

RECOGNITION AND SUPPORT OF ICCAs IN ENGLAND

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Case study for:
RECOGNISING AND SUPPORTING
TERRITORIES AND AREAS CONSERVED BY INDIGENOUS PEOPLES
AND LOCAL COMMUNITIES
Global Overview and National Case Studies

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ICCA Consortium, IUCN/TILCEPA, Kalpavriksh, and Natural Justice

CBD Secretariat Technical Series No. 64

Citation: Newing, H. 2012. Recognition and Support of ICCAs in England. In: Kothari, A. with Corrigan, C., Jonas, H., Neumann, A., and Shrumm, H. (eds). *Recognising and Supporting Territories and Areas Conserved By Indigenous Peoples And Local Communities: Global Overview and National Case Studies*. Secretariat of the Convention on Biological Diversity, ICCA Consortium, Kalpavriksh, and Natural Justice, Montreal, Canada. Technical Series no. 64.

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October 2012

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List of acronyms

AONB	Area of Outstanding Natural Beauty
BTCV	British Trust for Conservation Volunteers
BWAG	Bredhurst Woodland Action Group
CCC	Canterbury City Council

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CPRE	Council for the Preservation of Rural England
DEFRA	The Department for Environment, Food and Rural Affairs
ESA	Environmentally Sensitive Area
ESS	Environmental Stewardship Scheme
FDD	Friends of Duncan Down
FHCO	Frieze Hill Community Orchard
GDP	Gross Domestic Product
ICCA	Indigenous and Community Conserved Area
IUCN-NCUK	The IUCN UK National Committee
JNCC	Joint Nature Conservation Committee
LNR	Local Nature Reserve
LWS	Local Wildlife Site
MOU	Memorandum of understanding
NGO	Non-governmental organisation
NPPF	National Planning Policy Framework
OLDSIs	Operations likely to damage the special [conservation] interest
OSS	Open Spaces Society
pCCA	Potential Community Conserved Area
RSWT	Royal Society of Wildlife Trusts
SAC	Special Area of Conservation
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
sWES	Sheep and Wildlife Enhancement Scheme
UK	United Kingdom

Acknowledgements

Thanks to Vanessa Jones (Bredhurst Woodland Action Group), Peter Willson and John Wale (Bearsted Woodland Trust), and Ashley Clark and Felicity Cornish (Duncan Down) for sparing the time to talk about their work and guide us around their sites, and also to Margaret Gibson (Frieze Hill Community Orchard Group) and to the Horspath Parish Council for commenting on draft texts on their sites. Also thanks for Adrian Phillips and Sue Stolton for their constructive comments on the full draft manuscript, and to Ashish Kothari and Aurélie Neumann for editorial inputs.

Summary

The four parts of the United Kingdom (England, Wales, Scotland and Northern Ireland) have very distinct social and political systems and therefore this case study is limited to England alone. England covers an area of 130,281 square kilometres with a population of about 52 million, and is highly industrialised. Very few people are economically dependent on local natural resources and in 2009 only about 19% lived in rural areas.

There is no formal protected areas designation in England that corresponds to the international category of ICCAs and awareness of the concept of ICCAs is almost non-existent in England at the local level. However there are many areas of traditional common lands that have some of the characteristics of ICCAs, and there are thousands of wildlife-rich areas that have been set aside over the past 30 years by local communities, with varying levels of protection and security, for their wildlife and recreational value. These include town or village Greens – areas that are legally designated based on evidence of customary

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recreational use by local people over a period of at least twenty years – and non-legal categories such as community woodlands, community orchards, community meadows and community nature reserves. Any attempt to evaluate which of these sites qualify as ICCAs must do so with reference to the three criteria for ICCAs set out in international policy: (i) that local communities are “concerned” about them; (ii) that local communities are the major players (and hold power) in decision making and implementation of management decisions, and (iii) that the voluntary management decisions and efforts of such communities lead towards the conservation of habitats, species, ecological services and associated cultural values. In this report, areas that meet the first and third of these criteria are referred to as ‘potential Community Conserved Areas’ (pCCAs). Whether the local community is the ‘major player’ in governance – the remaining criterion for ICCAs – is hard to assess, both because of the lack of available information and because governance of sites almost always involves multiple actors at multiple scales. Some individual sites are highlighted in this article that appear to be governed primarily by the local community.

Commons are legally defined in England as lands that are subject to communal use rights by people other than the landowner. Many commons are extensive areas of upland and are of economic value for commercial livestock farming, but most other pCCAs are valued principally for their social and cultural significance, especially in terms of contact with nature and wildlife. Threats include (i) site destruction through conversion to other forms of land use and (ii) deteriorating site condition, caused either by visitor impacts or by changes in management institutions and activities.

Institutional arrangements for governance of pCCAs are very variable. Commons are managed by statutory co-management boards, informal commoners’ associations or local government. The 2006 Commons Act includes provision for the creation of statutory Commons Councils, but by 2011 no such Councils had been created. Formal responsibility for management of Greens lies with the local government but in many cases the local community takes the lead in management. Community involvement in management of other forms of pCCA may be through parish councils, charitable trusts, or Friends’ groups and other informal institutions. Land ownership is an important, though not definitive, factor determining the level of control held by local communities. More detailed criteria need to be developed on how the governance criterion for ICCAs should be applied in England.

Many pCCAs are formally designated as commons, Greens or protected areas. Protected areas designation gives significant management responsibility to government institutions and can also introduce onerous administrative burdens, and this discourages some community groups from applying. However designation can also ensure government support, which is important for many community groups. At many sites there is a healthy collaboration between community groups and government institutions and in practice the community may be the main actor in governance even where they do not hold formal management responsibility, especially where the government body lacks resources for anything more than basic maintenance. Recognition of sites as ICCAs is also possible through registration on UNEP-WCMC’s international ICCA Registry, and a mechanism has recently been developed by the UK National Committee for the IUCN by which ICCAs can apply for inclusion on the IUCN’s World Database of Protected Areas. However there is as yet little awareness of these mechanisms. Most community groups also receive some level of funding and support from a range of government and non-governmental sources.

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Negotiating the complex funding system, identifying available grants, and dealing with over-complex or technical application procedures represent major challenges for many local voluntary groups. There is also frustration at the lack of continuity in support and widespread concern about sharply falling funding connected to public spending cuts and the economic downturn. Severe cuts in government spending and a parallel fall in philanthropic giving for environmental projects in the UK have created a funding crisis that is likely to restrict the extent to which local communities can take responsibility for governance and management of pCCAs.

Recent and planned changes in policy and legislation, together with the current funding crisis, mean that the context for pCCAs in England is changing rapidly. The 2011 Localism Act and the 2012 National Planning Policy Framework devolve substantial planning powers to local authorities and communities, including powers to designate ‘Local Green Spaces’, which could become an important new form of pCCA. However policy and legislation are yet to be developed on the responsibility for governance of these Local Green Spaces, on the resources that will be made available for their management, and on the level and mechanisms for their protection.

The recommendations arising from this article are as follows:

- In connection with recognition of ICCAs within the UK protected areas system:
 - ✓ Protected areas legislation should be reviewed in order to consider possible mechanisms that allow for formal management responsibility to rest with local communities.
 - ✓ Natural England (the English government body responsible for nature and landscape protection) should ensure that management strategies, rules and restrictions for specific protected areas (especially SSSIs – Sites of Specific Scientific Interest) are developed on a site-specific basis in collaboration with owners and occupiers. In the case of commons with active commoners’ associations, they should take due account of traditional ecological knowledge and customary practices.
- In connection with other forms of recognition:
 - ✓ National government and non-governmental organisations should initiate a systematic process of information dissemination and awareness-raising on ICCAs. As part of this process, local community groups and their supporters should be made aware of both the ICCA Registry and the opportunity for inclusion on the IUCN World Database on Protected Areas.
 - ✓ Research is needed that (i) informs the development of more detailed criteria for ICCAs governance in the context of England and (ii) based on these criteria, determines the numbers, coverage and conservation value of England’s ICCAs.
 - ✓ Clarification is urgently needed on various aspects of implementation of Local Green Spaces – on who will hold responsibility for their management, and what financial and material support will be available, and what form and level of protection will apply.
- In connection with support:
 - ✓ Government funding and support for community conservation initiatives should be maintained at least at current levels, both direct to community groups and also to the many government institutions and non-governmental organisations that support them. Funding schemes should be simplified to minimise the complexity and bureaucracy involved.
 - ✓ More of the available funding should be aimed at stable, long-term support rather than short-term high-profile projects and programmes. This will allow community

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groups, NGOs and government bodies to plan on the medium to long term and to build stable institutional structures and activities.

- ✓ Research should be developed to build a better understanding of what kinds of recognition and support are most cost-effective for different kinds of groups and at different stages in their development.

1. Country description and context

1.1. Key features of England

The four parts of the United Kingdom (UK: England, Scotland, Wales and northern Ireland) have very distinct histories in terms of social and political systems, land tenure and natural resource governance, and therefore this case study is limited to England alone. England covers an area of 130,281 square kilometres² (13,028,100 hectares) and the population in 2010 was estimated at 52.2 million (ONS, 2011), giving an overall population density of 401 people per square kilometre. The UK is highly industrialised, with a GDP in 2009 of £1,393,854 million (ONS, 2011). Very few people are economically dependent on local natural resources and in 2009 only about 9.8 million people (18.9%) lived in rural areas, including rural settlements of up to several thousand people³. Information on land ownership is incomplete, but in Great Britain (England, Scotland and Wales) overall it is estimated that over 80% of rural land is owned privately by a relatively small number of individuals, family trusts and corporations, much of it in large estates under a landlord-tenant system (Munton, 2009). Institutional ownership has increased during the twentieth century, and environmental organisations own more than 560,000 hectares. The latter have also played a major role in increasing local people's engagement with the land and their active involvement in the management of local green spaces (Munton, 2009). Access to land, rather than land ownership, is an important political issue and has been the subject of mass demonstrations and major legislative reform within the last 15 years.

1.2. Brief history of conservation, state- and community-based.

Community-based conservation in England includes both areas of common lands that trace their origins back over a thousand years and also a wide range of more recent forms of community-run wildlife-rich areas that have multiplied rapidly since the 1980s.

Regarding the former, following the Norman Conquest in the eleventh century the land was divided into large manorial estates under a feudal system. Within each estate the lord of the manor was a powerful figure. However the customary rights of the tenants to use natural resources from lands within the estate have been protected in law since 1235, when the Statute of Merton specified that the lord of the manor must leave sufficient lands available to the tenants to meet their needs (Green, 2001). Customary rights of common include rights of pasture (grazing), turbary (cutting turf or peat), estovers (cutting vegetation such as bracken), pannage (browsing by pigs) and in some cases piscary (fishing). Commoning – the exercise of rights of common - was controlled and coordinated through the manor courts, which were local assemblies called by the lord of the manor but presided over by a jury of twelve local representatives (see Box 1).

² See <http://www.ons.gov.uk/ons/guide-method/geography/beginner-s-guide/administrative/the-countries-of-the-uk/index.html> [accessed 02/01/2012].

³ See <http://www.defra.gov.uk/statistics/rural/rural-living/population-migration> [accessed 02/01/2012].

Box 1: The Manor Courts: participatory regulation of customary resource use

The Manor Courts were assemblies of the inhabitants on each manor estate which had the dual aims of protecting the lord of the manor's privileges and maintaining 'good neighbourhood' – good relations and cooperation within the local community – which was defined with reference to ancient custom. The court was responsible, among other things, for overseeing communal use of natural resources 'as of need' (for subsistence purposes). Meetings were called by the lord of the manor, but decisions were taken by a jury made up of twelve local men and called heavily on customary law, supplemented when necessary by new byelaws passed by the court. The manorial court also appointed officers from their membership who were responsible for monitoring commoning activities and had powers to impose punishments for infringements of the rules.

Common rights were usually tied to the holding of property on the manorial estate – the 'dominant tenement' – which meant that only local residents held such rights. Regulations on grazing included temporal (seasonal) restrictions, spatial restrictions such as specifications of the routes by which animals should be taken up to pastures and allocation of particular pasture areas ('*heafs*') to each tenant, and restrictions on the number and type of animals that could be grazed by each tenant. The restrictions on numbers took one of two distinct forms.:

- Under the system of '*levancy*' or '*couchancy*', each person could graze only as many animals on the common pasture in the summer as they could support from the produce of their own land in the winter.
- Under the system of '*stinting*' each person received a quota, expressed as a number of '*beastgates*' or '*cattlegates*', each of which was worth a defined number of animals of different species or breeds of animal. For example in 1842 on Scales Moor, North Yorkshire, one cattlegate was equivalent to five black -faced Scotch sheep or four white faced lowland sheep (Pieraccini, 2010).

Levancy or couchancy provided a mechanism to ensure that livestock numbers did not exceed the winter carrying capacity of the tenants' individual land-holdings on the estate, whereas stinting was often used when the system of levancy or couchancy would have exceeded the carrying capacity of the common pasture itself. The quota rates in stinting could be altered from year to year according to the perceived condition of the pasture. Thus whilst sustainability was rarely referred to explicitly in the records of the manor courts, the mechanisms to control livestock numbers allowed for sustainable management of pastures. As Rodgers et al (2011) state, "*historians cannot be sure whether commoners were consciously acting to sustain their resource, or whether they succeeded. But... the existence of institutions of governance and of management tools is evidence both of a desire to sustain a resource and of the means to do so.*"

Sources: Pieraccini (2010); Rodgers (2010); Rodgers et al (2011); Winchester (2006)

In the 18th and 19th centuries the majority of commons were privatised through a series of land reforms in the context of the Agricultural Revolution. Manorial courts ceased to function effectively, leaving a vacuum in terms of formal governance institutions (Rodgers et al, 2011). However although the lands were now privately owned, communal use rights were still recognised. Management of communal activities continued through informal agreements between the commoners based on traditional practices, although they no longer had any

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powers of enforcement. The creation of new statutory institutions was possible only by means of a special Act of Parliament, and this happened only for a few large areas of common such as the New Forest and Dartmoor. In other cases, management was taken over by the local parish council or other government institutions.

The Commons Registration Act of 1965 aimed to formalise and rationalise commons management, but several weaknesses in the provisions of the Act meant that the results were chaotic. First, the Act made provision for allocations of fixed numbers of animals per grazier, to be recorded in a Commons Register. However there was no provision to incorporate other aspects of the traditional management systems such as heafing or levancy and couchancy, nor to adjust livestock numbers in response to changes in the condition of the common. Second, every commoner had to register their common rights individually and there were insufficient checks on their customary entitlements, resulting in many cases in the registration of livestock numbers far above traditional stocking rates. Lastly, the Act made no provision for updating the commons register, which therefore quickly became out of date. In view of these failings, in practice many Commoners' Associations continued to manage the commons based principally on customary systems.

The Commons Act of 2006 again attempted to rationalise the governance of commons. It set out provisions to address the failings of the 1965 Act, to correct inaccuracies in the Commons Register, and to allow for it to be updated on an ongoing basis. It also made provision for the voluntary creation of new statutory governance institutions in the form of Commons Councils, made up of representatives of the commoners, the landowner and other legal stakeholders as appropriate. Commons Councils would have statutory powers to pass enforceable byelaws to regulate agricultural activities, the management of vegetation and the exercise of common rights. The kinds of activities envisaged for them are to keep a 'live' register of commoners and common usage and make legally enforceable rules over leasing and licensing of commoning rights and over management activities and agricultural use. For example they could create new common rights where the land is undergrazed; prevent graziers from exercising inactive grazing rights; and remove unauthorised livestock and illegal boundaries (Rodgers, 2010; Rodgers et al, 2011). However by 2011 no Commons Councils had been created. Currently commons continue to be managed by a diverse range of institutions including formal co-management boards, informal commoners' associations, government institutions and local parish councils.

A second kind of communal land that has its origins in the ancient system of manorial estates is the town or village Green (hereafter, 'Green'). Greens were used traditionally for social and cultural events such as festivals, dancing and sports and they remain a distinctive feature of the English rural landscape. The Commons Act of 2006 defines the criterion for Green registration as evidence that "*a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years*" (Commons Act 2006: section 15). The stereotypical village green is a small area of open grassland in the middle of a rural settlement, often with a pond and some mature trees, but some modern Greens extend over tens of hectares and include a variety of wildlife-rich habitats including woodland, meadow, ponds and stretches of coastline. Thus their legal purpose is as a recreational space, but there is increasing recognition of their additional value for wildlife conservation (Holt, 2011). Some have been formally designated as Protected Areas. Local communities frequently campaign for the registration of Greens as a mechanism to oppose development proposals in their

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neighbourhood, and Green designation gives powerful legal protection from any change in use.

More recent forms of community-based conservation began to become widespread from the 1980s, reflecting rising public awareness of environmental issues, people's increasing appreciation of access to local semi-natural and wildlife-rich green spaces and concern about their destruction, and a growing policy emphasis on local planning and control. Throughout England over the past thirty years, local communities have set aside locally valued green spaces as community woodlands, community orchards, community meadows and other forms of community wildlife areas, often without formal statutory designation and with varying levels of protection and security. They are managed under a variety of institutional structures that are described in section 3 of this article.

The 'official' conservation movement in the UK has its origins in the late nineteenth century, and has been driven both by concerns about animal welfare and overhunting and also by concerns about habitat destruction and loss of access to the countryside. The formal state protected areas system was established by means of the 1949 National Parks and Access to the Countryside Act and aimed to address the latter two concerns. Protected areas categories at the national level include National Parks and Areas of Outstanding Natural Beauty (AONBs), both of which have the primary aim of conserving landscapes for their aesthetic and cultural value, and National Nature Reserves and a more extensive network of designated Sites of Special Scientific Interest (SSSIs), which aim to conserve flora, fauna and geological features and provide opportunities for their scientific study. The former cover some 3 million hectares (24% of England's land area) and the latter over 1 million hectares (approximately 8% of the land area). There is also legal provision for local authorities to designate Local Nature Reserves (LNRs), which currently cover an estimated 35,000 hectares and include many conservation sites where local communities are strongly involved in management. An additional non-statutory designatory category of relevance to pCCAs is that of Local Wildlife Sites (LWS), which gives no prescriptions in terms of governance but gives some protection against destruction through the local planning system. In addition, there are several categories of protected area defined by European and international legislation (Natura 2000 Special Areas of Conservation – SACs; Natura 2000 Special Protection Areas – SPAs, Ramsar Sites, Natural World Heritage sites; and Biosphere Reserves). Since 2009 marine sites can also be protected as Marine Conservation Zones (MCZs), which aim to protect nationally important marine wildlife, habitats and geological features and have replaced the earlier category of Marine Nature Reserves.

Appendix 1 lists the different protected areas designatory categories together with their primary purposes, an indication of numbers and coverage, the governing legislation, and the institutions responsible for their designation and management. The principal statutory body with responsibility for oversight of protected areas is Natural England, which sits on the UK-wide Joint Nature Conservation Committee (JNCC). The Department for Environment, Food and Rural Affairs (DEFRA) oversees the legislative and policy framework and other state institutions with an environment-related remit, such as the Environment Agency and the Forestry Commission, have an input into specific sites. The relationship between the various UK designations and IUCN's system of protected area management categories and governance types is not straightforward and is the subject of a current project by the IUCN National Committee for the UK (IUCN NCUK, 2012).

2. Features of ICCAs

2.1. Range, diversity, and extent of ICCAs

There is no formal protected areas designation in England that places responsibility for management in the hands of local communities and therefore none that corresponds to the international governance type of ICCAs. Therefore any attempt to quantify ICCA coverage in England must do so with reference to the three criteria for ICCAs set out in international policy: (i) that local communities are ‘concerned’ about them; (ii) that local communities are the major players (and hold power) in decision making and implementation of management decisions, and (iii) that the voluntary management decisions and efforts of such communities lead towards the conservation of habitats, species, ecological services and associated cultural values (Borrini-Feyerabend et al, 2004). There are many natural or semi-natural areas in England that meet the first and third of these criteria. However it is harder to assess whether they meet the second criterion – whether the local community is the major player in decision-making – both because of a lack of systematic information and also because most sites are subject to complex, multilayered forms of governance involving government, non-governmental organisations and in the majority of cases private landowners as well as the local community. Therefore the question of how many sites correspond to the international concept of ICCAs remains open. In the rest of this document, sites meeting criteria (i) and (iii) are referred to as potential Community Conserved Areas (pCCAs) and individual cases are highlighted that appear also to meet criterion (ii) on community-led governance. With this proviso in mind, Table 1 summarises preliminary information from several sources on the numbers and coverage of different forms of pCCA in England.

Commons registered under the 1965 Commons Act cover about 3% of the land area in England (Short, 2008) or almost 400,000 hectares (Rodgers, 2009). They are mostly located in areas that are regarded as marginal in terms of production value and have not been intensively developed – areas that often have high conservation value. For example commons cover over 40% of all existing heathland, which is a priority habitat for conservation (Short, 2008). Greens are typically much smaller areas in the centre of rural settlements. Formal registers of Greens are incomplete and unreliable, but some 4,314 Greens were registered in England prior to 1993 and many more have been registered since then (Simpson, 2006).

There are no centralised, systematic records of the newer forms of pCCA since many of them have no formal status, but they are extremely diverse and widespread. As Lawrence et al (2010) observe, “*any weekend exploring the countryside will reveal tiny corners of fields or woods that have been taken over by local groups with a vision of providing a place for people and wildlife.*” Many have their origins in a specific local community action to oppose development or to restore a degraded site, and their ownership, history of use, size, management structure, ecological characteristics and conservation significance vary widely. For example Lawrence et al (2010) report on six contrasting sites in Oxfordshire: two urban sites (a churchyard and a former playing field with a population of bee orchids), two peri-urban sites (a former railway cutting with a bat hibernaculum, woodland and wetlands, and an area of scrub and grassland that is an important breeding site for birds and butterflies) and two rural sites consisting of grassland, wetland, old hedgerows and woodland. During the preparation of this article no cases were identified of marine pCCAs.

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Bearsted Woodland

© Michael Buckley / Bearsted Woodland Trust

Two kinds of pCCA for which there are partial lists through informal online networks are community woodlands (see <http://www.yourwoods.org.uk>) and community orchards (see <http://www.commonground.org.uk>). According to Pollard and Tidey (2009:12), community woodlands range in size from two to at least 84 hectares and include both ancient and recently planted woodlands. Bredhurst Wood, featured in box 5, is much larger at 176 hectares. Most community orchards are under one hectare in size and like woodlands they range from those with newly planted trees to those with trees over 100 years old (Johnson, 2008). Traditionally managed orchards are a priority habitat for biodiversity conservation in the UK National Biodiversity Action Plan (Biodiversity Reporting and Information Group, 2007) and since management practices in almost all community orchards conform to what is regarded as ‘traditional’, almost all community orchards are by definition of direct habitat conservation value (Johnson, 2008). A third source of information is GreenSpace’s database of community-based groups that are concerned with the management of parks and green spaces. Many of these are urban amenity parks of little conservation value, but Ockenden and Moore (2003) categorised one third of a subsample as conservation-oriented.

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Table 1: Different forms of potential CCAs in England

<i>Category</i>	<i>Number documented</i>	<i>Size (ha) / coverage</i>	<i>Sources</i>	<i>Comments</i>
Commons		Total coverage 400,000 ha	Rodgers, 2009	
Town and village greens	4,300	Three quarters less than 1 ha but some over 50ha	Holt, 2011; Simpson, 2006	Registers are incomplete, and it is not known how many Greens have significant conservation value.
Community orchards	Over 250	66% less than 1ha in size (n=84)	Common Ground website; Johnson 2008	Available lists are incomplete.
Community woodlands	317	Range 2-84ha, Average 22.4 ha (n = 22)	Pollard and Tidey 2009	Available lists are incomplete.
Community wildlife sites			Lawrence et al 2010	No systematic information available
Community green spaces categorised as related to 'environmental conservation'	Over 1000	Average size 47 ha	Ockenden and Moore (2003)	The authors used set criteria to assess community green spaces listed by GreenSpace and identified about 33% as related to environmental conservation.

In summary, the available information on pCCAs is far from comprehensive, either in terms of the number and coverage of sites or in terms of their governance and conservation value. Moreover individual sites may be included in several of the categories included in Table 1, and therefore the total number and coverage cannot be calculated by summing across categories. However it is likely that the number of pCCAs runs into the thousands. Further research is needed to assess which or how many of these sites are governed principally by local communities and therefore meet the international governance criterion for ICCAs.

2.2 Key ecological, social, socio-economic and political values of ICCAs

pCCAs are valued by local residents for a mixture of economic, social, cultural and ecological factors. Economic values related to income generation are most important for upland commons that are still used for livestock farming and, increasingly, for tourism (for an example, see box 2). In addition, since the late 19th century upland commons have been valued increasingly by the general public as part of the national natural heritage for their exceptional landscape and biodiversity value. For local people and tourists alike, they are places to escape from the 'modern' world into what are perceived as extensive wilderness areas. Many include ancient burial sites and other archaeological remains and are strongly associated with traditional folk stories and legends (Short, 2008).

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Spring bluebells in ancient woodland at Bredhurst Wood.

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Income generation is not a significant aim for other kinds of pCCA, although some community orchards and community woodlands raise small amounts of money to help with costs of site management and activities through the sale of fruit, logs, coppice, and other products (Agbenyega et al, 2009; Johnson, 2008; Pollard and Tidey, 2009). Much more important for most community groups is the opportunity for contact with nature and wildlife, together with a range of additional social values. Lawrence et al (2010), writing about community wildlife sites in Oxfordshire, observes that the purpose of the sites was “*connected to protecting wildlife or nature or countryside, but specifically for people. The primary purpose in each case is to give people more access to ‘the countryside’ or ‘nature’ or ‘orchids’*”. Chaffer (2006) lists six kinds of value associated with Greens and other open green spaces near towns and villages in Cumbria in the north of England: culture and heritage, aesthetics and a sense of place; health and quality of life; social cohesion and community activity; environmental and educational assets, and economic assets. In a study of 22 community woodland groups by Pollard and Tidey (2009), wildlife and biodiversity conservation were most often mentioned as management objectives, followed by recreation, silvicultural objectives, clear paths, and education. In a further study of 15 groups, conservation and biodiversity, education and awareness raising and amenity value were mentioned by all groups as objectives (Tidey and Pollard, 2010). Similarly the most frequent reason given for the creation of community orchards was their function as wildlife habitats, followed by fruit production, their value as a recreational green space, and their heritage value (Johnson, 2008). The majority of orchards host community events every year, including seasonal festivals; working parties to carry out tree planting, fruit picking and site management; educational and wildlife watching activities; sports and arts events, and family fun days. People reported that they spent time in the orchards individually or in small groups fruit picking, wildlife watching, picnicking, dog walking, sharing skills and rambling. Several people also described their orchard simply as a place to sit and relax.



Bredhurst Wood: volunteers setting off to the woods for a clean up day.

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2.3. Main threats to ICCAs

Threats can be divided into two broad types: threats of site destruction through conversion to other forms of land use, and threats that impact upon the site's condition, either directly through specific human activities or indirectly through changes in management.

The threat of conversion to other kinds of land use is set to increase, both because population densities are set to rise significantly over the next 50 years (Home, 2009) and because of an increasing emphasis in government policy on the need to build new residential homes and promote economic activity (see section 5.1). The threat of 'development' (usually referring to buildings construction) is a common stimulus for communities to apply for the formal designation of a site (Holt, 2011; Johnson, 2008; Lawrence et al, 2010; Simpson, 2006); Simpson (2006) reports that this is the case for from half to three quarters of Green applications.

Factors that cause direct impacts on site condition include the impacts of visitors, either simply by virtue of their large numbers or as a result of negative behaviours such as vandalism and dropping litter (Tidey and Pollard, 2010), and changes in or neglect and abandonment of site management. The latter has been a particular threat for commons, both because interest in commoning activities has declined as livestock production and collection of wild products have become less profitable (Brown, 2006; Short, 2008; see also Box 2) and also because of the informal status of commoners' associations and the imposition of rules and restrictions that are partially incompatible with customary practice. As a result, under- or over-grazing have become serious concerns for many sites. This is discussed in further detail in the following sections.

3. Governance and management of ICCAs

3.1. How are ICCAs governed and managed?

The contemporary institutional arrangements for governance of commons are very variable. Some sites are managed by informal commoners' associations, others by statutory co-management boards, and still others by local government or other institutions. They often combine elements of customary governance systems with elements of commons legislation, and also elements related to formal protected areas status. Box 2 describes governance of Eskdale Common in Cumbria, which is managed by a commoners' association according to customary practice but is also subject to restrictions and incentive schemes connected to its protected areas status.

Box 2: Contemporary governance of an upland common: Eskdale Common, Cumbria

Eskdale is a single registered common covering some 3071 hectares in the Lake District of Cumbria. Traditionally, rights of common included rights to cut peat (turbary) and bracken (estovers) as well as grazing rights, but only grazing is still practised. Unusually, a detailed written account of the system of commons management under the manorial court has survived in the form of the 'Eskdale Twenty-Four Book', drawn up by 24 men of the manorial court in 1587. It includes seasonal grazing restrictions; limits on the number of livestock (sheep, cows and horses) according to the principle of levancy or couchancy (see box 1), and a detailed system of heafing – the allocation of grazing rights to different landholdings for different areas of the common. The Manor Court appointed officers to monitor compliance with the rules, imposed penalties for non-compliance, organised repairs to fences and watercourses, and passed supplementary regulations as they were needed.

The power of the Manor Court diminished throughout the eighteenth and early nineteenth centuries and historical records suggest that by the early nineteenth century the common was seriously overstocked. The Manor Court finally became ineffective in the mid-nineteenth century and there is little information on how the common was governed from then on, but it appears that the commoners continued to manage it informally according to traditional practices. Impressively, the Eskdale Twenty-Four Book remained in use as a source of reference until the mid-twentieth century, when concerns about the future of the common – now valued for its landscape and conservation value as much as for its role in livestock production – prompted a Parish Councillor to initiate the creation of a commoners' committee. The contemporary Eskdale Commoners' Association was created in 1967 in order to register commoning rights under the 1965 Commons Registration Act. The landowners agreed for the Commoners' Association to set their own grazing limits, and the Association adopted an estimated carrying capacity of two sheep per acre as a basis for registration. However as elsewhere, registration of commoning rights was of limited effectiveness, and in practice the Commoners' Association continued to follow customary practices in relation to many aspects of commons management.

A further layer of complexity in management of the common is related to the increasing priority given to its biodiversity conservation and landscape value. It lies within an area that was designated a National Park in 1951 (IUCN Category V protected area), is partially within an SAC, and also contains four SSSIs, each bringing new rules and restrictions. Since 1979 the site has been owned by the National Trust, which promotes a balance of

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conservation and tourism-related objectives alongside livestock production through their tenancy agreements with individual farmers. Several agri-environment incentive schemes related to protected area status have introduced new rules on grazing and other forms of use (see also section 4.3). Contemporary management of the Common is therefore based on a mixture of regulatory systems connected to customary management, protected areas restrictions, tenancy agreements, and voluntary agri-environment schemes.

Sources: Pieraccini, 2010; Rodgers et al, 2011 (89-110)

Community involvement in governance of other forms of pCCAs may be through the governing body of the community concerned – the town or parish council – or through other institutions set up specifically in connection with the pCCA. Parish councils are the lowest tier of local government but they are generally also regarded as the representative governance institutions of rural communities since parish councillors are elected by the villagers, typically from within their membership, and work on a voluntary basis. Box 3 gives an example of a site owned and managed by a parish council.

Box 3.: Parish council ownership: Horspath Parish Council Wildlife Conservation Area, Oxfordshire

Horspath Parish Council Wildlife Conservation Area is a 2 hectares former railway cutting that is owned by the Parish Council and managed both for wildlife and as a community space. The site includes areas of woodland, wetland and ponds and – of greatest significance for conservation – access to a 450-metre-long disused railway tunnel, which has been developed as a hibernaculum (winter refuge) for four species of bats.

The Parish Council bought the site in 1982 and it remained unused for many years. By the late 1990s it was severely overgrown. In 1999 an illegal rave was held on the site and during the clean-up operation it became apparent that the site was being used extensively for drug-dealing. In order to combat this problem, the Parish Council sought funding to develop it as a community wildlife space, and in 2000 they received a small grant from the Lottery to this end. They have also received funds from the District Council and a local community group – the Friends of Horspath.



Working party at Horspath Parish Council Wildlife Conservation Area.

© Horspath Parish Council Wildlife Conservation Area

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Management of the site is coordinated by a parish councillor who reports back to the Parish Council every month, draws up budgets for the Council's approval, and prepares funding applications on behalf of the Council. The group has cleared and restored the site, carried out hard landscaping and created a circular trail, built a footbridge across the wetlands, installed an interpretation board and bat and bird boxes, and organised school visits. They now have an annual maintenance programme to enhance habitats and improve recreational facilities on the site. The County Council owns the tunnel and the Horspath volunteer group has developed it as a temperature-controlled bat hibernaculum with funding from One World Wildlife and the Esmee Fairbairn Foundation, to be monitored and maintained by the Oxfordshire Bat Group. In 2003 the site was recognised as an Oxfordshire Jubilee Wildlife Space and as the Best Nature Conservation Area in Oxfordshire (part of the Best Kept Village Competition organised by the CPRE). In 2010 it was designated as a Local Wildlife Site.

Sources: Lawrence et al 2010; <http://www.shotover.clara.net/horspath/intro.htm> and <http://www.horspath.org.uk/common/hwlca.htm>; Horspath Parish Council (personal communication)

Alternative community institutions established to support pCCAs include charitable trusts, friends' groups and other informal voluntary groups. They are usually structured by means of a committee and membership, regular meetings, communal work days, a newsletter and in some cases a website. Box 4 gives an example of a community trust set up to take on the ownership and management of a local woodland. In this case the community is clearly the main actor in governance.

Box 4: Community trust ownership: Bearsted Woodland Trust, Kent

Bearsted woodland is an area of 16 acres (6.5 hectares) of grassland, woodland, orchard and wetland that is owned and managed by the local community through a charitable trust created for this purpose. The land was bought by a local resident and gifted to the community in 2003 following strong local opposition to proposals for housing construction on the site. The Bearsted Woodland Trust (BWT) was created to own and manage the land with the aim of increasing its wildlife and recreational value. The Trust began to organise working parties to maintain the site in 2004. Over 100 volunteers participated in the first work day and currently some 1300 households, or about one third of the population of Bearsted, are paying 'friends' of the Trust.

The first management plan was produced by Medway Valley Countryside Partnership. Management activities have included tree and hedge planting; tree pollarding; removal of damaged trees; creation of a wild flower area; mowing and collecting hay; ecological monitoring, and the creation of amenity facilities including benches, paths, wheelchair access, information boards and a children's maze in memory of a past committee member. The Trust is a member of the Community Woodland Network and in addition to income from membership subscriptions and donations has received support and funding from several non-profit sources including BTCV, Living Spaces, the Local Heritage Initiative, the Colyer Ferguson Trust, the Phillips Foundation, the Woodland Trust, BIFFA, and the National Lottery. In 2007 the site won the National People's Lottery Award and in 2009 it won the national Biffaward competition. In 2011 it won its first Green Flag Award. The high level of community participation and the outstanding quality of the site as a green

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space have received particular commendation. The site has been recognised as having potential for Local Nature Reserve designation by the county wildlife trust but it is not formally designated.

Sources: ICCA Registry; <http://www.bearstedwoodlandtrust.org>; personal communication from John Wale and Peter Willson, BWT.

Practical management at most pCCAs other than extensive commons consists largely of habitat maintenance together with the creation and maintenance of amenity facilities such as path and benches. Habitat maintenance commonly involves tasks such as tree pruning, coppicing or felling; improvement of drainage; maintenance of streams and ponds; clearance of invasive woody vegetation, old fruit (in the case of orchards) and rubbish; looking after livestock, and mowing amenity grass or cutting areas of rough grassland in order to encourage wild flowers and invertebrates. Many communities also plant trees, mixed hedgerows and wild flower meadows or undertake other activities to improve the wildlife value of their sites, such as creating wood piles or installing boxes for bats, birds, hedgehogs and insects. Much of this work is done by community volunteers, often with assistance from conservation organisations.



Bredhurst Wood: rubbish clearance.

© Vanessa Jones / BWAG

About half of the orchards surveyed by Johnson (2008) and the majority of community woodlands surveyed by Tidey and Pollard (2010) had management plans. Where the community owned the site they could prepare or commission the management plan themselves, often with technical assistance from NGOs and, for sites with formal conservation status, supervision by government authorities. Where communities were not the owners, there were often formal or informal agreements between the landowner and the local community, for example in the form of a leasehold or partnership arrangement (Forest Research, 2011), and either management plans were prepared jointly with the landowner or in some cases the owner prepared a plan that was then implemented by the community (Tidey and Pollard, 2010).

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Enforcement of rules tends to be informal, involving physical barriers to prevent access for cars and bicycles and notices discouraging vandalism, littering and dog-fouling (See Box 7 for an example). Simpson (2006) reported that in the case of village greens, offenders may be challenged by local residents when they are observed or even visited at their homes after the event. Some sites have found that photographs of offenders in the local press are effective as deterrents. In serious cases the police can be called in to enforce both general laws related to antisocial behaviour and also specific bye-laws that have been created for a particular green (for example see box 7).

3.2 Key issues in the governance and management of ICCAs

Many of the challenges in pCCA governance and management are to do with the level and appropriateness of external support and intervention, which are discussed in section 4. Other factors include site ownership, the capacity of the community in terms of knowledge, skills and resources; levels of participation, and internal conflicts (Pollard and Tidey, 2009; Tidey and Pollard, 2010). Tidey and Pollard (2010) developed a classification system of community groups involved in local woodlands that includes most of these factors (table 2), and this may serve as a useful starting-point to develop more specific criteria for assessing different kinds of pCCA in England in terms of governance. Clearly, categories one and two do not meet the governance criterion for ICCAs whereas some groups in category three and all groups in category four would do so.

Table 2: Classification of community woodland groups in terms of level of involvement in governance and management
(Adapted from Tidey and Pollard, 2010: 55)

<i>Category</i>	<i>Description</i>	<i>Skill level</i>	<i>Autonomy</i>	<i>Input to management plan</i>	<i>Control over management objectives</i>	<i>Financial responsibility</i>
1. Guided assistance	Community volunteers carry out tasks as directed by the site manager	Low	None	None except possibly consultation	None	None
2. Engaged	Community group agrees tasks with site manager and carries them out. They may be organised in a community organisation and have some input to the management plan	Medium	Low / medium	Low	Low	Low
3. Active responsible	Community group substantially involved in writing and implementation of management plan. May have a formal community organisation and a formal agreement for the site.	High	Medium / high	High	Medium / high	Medium
4. Capable ownership	Formally constituted community group owning or leasing the site and responsible for its management	High	High	Fully responsible	High	Complete

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Many – possibly most – pCCAs are not community-owned. Most town and village greens are owned by the local government (Holt, 2011; Simpson, 2006), and commons are defined in law as lands that have an owner that is distinct from the commoners who hold rights for different kinds of resource use. Of 84 community orchards surveyed in 2008, only 21% were owned by local communities and community groups (Johnson, 2008). Community ownership may be more common in community woodlands: 16 of 23 community woodlands studied by Pollard and Tidey (2009) were community-owned. However whilst it is apparent that formal site ownership is one important factor contributing to governance, the link between ownership and governance or management is not always as simple as the categories in table 2 suggest. Where the owner is actively managing a site, the local community's involvement is dependent upon the agreement of the owner who will usually retain ultimate control. However in many cases the landowner is inactive, absent or even unknown, and in these cases the local community may become the main *de facto* or even *de jure* actor in governance. For example the Ingleton Commoners' Association in North Yorkshire formed a limited company that was given power of attorney by the landowner so that they have complete control of management and use of the common (Rodgers et al, 2011: 71 and 127). In the nearby case of Scales Moor common the landowner is unknown and the commoners have continued to manage the common even though they do not have full legal powers. Attempts to identify the landowner have been unsuccessful and in 2010 Natural England effectively recognised the major role of the commoners in governance by signing a binding agri-environment agreement with them without the landowner's participation (Rodgers et al, 2011: 132). Similarly Box 5 describes a case of a community woodland where owners are inactive and largely absent and ownership is highly fragmented. In these circumstances the local community has become the main actor in management. Thus whilst community ownership is an important factor in governance, it should not be regarded as an essential condition of community-led governance.

Box 5: Community management of a privately owned site: Bredhurst Wood, Kent

Bredhurst Wood is an area of about 176 ha of privately owned ancient semi-natural woodland in Kent. The Wood is designated as a Local Wildlife Site and is inside the North Kent Downs Area of Outstanding Natural Beauty (AONB), an IUCN Category V protected area. Traditionally managed by coppicing, it has rich ground flora with at least 55 ancient woodland indicator species, and contains many features of historical significance including ancient trackways, banks and field boundaries. However in the late 1960s the wood was divided up into over 130 plots and sold. By the early 2000s much of the woodland was unmanaged and it was heavily degraded by industrial rubbish-tipping and off-road access to motor vehicles.

In 2005 the Bredhurst Parish Council formed a subcommittee to address the misuse of the woodland, which became the Bredhurst Woodland Action Group (BWAG). Ownership of the woodland remains highly fragmented, with 104 separate owners. BWAG has contacted the majority of them and most have agreed for BWAG to carry out clearance and management tasks in the wood. The Kent Wildlife Trust prepared a management plan for the Wood in 2008. The main management challenges included the abandonment of regular coppicing in much of the woodland; lack of maintenance of paths; overgrowth of chalk grassland areas; the impact of motorbikes and four wheel drive vehicles, and large-scale rubbish-tipping. Since then over 100 tonnes of rubbish have been removed by volunteers with the help of the Royal Engineers, and the problems of motorised access and further rubbish-tipping have been addressed with the help of Kent County Council by gating both ends of the access route so

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that only landowners and permit holders have access. Volunteers have also carried out coppicing and other habitat maintenance activities and have improved the infrastructure for access and recreational use.

BWAG gained registered charity status in 2009 and has over 350 members who pay an annual subscription. The level of technical expertise within the group is high: one current committee member has a PhD in forestry and another is an ex-Forestry Commission manager. The group has received support from Kent County Council, Maidstone Borough Council and the Mid Kent Downs Project. NGOs that have been involved include Kent Wildlife Trust, Kent Bat Club, West Kent Badger Group, Kent Reptile and Amphibian Group and the Ramblers Association. BWAG also has strong support from local businesses and has won several awards including the Kent County Council Award for Volunteering Excellence. Over the long term it hopes to gain ownership of the woods.

Sources: <http://frontpage.woodland-trust.org.uk/communitywoodlandnetwork/publications/weekly.htm>; personal communication from Vanessa Jones (Chair, BWAG)

An additional issue related to ownership is that whilst many communities see ownership as an essential step in securing the site against development over the long term, it does not seem to be particularly important to them in identifying pCCAs as ‘theirs’. For example it is striking that in Johnson’s (2008) survey of the community orchards listed in Common Ground’s online network – sites that had signed up as ‘community’ orchards without having to meet any externally defined criteria – only 21% of sites were owned by the local community group and local communities described themselves as sole or joint decision-makers in only 47% of cases. A subjective sense of ‘ownership’ appears to be related to time spent there, ongoing involvement, for example through volunteering in work parties, and a sense of connection to place rather than formal ownership or even involvement in decision-making (Lawrence et al, 2010). Indeed, some groups actively avoid site ownership or a long-term lease because it brings significant extra financial and administrative burdens and is not perceived to bring significant advantages (for an example see box 6). Most community groups are run entirely on a voluntary basis, and the members may not have the time or inclination for onerous administrative duties. This raises an important distinction between the international criteria for ICCAs, which include community-led governance, and the criteria for self-identification as community conservation sites by community groups in England.

Box 6: Local council ownership: Frieze Hill Community Orchard

Frieze Hill Community Orchard in the county of Somerset is an area of 1.39 hectares of apple, pear, cherry, quince, plum and cobnut trees. The site is owned by Taunton Deane Borough Council and was developed and is maintained by volunteers. In the early 2000s, the Council considered developing the area as an amenity woodland. However after a public meeting, local people suggested that it be developed as a community orchard instead, and created the Frieze Hill Community Orchard (FHCO). FHCO, which has a formal constitution, an elected management committee, a membership and annual audited accounts, is responsible for management decisions, which are taken by vote at regular members’ meetings. Volunteers have carried out tree and hedge planting and pruning, clearing of undergrowth, protection of trees from rabbits, and erection of signs and posts. The Borough Council cuts the grass once a year. FHCO also holds community events including an annual wassailing event, picnics, work days, and memorial plantings. The orchard has been planted

with young trees and has already become a haven for birds and other wildlife. It has been designated as a Local Nature Reserve by the Borough Council.

FHCO does not have formal charitable status and it manages the orchard simply on the basis of an annual license. They have actively chosen not to work towards a more secure position because they are concerned that it would create too much bureaucracy and paperwork; they would rather that volunteer time is spent working in the orchard itself. These two factors make FHCO ineligible for many sources of funding but the costs of running the group are low. They are met mainly by donations, an annual membership fee, and small-scale support from the Council.

Sources: Johnson (2008); <http://www.communityorchard.org.uk/index3.htm>; personal communication from Margaret Gibson, FHCO.

4. Recognition and support to ICCAs

4.1. Government recognition and support to ICCAs

Many pCCAs are recognised for their conservation value through formal designation under one or more of the protected area types listed in Appendix 1. According to the Open Spaces Society, 88% of commons in England are designated under national or international law for their value for wildlife, landscape or archaeology⁴. Some such sites are designated as sites of nature conservation value in themselves and others fall within larger protected areas. Thus over 50% of all Commons are partly or wholly designated as Sites of Special Scientific Interest (mostly IUCN Category IV protected areas), about 50% occur within National Parks and 31% within Areas of Outstanding Natural Beauty (both IUCN Category V protected areas). Also it is not uncommon for a single site to carry multiple designations (Short, 2008; Rodgers, 2009). Johnson (2008) reported that 28 of 84 orchards had formal conservation designations including seven Local Nature Reserves and six orchards within the boundaries of a larger conservation area (AONBs, Special Areas of Conservation and in one case, a World Heritage Site). Many community woodlands are designated as SSSIs. However none of the UK protected areas designations gives a significant role to local communities in site governance and management and most of them specify that responsibility for management lies with government institutions. Local government authorities are formally responsible for management of Local Nature Reserves and pCCAs within AONBs or National Parks must be managed in close consultation with the relevant protected area authority. SSSIs are more flexible in that management responsibility rests with the site owners and / or occupiers, under supervision by Natural England (see also section 4.3).

Moving away from protected areas legislation, the provision for Commons Councils in the Commons Act of 2006 has the potential to give a powerful role to local commoners, but since the Councils should include representatives of individual landowners and other actors as well as local communities, they correspond in principle to the international category of collaborative management rather than that of community-led governance. The 2006 Act also opened up the possibility for local communities to register natural and semi-natural areas as Greens. However once a Green is registered it is the local government authorities rather than

⁴ See <http://www.oss.org.uk/commons> [accessed 04/01/2012].

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the local community who are legally responsible for its management. Different sections within local government take responsibility for different Greens and different aspects of management; for example within Canterbury City Council, the government sections involved include Parks and Open Spaces, Environment and Street Scene, Countryside Planning and Regeneration, Community Safety Unit, and Estates (Holt, 2011). However in practice the local authorities may lack the resources for anything more than the most basic site maintenance activities (typically, cutting amenity grass) and they therefore often rely on the local community group to plan and carry out additional measures, including those that increase the site's wildlife value. In many cases there is a healthy collaboration between the community group and the local council whereby the community group takes the lead in management planning and implementation and the council gives support in the form of basic maintenance, the provision of information, advice and small funds, and the passing of byelaws to allow legal enforcement of community-defined rules on use. Box 7 gives an example where this is the case.

Box 7: Management of a Village Green by a 'Friends' group: Duncan Down, Kent



Duncan Down in the winter frost
© Ashley Clark / Duncan Down

Duncan Down is a 21-hectare site on the edge of the town of Whitstable, Kent that has become very important to local people as a place where they can enjoy the natural environment. The site consists of a mixture of clay downland, scrub, woodland (including ancient woodland) and stream and is designated as a Local Wildlife Site. By the late 1980s parts of the site had become overgrown. In 1992 the local residents formed the Friends of Duncan Down (FDD) as an unincorporated association dedicated to the protection, conservation and natural enhancement of the site, and since then they have successfully worked to expand the area and improve its value both for wildlife and for recreational use. FDD has a membership, officers elected at the AGM (President, Secretary and Treasurer), a written constitution, and a management committee.

The site has several landowners including Canterbury City Council (CCC), but there is no registered owner for much of the land. It is registered as four separate village greens dating

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from 1969, 1992, 2007 and 2011 – the later ones registered at the initiative of FDD – and therefore formal management responsibility lies with the local Council, which contracts out basic maintenance such as grass-cutting and emptying of litter bins, and also has powers to pass site-specific byelaws on access to and use of the site. However in practice local residents play the major role in site governance and management. Management decisions are led by the FDD management committee, which includes a representative of the local Council. A Memorandum of Understanding (MOU) between FDD and CCC sets out the responsibilities of each party. The President, Secretary and Treasurer of FDD are formally recognised as voluntary wardens of the site, and FDD has over 150 registered volunteers who carry out activities to increase the site's wildlife and amenity value including hay cutting, path clearance, tree planting and maintenance, pond maintenance, bird surveying, wardening and site promotion. Without these additional activities the site would quickly degrade and decrease in conservation value. Several NGOs have given support, including the Kent Wildlife Trust, the Kent Reptile and Amphibian Group, the Kentish Stour Countryside Project and the British Trust of Conservation Volunteers (BTCV). Since 2006 the site has held the Green Flag Award.



Working party at Duncan Down.
© Ashley Clark / Duncan Down

Sources: Holt (2011); Duncan Down Management Plan
(<http://www.canterbury.gov.uk/main.cfm?objectid=1430#DuncanDownVillageGreen>)

In addition to the potential for formal protected areas designation, probably most pCCAs receive some level of government support in the form of funding and technical assistance delivered through local councils, government-led partnerships and other environment-related bodies including Natural England and the authorities for individual AONBs and National Parks. Actively farmed lands, including many commons, are eligible for financial payments through a range of agri-environment schemes with either national or European funding. These are typically of fixed duration and involve annual payments to farmers in return for the implementation of management practices that aim to further conservation objectives. Most other community groups involved in managing local green spaces receive some level of assistance and small funding directly from their local council (for example see Pollard and Tidey, 2009; Ockenden and Moore, 2003). The government also supports community groups indirectly through its role in funding the large number of non-governmental organisations that facilitate community environmental action (see section 4.2).

4.2. Civil Society recognition and support to ICCAs

There are two mechanisms for recognition of ICCAs in the UK other than by the government. One is the international ICCA Registry (see <http://www.iccaregistry.org>), which is administered by the World Conservation Monitoring Centre (WCMC). However the Registry is as yet largely unknown to community groups in the UK and at the time of writing it lists only one UK site. The most obvious potential benefit to local groups of inclusion on the Registry is prestige, and in order to encourage groups to sign up it may be necessary for WCMC to consider how it can give greater publicity to sites as they do so.

A further mechanism for recognition has recently been developed as part of a project of the UK national committee for the IUCN, Putting Nature on the Map, whereby ICCAs in the UK could apply directly to the WCMC for inclusion on the World Database of Protected Areas (WDPA). Sites would be eligible for inclusion only if they meet the IUCN definition of a protected area - *“A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values”* (Dudley 2008) – and also fulfil six specific criteria, described in a recently published Handbook for owners and managers of protected areas (IUCN NCUK 2012):

- That the site is a clearly defined geographical area;
- That it is recognised, dedicated and managed to achieve the long-term conservation of nature
- That the main management objective is nature conservation
- That the designation of the site aims to prevent or eliminate where necessary any exploitation or management practice that will be harmful to the objectives of designation
- That the designation of the sites aims to maintain or ideally increase the degree of ‘naturalness’ of the ecosystem being protected
- That long-term nature conservation (defined as lasting at least 25 years) is ensured through legal or other effective means

While by no means all pCCAs will meet these criteria, some will do so. The Handbook advises that NGOs and community groups should be able to send information directly to UNEP-WCMC on those sites that are not already designated under legislation (e.g. as an SSSI), where they meet the IUCN definition, and this information will then be held in a special part of the database.

Aside from recognition, there are several national non-governmental organisations that support community groups involved with pCCAs. Forms of support include the maintenance of online networks providing information, technical advice and contacts, and practical training and assistance. Those with the highest profile in this context are probably the Royal Society of Wildlife Trusts (RSWT: <http://www.wildlifetrusts.org/>) and its 47 member wildlife trusts and the British Trust for Conservation Volunteers (BTCV: <http://www2.btcv.org.uk/>). The BTCV also organises teams of volunteers to carry out habitat management on local sites, produces practical handbooks and other publications with technical guidelines, and offers extensive skills training, both on practical habitat management and on administrative issues such as fundraising and communication. Membership of the BTCV gives community groups access to hire tools, funding through a small grants scheme, and competitive liability insurance – a major expense for many such

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groups. Other organisations that support specific kinds of pCCA include the national NGO Common Ground (see <http://www.commonground.org.uk>), which has acted since the 1990s as an information hub for community orchards (Clifford and King, 2008) and hosts a community orchards network, and the Woodland Trust (see <http://www.woodlandtrust.org.uk>), which performs a similar role for community woodlands⁵. Of the woodland groups surveyed by Pollard and Tidey (2009), most were members of both the BTCV and the Woodland Trust community networks.

The Open Spaces Society (OSS; see <http://www.oss.org.uk>), originally founded in 1865 as the Commons Preservation Society, provides professional and technical advice on commons and Greens, supports local campaigns, and acts as an important national advocacy group. It has recently established an Open Space Award for activities that support its aims. Simpson (2006:59) reported that at least six out of ten Greens surveyed had received some kind of support from the OSS. Similarly the national charity GreenSpace (see <http://www.green-space.org.uk>) provides information and support to both local authorities and community groups for the improvements of parks and green spaces, many of which have conservation value. Its members include nearly 4,000 community groups and its website hosts a community network and provides online information on funding sources and issues such as campaign strategies and establishing a ‘friends’ group. There are several award schemes at both the national and local levels, of which the Green Flag Award for high quality green spaces, run jointly by GreenSpace, the BTCV and Keep Britain Tidy, is probably the best known (see <http://www2.btcv.org.uk/display/greenflagaward>). There is a large number of additional special interest and local organisations that offer support on different aspects of site management.

4.3. Key issues for the recognition and support to ICCAs

Formal designation of sites as protected areas gives extra protection against land conversion or degradation, but is seen by many groups as introducing unnecessary interference and paperwork, and this discourages many groups from applying for recognition unless there is an immediate threat to the site. Designation can take control away from local communities by allocating formal management responsibility to government institutions and for community groups involved in many newer forms of pCCA, there is concern that management requirements under formal designation will detract from the social value of the site while making little difference to the site’s biodiversity value. As one member of a community orchard group asked:

“What would the benefits [of a conservation designation] be for the wildlife that we do not already capture? The grass could be managed slightly differently, but more labour intensively... but then it becomes not very attractive to people. It’s a community orchard and we want people to come in.” (Johnson, 2008).

In the case of commons, rules and restrictions related to protected area designation sometimes conflict with customary management systems. This has been particularly well documented for Eskdale Common in Cumbria and Ingleton Common in North Yorkshire by Rodgers et al (2011), on whose work this summary is based. Each Common lies within a National Park and

⁵ See <http://www.woodlandtrust.org.uk/en/about-us/projects/cwn/Pages/community-woodland-network.aspx> [accessed 06/01/2012].

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a Special Area of Conservation and also contains multiple SSSIs. In addition to the rules agreed by the commoners' associations, based largely on traditional practice, activities in each SSSI are restricted according to a list of 'operations likely to damage the special interest' (OLDSIs) that are defined by Natural England and cannot be carried out without their prior authorisation. Farmers at both sites have also entered into voluntary agri-environment schemes connected to protected areas status through which they receive payment for signing up to management agreements that are designed to further conservation objectives. These have included Sheep and Wildlife Enhancement Schemes (sWES), which are 5-year voluntary management agreements signed between Natural England and individual farmers to reduce livestock numbers and are specific to SSSIs, and for Eskdale Common an EC-funded Environmentally Sensitive Area (ESA) agreement, which has been promoted by the National Trust through its tenancy agreements with farmers. Table 3 gives details of measures under OLDSIs, sWES agreements and customary practice for Ingleton Common, showing how the newer systems duplicate some aspects of customary practice and contradict others. In interviews with farmers by Rodgers's research team it was clear that they were confused by the existence of multiple systems of rules, being unsure of what the current rules were and which rules belonged to which system.

Table 3: Ingleton Common, North Yorkshire: Comparison of activities permitted under the customary commons system; the sheep and Wildlife Enhancement Schemes (sWES), and OLDSIs

(Based on Rodgers et al, 2011)

<i>Activities permitted</i>	<i>sWES (voluntary 5-year agreements with some individual farmers)</i>	<i>OLDSIs (compulsory; specific to SSSIs)</i>	<i>Customary practice (Commoners' association)</i>
Grazing	Grazing rights bought out	Yes	Yes
Seasonal restrictions on grazing	Yes	No	Yes
Cultivation and mowing	No	No	No
Sale or transfer of grazing rights	No	-	Yes
Peat / mineral extraction	No	No	Yes for peat
Closed grazing period	Yes	No	Yes for part of Common
Use of chemicals, no burning or drainage works	No	No	No
Killing / removal of wild animals	Yes (No restrictions)	No	No
Supplementary feeding of livestock	No except in harsh weather conditions	No	No

Apart from this confusion there has also been criticism of conservation management strategies terms of their appropriateness and effectiveness. Rodgers et al (2011: 104) report that OLDSIs for different SSSIs were standardised, rather than being tailored to the specific characteristics of each site. More fundamentally, there have been conflicting perspectives between farmers and conservation bodies on the overall levels of stocking that are appropriate at each site. The principal focus of Natural England and other conservation organisations has been on achieving a reduction in overall livestock numbers, and this has been done through the various agri-environment schemes and through purchasing grazing rights in gross and holding them inactive. However many farmers dispute that *overall* livestock numbers are too high, suggesting instead that it is the *distribution* of livestock that is problematic. Moreover farmers report that conservation measures have disrupted the traditional heafing system by creating areas devoid of livestock, and that while many areas

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are overgrazed, especially those with delicate habitat types such as limestone pavements, others are now undergrazed. This is partially recognised by Natural England in the most recent assessment of the condition of Ingleborough SSSI.⁶ Thus measures introduced as a result of protected areas recognition have disrupted customary management systems in several ways and in doing so may have introduced new problems not only for livestock management but also for environmental conservation. Whilst it cannot be assumed that traditional systems are always the most effective, especially in the context of changing social, economic and ecological conditions, there is clearly scope for a more coherent approach that brings together the best of traditional and scientific knowledge and practices.

In addition to protected areas recognition, funding is an issue of major concern to many community groups. For newer forms of pCCA funding needs are particularly acute during the first few years because of high setup costs such as buying land or applying for Green registration or other formal designations. Tidey and Pollard (2010) found evidence that a lack of funding was preventing the creation of new woodland groups. However the need for external funding and support does not stop once a site is established. Many community groups raise a significant proportion of their basic operational budget through membership and other internally generated sources such as donations, bequests and sponsorship, fundraising events, and sales of goods and produce (Pollard and Tidey, 2009; Tidey and Pollard, 2010; Ockenden and Moore, 2003). Nevertheless most groups remain dependent on external grants as well, both for the larger operational costs (particularly insurance) and also for additional expenses such as training, equipment, improvement of site infrastructure, major habitat management operations, and special events. Negotiating the complex funding system, identifying available grants, and then dealing with time-consuming and often over-complex or technical application procedures represent major challenges for many local voluntary groups. Many of them are discouraged from applying at all or rely heavily on guidance from support organisations in order to do so (Johnson, 2008; Tidey and Pollard, 2010). There is some evidence that community groups tend to have a limited lifespan, and it is possible that this is partially due to a lack of sufficient funding and other forms of support (Ockenden and Moore, 2003).

There is also frustration at the lack of continuity in support, much of which consists of short-term one-off grants. Ockenden and Moore (2003) found that 50% of groups were reliant on funding of less than a year's duration, making it difficult to plan for the medium to long term and meaning that an ongoing time commitment is needed to keep identifying and applying for new sources of funds – a commitment that local residents with full-time jobs may be unable to make. The lack of continuity of funding is equally frustrating for non-governmental organisations; new funding programmes and activities that show signs of a major impact may disappear after only a few years. Tidey and Pollard (2010) give an example in relation to the Woodland Trust's community woodland network (Your Woods), which was created in 2003:

“The initial reaction to Your Woods was positive and community woodland groups were keen to join the network; over 200 groups joined at the beginning. There was a hope within the Woodland Trust that community woodlands in England would be inspired to work together, to take Your Woods forward and form their own association. This has not happened. The number of Woodland Trust staff involved

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See <http://www.sssi.naturalengland.org.uk/Special/ssi/reportAction.cfm?report=sdr13&category=S&reference=1001537>, [accessed 07/06/2012].

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in Your Woods has now dropped and the number of community woodland groups registered on the site has also dropped.” (Tidey and Pollard 2010: 6).

There are similar frustrations in government, where innovative programmes may be funded for a few years and then find themselves seriously under-resourced. For example from 1990 a Community Forests Programme funded ‘Forest Teams’ to facilitate the development of multi-purpose forests in twelve large geographical areas. However after twelve years the funding for Forest Teams was withdrawn. By 2008 two of the Community Forests had closed down and several of the others were struggling to meet their budgets (Lawrence et al, 2009). In 2012 another high-profile grant scheme for regional partnership projects to improve or restore ecological connectivity was launched under the banner of ‘Nature Improvement Areas’. The first twelve grants were announced early in 2012, awarding an average of £625,000 per site to be spread over three years. However, funding for the grant scheme as a whole has only been committed until 2015⁷.

5. The Future

5.1. Future activities planned by communities, the government, and civil society,; especially in relation to issues of recognition and support

In relation to newer forms of pCCA, the information presented in this article paints a picture of an impressive level of initiative and activity amongst local communities in working to establish and maintain wildlife-rich green spaces in their local environment, which are valued by local people principally as places to spend time in a semi-natural environment and interact with wildlife. In the examples given, the stimulus for the adoption of areas as community wildlife spaces has been either that they have become overgrown and derelict or that they have been threatened with destruction by development construction. There is no formal mechanism by which they can be legally designated in terms of community-led governance, either under protected areas law or under other law, but many communities are the major actors in governance of such areas without formal recognition of their role. In the case of sites where legal designation gives responsibility for management to a government institution, communities may still take the lead in governance, especially where the latter has limited resources to carry out its responsibilities. Thus although there is no legal category in England corresponding to ICCAs, many sites do meet the governance criterion for ICCAs. Of the examples described in this article, this is clearly the case for Horspath Parish Council Conservation Area, Bearsted Woodland, and, because of its fragmented ownership, Bredhurst Wood. The cases of Duncan Down and Frieze Hill Orchard are less clear-cut; in both cases the local community leads management decisions but does so in collaboration with the local council, which has formal responsibility for site management. If the category of ICCAs is to be applied in England, therefore, further work is needed on the criteria to distinguish between collaborative management in which the local community is *one of* the major players in decision-making and ICCAs in which the community is *the* major player (and holds power) in decision-making.

The case of commons is rather different from other forms of pCCA, both because of the continued importance of economic production on many commons and because of the distinctiveness of both customary and legally defined systems of governance. Whilst at some

⁷ See http://www.defra.gov.uk/news/2012/02/27/nature_improvement_area

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sites the commoners are the main decision-makers, especially where the landowner is absent or has formally given power of attorney to the commoners' association (as in Ingleton Common: see section 3.2), up until now most Commoners' Associations have had little real power, being unable to make legally enforceable rules and being dependent on the landowner's agreement in order to enter into any binding management agreements. In addition, the majority of commons are formally designated as protected areas and therefore the Protected Areas authority has significant power in governance. Thus most upland commons are managed collaboratively rather than under community-led governance.

A major raft of recent and planned revisions to national policy and legislation, together with the current funding crisis, mean that the context with regard to recognition and support of pCCAs is changing rapidly. The provisions of the 2006 Commons Act for the creation of Commons Councils are yet to be implemented, and their implications in terms of community-led governance are uncertain. Further changes are currently proposed to legislation on Greens that would severely limit the ability of local communities to use Greens registration as a defence against the destruction or enclosure of local green spaces. These include introducing a high fee for application for registration; introducing a character test based on the standard stereotype of a Green, which would disqualify many sites of significant conservation value; and disqualifying any sites once a planning application has been made for development (Defra, 2011).

More broadly, the Localism Act (2011) and the National Planning Policy Framework (NPPF: 2012) make potentially fundamental changes in the role of local communities in overall land planning and the identification of locally valued green spaces. They devolve substantial planning powers to local authorities, who now have a duty to prepare detailed Local Plans, and to parishes and neighbourhood forums, who have the power to prepare Neighbourhood Plans, to be approved by referendum, in line with the Local Plans. The new policy makes specific provision for identification in the local and neighbourhood plans of 'Local Green Spaces', defined as non-extensive 'green' areas 'in reasonably close proximity to the community' that are 'demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife'. Local Green Spaces do not fall within the protected areas system and do not have to have high conservation value but some Local Green Spaces will undoubtedly meet criteria i and iii of ICCAs, and they will therefore represent a new form of pCCA.

However, from the perspective of community-led governance of pCCAs there are also some less positive aspects of the new policy. The stated 'golden thread' running through the NPPF is a 'presumption in favour of sustainable development', by which new development proposals should be approved unless they conflict with prior Local and / or Neighbourhood Plans or with other policies in the NPPF itself. Local and Neighbourhood Plans must designate sufficient land for development to meet national and regional targets and thus have no power to decide on the level of development but only to influence its precise location and some aspects of design and other details. There is no information about how or by whom Local Green Spaces will be managed, what resources will be allocated for their management, or what powers of enforcement will exist for their protection. Several community groups consulted for this study perceived the new Local Green Space category to be too weak to afford any real protection.

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In addition to these changes in policy and legislation, the current funding crisis is likely to continue to restrict the extent to which local communities can take responsibility for governance and management of pCCAs. There is much concern amongst community groups, as well as government and non-governmental support organisations, about the current sharp decrease in the overall amount of funding available. Recent public spending cuts are affecting environment-related government institutions particularly heavily, and this is having significant knock-on effects both on the support offered to community groups by non-governmental organisations and also on community groups themselves. Philanthropic donations account for only a small proportion of NGO income for environmental projects in the UK, but this too has decreased, falling by 18% from 2007/08 to 2009/10 (Cracknell et al, 2012).

5.2. Recommendations

(i) Recognition:

In connection to recognition of ICCAs with the UK protected areas system:

- ✓ Protected areas legislation should be reviewed in order to consider possible mechanisms that allow for formal management responsibility to rest with local communities.
- ✓ Natural England should ensure that management strategies, rules and restrictions for specific protected areas (especially SSSIs) are developed on a site-specific basis in collaboration with owners and occupiers. In the case of commons with active commoners' associations, they should take due account of traditional ecological knowledge and customary practices.

In connection to other forms of recognition:

- ✓ National government and non-governmental organisations should initiate a systematic process of information dissemination and awareness-raising on ICCAs. As part of this process, local community groups and their supporters should be made aware of both the ICCA Registry and the opportunity for inclusion on the IUCN World Database on Protected Areas.
- ✓ Research is needed that informs the development of more detailed criteria for community-led governance in the context of England in order to make it possible to determine the numbers, coverage and conservation value of England's ICCAs.
- ✓ Clarification is needed on the mechanism for Local Green Spaces - on who will hold responsibility for their management, and what financial and material support will be available, and what form and level of protection will apply.

(ii) Support:

- ✓ Government funding and support for community conservation initiatives should be maintained at least at current levels, both direct to community groups and also to the many local government institutions and non-governmental organisations that support

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them. Funding schemes should be simplified to minimise the complexity and bureaucracy involved.

- ✓ More of the available funding should be aimed at stable, long-term support rather than short-term high-profile projects and programmes. This will allow community groups, NGOs and government bodies to plan on the medium to long term and to build stable institutional structures and activities
- ✓ Research should be developed to build a better understanding of what kinds of recognition and support are most cost-effective for different kinds of groups and at different stages in their development.

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Appendix 1: Statutory and non-statutory protected areas designations in England

1. Principal types of statutory designation

<i>Designation</i>	<i>Purposes</i>	<i>Number</i>	<i>Coverage⁸</i>	<i>Legislation</i>	<i>Institution responsible for designation</i>	<i>Who is responsible for management</i>
National Park ⁹	To conserve and enhance their natural beauty, wildlife and cultural heritage. To promote opportunities for the public understanding and enjoyment of these special qualities	9	National Parks and AONBs together cover about 24% of England's land surface area	National Parks and Access to the Countryside Act 1949, amended by the Environment Act 1995.	Natural England	National Park Authority (established for each site).
Area of Outstanding Natural Beauty (AONB) ¹	To conserve and enhance the natural beauty of the area, while safeguarding rural industries and the social and economic wellbeing of local communities)	34		National Parks and Access to the Countryside Act 1949, amended by the Environment Act 1995; Countryside and Rights of Way Act 2000	Natural England	AONB management authority (established for each site)
National Nature Reserve	To preserve and provide opportunities for scientific study of flora, fauna, and geological and physiographical features	224	94,400 ha	National Parks and Access to the Countryside Act 1949; Wildlife and Countryside Act 1981.	Natural England	Natural England (about 66%) or another organisation approved by Natural England.
Local Nature Reserve (LNR)	The site "must be of opportunities for the study of, and research into, matters relating to the fauna and flora	>1400	c. 37,000 ha	Section 21 of the National Parks and Access to the Countryside Act 1949, amended by Schedule 11	County or district councils, or by their delegation, parish and town councils, after	Local authorities

⁸ Many sites have multiple designations, so the figures for coverage in this table should not be summed across categories.

⁹ Source: Natural England, 2010, *England's statutory landscape designations: a practical guide to your duty of regard*, DEFRA. See <http://jncc.defra.gov.uk/page-1527> [accessed 01/03/2012].

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	importance for wildlife, geology, education or public enjoyment" ¹⁰			of the Natural Environment and Rural Communities Act 2006	consultation with Natural England.	
Site of Special Scientific Interest (SSSI)	Notification of sites that are 'of special interest by reason of any of its flora, fauna, or geological or physiographical features'. ¹¹	> 4,100	Over 1 million ha (c. 8% of land surface area)	National Parks and Access to the Countryside Act 1949; Wildlife and Countryside Act 1981; Countryside and Rights of Way Act 2000.	Natural England	Owners / occupiers. Natural England must be consulted about any operation likely to damage features of interest.
Marine Conservation Zone (MCZ)	Protection of nationally important marine wildlife, habitats, geology and geomorphology . Identification of sites must also take account of social and economic factors.	1		Marine and Coastal Access Act (2009)	DEFRA with Natural England and JNCC	
Country Parks	Recreation and leisure opportunities close to population centres. No requirement for conservation significance and therefore not strictly a conservation designation but included here because many are of considerable value for wildlife.			Countryside Act 1968	Local Authorities	Local authorities

Sources:

¹⁰ See <http://www.naturalengland.org.uk/ourwork/conservation/designatedareas/Inr/default.aspx> [accessed 02/01/2012].

¹¹ See <http://jncc.defra.gov.uk/page-2303> [accessed 01/03/2012].

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Natural England,

<http://www.naturalengland.org.uk/ourwork/conservation/designatedareas/default.aspx> [accessed 02/01/2012];

JNCC, <http://jncc.defra.gov.uk/page-1527> [accessed 01/03/2012].

2. Designations under EC and International Law

<i>Designation</i>	<i>Purposes</i>	<i>Legislation</i>
Special Areas of Conservation (SAC)	Protection of habitats and non-bird species. Part of Natura 2000 European network of sites (Sites adopted by the EC but not formally designated by government are known as Sites of Community Importance – SCIs)	EC Habitats Directive
Special Protection Area (SPA)	Protection of rare and migratory bird species. Part of Natura 2000 European network of sites	EC Birds Directive (1979); Wildlife and Countryside Act 1981; Offshore Marine Conservation Regulations 2007.
Ramsar Site	Wetlands of international importance	Ramsar Convention (1971)

3. Non-statutory designations

<i>Designation</i>	<i>Primary purpose</i>	<i>Comments</i>
World Heritage Site	Conservation of sites of global importance for natural and cultural features	Under UNESCO World Heritage Convention
Biosphere Reserve	Conservation of biodiversity with sustainable use; integrated management of land, water and biodiversity	
Heritage Coast	Protection of a section of coast “exceeding one mile in length that is of exceptionally fine scenic quality, substantially undeveloped and containing features of special significance and interest” ¹²	Designated by agreement between local authorities and the Countryside Agency.
Local wildlife site / local site ¹³	Protection of sites of substantive conservation value at the national, regional and local levels. May also be important for public enjoyment of nature conservation.	Local Sites Partnerships, led by local authorities, are responsible for developing locally specific criteria; selection of sites, and supporting site management. Protected through the local Planning System.
Woodland Parks / Forest Parks	Primarily recreation	Identified and managed by the Forestry Commission

¹² JNCC; <http://jncc.degra.gov.uk/page-1527> [accessed 01/03/2012].

¹³ There is a large number of terms that are used in different regions for local sites, including Areas of Natural History Interest (Biological); Biodiversity Alert Sites (BAS); Biological Heritage Sites; City Wildlife Sites; County Wildlife Sites; County Geological Sites; Heritage Sites; Key Wildlife Sites; Local Wildlife Sites; Natural Heritage Sites; Regionally Important Sites; Geological/geomorphological Sites (RIGS); Sites of Biological Importance; Sites of Biological Interest; Sites of Community Wildlife Interest; Sites of Ecological or Geological Importance; Sites of Importance for Nature Conservation (SINCs); Sites of Local Nature Conservation Importance (SLINCs); Sites of Nature Conservation Importance (SNCIs); Sites of Nature Conservation Value; Sites of Scientific Importance; Special Wildlife Sites; Wildlife Heritage Sites, and Wildlife Sites (DEFRA 2006: Annex A). DEFRA recommends ‘Local Sites’ as a standard term, including both those of value for wildlife and those of geological value.

Citation: Nelson, F. 2012. Recognition and Support of ICCAs in Kenya. In: Kothari, A. with Corrigan, C., Jonas, H., Neumann, A., and Shrumm, H. (eds). *Recognising and Supporting Territories and Areas Conserved By Indigenous Peoples And Local Communities: Global Overview and National Case Studies*. Secretariat of the Convention on Biological Diversity, ICCA Consortium, Kalpavriksh, and Natural Justice, Montreal, Canada. Technical Series no. 64. @inproceedings{Govan2012RECOGNITIONAS, title={RECOGNITION AND SUPPORT OF ICCAs IN KENYA}, author={Hugh Govan and Stacy D. Jupiter and James Comley and Ashish Kothari and Harry S. Jonas and Aur{\'e}lie Neumann}, year={2012} }. Title. *Recognising and Supporting Territories and Areas Conserved by Indigenous Peoples and Local Communities*. Author(s). A. Kothari, C. Corrigan, H. Jonas, A. Neumann, H. Shrumm. Publisher. Secretariat of the Convention on Biological Diversity, ICCA Consortium. As such, ICCAs require recognition on par with the official protected areas managed by governments. Yet despite increasing recognition of ICCAs in international conservation policies, they still largely lack effective and appropriate recognition in national policies and practices. In addition to exploring sacred groves as ICCAs, this article examines the policy and legal instruments that recognize ICCAs at the international and national levels. This article also recommends strategies to enhance the protection of ICCAs, including by shifting the paradigm from government-controlled protected areas