

15.PROOF OF EVIDENCE OF KRISTOFFER HEWITT, on behalf of East Sussex County Council and Natural England

- 15.1. Kristoffer Hewitt holds a Batchelor of Science (Honours) in Ecology and Conservation from the University of Sussex. He worked for English Nature since 1996 at Barnack Hills and Holes National Nature Reserve, then from April 1997 as an English Nature Officer for the East Midlands. In January 1999 he was appointed an English Nature Conservation Officer for Sussex and Surrey and responsible for Chailey Common SSSI and Local Nature Reserve (LNR) until September 2006. Since October 2006, he has been a Natural England Adviser in the Environmental Planning Team mainly responsible for planning issues in Sussex, Kent and Surrey. He was the project manager for the Thames Basin Heaths SPA delivery project from August 2007- October 2008, covering relevant development, planning and heathland issues in that part of Hampshire, Surrey and Berkshire. Since January 2010, he has been on secondment from Natural England to East Sussex County Council as the County Ecologist.

Chailey Common

- 15.2. Chailey Common Site of Special Scientific Interest (SSSI) was first notified by the Nature Conservancy Council in 1954 under the National Parks and Access to the Countryside Act 1949 and re-notified as an SSSI under the Wildlife and Countryside 1981 Act in 1985.
- 15.3. Chailey Common was declared a local nature reserve in 1966 by East Sussex County Council. The meaning of the term "nature reserve" is now given in Schedule 11 to the Natural Environment and Rural Communities Act 2006 as "land managed solely for a conservation purpose, or land managed not only for a conservation purpose but also for a recreational purpose, if the management of the land for the recreational purpose does not compromise its management for the conservation purpose". And "conservation purpose" is itself defined as "providing, under suitable conditions and control, special opportunities for the study of, and research into, matters relating to the fauna and flora of Great Britain and the physical conditions in which they live, and for the study of geological and physiographical features of special interest in the area; or preserving flora, fauna, or geological or physiographical features of special interest in the area or for both these purposes". "Recreation purpose" is defined as "... managed for the purpose of providing opportunities for the enjoyment of nature or for open-air recreation".

- 15.4. Apart from Ashdown Forest and Chailey Common, the only other areas of heathland in East Sussex are Hastings Cliffs SSSI/LNR and at the new RSPB reserve at Broadwater Forest (where heathland is being re-established) and some very small isolated pockets in the High Weald.

SSSI condition assessment

- 15.5. English Nature began assessing the condition of the nature conservation interest of SSSIs in 1997 with the production of the national database (known as ENSIS). It was not until 2004, that Condition Standards Monitoring Guidance for Lowland Heathlands were agreed

nationally and published by the Joint Nature Conservation Committee. In February 2009, the guidance was updated.

See http://www.incc.gov.uk/pdf/0902_CSM_lowland_heathlandv2.pdf.

15.6. At Chailey, the first condition assessment was undertaken in 1997 on Red House Common, by which date the notified butterfly species (apart from the Silver Studded Blue) had already been lost.

15.7. The latest condition assessments were undertaken by my colleague Louise Hutchby on 12 October 2009 and state that 'Chailey Common was turned "unfavourable recovering" in Feb 2009 on the basis that a fencing application had been applied for. Fencing Chailey will enable the site to be grazed and since there is funding in place to pay for the fencing and any other necessary management then it was felt that the condition of this site was progressing in the right direction. It was felt at the time that the extensive public consultation exercise undertaken in preparation for the fencing application had been successful and that it was likely that permission to fence would be granted. Since the inspector has decided that there should be a Public Inquiry the outcome is less certain. In the absence of fencing, which precludes the grazing necessary to bring this site into favourable condition then the SSSI has now become Unfavourable Declining'.

15.8. Under the current guidance (February 2009) the SSSI units continue to be unfavourable because they fail to have a varied vegetation structure with different age phases of the ericaceous (heather) cover. There is a lack of desirable forbs (for example thyme, birds foot trefoil, heath bedstraw) that indicate heathland and a lack of appropriate bare ground.

Agri-Environment Schemes

15.9. One of Natural England's key responsibilities involves promoting and funding 'green' farming schemes, paying over £300million/year to over 55,000 agreement holders. Chailey common currently receives money via the 'Countryside Stewardship Scheme', though this will expire in autumn 2011. Whether this funding is replaced under the new 'Higher Level Stewardship' scheme depends in large measure on the outcome of this application.

15.10. Until the launch of the Environmental Stewardship Schemes in 2007, the Countryside Stewardship Scheme (CSS) was the Government's main scheme for the wider countryside, aiming to improve the natural beauty and diversity of the countryside, enhance, restore and re-create targeted landscapes, their wildlife habitats and historical features, and to improve opportunities for public access. Countryside Stewardship was first introduced as a pilot scheme in England in 1991.

15.11. CSS was a competitive scheme with limited funds. Potential entrants to the scheme had to meet a range of criteria included within the scheme. Sites of Special Scientific Interest and heathland habitats were eligible and a key criterion was whether landowners could demonstrate that they were in control of management of the site. Chailey Common was considered appropriate for the scheme.

15.12. In 2001, East Sussex County Council applied for the CSS on Chailey Common to address the heathland management issues. The council has received payments for regeneration and management of heathland, removing invasive scrub, pond restoration. The scheme runs from 1st October 2001 until 30th September 2011.

15.13. Since late 2007 'Environmental Stewardship' has replaced CSS and the Environmentally Sensitive Area (ESA) scheme for the provision of funding to land managers in England who deliver effective environmental management on their land. The primary objectives of Environmental Stewardship are to:

- conserve wildlife (biodiversity);
- maintain and enhance landscape quality and character;
- protect the historic environment and natural resources;
- promote public access and understanding of the countryside;
- protect natural resources.

15.14. There are three elements to Environmental Stewardship:

- Entry Level Stewardship (ELS) provides a straightforward approach to supporting the good stewardship of the countryside. This is done through simple and effective land management that goes beyond the Single Payment Scheme requirement to maintain land in good agricultural and environmental condition. It is open to all farmers and landowners;
- Organic Entry Level Stewardship (OELS) is the organic strand of ELS. It is geared to organic and organic/conventional mixed farming systems and is open to all farmers not receiving Organic Farming Scheme aid;
- Higher Level Stewardship (HLS) involves more complex types of management (such as heathland) where land managers need advice and support, and agreements are tailored to local circumstances. HLS applications will be assessed against specific local targets and agreements will be offered where they meet these targets and represent good value for money.

HLS agreements are for 10 years.

15.15. When Chailey common's CSS agreement comes to an end HLS funding is likely to be available to replace it. However, HLS is a discretionary scheme with a finite pool of funding. Entry into HLS is only available to applicants who can demonstrate that they can manage the land in an appropriate manner for its nature conservation interest.

15.16. Put in simple terms, a management regime that Natural England does not believe capable of delivering and/or sustaining favourable SSSI condition will not succeed in gaining HLS funding.

15.17. In my view, having been involved with a number of heathland sites across Southern England, and in the view of Natural England's national heathland specialists, fencing with grazing is the main solution to delivering favourable condition at Chailey Common SSSI.

15.18. This site cannot be managed by manual and mechanical means alone, as they will not provide the mosaic of heathland habitats required by characteristic heathland flora and fauna and will either fail to deliver the recovery of dwarf ericoid shrub dominance to the site, or, at best and at most will encourage and maintain dominance by grasses. Shepherding grazing would not be suitable for grazing by cattle and ponies which would be the best option for containing and reducing dominance by coarse grasses.

15.19. It is therefore my view, and that of Natural England that in the absence of the necessary consents to allow extensive grazing of Chailey common this SSSI will both fail to meet the 2010 PSA target and will fail to gain HLS funding for its future management – with the result that come the end of the CSS funding in 18 months' time there will be even fewer sources of management funding for the site than are currently available.

Year	Number of sheep	Number of ponies	Number of cattle	Number of horses
2014	1000	100	100	100
2015	1000	100	100	100
2016	1000	100	100	100
2017	1000	100	100	100
2018	1000	100	100	100
2019	1000	100	100	100
2020	1000	100	100	100
2021	1000	100	100	100
2022	1000	100	100	100
2023	1000	100	100	100
2024	1000	100	100	100
2025	1000	100	100	100
2026	1000	100	100	100
2027	1000	100	100	100
2028	1000	100	100	100
2029	1000	100	100	100
2030	1000	100	100	100

16.PROOF OF EVIDENCE OF JANE WILLMOTT, on behalf of East Sussex County Council

SUMMARY

- a) Jane Willmott has been Team Manager in Countryside & Rights of Way Team for East Sussex County Council for two years, following a sixteen year career in Countryside Management. She manages and is responsible for the Chailey Common Ranger as well as several other sites in the County. She has finalised the detail of the fencing proposals on behalf of the Council and Chailey Common Management Committee. Jane Willmott holds a Batchelor of Science (Honours) degree in Applied Biology from Nottingham Trent University, specialising in Ecology and Conservation.
- b) My evidence describes East Sussex County Council's fencing and associated proposals in detail, with explanations for the need for all relevant features. It does this by reference to 6 maps and a detailed description as if walking around the proposed fence line in a clockwise direction, starting at an easy to find location (usually a car park). Please see table below for a summary of features proposed:

Table 1 summary of features proposed in application

	Lane End	Red House	Pound/Memorial/ Romany Ridge combined	Total
Proposed length of roadside fencing and fencing within the common (metres)	1333	2561	2869	6764
Length of existing fencing that may need replacing on the edge of the common (metres)	290	2771	4155	7216
Total possible length of fencing (metres)	1623	5332	7024	13979
Highway cattle grids with bypasses on the common	-	-	3	3
Highway cattle grid without bypass on the common	-	-	1	1

Non-highway cattle grids	1	4	7	13
Field gates	1	11	7	19
Bridle gates	6	14	20	40
Kissing gates	2	9	10	21
Pedestrian gates	-	3	5	8

- c) The fence location has been carefully considered to avoid impact on the landscape, public access and the open aspect of the common. Where possible it follows the boundary of the common, where there are existing fences or there is vegetation to screen the existence of the fence. Only 14.5 hectares of the 5 main blocks of the commons have been excluded from the proposed fence. About half of this area is made up of the sports ground on Memorial Common. The rest is for practical reasons, mainly to avoid cattle traps, large areas of woodland and access tracks. There are a few small parts of the common that are excluded as they are already physically separated by roads, but public access is not affected to any of these areas. There are more than 80 public access points (excluding field gates) proposed within the fence line not only on public and private rights of way, but on all customary access points too.