

Members Update Sheet

Item 1 NYM/2020/0327/FL

Additional Background Information

The applicant has provided the following additional information and clarification in relation to queries that have been raised regarding bikes, bats, footpaths, ecology and shooting, in support of the application:-

1. Bikes. We thought that bikes would be environmentally beneficial and we also thought that people would be able to judge if their party were able to cycle safely. We expect some people to bring their bikes with them. In retrospect I think we should not hire bikes so we will be happy to remove this element of our proposal
2. Bats. There was a concern expressed a while ago that there hasn't been a bat survey. This is incorrect, there has been a bat survey, the extant consent has conditions regarding bats and we are very aware that we have to (and want to) provide bat boxes. We will also provide additional suitable boxes for other wildlife that might find this location attractive and conducive to breeding.
3. Footpaths. A "blue Line" map showing our larger ownership has been submitted to remove the confusion around this.
4. Ecology. We very much look forward to working with Elspeth and Mark on the Nature Zone and ecology and biodiversity generally. The extant consent envisaged some of this and we plan and hope to go much further. It is also worth bearing in mind that the forestry element of Cloughton Woods is already strictly overseen by the Forestry Commission and we are putting in place a ten year plan to ensure that good husbandry is planned and adhered to, so we are happy to have additional conditions regarding a habitat management plan and this should be written in such a way that it doesn't contradict anything that is done for the Forestry Commission.
5. Shooting. I feel this is being badly misunderstood and misrepresented. British Association of Shooting and Conservation (BASC) has guidance on shooting safety, and covers shooting near rights of way and roads. There is also legislation contained in Section 19 of the Firearms Act. At Cloughton Woods we take safety extremely seriously. The use of our land cannot be affected, or limited, by the use of another's land. To mitigate any risk we have removed, as requested, the intention of all signage permitting guests to walk north, and we will not encourage that. However, there are existing footpaths that run north, from the Hulleys and from Cloughton. I have not measured 300 yards in any direction from the neighbouring land but I wonder if they are able to contain their shot within 300 yards from anywhere on their land? From a very quick look, I don't think they can shoot east without consent from the landowner there, they cannot shoot west over the Whitby Road, they cannot shoot south; I think they can probably shoot north if they abide by the law very carefully. Perhaps the safety of these paths should be investigated if the shooting is not done carefully or legally. The footpaths already exist, through that land and also running from the A171 down to the Hulleys. So the shoot should already be completely aware of its responsibilities to the general public, wherever they arrive from. It is the guns responsibility; owning land does not allow risking walkers. An adjoining owner cannot however be limited in his legal enjoyment of his own property because a neighbour might be failing to meet legal and safety requirements and this should not be an issue at a planning committee.