



QUEENFORD LAKES WATER SPORTS CENTRE,
BERINSFIELD, OXON.
OX10 7PQ

REVIEW OF SITE ECOLOGY VALUE AGAINST
PUBLISHED LOCAL WILDLIFE SITE DESIGNATION
CRITERIA

21st January 2015

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1.0 INTRODUCTION AND BACKGROUND

This report has been prepared by *James Johnston Ecology*, on behalf of S Scott Ely Esq (the site owner). It provides the results of an independent review of the ecology value of Queenford Lakes Water Sports Centre, Berinsfield, in relation to the current site selection criteria for designated Local Wildlife Sites (LWS).

The site has planning permission for unrestricted water sports activities and has been operating as a jet ski and water ski centre for the last 20 years. Nevertheless, the site was selected and locally designated as part of a larger County Wildlife Site in 1994, and the designation was re-selected in the 2004 LWS selection review.

The LWS designation primarily relates to bird numbers using the series of former gravel pits around Dorchester / Berinsfield. Given the site's status as a busy powered water sports centre, and the apparent conflict between that activity and bird numbers using the lake, the owners have reasonably queried whether Queenford lake can currently reach the designation criteria for LWS, and whether such a designation would be meaningful or helpful to nature conservation in the context of the permitted site usage.

This report therefore reviews the site history, its past and present ecology value, and considers these against the current LWS selection criteria. All available TVERC fauna records for the Dorchester area (1970 – 2014) have been reviewed as part of this assessment, and particularly those for Queenford pit.

2.0 BRIEF HISTORY

1950-60's – Sand and gravel extraction occurred, which secondarily created many freshwater lagoons.

1967 - In 1967 Oxfordshire County Council granted planning permission for '*Use of lagoon for aquatic recreational purposes, to develop the area from which sand and gravel has been worked, as a water amenity area*'. At that time Planning Conditions were applied that restricted the amenity usage so that the lagoon could be used only for the purposes of sailing, swimming, and angling. No powered craft could be used except for one boat for rescue operations. Infact the Queenford Pit was only lightly used for fishing by Amey staff (the gravel extraction company) until it changed hands in 1993.

1993/94 - Planning application submitted for removal of the two Planning Conditions that restrict the type of permissible amenity activity and prevent powered boat usage. The LWS designation was also first applied to the site in this year (site 59X01/1 is Queenford lake, which was designated along with two of the seven other local lakes). Planning permission for unrestricted usage was initially refused.

1995 – Planning Inspector BJ Sims overturned the refusal on Appeal after a 3 day Public Inquiry and granted permission for unrestricted water sports using powered craft and with no limit on intensity of use or operating times. This was on the basis that it was accepted by conservation groups that significant ecology damage would occur on this lake (bird numbers would decline), but this was deemed acceptable by the Inspector as no more damaging than the likely impact to bird numbers and the conservation value than would already accrue from increasing the existing permitted boating, fishing and swimming activity on the lake (which was already fully consented). The Inspector noted that because the other nearby lakes that formed part of the LWS do not have any consent for amenity usage, they would be able to provide the quiet habitat needed by the birds.

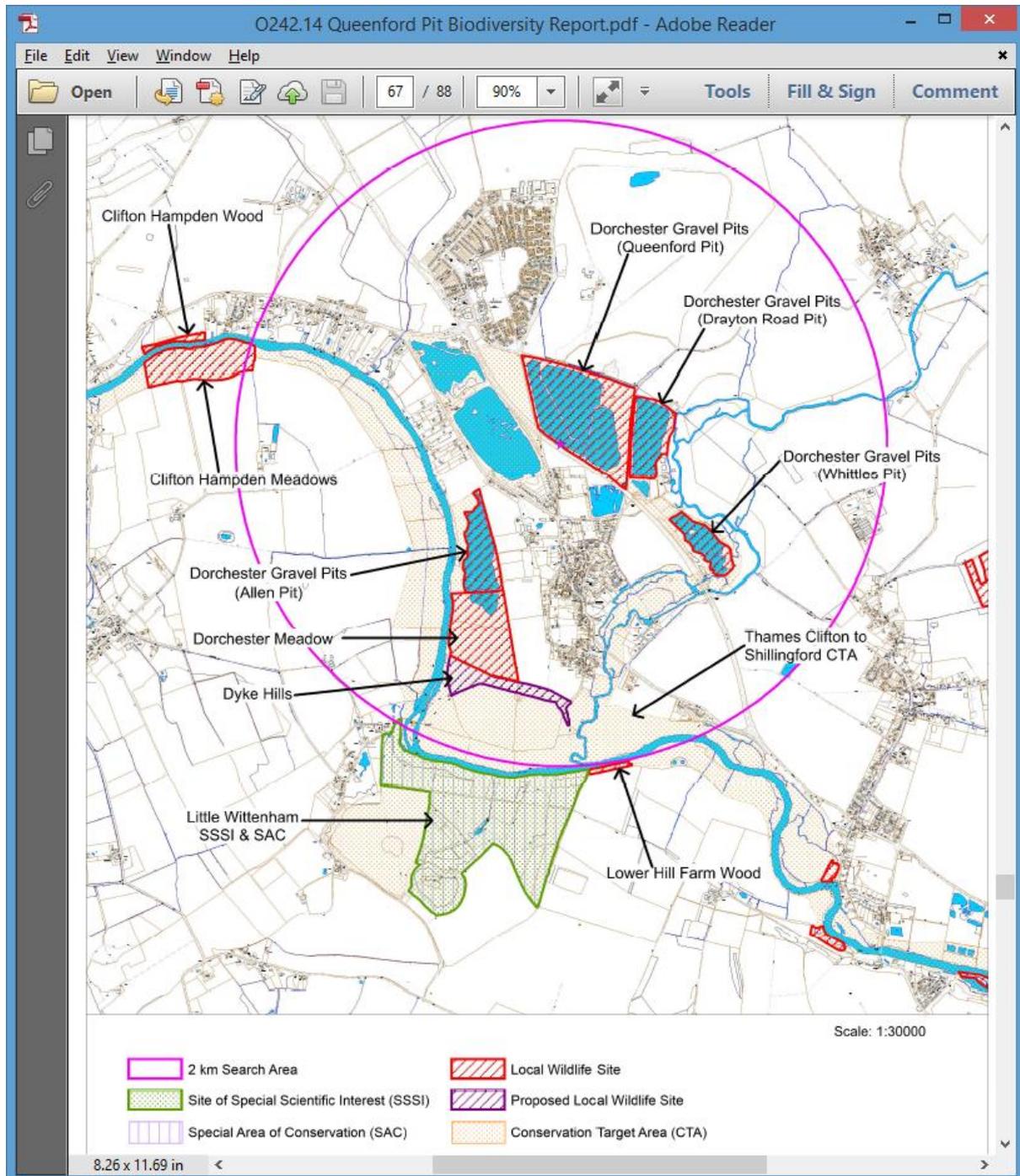
1995 – 2015 – Water skiing and jet-skiing activity has been significant at the site since the consent was granted, including the holding of National and European competitions. Powered craft activity occurs throughout the year from dawn until dusk. Most recently, in 2014, planning permission was additionally granted for construction of a Judges Tower, boat lifts and associated facilities on a spit of land now constructed in the lake, for judging water skiing competitions.



Recent jet-skiing activity

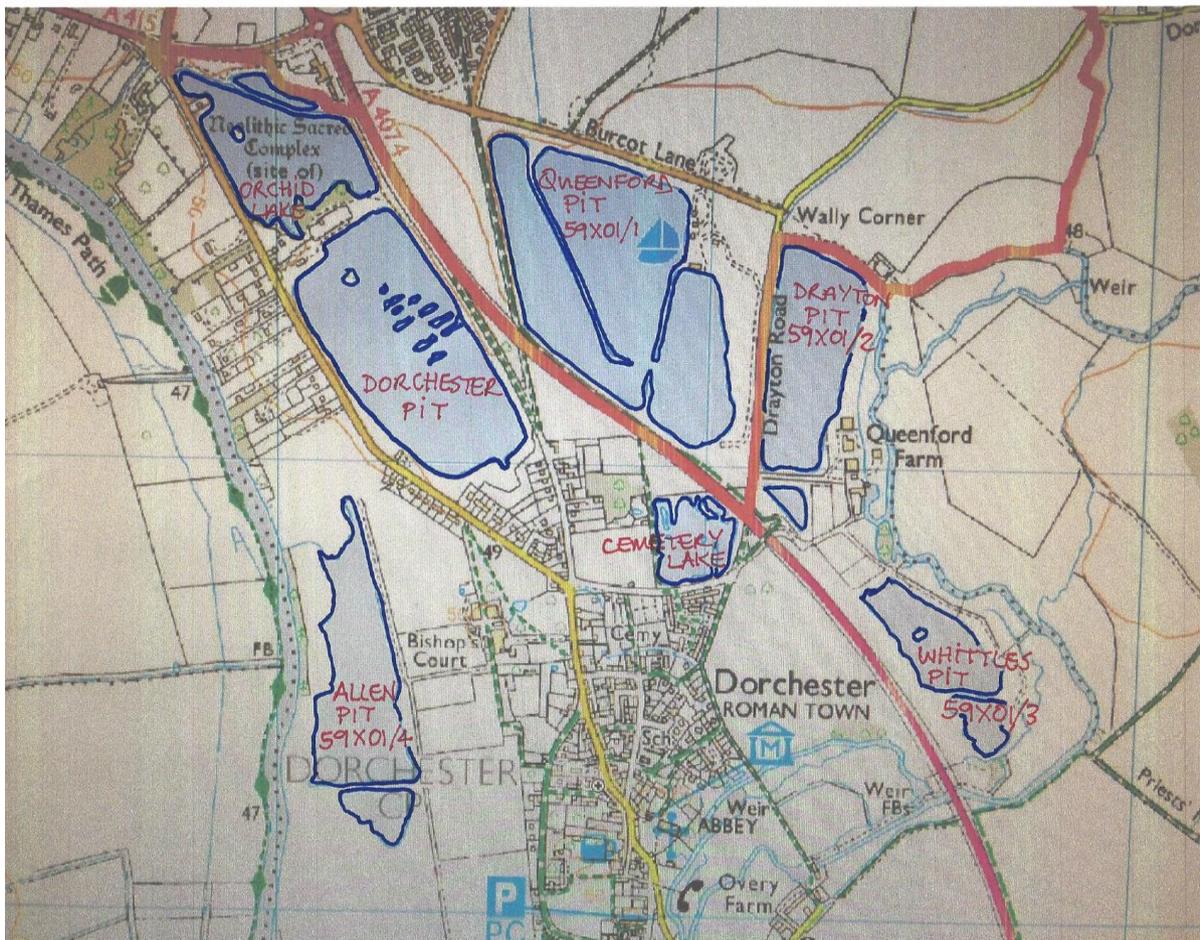
3.0 DETAIL OF PAST LWS DESIGNATION

Queenford lake was most-recently re-selected as a LWS in 2004. It forms part of a wider LWS which now includes four lakes (as shown in the plan below produced by Thames Valley Environmental Records Centre (TVERC)).



Current Designations

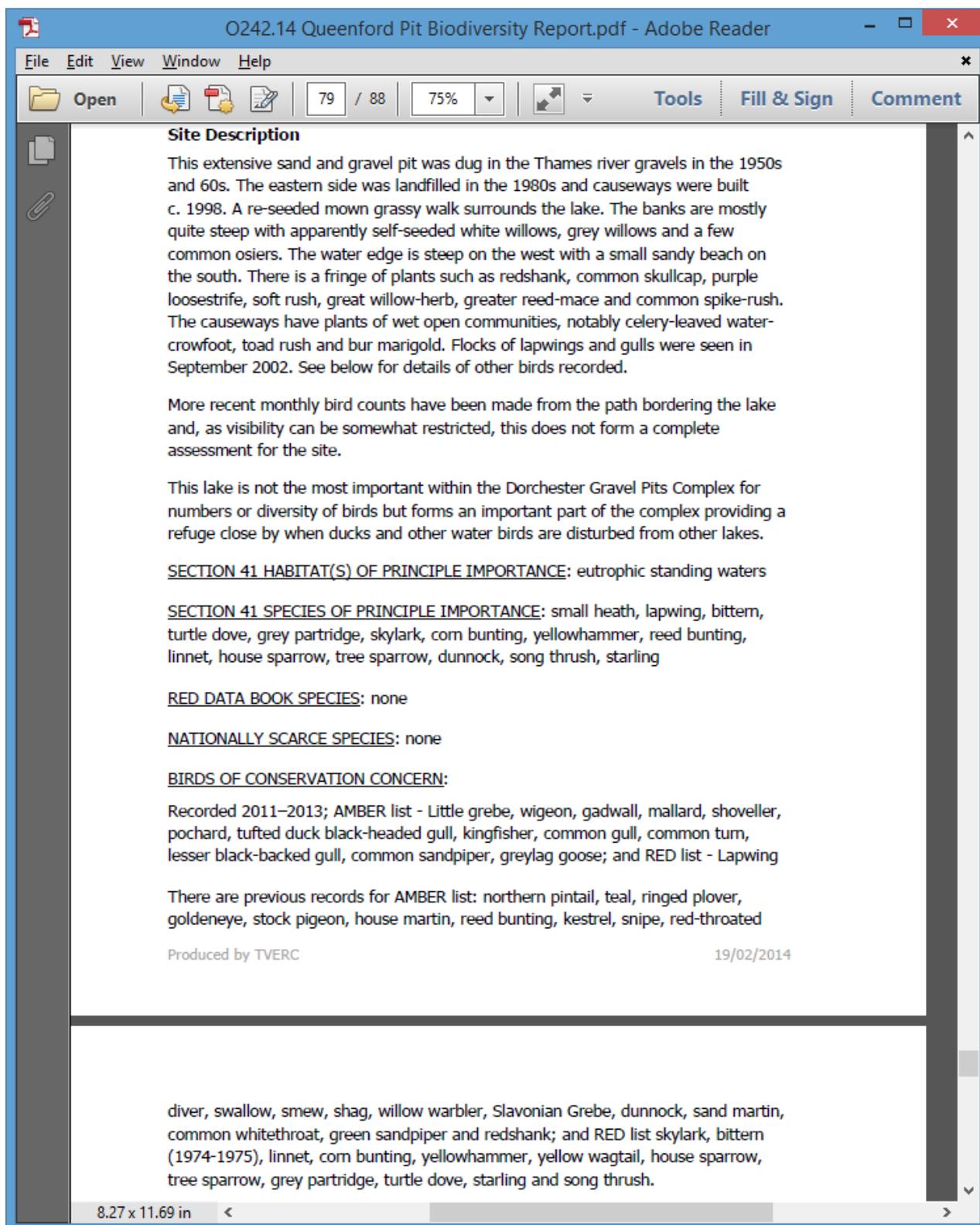
The designated LWS code is 59X01, comprising 59X01/1 (Queenford Pit), 59X01/2 (Drayton Pit), 59X01/3 (Whittles Pit), and 59X01/4 (Allen Pit). The locations of these lakes are shown below.



Locations of lakes and pits

The 2004 re-selection appears to have primarily been based upon the historic 1980's and early 1990's bird count data, as there was no public access to the lake for bird surveying during 1994-2004.

The most-recent LWS designation selection justification / citation for Queenford lake is provided over-leaf (taken from the Biodiversity report produced by TVERC for Berinsfield Parish Council (Nov 2014)).



Queenford lake LWS selection justification / Citation

This designation citation does not expressly identify which of the LWS designation criteria are deemed to be reached (for Queenford lake), but it is inferred that it is the combination of eutrophic standing water, presence of fauna of 'principle importance', and birds of conservation concern, that together qualifies the site for LWS status. Furthermore, the presence of 'eutrophic standing water' alone must not be sufficient to allow LWS designation, otherwise other former gravel pit lakes in the area would also be designated (eg – Orchid and Cemetery fishing lakes and Dorchester sailing lake are not LWS designated but do support eutrophic standing water habitat). From this it can be ascertained that at Queenford lake it is primarily the 'fauna of principle importance' and the birds of conservation concern, that have triggered the past LWS designation.

The relevant species for the period 2004-2014 are listed by TVERC as follows:

SECTION 41 SPECIES OF PRINCIPLE IMPORTANCE: small heath, lapwing, bittern, turtle dove, grey partridge, skylark, corn bunting, yellowhammer, reed bunting, linnet, house sparrow, tree sparrow, dunnock, song thrush, starling

BIRDS OF CONSERVATION CONCERN:

Recorded 2011–2013; AMBER list - Little grebe, wigeon, gadwall, mallard, shoveller, pochard, tufted duck black-headed gull, kingfisher, common gull, common turn, lesser black-backed gull, common sandpiper, greylag goose; and RED list - Lapwing

There were also previous records for AMBER list: northern pintail, teal, ringed plover, goldeneye, stock pigeon, house martin, reed bunting, kestrel, snipe, red-throated diver, swallow, smew, shag, willow warbler, Slavonian Grebe, dunnock, sand martin, common whitethroat, green sandpiper and redshank; and RED list skylark, bittern (1974-1975), linnet, corn bunting, yellowhammer, yellow wagtail, house sparrow, tree sparrow, grey partridge, turtle dove, starling and song thrush. However, these generally relate to records from a much earlier time (prior to motorised water sports activity) and so are not considered currently relevant.

There also seems some question as to the validity of the above 2004-14 species of principle importance, in that it includes Bittern. This rare species is not known to be recorded at Queenford lake and the only record from the wider Dorchester area is 1 individual (or pair?) in 1998 and 2000, recorded within 2km of Queenford lake. This very shy species therefore cannot be of importance to the busy Queenford lake.

4.0 CURRENT LWS SELECTION CRITERIA

The 2015 LWS selection panel will be using the most recently published LWS selection criteria as their baseline for LWS selection or de-selection. That document is:

Criteria for the Selection of Local Wildlife Sites in Berkshire, Buckinghamshire and Oxfordshire (version 6.0, November 2009)

This document outlines how there are new selection criteria, from the previous system, and these are more influenced by the well-known National 'Ratcliffe criteria' (Ratcliffe DA, 1977 – A nature conservation review). For Berks, Bucks and Oxon, the current LWS selection criteria are listed as:

Criterion 1: Naturalness

Criterion 2: Rare or exceptional features (including important populations and assemblages of species and local rarity)

Criterion 3: Size or extent

Criterion 4: Diversity

Criterion 5: Connectivity within the landscape and geographical position

Criterion 6: Fragility

Criterion 7: Recorded history and cultural associations

Criterion 8: Value for appreciation of nature

Criterion 9: Value for learning

LWS Review – When looking at these 9 criteria, it seems highly unlikely that Queenford pit currently reaches LWS status, because it has low 'naturalness' - due to its man-made history plus its current and un-restricted high levels of motorised disturbance; Its previous rare or exceptional features (bird fauna) has diminished significantly since 1994 (due to motorised water sports usage); The Queenford pit has no special size / extent, and there are not any parts of it that avoid the motorised sports disturbance; The recorded diversity has significantly declined since the original 1994 LWS designation; It could rarely perform any important habitat connectivity roles, as the regular and un-restricted motorised disturbance discourages fauna that might otherwise use the lake to connect with other local

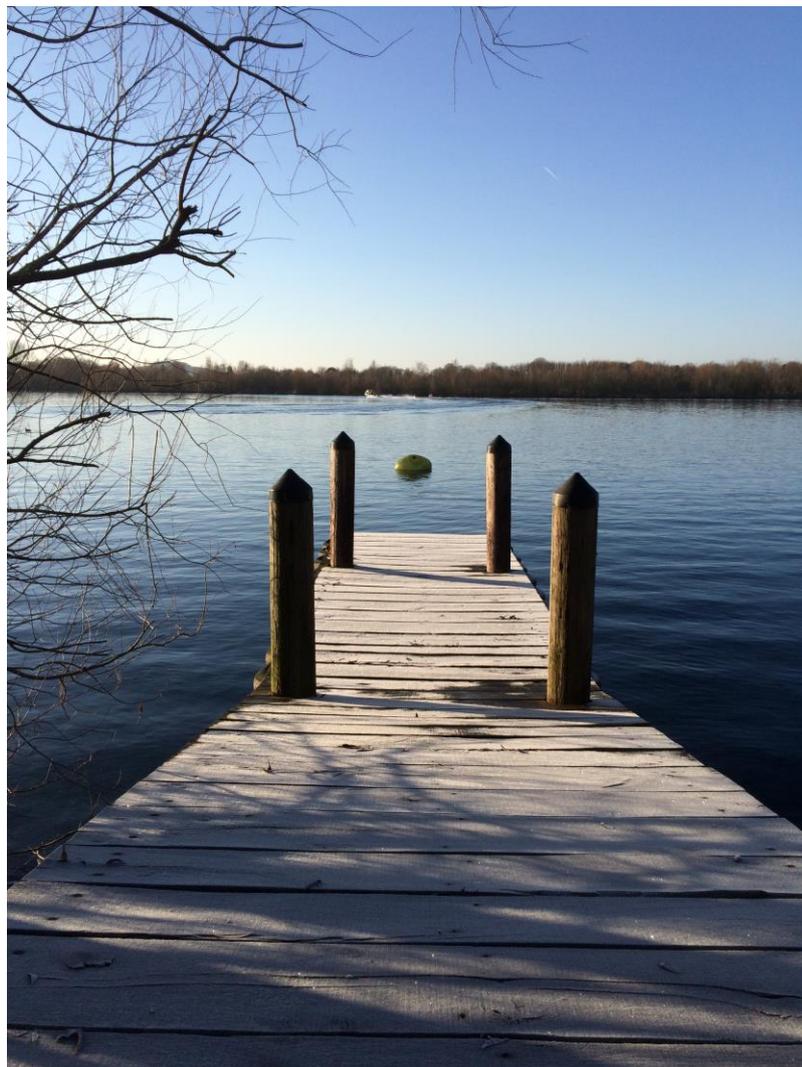
waterbodies; The lake habitat is not especially 'fragile'. The lake water is specially treated by the open-water swimming club to prevent algae so the eutrophic standing water habitat here is less likely to exist. It can also be easily re-created, and is still being locally created through other sand and gravel extraction projects in the area; Queenford pit has no valuable recorded history / cultural associations. There is very limited value for appreciation of nature, as the site is not publicly accessible and only has very limited views from public highways/footpaths. Similarly, the private ownership and the regular un-restricted water sports activity precludes any value of the site for education.

Unfortunately TVERC has not been able to provide the results of the apparent 2011-2013 monthly bird surveys of Queenford pit, that are mentioned in the LWS citation (apparently undertaken by Oxford Ornithological Society (OOS)). Therefore it has not been possible to assess any 2004-2014 bird data (if it exists for Queenford Lakes) against the most recent LWS criteria. However, it is quite clear that Queenford lakes water sports centre has a thriving and expanding recreational use activity including by powered craft that operates all year round without restriction on intensity or time of operation, and which is set to further expand with planning permission recently granted for a Judges Tower and associated facilities to facilitate more competitions and intensification of use.

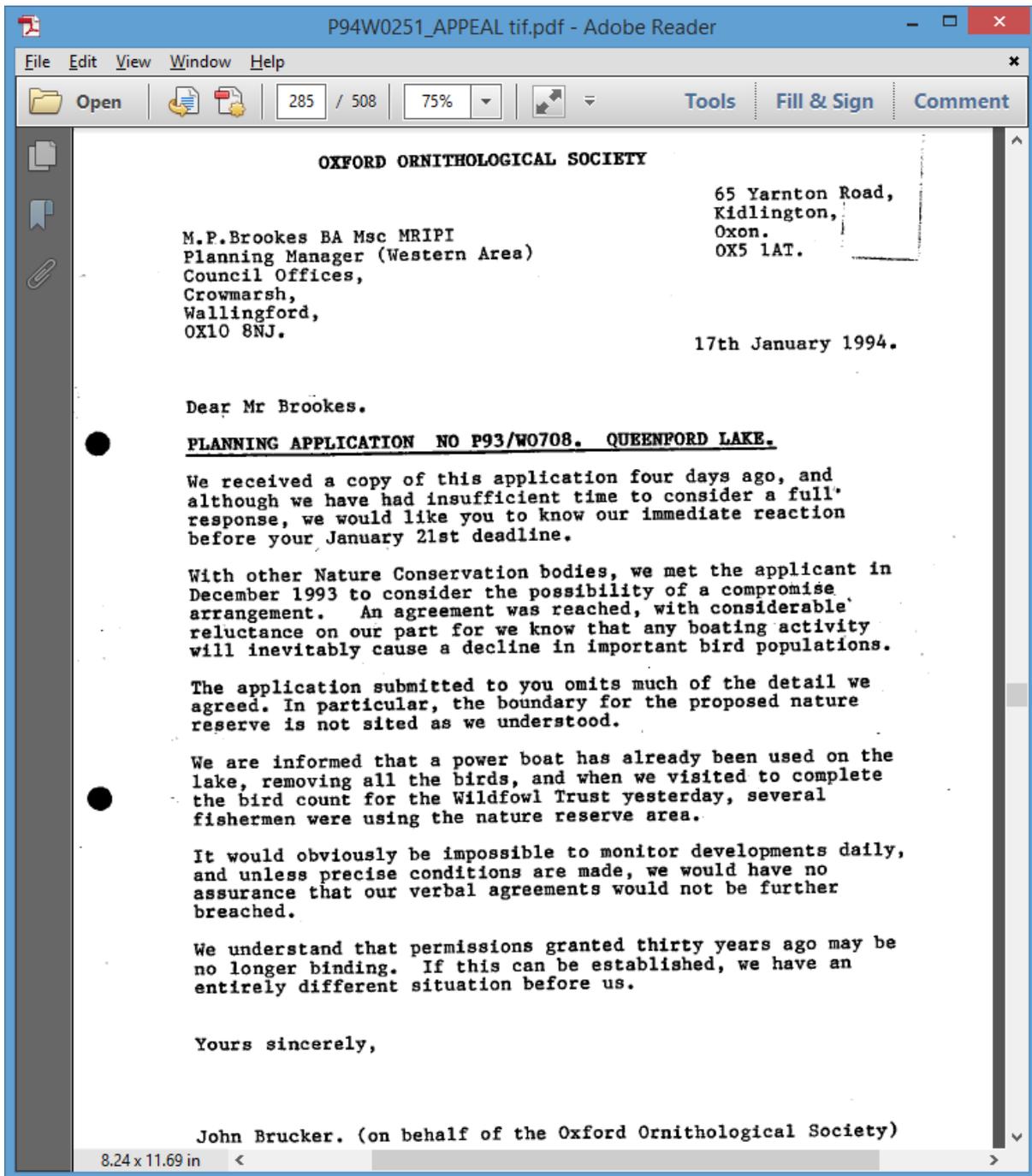
Although TVERC suggests some knowledge of some continuing use of Queenford lake by declining birds of conservation concern (suggested by OOS), it is believed that this does not relate to any significant numbers of birds, as the lake operator reports that only low numbers of birds have been spotted on the water throughout the 2004-2014 period.

At the 1994/95 Appeal there was a significant list of objectors, including nature conservation bodies such as BBOWT and Oxford Ornithology Society, who submitted representations focussing upon how powered water sports usage of Queenford lake would be incompatible with nature conservation and specifically relating to disturbance of birds on the water (see text box over-page). In this respect the Planning Inspector noted that recorded bird numbers at Queenford had declined since powered boat activity had increased. The current lake owner has noted a

significant decline in numbers of water birds since the early 1990's, and TVERC has not been able to provide any records of notable numbers of birds using Queenford lake in the period 2004 -14. It would therefore now seem perverse for nature conservation bodies such as BBOWT and the LWS selection panel to suggest that Queenford lake is still of substantive LWS value, with the current year-round unrestricted high levels of powered craft usage coupled with the effects of bankside fishing, open water swimming and other associated disturbance.



Water ski activity noted during a site visit on 3 January 2015



Oxford Ornithology Society submission to 1994 Planning Appeal, confirming that boating activity will decrease bird populations

Current bird-related LWS selection criteria – The current wording of the (non-breeding) bird-related LWS selection criteria is as follows:

5.7.Aii. Notable birds – non-breeding

Any site that frequently supports significant non-breeding numbers of any of the Notable Species listed in Table 5.7.Aii, may be considered for Wildlife Site status under species criterion 5.7.Aii.

"Supporting" may be by way of providing any one or more of feeding, resting, or roosting provision. "Significant numbers" are numbers that are equal to or exceed the threshold numbers given for each species in Table 5.7.Aii. "Frequently" will be taken to mean that at least the threshold numbers have been recorded on several occasions, and in more than two seasons, in the last five years.

A species would be regarded as no longer being supported at a site in significant numbers, if a 3-year period elapsed without such numbers of the species being recorded. However, to ensure this not simply due to lack of survey at appropriate time, before removal of a previously designated LWS on the basis of "Birds no longer supported at a site", at least one new survey should be undertaken in appropriate weather at the relevant time of year and time of day.

Birds in Table 5.7.Aii are species that:

- occur in Berkshire, Buckinghamshire or Oxfordshire outside the breeding season
- and which are any one or more of:
 - threatened in Europe (ET); defined as those birds listed in Annex 1 of the European Birds Directive or classed as migratory waterfowl under the Directive.
 - having significant national non-breeding population (SNPn) (defined as >20% of the European wintering population occurring in Great Britain, as listed on the Amber-list of BOCC)
 - having significant county non-breeding population (SCPn)
 - considered to be County Scarce as non-breeding birds (CSn)

Table 5.7.Aii

Species	Minimum number.	ET	SNPn	SCPn	CSn	Comments
Little grebe		Y				
Great crested grebe		Y				
Cormorant		Y	Y			
Bittern	1	Y	Y		Y	
Bewick's Swan	2	Y	Y		Y	
Whooper Swan	2	Y	Y		Y	
Wigeon		Y	Y			
Gadwall	100	Y	Y	Y		
Teal	200	Y	Y	Y		
Pintail		Y	Y			

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Species	Minimum number.	ET	SNPn	SCPn	CSn	Comments
Shoveler	100	Y	Y	Y		
Pochard		Y	Y			
Tufted duck		Y				
Goldeneye		Y				
Goosander		Y				
Smew	2	Y			Y	
Red kite		Y				Site to include

LWS selection criteria for birds (non-breeding)

When considering the wording of the bird-related LWS selection criteria, the main aspect which draws into doubt the likelihood of Queenford lake reaching this criteria, is the fourth word of paragraph 1 (see text box above). For the lake to reach the selection criteria some of the notable species from list 5.7Aii must be **frequently** present. Some of the listed species have been recorded at Queenford in the past (eg – little grebe, shoveler, pochard, tufted duck). However, with the current high levels of powered craft usage it seems extremely unlikely that these birds could be **frequently** present in notable numbers, and certainly TVERC has not been able to provide any records of such evidence being recorded in the period 2004-14.

5.0 REVIEW CONCLUSIONS

In the late 1980's and early 1990's Queenford lake was noted, in combination with other nearby lakes which at the time were not used for recreational purposes, as occasionally supporting notable numbers of water birds, and it was deemed at that time by the LWS selection panel to reach the selection criteria for LWS. However, following a change of ownership in September 1993, a Planning Appeal Inspector in 1995 granted permission for unlimited and unrestricted powered craft and water sports usage of the lake. During that Appeal process it was widely agreed that such powered craft usage would be incompatible with nature conservation interests in relation to bird usage of the lake. The Inspector took the view that nature conservation damage would occur (in relation to loss of bird activity), but that this damage would be no more significant than would already be likely to occur with the anticipated expansion of sailing, fishing and swimming activities (that had, unbeknown to the conservation groups, been permitted at Queenford lake since 1967) and which the new owner fully intended to intensify.

There has been an undeniable and significant increase in powered craft water sports activity in the period 2004-2015, particularly in relation to water ski training and the holding of National water ski competitions. Queenford Lake is designated a "National Centre of Excellence" by British Water Ski and Wakeboard and "Home for Sport" by the RAF. The lake is in use all year round as permitted by the planning consent which had all conditions removed in 1995. Planning permission has recently been granted for a water ski competition Judges Tower, observation balconies, boat lifts and associated facilities positioned on a man-made spit within the middle of the lake. Over this last decade the lake operator has noted a significant decrease in bird numbers using the lake. TVERC has provided some recent data suggesting that declining birds of conservation concern were still recorded at Queenford lake in 2011-13, but they have not been able to provide those survey records or any records of any birds using Queenford lake specifically in the period 2004 -14. As there is no public access or lake viewing points it seems unlikely that any recent reliable bird records exist. Although the potential for birds of conservation concern to occasionally use Queenford lake cannot be ruled out , there appears to be no record of any

notable numbers of birds using the lake in the last 10 years, and no prospect of the lake currently reaching any of the LWS designation criteria (now or in the future). To reach the LWS selection criteria for non-breeding birds, notable species of birds must “**frequently**” use the lake in moderate numbers. No evidence has been provided by TVERC confirming such frequent use of Queenford lake by notable birds, and it seems very unlikely that notable birds could frequently use this lake, with the un-restricted high levels of year-round powered craft activity that occurs.

Other nearby lakes that could similarly offer habitat for notable bird populations, except for their consented sailing, swimming and fishing activities, have never been selected as part of the Dorchester Complex LWS (eg – Orchid, Cemetary and Dorchester pits). It is concluded that there is no evidence that Queenford lake continues to reach any of the current LWS selection criteria. The past LWS designation is now inappropriate and clearly incompatible with the lawfully consented powered water sports uses of this lake. With the high and expanding (year-round) levels of powered craft activity it is hard to see how Queenford could credibly contribute to the ecology value of the wider Dorchester lakes LWS (in relation to birds), because high and frequent levels of disturbance that occurs at Queenford lake. It would seem appropriate to focus the LWS protection onto those lakes which have been confirmed to support notable bird numbers over 2004-14, and where there is no conflict with consented recreational activities (such as Drayton, Whittles and Allen pits, which have no recreational planning consents and are part of the 59X01 LWS).