

16 February 2024
Our ref: 0301241046AM
Your ref: Kern Bridge Canoe Launch Site-Tree maintenance-
Extended deadline



Natural England
Worcestershire
County Hall
Spetchley Road
Worcester
WR5 2NP
Tel: 0300 060 3900

Dear Mark Petersen c/o Walford Parish Council,

River Wye SSSI

ASSENT OF NATURAL ENGLAND UNDER SECTION 28H OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

Natural England assents to the operations specified in your notice of 5th of October 2023 under S28H of the Wildlife and Countryside Act 1981 (as amended) as attached.

This assent covers the period 13th of February 2024 to 1st of March 2024.

Please note the important information about this assent below.

I draw your attention to your duty, under section 28G of the Wildlife and Countryside Act 1981, as inserted by the Countryside and Rights of Way Act 2000, to take reasonable steps, consistent with the proper exercise of your functions, to further the conservation and enhancement of the SSSI.

Yours sincerely

A handwritten signature in black ink, appearing to read "Andrea Massawe".

Andrea Massawe
Advisor
Area Team - West Midlands
Tel: **02080261334**
Email: andrea.massawe@naturalengland.org.uk

Important information about this assent

If you wish to change the proposed operations or their location or to carry out additional operations for which assent has not yet been given, or if a time period set out above has expired, you must give further written notice to Natural England. Before doing so, you can seek advice from Natural England.

You may face enforcement action if you undertake unauthorised operations which destroy, damage or disturb the notified features of special scientific interest.

Before undertaking the operations specified in this assent, you may also need to get additional permissions from other authorities. For example, the assented operations might also require planning permission from the Local Planning Authority, a permit from the Environment Agency or a licence from the Forestry Commission. It is your responsibility, as the grantee of this assent, to ensure that no other permissions or consents, whether of a public or a private nature, are needed and, if any are needed, to acquire them before you exercise this assent.

This is Natural England's assent only, and it does not allow you to undertake the specified operations without first having obtained all of the necessary permissions needed to undertake the operation lawfully. If you do not obtain all of the permissions you require, and carry out the work anyway, you may face enforcement action from other authorities or parties.

As the grantee of this assent, you are responsible for carrying out the assented operation(s) safely and in all ways according to the law.

Notice of proposal to carry out an operation affecting a site of special scientific interest (SSSI)



Use this form to give notice of an activity on a SSSI that needs Natural England's Assent. Please provide as much information as possible, complete the Declaration on the final page and send this Notice along with any accompanying information to

ProtectedSites@naturalengland.org.uk



A sample Notice is included here, to help you complete this form and is for illustrative purposes only.

Part 1

Name of SSSI: (Please use the pulldown menu) [River Wye SSSI](#)

Is this SSSI a European Site (SAC/ SPA) covered under the [Habitats Directive](#) Yes ☒ No ☐
If you have answered yes to the above question you must include a HRA when submitting your NOP.

If you do not know the name of the SSSI, you can find this by visiting <https://magic.defra.gov.uk>.

Additional Sites for multi-site Assent
(Please use the pulldown menu)

[Click here to choose a SSSI Site.](#)

[Click here to choose a SSSI Site.](#)

Part 2

Operations Requiring Natural England Consent/Assent (ORNEC)

You can find details relating to a SSSI's ORNEC on our Designated Sites Viewer <https://designatedsites.naturalengland.org.uk/>

Specified operations (summary of proposal):

Please summarise your proposal in a few sentences. You may wish to refer to the list of Operations Requiring Natural England's Consent on your SSSI

Kern Bridge Canoe Launch Site Bishopswood Herefordshire HR95QR Grid Ref: SO 58200 18745

To carry out essential safety maintenance pruning and removal of dead and dangerous tree limbs adjacent to public canoe launch, railway buttress and public car park as per email dated 5th October from Mark Petersen and attached tree surgeon's condition report, tree identification and location plan.

Part 3

Details of proposed operations:

Please provide as much detail as possible about your proposed operation(s). Please consider the following aspects:

- Storage and disposal of materials
- Precise routing of operations and vehicles
- Frequency of access
- The provenance and chemical nature of imported materials
- Type and ground-pressure of vehicles to be deployed
- Mitigation measures
- Details of removal/dispersal of materials resulting from proposed operations.

Please enter here, details of how you will carry out the proposed operations including your methodology. Detailed methodology may also be attached to the email at submission.

To cut and remove dead, decaying or dangerous tree limbs and trunks in public areas, as identified in the attached site plan. Trees enumerated 1, 2 and 3 are within the SSI 10M boundary and are specifically mentioned here as requested by Natural England Adviser Andrea Massawe.

Two tree surgeon operatives will be deployed to carry out above work using petrol and battery operated cordless chain saws and climbing equipment.

Vehicle and chipping machine will be parked on hard gravel car park area

Smaller branch material will be chipped and used on site.

Larger trunk material will be cut into 1m lengths and remove from site to contractor's yard.

Tree No 1

Twin-stemmed Ash adjacent to launch area and café seating area.

Condition: Significant dieback due to Chalara dieback of Ash. High risk of stem and branch failure onto well used café seating area.

Recommendation: Fell to as near ground level as possible.

Tree No 2

Willow

Part 4

Timescales

Note - Natural England have 28 days to consider a Notice and issue Assent.

Works should not commence until Assent has been agreed and issued by Natural England. Please consider this when specifying dates for works to commence.

If the proposed works form part of your routine annual management/maintenance, please consider seeking a longer assent of between 5 and 10 years. In considering this, please think about things such as the likelihood that you will need to change your annual management, or whether you are unsure of the impact of the operations on the SSSI.

Start date for Assent to commence: 08/01/2024

End date on which Assent will expire: 12/02/2024

Timing of proposed operations

If you are carrying out multiple operations at different times of year please provide a breakdown of when (i.e. month) you propose undertaking these.

Please note that we are unlikely to grant Assent for these works within the bird breeding season – SSSI NOP for Assent

March to August inclusive, (protected under the Wildlife & Countryside Act 1981).

Trees enumerated 1, 2 and 3 will commence 08/01/2024

Other trees will be treated thereafter and completed no later than 12/02/2024

Part 5

Land on which operations will be carried out (include map).

Are the Operations to be carried out across the whole SSSI? Yes ☐ No ☒

If No, please provide a map, field numbers or grid references. If you are carrying out multiple operations at different locations within the SSSI please provide an annotated map.

For map production please use the link <https://magic.defra.gov.uk/>

Please include details of the land by copying and pasting a map into this space from Magic, entering the full land parcel details, OS Grid references or attaching a separate map to the email at submission.

Separate maps attached to email and also as per initial email dated 5th October 2023 from Mark Petersen. Walford Parish Councilor

Part 6

Additional information:

Please use this box to:-

Add any additional information that you think will help us to assess your proposals.

List any documents here that you will be emailing with this form to the Protected Sites mailbox.

Part 7

Declaration

[I/We] give notice to Natural England under Section 28H(1) of the Wildlife and Countryside Act 1981 (as amended and inserted by section 75 and Schedule 9 of the Countryside and Rights of Way Act 2000) of [my/our] proposal to carry out the operations specified above in the exercise of [my/our] functions and on the land as specified above.

Name and contact details of public body/statutory undertaker: *Mark Petersen – Walford Parish Council And Nick Richmond – Parish Clerk*

Address:

Email:

Mark.petersen1@yahoo.com

Telephone:

07801 236174

Name and contact details of persons submitting notice on behalf of public body or statutory undertaker:

Name:

Mark Petersen

Position:

Walford Parish Council

Address:

Email

mark.petersen1@yahoo.com

Telephone:

07801 236174

Signed by on behalf of public body / statutory undertaker

Mark Petersen

Date:

22/11/2023

Using and sharing your information: The Data Controller is Natural England. For further information on how we process your personal information please see our Sites of Special Scientific Interest (SSSI) Privacy Notice at <https://www.gov.uk/government/publications/natural-england->

Requesting Natural England Assent does not allow you to undertake or permit the specified operations without first having obtained all the necessary permissions needed to undertake the operation lawfully. If you do not obtain all the permissions you require, and carry out the work anyway, you may face enforcement action from other authorities or parties.

Annex 2 -Correspondence

Good morning Andrea,

Thank you for your follow up, I hope you are keeping well

I heard from Hereford Council only yesterday and they have forwarded a couple of completed examples of the HRA form for our assistance

I will endeavour to get that completed next week after consulting with the appropriate people involved

If we have to defer the start date due to our later than planned submission, then we will do so to fit in with your processing timescale.

I will be in touch again next week

Kind regards

Mark

Sent from Yahoo Mail on Android

On Thu, 14 Dec 2023 at 10:34, Massawe, Andrea

<Andrea.Massawe@naturalengland.org.uk> wrote:

Good morning Mark,

Hope you are well; I am just looking for an update on the completion of the HRA. Have you heard back from Hereford Council? I am just aware of the proximity to the Christmas break and the ability to process this consent before your proposed start date of the 8th of Jan .

Kind regards

Andrea Massawe

Adviser

From: Mark Petersen <mark.petersen1@yahoo.com> **Sent:** 22 November 2023 18:08 **To:**

Massawe, Andrea <Andrea.Massawe@naturalengland.org.uk> **Cc:** Nick RICHMOND

<clerk@walfordparishcouncil.gov.uk>; Joanne Akers Akers <joanneakers2019@outlook.com>;

Simeon Cole <simsancole@hotmail.co.uk> **Subject:** Re: 0510231724EC-Kern Bridge Canoe

Launch Site - Bishopswood Herefordshire HR9 5QT Grid Ref: SO 58200 18745

Good Afternoon Mr. Massawe,

Thank you for your response to our inquiry and further to our telephone conversation earlier today, I now attach completed NOP form and attachments for your perusal and progression. As discussed I will arrange to contact Hereford Council for assistance in completing the HRA form and I will forward this to you hopefully by end of next week.

Should you require any further information in the meantime, please do not hesitate to contact me.

Yours Sincerely

Mark Petersen - Parish Councillor

For and on behalf of Walford Parish Council

On Wednesday, 18 October 2023 at 10:33:56 BST, Massawe, Andrea

<andrea.massawe@naturalengland.org.uk> wrote:

Good Morning Mr Petersen

Thank you for contacting Natural England concerning the tree maintenance around the Kern Bridge site along the river Wye SSSI.

After looking at the proposal we recommend sending in a Notice of proposal for Assent outlining all the works but focusing particularly on the trees within the SSSI boundary. (Trees 1,2 and 3)

You will also be required to complete a HRA for the River Wye SAC [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](#).

I have attached a blank Notice of Proposal form for you to fill out and return to ProtectedSites@naturalengland.org.uk or myself.

Kind regards

Andrea Massawe

Dear Andrea,

Thank you for your email and feedback

My apologies that was my mistake, I can confirm that the wood chippings will be removed from site as per Adrian Hope's (the contractor's) method statement.

Kind regards

Mark Petersen

For and on behalf Walford Parish Council

Tel 07801 236174

Sent from Yahoo Mail on Android

On Tue, 23 Jan 2024 at 14:11, Massawe, Andrea

<Andrea.Massawe@naturalengland.org.uk> wrote:

Hello Mark,

Apologies for the delay in getting back to you, we've been dealing with a backlog of cases due to the Christmas break.

After looking at your application the Lead advisor only had one issue. The quote from the contractor states that the chippings will be taken off site however you have said in the NOP that it will be used on site.

We had concerns about the spread of Chalara (ash dieback) if spreading the chipped wood from any diseased trees on the site and would ask that it is removed as stated in the contractors' methods.

Once I have had this confirmed with yourself, I will be able to issue the Assent.

Kind regards

Andrea Massawe

Adviser

West Midlands

26/01/24-Call with Mark asking for extension of deadline to allow contractor to complete work.

Agreed new date of 1st of March.