information for July 2018 is not currently available but will be tabled at the meeting.
- ii) To hear from the Clerk on the unavailability of crime statistics for June and July 2018.
- iii) To note an update from the Clerk on investigations into broken planters and damaged signage.
- iv) To note that the Police and Crime Commissioner will be holding a road show event in the Council Chamber on 12 September 2018. Councillors will be invited and the event is open to the public.

APPENDIX VI

## **16 Reports from Representatives**

To receive reports from representatives on outside bodies.

- i) To receive a report from Cllr M Hill on the Twinning Association trip to Skarszewy.
- ii) To receive a report on matters raised at the last Town Councillors' surgery.

APPENDIX VII

APPENDIX VIII

## **17 News Release**

## **18 Chairman's Items**

## **19 Date of Next Meeting: 17 September 2018**

**AGENDA ITEM 8**

**APPENDIX I**

**Town Council - Action list**

Subject	Action to be taken		Response/ Agenda no.
	Minute	Action	
<b>Meeting 9/11/15</b>			
East West Rail Link	(89-15/16)	Town Council strongly support the East West rail link coming through Sandy and to lobby the relevant authorities.	No further information on route or development has been provided.
<b>Meeting 21/5/18</b>			
A1 – Local Issues	(19-18/19)	To push for decisions on the future of the A1 and action on safety and environmental issues.	Notes from a meeting with representatives of Highways England are included later in the agenda. The meeting was in reference to a consultation held on reducing the speed limit along the Biggleswade to Beeston section of the A1.  Councillors are to address concerns about the A1 with A. Burt MP. Report/notes from a meeting with A. Burt are to be tabled at the Council meeting on 6 <sup>th</sup> August 2018.

# Sandy Town Council

**Notes of a meeting of representatives of Sandy Town Council and Highways England which was held in the Council Chamber at 10 Cambridge Road, Sandy, Bedfordshire on Thursday 12 July 2018 at 3.00pm.**

**Present:**

Cllrs M Scott (Mayor) M Pettitt (Deputy Mayor) P Blaine  
Chris Robson – Clerk to Sandy Town Council  
Michael Freeman – Highways England Service Delivery Manager  
Eddie Oag – Patch Manager for Beds, Herts and MK  
Christine Philips – Assistant Delivery Manager

Representatives introduced themselves to the group and Highways England (HE) explained that they were here to give more information on the proposed change in speed limit for the Beeston section of the A1 which was currently being consulted on. At this stage HE have only gone out to local councils directly affected by the changes.

The Clerk asked Highways England to clarify the difference between variable and average speed cameras and confirm whether such a scheme would follow on from the current consultation. HE explained that it was proposed to introduce a scheme of average speed cameras along the Biggleswade to Sandy stretch of the A1.

Average speed cameras use Automatic Number Plate Reading (ANPR) to record a date and time stamp as you pass between two cameras, enabling a computer to calculate average speed.

Variable speed cameras work in a similar way to average speed cameras, but they are not in operation 24/7. Variable cameras tend to be used on smart motorways when speed is temporarily lowered to ease congestion or in the event of a hazard. The cameras are situated on overhead gantries.

Members asked whether the proposed average speed camera scheme would go all the way through Sandy and not just the Beeston to Biggleswade section.

HE confirmed that implementing the proposed 60 to 50 reduction along the Biggleswade to Beeston section of the A1 would allow average speed cameras to monitor from the Biggleswade roundabout to the north of Sandy where the 50mph limit ends.

Members queried whether the Sandy roundabout at the top of Bedford Road would impact on the reliability of average speed cameras. Theoretically, a vehicle could speed at 70mph along the Beeston stretch of the A1 and then sit at the roundabout for a period of time, which would make its average speed through Sandy appear lower.

HE stated that the average speed monitoring would be split into different zones to exclude the roundabout. The average speed of a vehicle will be monitored from the start to end in each of those zones and will therefore not be affected by stopping at the roundabout. There will most likely be two zones, with the roundabout in the middle.

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Members raised concerns about the impact the proposed scheme may have on local traffic. An average speed on the A1 means that there will be less gaps in the traffic which may make it difficult for local traffic joining the road.

HE stated that at present vehicles were speeding on the A1 due to the lack of cameras and failure to obey the 50mph section. Introducing a constant speed limit of 50mph would make it easier for motorists to judge gaps and speed when joining traffic. In addition, braking distances reduce with lower speeds.

There have been no detrimental effects from the introduction of speed cameras at Southoe. HE commented that a reduced average speed would also improve air quality as emissions would be lower. There would be less stopping, starting and acceleration following the enforcement of a constant lower speed. Traffic flow becomes more linear when average speed schemes are introduced.

Sandy Town Council (STC) asked for the proposed timescale for the introduction of cameras.

Work on costings, surveys, power supply is ongoing and Home office approval will be needed. There is a statutory process that needs to be followed which has begun with the current consultation.

HE stated that officers were working on the tendering for new cameras at present. A regulation order would need to be submitted first, but it is thought that cameras would be installed in Jan/Feb/March of 2019.

Members asked about the number and position of cameras and noted that many stretches of the road of dwellings adjacent which will need to be considered. HE commented that such elements will be addressed in the detailed design of the scheme. The proposed scheme will be brought back to Council for consultation.

HE informed STC that Northill had expressed support for the proposed speed reduction in principle. They had also expressed a wish to see that gaps in the A1 closed.

STC informed HE that Members of STC had also expressed concerns over the gaps in the A1. However, closure of gaps could lead to additional problems for Sandy as it would restrict the routes in and out of the town. Not all traffic can go down Bedford Road.

A Member of STC questioned whether the introduction of average speed cameras would stop the previously proposed 'long about'. The proposed scheme would have seen a four-way junction introduced which would have had the potential to close gaps on the A1. The New Road Junction is extremely dangerous, and it is a miracle that there have been no accidents. There is a lack of clear road markings and signage and priority is confusing. The proposed 'Longabout' had been on the table for 20 years and given that no long-term strategic improvements were imminent should it not be reconsidered? It could be a solution to the safety problems presented by the New Road/A1 Junction.

HE were not aware of such a scheme and stated that it would not be desirable to introduce more junctions on to the A1.

Representatives agreed to take STC's concerns about the New Road Junction back to Alan Kirkdale for comment.

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The group moved on to discuss wider issues around the future of the A1. STC commented that it appears nothing is going to happen with the future of the A1 for a considerable time and things are not sustainable as they are. This section is the only section with remaining roundabouts and there is a heavy conflict of commercial and local traffic. The public are frustrated that there are no meaningful plans emerging. How are HE going to make junctions safe for local traffic?

HE acknowledged that the Sandy and Buckden sections are the last with roundabouts in place. The traffic volume in the area does not stack up to justify a new road. DfT are currently looking at a business case which may change the viability of a new road on the basis of additional housing.

A Member of STC stated that it was essential that Housing and Highways get together to decide how many houses would be needed to trigger improvements to the A1.

STC stated that there appears to be a difficulty in getting departments to talk to each other and the Town Council needs some help in getting action taken. With the possibility of East West Rail Sandy is 'on the map' and now seems to be an opportune time to look at the matter strategically. The Council cannot lose this opportunity to press for change. If the rail link is going to happen there will inevitably be growth in this area. If the government want growth the STC needs help in applying pressure to get improvements made.

HE. representatives can go back to the East of England study and ask that it is looked at again in light of growth. Representatives present will reiterate STC concerns and the need for taking this opportunity to press for strategic decisions.

STC made it clear that the installation of average speed cameras cannot be considered 'job done'. There are issues with severance and pollution which are a much greater issue.

H.E agreed that the speed cameras were an immediate measure rather than a strategic measure.

A Member of STC reiterated that HE. must advise STC what they plan to do if the proposed scheme does not work.





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## **L09-18 | 2018 model standing orders - amendment**

NALC published new model standing orders in April 2018. This briefing sets out the changes we have made to the documents and why we have made them.

### **Model standing order 17**

A minor mistake was made in respect of model standing order 17(d) (ii) which states:

“to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval”

The correct wording for standing order 17(d)(ii) is:

“to the Council the accounting statements for the year in the form of Section 2 of the Annual Governance and Accountability Return, as required by proper practices, for consideration and approval.”

### **Model standing order 21 and 15 (b) (ix)**

Further to the government’s decision to exempt local councils from the definition of “public authority” for the purposes of the General Data Protection Regulation the previous reference to “shall appoint a Data Protection Officer” in model standing order 21 (a) has been changed to “may appoint a Data Protection Officer”. Model standing order 15 (b) (ix) has also been changed to conform to the new position.

### **(England only) model standing order 18**

Model standing order 18 (c) has been changed to include the words “unless it proposes to use an existing list of approved suppliers (framework agreement)” and now reads:

“A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing

list of approved suppliers (framework agreement)”.

This change has been made further to requests that we clarify the wording of the standing order. Legal Topic Note 87 contains detailed guidance on advertising on the contracts finder website.

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17 JULY 2018

## **PC10-18 | BYE LAWS ON SITES OF SPECIAL SCIENTIFIC INTEREST**

### **Summary**

Natural England recently issued a consultation seeking views on its proposed approach to considering the use of its existing byelaw-making powers provided by Section 28R of the 1981 Wildlife and Countryside Act (as amended by the Countryside and Rights of Way Act 2000). These byelaw-making powers are to be used specifically for the protection of Sites of Special Scientific Interest ('SSSIs') in England. Sites of Special Scientific Interest (SSSIs) are notified by Natural England as part of its statutory functions and are specially protected by law in order to conserve their wildlife or geology.

NALC will be responding to this consultation as many local councils are based in or near both National Parks and SSSI areas. NALC's view is that even though there are not currently any SSSI byelaws in operation – local councils whose boundaries abut SSSI areas or whose boundaries entirely fall within SSSI areas – should be able to make, contribute to or be consulted on draft byelaws as they are the tier of local government closest to their communities in SSSI areas. The main consultation document is [here](#).

NALC will be responding to all consultation questions as below;

1. Do you agree with the proposed Operational Principles in [Annex 1](#)? If not, please tell us how these could be improved, and why.
2. Do you agree with the scope of the Model SSSI Byelaws in [Annex 2](#)? If not, please tell us how these could be improved, and why?
3. What additional practical measures do you think Natural England could develop or consider that could help people comply with any byelaws designed to ensure the special features of England's SSSIs are protected?

We are additionally interested to hear from local councils who either own and/or manage SSSIs.

## **Your views**

Please email your responses to this consultation to [Jessica.Lancod-frost@nalc.gov.uk](mailto:Jessica.Lancod-frost@nalc.gov.uk) by 17.00 on Friday 10 August 2018.

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# A consultation on the proposed scope and application of Natural England's SSSI byelaw-making powers

**Issued: June 2018**

## **1. Introduction**

- 1.1 [Natural England](#) is the government's adviser for the natural environment in England, helping to protect England's nature and landscapes for people to enjoy and for the services they provide. It is an executive non-departmental public body sponsored by the Department for Environment, Food & Rural Affairs ('Defra').
- 1.2 This consultation paper concerns Natural England's proposed approach to considering the use of its existing byelaw-making powers provided by Section 28R of the 1981 Wildlife and Countryside Act (as amended by the Countryside and Rights of Way Act 2000).
- 1.3 These byelaw-making powers are to be used specifically for the protection of Sites of Special Scientific Interest ('SSSIs') in England. Sites of Special Scientific Interest (SSSIs) are notified by Natural England as part of its statutory functions and are specially protected by law in order to conserve their wildlife or geology.
- 1.4 The ongoing protection and conservation of SSSIs, as core areas of ecological networks and resilient landscapes and seas, is central to furthering the ambitions set out in Government's [25 Year Environment Plan](#), [England's Biodiversity Strategy](#) ('biodiversity 2020') and Natural England's [Conservation Strategy](#).

## **2. What's the purpose of this consultation?**

- 2.1 Natural England is inviting views on its proposed approach to considering the use of its SSSI byelaw-making powers.
- 2.2 As part of its ongoing work to deliver better and proportionate regulation to benefit the natural environment and to further support our collaborative approach of working with stakeholders to secure better environmental outcomes, Natural England is seeking to improve its capability to exercise its

existing SSSI byelaw-making powers, where this might be considered an appropriate and necessary action.

- 2.3 Enabling the consideration of SSSI byelaws as a conservation measure will maximize the flexibility Natural England has to protect the special wildlife of these special and important places, working in partnership with their owners, occupiers and managers.
- 2.4 In discharging its duty to take reasonable steps, consistent with the proper exercise of its functions, to further the conservation and enhancement of SSSIs<sup>1</sup>, Natural England considers that SSSI byelaws can, in certain circumstances, be a valuable and more proportionate tool which can be used flexibly to help to protect the special wildlife and geological features of SSSIs from inadvertent damage or deterioration.
- 2.5 Natural England believes that SSSI byelaws have the potential to support and back up the positive voluntary work of many landowners, site managers and local partnerships to protect and conserve SSSIs. They can help to promote the sustainable use and enjoyment of ecologically sensitive SSSIs by the general public.
- 2.6 Government's [SSSI Code of Guidance](#) (2003) first advocated the use of SSSI byelaws as a legitimate tool for site protection. This guidance also committed to a prior external consultation with stakeholders over a model set of SSSI byelaws.
- 2.7 To help us develop an approach to making use of SSSI byelaws where appropriate, Natural England is inviting views on three aspects of its proposed approach to exercising its byelaw-making powers, specifically,
  - A set of proposed Operational Principles which would guide Natural England's approach to considering when and how it may recommend to the Secretary of State that a SSSI byelaw is made
  - A set of Model SSSI byelaws which would provide a standard format and content for any individual SSSI byelaws
  - A call for views as to how, should a SSSI byelaw be made, Natural England can help people become aware of it and comply with it in order to ensure the byelaw is effective and helps to protect the SSSI.
- 2.8 Please read this document in conjunction with these three accompanying documents.
- 2.9 You can find out how and when to comment in section 9 below.

### **3. Background to SSSI Byelaws**

- 3.1 Byelaws are locally-made laws established to tackle local issues. They are commonplace in our towns and cities, the seaside and other public open spaces and are widely applied by the local authorities and the wide range of public

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<sup>1</sup> Section 28G of the 1981 Wildlife and Countryside Act (as amended)

bodies empowered to make them. They are primarily made to deter, and where necessary to regulate, undesirable public behaviour.

- 3.2 Natural England has a long-standing statutory power to make byelaws for the protection of its nature reserves. This discretionary power is given in section 20 of the 1949 National Parks and Access to the Countryside Act ('the 1949 Act'). In 2000, the 1981 Wildlife and Countryside Act was amended by the Countryside and Rights of Way Act. One of the amendments was the introduction of section 28R, which extended these existing byelaw-making powers for the protection of SSSIs in England.
- 3.3 At that time, Defra considered these new powers to make SSSI byelaws to be an important and valuable tool which Natural England can use flexibly to address problems arising from damaging activities. Defra recommended that a set of Model SSSI Byelaws for use in these circumstances should first be developed and subject to wide consultation.
- 3.4 The Secretary of State expects Natural England to seek the views of those with an interest in the land before making any SSSI byelaws.
- 3.5 Where owners and occupiers of the land affected by a SSSI byelaw express strong opposition, the Secretary of State expects Natural England to examine their concerns sensitively, and to proceed only where there are no other practicable solutions that would protect the special interest of that site.
- 3.6 The Secretary of State also has the power to hold an inquiry, if appropriate, to hear any objections to a SSSI byelaw.

### **What can SSSI byelaws be used for?**

- 3.7 Section 28R of the 1981 Wildlife and Countryside Act (as amended) provides that Natural England may make byelaws for the protection of a site of special scientific interest. It applies subsections (2) and (3) of section 20, and sections 106 and 107, of the 1949 Act (reading references there to 'nature reserves' as references to 'sites of special scientific interest'). This means that a SSSI byelaw;
  - a. may provide for prohibiting or restricting the entry into, or movement within SSSIs of persons, vehicles, boats and animals;
  - b. may prohibit or restrict the killing, taking, molesting or disturbance of living creatures of any description in a SSSI, the taking, destruction or disturbance of eggs of any such creature, the taking of, or interference with, vegetation of any description in a SSSI, or the doing of anything therein which will interfere with the soil or damage any object in the SSSI;
  - c. may prohibit or restrict the shooting of birds of any description within such area surrounding or adjoining a SSSI (whether the area be of land or of sea) as appears to Natural England requisite for the protection of the [SSSI];

- d. may contain provisions prohibiting the depositing of rubbish and the leaving of litter in a SSSI;
- e. may prohibit or restrict, or provide for prohibiting or restricting, the lighting of fires in a SSSI, or the doing of anything likely to cause a fire in a SSSI;
- f. may provide for the issue, on such terms and subject to such conditions as may be specified in the byelaws, of permits authorising entry into a SSSI or the doing of anything therein which would otherwise be unlawful, whether under the byelaws or otherwise;
- g. may be made so as to relate either to the whole or to any part of the SSSI or, in the case of byelaws made under paragraph (c) of this subsection, of any such surrounding or adjoining area as is mentioned in that paragraph, and may make different provisions for different parts thereof.

### **What can SSSI byelaws not be used for?**

- 3.8 Byelaws should not be used to interfere with the exercise by any person of a right vested by virtue of ownership, lease or occupation of the land. Nor should they interfere with the use of public rights of way or with the activities of statutory undertakers.
- 3.9 To minimise any regulatory burden and avoid unnecessary regulatory duplication, Natural England also proposes that SSSI byelaws will not apply to those already in possession of a consent, assent, permission or licence given by Natural England or given by another statutory authority following prior consultation with Natural England.

### **How many SSSI byelaws has Natural England already made?**

- 3.10 There are no SSSI byelaws currently in force. There are currently no live proposals to recommend to the Secretary of State that a SSSI byelaw is made. Any future proposals will be advertised on GOV.UK.
- 3.12 A number of National Nature Reserve Byelaws previously made by Natural England or its predecessor bodies are currently in force.

## **4. An overview of the proposed SSSI byelaw-making process**

- 4.1 A case for any SSSI byelaw would be generated by a Natural England local Area Team in response to issues that may be undermining the protection of specific SSSIs. The team would be required to identify the persistent or continuing activity that is undermining or hindering the achievement of the site's conservation objectives and provide evidence that some or all of the special nature conservation features were or could be adversely affected by that activity.



- 4.2 In addition, the team would need to demonstrate that other informal or formal measures to address the issue have either been exhausted or are not feasible, and show that a thorough informal consultation with local stakeholders has been undertaken, with comments and concerns taken on board. The team will also have considered, and planned for, the prospect of enforcing the byelaw should it be approved.
- 4.3 At various stages of this process, this case would be subject to internal review and require the support of the Area Team Manager and the appropriate Chief Operating Officer. A draft proposal would also be submitted to Defra for their provisional approval.
- 4.4 Should Defra's provisional approval be given, Natural England's Board would be asked to further consider the proposal and make a formal recommendation to the Secretary of State for the Environment, Food & Rural Affairs that a SSSI byelaw is made. The decision to approve the making of a SSSI byelaw then rests with the Secretary of State.
- 4.5 Should a proposal to make a SSSI byelaw be approved by the Secretary of State, Natural England would make that byelaw by following the formal statutory procedures laid out in sections 235-238 of the 1972 Local Government Act and which is applicable to all byelaw-making bodies. These procedures include advertising the proposed byelaws, placing them on deposit and inviting representations from interested parties.
- 4.6 Following the statutory consultation period, the Secretary of State must formally confirm any SSSI byelaw that is made.
- 4.7 Once confirmed, SSSI byelaws may be amended by Natural England, though not without further ministerial approval. Where a SSSI byelaw is no longer considered necessary, it would be revoked.

## **5. Why does NE want to improve its ability to use byelaws to protect SSSIs?**

- 5.1 Natural England considers that SSSI byelaws can, in certain circumstances, be a valuable and proportionate tool which can be used flexibly to help protect the special wildlife and geological features of SSSIs from inadvertent damage or deterioration.
- 5.2 Byelaws are a formal measure that are most suited to regulate ongoing activities and modify public behaviour in situations where a SSSI is being significantly affected by activities which are being carried out repeatedly or by a large number of people.
- 5.3 On some SSSIs, activities persistently undertaken by the general public are currently a reason for their unfavourable condition or pose a threat to their currently favourable state (see Natural England's IPENS Public Access and Disturbance [Theme Plan](#)). Such activities can include the use of off-road vehicles, lighting of fires, collection of fossils or geological specimens, the

undertaking of recreational activities, foraging for wild plants and the digging for bait. These activities typically take place without the permission of the SSSI land owner.

- 5.4 The Theme Plan advocated that the use of SSSI byelaws could, in certain circumstances, help to facilitate more sustainable public use and enjoyment of sensitive Protected Sites at levels which are more compatible with their special nature conservation qualities.
- 5.5 Natural England believes that SSSI byelaws can potentially help to deter damaging activity occurring in the first place, reducing the risk of further regulatory action being required after damage has been done. They can be a catalyst for local engagement with local managers and local communities, resolving issues of shared concern on protected sites and increasing the confidence of SSSI managers to implement the necessary conservation management of their sites.
- 5.6 Whilst it wishes to improve its capability to consider its byelaw-making powers, Natural England expects that the making of SSSI byelaws will be limited.

### **How would Natural England enforce SSSI byelaws?**

- 5.8 Helping people to comply with a SSSI byelaw would be the primary aim. This would be carried out by Natural England working in conjunction with local landowners, partners, stakeholders and the Police depending on local circumstances.
- 5.9 We would encourage compliance in a variety of different ways suited to local circumstances. We anticipate this might initially include the on-site provision of informal advice, guidance and signage that can draw attention to the presence of the byelaws, the reasons for it and what can or cannot be done. These may be the only actions required. In some circumstances, the provision of more formal advice in the form of letters, written cautions or, as a last resort, prosecutions (civil sanctions are not currently available) may be necessary, additional steps.
- 5.10 The byelaw regime of section 28R of the 1981 Act allows for Natural England to issue permits that can authorise the holder to carry out activities that would otherwise be in breach of a byelaw. Where it is considered practical and appropriate, Natural England will consider the use of byelaw permits that can help with compliance and allow some activities to continue but at a more sustainable level.
- 5.11 Natural England is considering additional practical measures that can help people comply with any SSSI byelaws made in future to ensure the special features of England's SSSIs are protected.

## 6. The Consultation

Natural England is inviting views on the following;

### **The proposed Operational Principles**

These ten guiding principles aim to inform the consideration of when and how NE would recommend to the Secretary of State that a SSSI byelaw is necessary. These principles would be published on GOV.UK.

These proposed principles aim to take into account Natural England's general purpose set out in the Natural Environment and Rural Communities Act 2006, and follow Natural England's published [Compliance and Enforcement Position](#). The development of these proposed principles have been informed by the approaches published by other byelaw-making public bodies to ensure there is consistency of approach.

#### **Question 1.**

**Do you agree with these proposed Operational Principles in Annex 1? If not, please tell us how these could be improved, and why.**

### **The proposed Model SSSI Byelaws**

The proposed SSSI byelaws are based on, and adapted from, Defra's Model Byelaws for Local Nature Reserves (which remain unaffected by this consultation and would continue to be used by local authorities for this purpose).

It is envisaged that this list of model SSSI byelaws would provide a basic framework for any SSSI byelaws that may be proposed by Natural England in future. They are designed to cover a full and wide range of activities that might foreseeably take place on SSSI land so as to cater for the full range of situations that might arise.

Specific byelaws would be selected from this list of Model byelaws to target the specific activities and issue(s) affecting the site for which a SSSI byelaw might be required.

#### **Question 2.**

**Do you agree with the scope of the Model SSSI Byelaws in Annex 2? If not, please tell us how these could be improved, and why.**

### **Encouraging compliance with a SSSI byelaw**

In the event of a SSSI byelaw coming into force in future, Natural England, working in conjunction with a site's stakeholders, will seek to promote compliance with it.

As a minimum, Natural England will publish details about the byelaw on GOV.UK, publish spatial information about the land subject to a SSSI byelaw on MAGIC and place signage on the site subject to the byelaw (in agreement with land owners,

occupiers and managers and using our powers to erect notices and signs on SSSI land provided by section 28S of the 1981 Wildlife and Countryside Act).

Natural England will also place a formal notice in a local newspaper and any other relevant local community publications or newsletters. All land owners, occupiers and managers would be informed directly by letter, as will the relevant Parish Councils and other local community groups known to us.

In addition to these traditional methods, Natural England is however keen to consider new or innovative approaches to making sure site users are aware of and can comply with a SSSI byelaw.

As part of this consultation, we are therefore inviting the submission of ideas and advice that can help to shape our future approach to helping people comply with any SSSI byelaws that may be made in the future.

**Question 3.**

**What additional practical measures do you think Natural England could develop or consider that could help people comply with any byelaws designed to ensure the special features of England's SSSIs are protected?**

## **7. Cost of measures (significant additional costs or burden)**

- 7.1 The future exercising of Natural England's existing byelaw-making powers on SSSIs will incur no additional costs on business or public bodies. No impact-assessments would be considered necessary.

## **8. Equalities**

- 8.1 As a public body, Natural England shares the public sector equality duty under the Equality Act 2010 which came into force across Great Britain on 5 April 2011. While developing these proposals we have had regard to the public sector equality duty. When publishing information about any SSSI byelaws which may be made in future, we will place notices in local newspapers and local community publications to help inform sectors of the local public without computer access.

## **9. How and when to respond**

- 9.1 Please send your consultation response by email to Natural England at [byelaws@naturalengland.org.uk](mailto:byelaws@naturalengland.org.uk) (or by post to Natural England, Suite D, Unex House, Bourges Boulevard, Peterborough PE1 1NG FAO Mina Patel) no later than **Wednesday 22 August 2018**.

## **10. Using and sharing your consultation response(s)**

- 10.1 In line with Natural England's [Access to Information Statement](#), at the end of the consultation period, copies of the responses and/or the information contained in them may be subject to publication or release to the public on request and/or on our website. If you do not want your response - including your name, contact details and any other personal information – to be publicly available, please explain clearly why you regard the information you have provided as confidential. If we receive a request for release of the information under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded as binding on Natural England.
- 10.2 Responses received by that date will be analysed and taken into account by Natural England in finalising their proposals. The final proposals will be published on <https://www.gov.uk/government/organisations/natural-england>. We will also summarise all responses and place this summary on our website. This summary will include a list of names of organisations that responded but not the names, addresses or other contact details of individual respondents.

**Thank you for reading this consultation and for taking the time to help us with this work.**

**Clerk**

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**From:** LLAL Future Luton <futureluton@llal.org.uk>  
**Sent:** 19 July 2018 11:53  
**To:** LLAL Future Luton  
**Subject:** LLAL consultation

Dear Sir/Madam,

We are writing to you in your capacity as Clerk of the Council to let you know that the LLAL Non Statutory Consultation is underway.

London Luton Airport Limited (LLAL) is pleased to invite you to take part in our consultation on the potential expansion of the airport and to join us at a consultation event to view our plans and meet the project team.

Demand for air travel to and from the UK is set to grow over the next 20 years, and the Government wants all airports to play their part in meeting this demand by making best use of their existing runways. London Luton Airport could support additional capacity without building a new runway, by providing more space for passengers and aircraft, and we have identified a number of potential options to help make this happen.

LLAL is committed to minimising and mitigating the impacts of expansion. As well as providing you with an opportunity to comment on the options for expanding capacity, the consultation will also show our assessments of the impacts, and ask for feedback on our mitigation plans.

**Our consultation runs until 5pm on Friday 31<sup>st</sup> August.** During this consultation period, local communities and stakeholders will be able to view and comment on our plans by visiting: [www.futureluton.llal.org.uk](http://www.futureluton.llal.org.uk)

We are also holding events across Luton and the surrounding counties for local communities to view and comment on our expansion plans. You can see a full list of these events online: [www.futureluton.llal.org.uk/events](http://www.futureluton.llal.org.uk/events). There will also be an opportunity to meet with members of the project team and ask questions. You are welcome to attend any of these events.

If you have any questions or comments in the meantime, please email us at [futureluton@llal.org.uk](mailto:futureluton@llal.org.uk)

Best wishes,

LLAL team

**SANDY TOWN COUNCIL**

**DATE:** 6 August 2018

**AUTHOR:** Town Clerk

**SUBJECT:** Investigation into Damaged Planters

**Information**

On 1 July police received a report of two males causing damage to planters and signage in the centre of Sandy. No permanent damage was done to signage, however hanging baskets were knocked from lampposts and damaged.

The police contacted the Clerk on Monday 2 July 2018 stating that they were looking into the damage and provided a crime reference number.

The police have since liaised with CCTV to view footage but have concluded that they are unable to pursue the case further. CCTV shows suspects in the area but does not record them in the act of damaging property. The police have also stated that the image from the CCTV is not sufficient to circulate and pursue the matter further.

The planters have now been replaced by the Council's provider at no cost.

**SANDY TOWN COUNCIL****DATE: 6 August 2018****AUTHOR: Cllr M Hill****SUBJECT: Sandy Twinning Association Visit to Skarszewy**

- Two members of the Sandy Twinning Association, Barbara Groombridge and Jasmine Dorricott, were the Sandy representatives at the fourth annual Sobotki (carnival) event held in Skarszewy the last weekend of June.
- The pair joined a group of six German visitors from Skarszewy's other link town for two days of activities and they had their own horse-drawn carriage in the carnival procession.
- The weather was nothing like as hot as it currently is here – being around 17 to 19 degrees Celsius, and although it rained on and off they didn't have to use an umbrella! There was one downpour on Saturday which cleared the spectators, but otherwise the Sobotki was not too affected by the rain.
- The Friday and Saturday were spent at the Sobotki, which like our carnivals, had its stage acts, stalls, exhibitions and so on. On Friday afternoon there was the carnival procession through the streets and on Saturday morning, they were given a fascinating presentation of the history of Skarszewy, followed by a video of the building in 2014 of the church in 24 hours. This was a world record and features in the Guinness Book of Records! On Saturday evening, they joined the German contingent to watch the German match at the hotel – with some glum faces in evidence!
- The two members stayed at the new REN hotel in Starogard which is very plush.





## SANDY TOWN COUNCIL

**DATE:** 6 August 2018  
**AUTHOR:** Town Clerk  
**SUBJECT:** Councillor Surgery

**Information**

On Saturday 14 July 2018 Councillors Aldis and Pettitt represented the Council at a Councillors' surgery held in the Chamber.

Three members of the public attended the surgery and the following matters were raised;

<b>Issue</b>	<b>Action</b>
Approach to Village Hall Car Park – can loose material be brushed away to reduce risk of falling by vulnerable residents?	Grounds Team Leader asked to include clearing of loose material in litter picking at Sunderland Road.  Costs for resurfacing the approach to the car park are to be reported to Policy Finance & Resources on 4 September for inclusion within 2019/20 budget estimates.
Sandy Skating Association 2000 would like their contact details added to the list of Community Groups so that they are invited to participate in future events. Contact via email <a href="mailto:kenlynch98@gmail.com">kenlynch98@gmail.com</a> or telephone (01767) 681739	Complete
Also above contact details apply to the Sandy & District Senior Support Group	Complete
Despite being reported there is still a fridge & pallets by the bottle banks. Why?	Fly tipping was reported to CBC who sent a waste officer to investigate. Collection arranged but fridge was missed off. Second collection arranged to remove fridge and pallets. The matter was chased up with CBC by an administrator following the initial request.

<p>The gate by the bridge over the river at the end of Ivel Road which leads via a footpath to the weir is padlocked. If this is a Right of Way, should this be so?</p>	<p>Referred to CBC ROW. No ROW officer currently in place. Clerk chasing matter up with area technician.</p>
<p>The hedge around the Limes play area planted by S.E.G. is in need of maintenance. Can this be put into a future programme please?</p>	<p>Matter passed to Grounds Team Leader. Hedge to be reviewed and any relevant maintenance work to be carried out.</p>
<p>The government scheme run by Seetec was very good for the Town. Can the Council buy into the Pay Back Scheme to get similar work completed in the Town?</p>	<p>Clerk to investigate what schemes may be available when time allows.</p>
<p>The properties in St Swithuns Way do not have a stop cock in the street to turn off water supplies to individual houses. Can Anglian Water be asked to look at this problem as a householder's internal stop cock needs to be replaced and the whole street's water supply would have to be stopped while this work is carried out?</p>	<p>Referred to Anglian Water.</p>
<p>When the drought ends and the rain returns there is likely to be local flooding as the gullies are blocked. Has this been considered by CBC?</p>	<p>Clerk has brought to attention of CBC Highways and will push for all gullies in the town to be checked and cleared ahead of autumn.</p>

The next Councillor surgery is scheduled for 8 September 2018.

It was previously agreed that the Council would review the councillor surgery process after 6 months of surgeries. As such information will be brought to the Full Council meeting on 17 September 2018 to support discussion on future Councillor surgeries.