

Comments received on the report from members of the Working Party.

These comments below are taken from the emails received from the stated representatives of the Working Party who replied to me (Chief Executive). I had sent them an email with the draft report on 29th January 2022.

I note that the Friends of St Mary's Lands did not reply to me as requested but have sent information directly to Members so I have not added their comments to this note.

As some comments in the emails related to salutations, matters of diary dates etc I have not therefore in all cases copied the replies verbatim but those which are relevant to the issues at hand.

Chris Elliott
Chief Executive

James Mackay, Warwick Society:

Please report to the Cabinet that, as the representative of The Warwick Society, I do not support the recommendations of this paper.

Though plenty of time was available, the Working Group has not been given a satisfactory opportunity to discuss and to try to reach a consensus on the issues either of substance or of process that it covers. Sending it at little notice, with long, confused and conflicting reports from consultants, emphasises that the issues have not been dealt with properly.

The proposals for changes in the governance arrangements for the Working Party lie uncomfortably alongside the appended support of another body, the Warwickshire Natural History Society, which is not a member of that Party. Meanwhile, the paper does nothing to correct the failure of the Party to cohere in pursuit a shared objective, rather than the sometimes conflicting aims of some of its members, or properly to involve in its discussions a body or individuals representative of 'ordinary' users of the Lands. Instead, it appears to pursue what amounts almost to a grudge against a group with which the Council (perhaps understandably) apparently finds it difficult to collaborate.

I suggest that the paper is amended to ask the Cabinet to approve the same fencing measures as were applied last summer, urgently giving protection to the nesting birds; but that the rest of the contents of the paper should just be noted, not approved, until there has been proper discussion of them by members of the Working Party, and a consensus reached on the recommendations both for the Lands and for governance.

I again offer my assistance in making what is now an ineffective process work much better. The appearance of this paper, in this form, now, strongly suggests that some such help is needed.

I am sending copies of this note to the other recipients of your email.

1st Subsequent Comment

I suggest that the paper is amended to ask the Cabinet to approve the same fencing measures as were applied last summer, urgently giving protection to the nesting birds;

I continued:

but that the rest of the contents of the paper should just be noted, not approved, until there has been proper discussion of them by members of the Working Party, and a consensus reached on the recommendations both for the Lands and for governance.

I hope this helps: the weaknesses of parts of the paper are counter-productive; and we do want the Working Party to be effective in contributing to the management of the Lands and guiding their future.

2nd Subsequent comment:

I repeat my suggestion that while the fencing is approved, the (mal-)functioning of the Working Party is noted by the Cabinet, and we have a discussion asap afterwards about its remit, membership, and operation.

I again volunteer to help with that.

Cllr Noel Butler, Warwick Town Council:

Turning to the reports I am pleased to see from subsequent correspondence with members of the WP you have confirmed the fenced area will not be increased this year as I got the impression from the report that some enlargement was proposed.

As far as groups who are members of the WP, I agree completely that all of them should provide information of how they are run and that the people who are attending the WP have been approved in accordance with its constitution. It is pity that we have to state it in our ToR when it is so obviously correct governance.

Cllr Dave Skinner, Warwick District Council:

Regarding the Cabinet paper, I echo most of what James has commented on, in that I assume that where it states to continue with the temporary fencing scheme as before, it is NOT extended as has been suggested in the reports, but remain on the area as in 2021. I see that needs to be discussed more publicly as to the need.

Regarding the ToR, and the governance 'issue', I would like this to be available to be discussed at the next Working Group as I feel we need to be aiming for inclusivity, not exclusive as it looks. I recognise the need to operate meetings effectively and with guidelines to safeguard all but am concerned that there is a potential for not having residents or regular users represented on the Group.

Subsequent comment:

I understand the issue, and my point is that I would like to understand the alternatives and choices the Group has, as we do need to be able to include the general users and interested residents, not just make it a group of stakeholders with specific interests.

Cllr Moira Ann Grainger, Warwick Town Council:

While I totally understand the rationale for trying to formalise who can be on the working party, I do think James has a point. I also think we need to ensure that all the groups involved are formally constituted or we do run the risk of being challenged!

His proposal therefore seems a sensible one.

Cllr John Holland, Warwickshire County Council:

St Mary's Lands are owned by WDC and of course this is a matter for WDC. Just a few noted from a WCC point of view.

1.The site for ground nesting birds is a County Wildlife Site. Particular reference is made to the grass in the listing.

2.Rightsof War are a WCC responsibility. The ROWs lading to Hampton on the Hill needs to be preserved and crossing the A46 is an unresolved issue. Perhaps can be dealt with in the next Local Plan.

3.The Aylesford School to Woodloes cycle route could benefit from a scrutiny review leading to recommendations.

A stakeholder meeting might be a good idea. There is a new Clerk of the Racecourse. This could be a video meeting.

Roland Hopkins, Local Birdwatchers Group:

I predict it (i.e. *response from FoSML – my words*) will be along the same lines that (1) they had their own report performed by an expert (2) their report concluded that in fact the Skylarks had declined in numbers as the grass was too high and (3) no birds were on there from May through to September. (4) That WDC have not responded to their report and (5) there is overwhelming support from their online Survey that the public are against the fences (6) That the area is going to be increased.

This is in direct comparison to the actual truth in that (1) they have no provided qualifications for their expert surveyor whereas WDC has (2) WDC have responded to their report via their qualified ecologist (3) The qualified ecologists showed there was a slight increase in the number of breeding pairs compared to previous years (4) Birds were observed on site after May by the Ecologist, The Wildlife Group, The Model Flyers and members of the public. (5) The fenced off area is not being increased (is that correct Jon?) (6) There is no overwhelming support that fences should cease but in fact most people

spoken to agree with the initiative and it is supported by Warwick Natural History Society.

Laurie Barton, Model Flyers Club:

With regards to the birds and fencing issue, I was heartened to see a small but significant increase in numbers. Also the flyers were pleased to see the Skylarks actually flying over and joining our flights, sometimes at the same time, before or after. They generally appeared unmoved by us and landed in the grass alongside the planes. In fact, at times, they appeared to be visiting our area rather more than the fenced area. However, this was from about mid July to August on, when the grass was extremely high and way past the 20 to 30cm.