

COMMITTEE:	Services
DATE:	Friday 10 March
CONSULTEES:	Resource Management Team
REPORT OF:	Director of Conservation & Development

**ACQUISITION AND DISPOSAL OF LAND KNOWN AS SILENCE MINE
(FCE 2717/JRN)**

Purpose of Report

- 1 To seek approval for the compulsory purchase of land at Silence Mine and its subsequent disposal to a Village Trust to be set up by Great Hucklow and Foolow Parishes, within which the site is located. The site lies within the extended Vision for Wildlife Project Area on the fringes of the White and Dark Peak Joint Character Areas.

Introduction

- 2 The relevant National Park Authority policies are within Objectives 1 and 2 of the National Park Management Plan 2000-2005 – Working together for the Environment and People (6.4 – 6.7 and 6.10 – 6.13). The proposal will also contribute to delivery of draft objectives in Appendix 1 of the National Park Management Plan report presented to the Authority on 9 December 2005. In particular, priority will be given to delivering against draft objectives 1 – 4 and 10 – 13.
- 3 Silence Mine is the name given to a small area (4 hectares) of scrub, woodland and grassland on a south facing slope on Hucklow Edge which was the previous location for lead working at both Silence and Old Grove Mine and more recent re-working of the surface mineral heaps. It is recognised as a key lead rake site in relation to both its archaeological and ecological interest and appears on updated inventory of regionally and nationally important lead mining sites in the Peak District (PDNPA, 2005). The grasslands are of local and national Biodiversity Action Plan quality and are amongst the highest quality grasslands present along Hucklow/Eyam edge. The site is also one of the highest quality surveyed in the Authority's 2005 Lead Rakes Project. An informal footpath crosses the site which is well used by local people and by members of local wildlife and historical societies. The footpath contributes to a useful link between Great Hucklow and Foolow.
- 4 There are issues surrounding all of aspects of the site's interest. Conservation of the wildlife and landscape interest is now dependent on active site management particularly scrub control. (The site has remained un-managed for over 20 years.) The historical features merit maintenance and further investigations whilst access on foot is being compromised by illegal motorbike use which is also damaging the ecological and archaeological interest.
- 5 Despite considerable searching, both by local people and the Authority's Legal Team, the ownership of the site is unknown. The only way to solve the management issues on the site is to overcome the problem of ownership for without ownership, financial aid to implement the management plan will not be forth-coming.

RECOMMENDATION:

- 6 That subject to the Village Trust being in receipt of available finances to cover the purchase of the site, approval is given:
1. To enter into an agreement with the Village Trust to cover:
 - the disposal of the site,
 - covenants to secure its appropriate management, and
 - potential re-imburement of the purchase price
 2. To carry out a Compulsory Purchase Order
 3. Following confirmation of the Compulsory Purchase Order, to sell the site at cost price to the Village Trust

Proposal

- 7 It is proposed that the Authority explores the possibilities of compulsory purchase using Section 226 of the Town and Country Planning Act 1990 which states that "This power can be used where the Authority "thinks the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land", if it thinks "improvement is likely to contribute to achievement of an object", i.e. the promotion or improvement of social or environmental well-being of the area".
- 8 Foolow and Great Hucklow Parishes are setting up a Village Trust to apply for grant aid to both purchase the site from the Authority following acquisition, and to finance a management plan being jointly developed with the Authority and interested wildlife and historical societies. This plan is being designed to secure the future of the wildlife and historic interest, to maximise access opportunities on foot and to restrict illegal access by vehicles. It will directly contribute to biodiversity, cultural heritage and access objectives and targets whilst 'providing for visitors and local people seeking quiet enjoyment of the valued characteristics of the National Park' (Help Shape the Future, May 2005). A formal agreement would be negotiated between the Authority and the Village Trust covering the purchase of the site and necessary covenants to secure its future management.
- 9 Stakeholder involvement is an integral part of the proposal. The Authority would effectively be acting as a facilitator to enable management of the site by local people. There is a real and hopefully lasting commitment by people of both parishes to this Project. Locals have long regarded this piece of land as a special place for them and are keen to see its interests safeguarded. They initiated contact with the Authority owing to concerns over illegal use of the site and subsequent damage to its special qualities. The significance of the site is integral to the plans within Great Hucklow village for producing a booklet and trail on the lead mining of the area. This is likely to be funded by the Local Heritage Initiative with match funding by the Peak District Community Planning Partnership.

Financial Consideration

- 10 The estimated cost of carrying out the compulsory purchase excluding staff time will be the purchase price (estimated at £3500 based on informal evaluation) plus £1,050 to cover costs of necessary advertising, valuation etc. It is estimated that 40 hours of staff time will be expended in carrying out the compulsory purchase and in the negotiation of the legal agreement/covenants. The majority of this relates to Legal Team. The value of the land will be re-couped on disposal to the Village Trust. It may be possible, subject to the conditions of the grant-awarding body, to include the Authority's costs in the Village Trust's grant application. Finance is available within the Conservation

Service budget allocation to the Vision Project.

- 11 The process of compulsory purchase of land with no known owner is such that following a period of 12 years and subject to no existing owner appearing, the Authority will be re-imbursed the purchase price. This money will be returned to the Village Trust for management of the site. The proposed agreement between the Authority and the Village Trust will cover this eventuality.

Human Rights aspects including Equal Opportunities, Health & Safety

- 12 These have been considered in the preparation of this report. Health and safety issues in relation to illegal motorbike use; also possibly human rights issues over rights to site of local importance being compromised by illegal motorbike use.

Consultation Responses

- 13 The Director of Conservation and Development, Head of Conservation, Head of Access and Recreation, Head of Finance and Head of Law have all been consulted and their comments incorporated. Resource Management Team approved the purchase on the basis of the Authority's enabling role for subsequent transfer of ownership (RMT Minute No 17/06). It was agreed that compulsory purchase of the site by the Authority and subsequent sale to the Village Trust should only go ahead when the Village Trust is in place. Under current Standing Orders any requests for compulsory purchase are also required to have Committee approval.

Conclusion/Advice

- 14 The process as outlined is deemed the most cost effective way of achieving National Park, including biodiversity, cultural heritage and access objectives on this site. A significant merit of the proposal is the inherent partnership working with both local people and local interest groups, with the Authority acting as a facilitator for local action.
- 15 If the problem of unknown ownership is not solved the wildlife and landscape interest of the site will be lost through scrub encroachment and vehicle damage, the archaeological features will continue to degrade, and access on foot will become impossible, for whilst the villagers may choose to carry out management works in the absence of ownership these are likely to be minimal and could not be supported by the Authority.

List of Background Papers (not previously published)

Updated inventory of regionally and nationally important lead mining sites in the Peak District (PDNPA, 2005)
Lead Rake Survey Report 2005 (PDNPA, in preparation)

SILENCE MINE (Location (centre point): SK 187 778. Extent: 4 hectares.)

Silence Mine is the name given to a small area of scrub, woodland and grassland on a south facing slope on Hucklow Edge which was the previous location for lead working at both Silence and Old Grove Mine and more recent re-working of the surface mineral heaps.

Species rich grassland is concentrated in clearings amongst scrub and bracken at the eastern end of the site. It is typically herb-rich and characteristic of neutral to lime-rich soils which have developed over limestone brought to the surface during mining activity. It is very diverse including common spotted, southern marsh, early purple and bee orchids in amongst species such as ox-eye daisy, field scabious, birds foot trefoil and lady's bedstraw. Where it is tallest it is particularly rich in common knapweed. Down-slope heavier wetter soils typical of the underlying shales support damp grasslands with rushes, marsh trefoil and sneezewort alongside richer patches containing cowslips and orchids. A small silted-up pond in the far south-east is choked with bulrushes.

A clearing within the woods at the western end of the site is also species rich though not as diverse as the grasslands in the east and lacks the orchid species. Brambles, bracken and scrub are spreading across this area and are also encroaching on the clearings in the east.

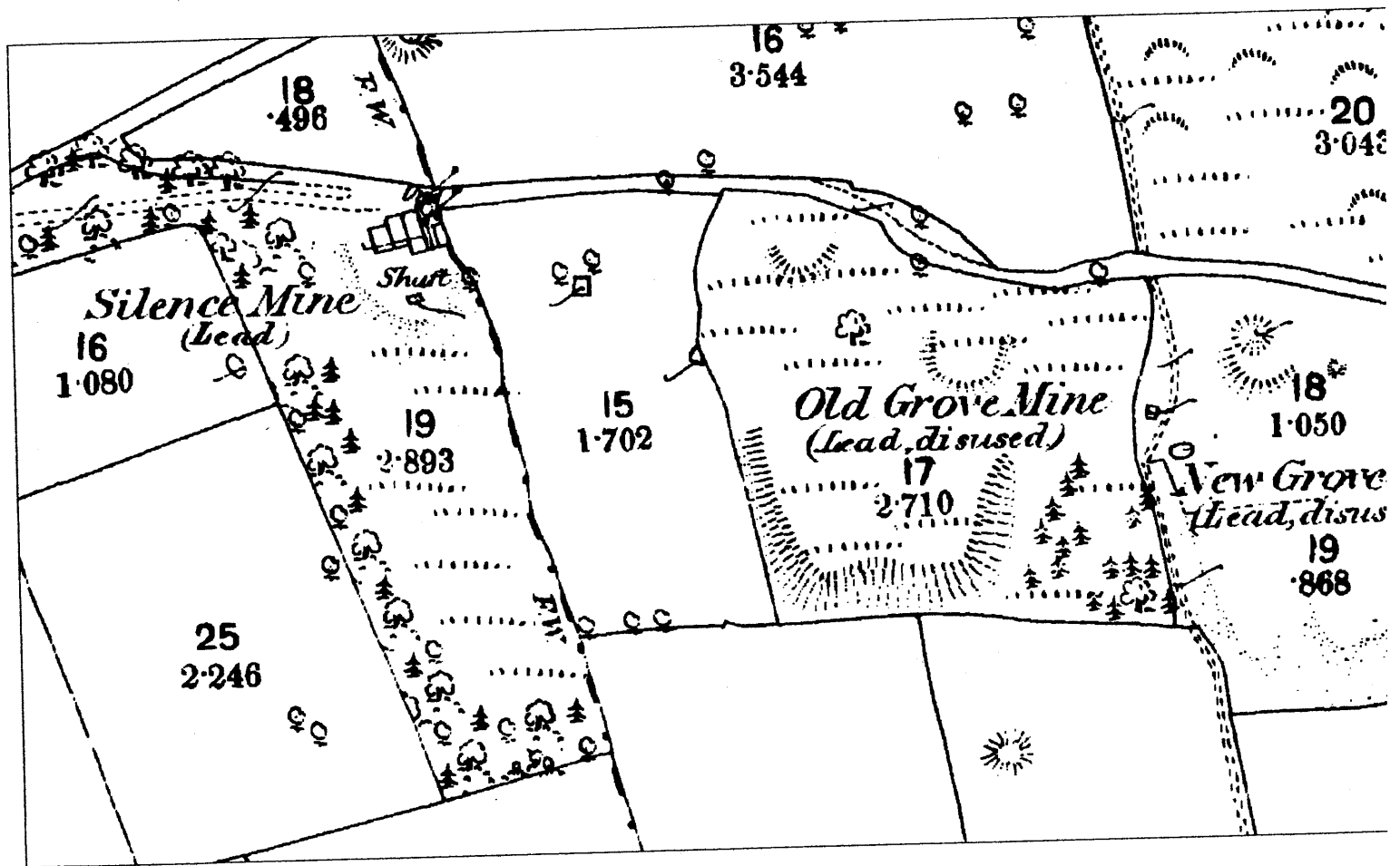
These grasslands are important for invertebrates including a wide range of butterflies, typical of the best sites in this part of the Peak District. Hucklow Edge includes populations of Dark Green Fritillary, a species declining at national level and for which the Peak District remains an important stronghold.

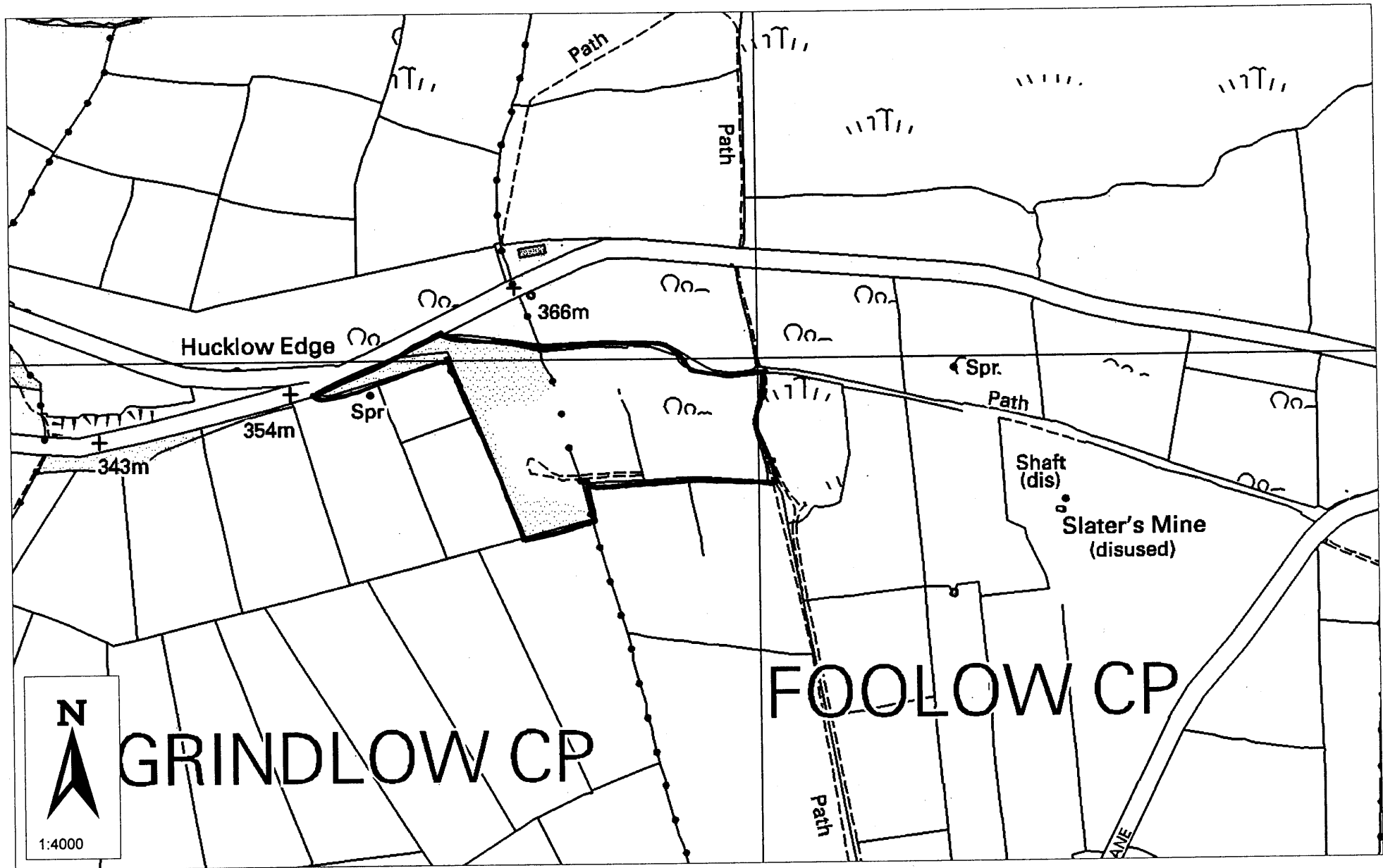
Both Silence and Old Grove Mines have been extensively reworked for fluorspar at surface, but at the top end of Silence Mine there are the previously unrecognised remains of steam engine buildings and associated structures. These include the back walls of a horizontal engine house and boiler house, the possible base of a chimney, and a small sunken 'chamber' that originally was one half of a wheel pit which contained a large flywheel and/or winding drum associated with the engine house. Hillocks remain in the northern part of Old Grove Mine.

The site is entered on the updated inventory of regionally and nationally important lead mining sites in the Peak District (2005).

An informal footpath cuts across the site from north-west to south-east linking the road from Great Hucklow with a footpath from Foolow to Abney and beyond. This is primarily used by local people but is also used by local historical and wildflower groups to access the site. The path has recently been used very heavily and illegally by motor-bikes and is heavily rutted. At the eastern end of the site damage is widespread on the wetter land at the bottom of the slope. Silence Lane (a "RUPP") forms the northern boundary of the site. This is very heavily used by motor bikes and 4 wheel drive vehicles.

The site is of great significance in a National Park context, being of importance to biodiversity, cultural heritage, the local landscape, to access and the local community. There are issues surrounding all of these aspects of the sites interest. Conservation of the wildlife interest and local landscape is dependent on active site management particularly scrub control. The historical features merit maintenance and further investigations whilst access by local people is being compromised by illegal motor-bike use and could be enhanced with appropriate action.





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