

Delegated Officer Report

Decision Maker:	Paul Clifford, Director of Economy in consultation with Cllr Elaine Taylor, Cabinet Member Housing and Licencing and Deputy Leader
Date of Decision:	29 February 2024
Subject:	Report on Update of Sites of Biological Importance
Report Author:	Georgina Brownridge
Ward (s):	Crompton and Saddleworth North

Reason for the decision:	<p>The reason for this decision is to adopt changes, which have occurred to designated Sites of Biological Importance (SBIs) within the borough. Changes are outlined in Appendix 2 and Appendix 1 provides maps of the SBIs with boundary amendments. This includes Hull Brook (Grade A) which has had a net loss of 0.6 hectares (due to agricultural improvement) and Ponds at Cowlshaw Farm (Grade B), which gained 0.1 hectares due to an increase in swamp present.</p> <p>Tame Water Woodland and Hey Bank were also reviewed but had no significant changes.</p> <p>Oldham has a total of 38 SBIs, which has increased overtime from 18 since 1984 (please see Appendix 3 for fact sheet).</p>
Summary:	<p>This report outlines changes to SBIs from site surveys carried out by the Greater Manchester Ecology Unit (GMEU) in 2020 (received 2023).</p> <p>Designation of an SBI brings no statutory protection and does not allow the authority any additional powers of control over the land. The land also remains in its present ownership. Designation does, however, mean that the sites</p>

are given consideration under the National Planning Policy Framework (NPPF) and the Local Plan which seeks to avoid harm to ecology.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Option 1 - To adopt the changes to the SBIs as outlined in Appendix 2. The advantage of this option is that the changes to SBIs will be subject to the principles set out in NPPF to avoid, mitigate and as a last resort compensate any harm. There are no disadvantages to this option. If development was proposed, it would be expected to comply with NPPF and Local Plan policies.

Option 2 - Not to adopt the changes to the SBIs as outlined in Appendix 2. There are no advantages to this option. The disadvantage is that boundary changes will not have been adopted and therefore the full extent of the SBI's may not be given due consideration under NPPF and the Local Plan.

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted.

No consultation undertaken. When surveying sites GMEU follow the guidelines set out in the GMEU 'SBI Selection Guidelines'. This Report is presented in an open and transparent manner.

Recommendation(s):

Option 1 - To adopt the changes to the SBIs as outlined in Appendix 2. The advantage to this option is that the changes to SBIs will be subject to the principles set out in NPPF of avoid, mitigate and as a last resort compensate any harm.

Implications:

What are the financial implications?

The Planning and Infrastructure Team is proposing to publish a report highlighting adopted changes to designated Sites of Biological Importance (SBIs) within the Borough. The Council will make copies of the Monitoring Report publicly available online only. There will be no financial implication to the Service.

(John Edisbury)

What are the legal implications?

Designating land as a Site of Biological Importance enables appropriate planning policies in the NPPF and the Council's Local Plan to be applied in respect of planning

applications affecting the land. In accordance with the scheme of delegation for Local Development Framework matters, updates to the Sites of Biological Importance can be regarded as part of the evidence base for the Local Plan and therefore the report can be approved by the Portfolio Member in consultation with the Executive Director. (A Evans)

What are the **procurement** implications?

None.

What are the **Human Resources** implications?

None

Equality Impact attached or not required because (please give reason)

None as report relates to biodiversity and reports on assessments carried out by Greater Manchester Ecology Unit.

What are the **property** implications

The sites identified within the report are already identified as Sites of Biological Importance and the report seeks to enhance those sites enabling appropriate planning policies in the NPPF and the Council's Local Plan to be applied in respect of planning applications affecting the land. The boundary changes proposed will enhance the property assets with no impact on the Council's property ownership or value of the asset. (Alison Evans – Principal Estates Surveyor)

Risk assessments:

The risks of not adopting the changes to the sites of biological important will result in the Council failing to utilise the most recent and up to date specialist ecological advice available. This may result in the Council determining planning applications, formulating policy, or providing advice based on out of date information and evidence.

Vicki Gallacher (Head of Insurance and Information Governance)

Co-operative implications

The Report on Updates to Sites of Biological Importance follows the values of the Cooperative Agenda. When surveying sites GMEU follow the guidelines set out in the GMEU 'SBI Selection Guidelines'. This Report is presented in an open and transparent manner. The Report demonstrates the council working together with

GMEU to identify any changes to SBIs so that they can be given consideration under NPPF and the Local Plan. (James Mulvaney)

IT implications

The latest GIS of the GIS will be uploaded to ensure constraints are taken into account.

Environmental and Health and Safety implications

N/A

Community cohesions, including crime and disorder implications

N/A

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

List of Background Papers under Section 100D of the Local Government Act 1972:

Title	Available from
Greater Manchester Sites of Biological Importance Selection Guidelines (revised 2016)	https://www.tameside.gov.uk/ecologyunit/sbi/guidelines.pdf

Report Author Sign-off:	
G.Brownridge	
Date: 29 February 2024	

Please list and attach any appendices:-

Appendix number or letter	Description
1	Sites of Biological Importance Maps. Maps are shown for sites where SBIs have had a site boundary change
2	Oldham – District Synopsis (2020)
3	District Fact Sheet

Director of Economy

A handwritten signature in black ink, appearing to be 'P. A.', with a horizontal line underneath.

Signed:

Date: 06/03/24