

From: [Arden, Rob \(NE\)](#)
To: [DORAN, Richard;](#)
cc: [HUGHES, Paul;](#)
[ARNOLD, Mark;](#)
Subject: FW: SSSI Sound Common
Date: 30 October 2012 08:33:00
Attachments: [Re Sound Common SSSI.doc](#)
[letter \[REDACTED\] 11.09.12.pdf](#)

Hi Richard

cc. Paul & Mark

Yes I had a chat with Paul and Mark last week and any works on the Operations Likely to Damage List for the SSSI require assent, however if the works are to meet the obligations of the HLS agreement then assent has already been granted (the HLS agreement in itself is NE assent). Therefore any scrub control within the areas under the heathland option do not require any further documentation. For works outside of the HLS agreement, I would need to know:

- Work methodology
- Location
- Timing

There is no standard format, as long as I have enough information to conclude the works are in line with SSSI objectives.

I've attached recent correspondence from [REDACTED] to Tim Hill, our director of evidence. I'm at a meeting today with Alex and our land management area manager Rob Menzies so will discuss with them the most appropriate way to respond. I am very wary of Tim entering into a debate with [REDACTED] on the SSSI designation and reasons for such as this is a debate he has been having for 20 years plus and will not lead to any resolution. A lot of the points [REDACTED] has raised are not really of relevance as regards Tim's role – I imagine Tim will be keen to make sure our actions were evidence-based. If you have any comments let me know – I suspect we will be simply going over old ground however.

I was struck on my visit to Sound last week by the sudden increase in light and open space, it's possible to visualise now what the heath would have looked like in its glory years. The areas covered by heather at the moment are very small, but I think in five years we will have a much improved site. My sincere thanks to yourself, Mark and Paul for the huge amount of time you have devoted to getting to the stage of finally having some action on the ground. As you have pointed out, other than a small few the public response has been

overwhelmingly positive, and I am sure public support will grow as the results of our efforts become more apparent.

Cheers

Rob Arden
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If I am unavailable and your enquiry is urgent please contact my team leader, Alex Lowe
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<http://www.naturalengland.org.uk>

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Hello Rob

What detail and in what format do you require from us, for you to consent the voluntary works? Talking to Paul yesterday he intimated that you might have a different way of consenting in mind.

To add to the SADRA list, Mark is organizing a Volunteer group on November 25th, basically scrub removal and possible weed wiping said cut stumps.

I went on site yesterday (I had an urgent request to take cake with me!) ; pleased to at last see things taking place. Paul expects felling and scraping to be completed by today. Any views from you and David?

Richard Doran
Countryside Service Development Manager

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From: Scales, Carol (NE)
Sent: 25 October 2012 15:09
To: Arden, Rob (NE)
Cc: Menzies, Rob (NE); Lowe, Alex J (NE)
Subject: FW: SSSI Sound Common

Rob

Sorry. This one re-appears!

Please see attached from [REDACTED]. Back in September you drafted a response for Tim to send to [REDACTED]. A copy of that is also attached.

I had a word with Tim about this. He has an open mind about whether the reply comes from him or not as this is really not a scientific issue but more about stakeholder management (though it is about the extent to which the evidence standards have been followed). There is a link to our evidence standards and Tim thinks it would be helpful if you could look at the extent to which our actions in this case have followed them.

Kind regards

Carol
PA to Tim Hill
0300 060 0464

From: [REDACTED]
Sent: 17 October 2012 11:09
To: Scales, Carol (NE)
Subject: SSSI Sound Common

Carol

I have attached further comments for Dr Tim Hills attention.

Thanks



Date: 11 September 2012
Our ref:
You ref:



[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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By email

Dear [REDACTED]

Sound Heath Site of Special Scientific Interest (SSSI), Cheshire

Thank you for your recent email expressing concern regarding the planned heathland restoration at Sound Heath SSSI, to be carried out by Cheshire East Council with support from Natural England.

As the Government's Adviser for nature conservation, one of Natural England's primary roles is to support the improvement of SSSIs. Our responsibilities in relation to SSSIs are set out in the Wildlife and Countryside Act 1981, as amended by subsequent legislation. The act also places responsibilities on landowners and other responsible bodies, in this case Cheshire East Council, to ensure that the special interest of the site is not damaged. Sound Heath SSSI is notified due to the presence of wet lowland heath, within a mosaic of damp heath, acidic grassland, scrub, and scattered trees, supporting a diverse invertebrate assemblage. It is on this basis, therefore, that heathland restoration is to take place, in order to fulfil the responsibilities of both Natural England and Cheshire East Council under the Wildlife and Countryside Act.

I have consulted with colleagues in the local land management team regarding details of this case, and I am satisfied with the procedure that has been followed. It should be noted that a management plan has not been produced, rather a plan of works for restoration and expansion of existing heathland areas. The working methods for the restoration process are nationally recognised and have shown success on Lindow Common and Brereton Heath, both managed by Cheshire East Council.

I understand that consultation with local residents has taken place, in the form of a meeting at the council offices in Crewe, and the site visit mentioned in your email. The surveys being undertaken were discussed during the visit, and a request was made by Cheshire East for any further relevant survey data. To date no further data has been received. During the visit, a

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need for a liaison group for the site was discussed, to include representatives from Cheshire East Council, Natural England, and the local community. I understand the first meeting of this group is scheduled for today, 11 September. Whilst it is the role of Natural England to support Cheshire East in management of the SSSI, it is apparent that local residents are being included in the process.

Yours sincerely

A large black rectangular box redacting the signature of Dr Tim Hill.

Dr Tim Hill
Director Evidence & Chief Scientist

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Re Sound Common SSSI

Dear Dr Hill

Thank-you for your comments (11/9/12) and my apologies for the delay in responding.

I am aware of the responsibilities placed on various bodies by the Wildlife and Countryside Act. However, apart from the efforts of the Parish, these responsibilities were ignored, on this site for many years, despite an apparently successful application for funding from the Countryside Commission. However, this was not the reason for my letter. I wrote to you as Chief Scientific Officer to express dismay at the lack of, a scientific, evidence-based approach in the preparation of the 'plans' and the failure to include local input in their formulation.

Your response to the first of these concerns is to state the sites notification details and accruing responsibilities. I will therefore be specific:

What parts of the site are notified as heathland and what is the scientific evidence for this designation?

What scientific evidence justifies ignoring the requirements of the sites 'diverse invertebrate assemblage' and failure to follow the standard methodology of producing an evidence-based management plan?

Your response to my remarks regarding consultation in the preparation of the 'plans' misrepresents the actual position. You correctly state that a plan of works, not a management plan, has been produced. However Cheshire East/Natural England described them as 'an initial 5 year management plan'. This was amended as a result of Parish objection. The plans are currently described as an emergency rescue plan. The salient point is that, contrary to Natural England's guidelines, no effort has been made to produce a scientific study, prior to formulating work plans.

The 'consultation' that you appear satisfied with consisted of the two meetings mentioned. Both took place after the production of the plans. This, together with the absence of relevant study, enables the claim that the heathland is of prime importance, and any management that might increase its extent, to be presented as an inherently beneficial 'fait accompli'.

A review of those invited and those present will readily clarify why the structure of these meetings also effectively prevented alternative input. It would have been relevant to determine from the minutes what input the Parish had managed and what consideration was given to it. Unfortunately this is not possible as no minutes are available.

In the light of the above it is not surprising that the 'liaison group' is not constituted, its organisation, agendas, recording and documentation being the preserve of Cheshire East. Consequently the opinions of those holding alternative views of the site are readily suppressed and unrecorded. Membership is, for such individuals, untenable. Based on the available evidence is this group is little more than a promotional exercise for the 'fait accompli' mentioned above.

As regards surveys many of the records for the site have come from local volunteers and there is little evidence that the significance of the findings or requirements of recorded species have been considered. The Small Heath butterfly is documented to have bred in an area scheduled for extensive turf removable yet its requirements have never been mentioned or apparently considered. The same area is also documented as containing important bryophytes but, until the Parish commissioned a survey, these were also being ignored. What motivation is there for groups with very limited funding to provide data for those with significant government funding particularly when, if considered necessary, their efforts are demeaned, suppressed or ignored?

The proposals may increase the area of heathland, although no similar sites, including the ones you mention, have been identified to substantiate this. However they may also fail to do so and in the absence of relevant survey it will be impossible to measure any detrimental effects or accurately assess results. Inevitably the measures will be deemed an improvement.

One is left to wonder on how many sites claimed success results from precluding failure.