



Minutes of the meeting of the South East Devon Habitat Regulations Executive Committee held at Civic Centre, Exeter, on Thursday 27 July 2017

Attendance list at end of document

The meeting started at 2.17pm and ended at 3.05pm.

*1 Public speaking

The Chairman, Cllr Daniel Gottschalk, welcomed everyone present to the meeting.

Mr Chris Rogers, who resided close to the Exe Estuary, queried the published visitor figures to the Exe Estuary on which the proposed Voluntary Exclusion Zones had been based upon. He felt the figures were grossly over estimated, particularly when compared with visitor numbers to other popular world-wide attractions. He questioned the belief that households within the designation visited the Exe Estuary every other day – this was not behaviour he had personally witnessed. He asked that the published visitor numbers be scrutinised.

In response, the Habitat Mitigation Manager advised that he had been in correspondence with Mr Rogers regarding his comments. The proposed Voluntary Exclusion Zones (renamed Wildlife Refuges) had been drawn up following two studies and were driven by the need to mitigate against additional recreation, which would have a significant impact on wildlife on the Estuary.

Amanda Newsome commented that the disturbance study undertaken showed that the increased development in area would lead to greater disturbance and impact on wildlife on the Exe Estuary, which the partner authorities had a duty to mitigate against. The household study undertaken had covered the special protection areas in East Devon, Teignbridge and Exeter.

*2 Declarations of interest

There were none.

*3 Matter of urgency

There were none.

*4 2016-17 Annual Business Plan – Annual report

The Executive Committee considered the Habitat Regulations Delivery Manager's annual report updating on progress made in delivery of the mitigation measures set out in the 2016-17 Annual Business Plan.

The report highlighted the following progress:

- The introduction of a Delivery Manager, Habitat Mitigation Officers, Project Officer (Devon Loves Dogs) and the review of Voluntary Exclusion Zones on the Exe Estuary.
- Significant progress in the delivery of the Sustainable Alternative Natural Green Space (SANGS) Strategy. The Partnership had agreed prioritisation of sites, secured land for SANGS at Dawlish and delivery of SANGS South West of Exeter was also being progressed.

- Following an investment of £2.9m, 26 hectares of newly accessible countryside in Dawlish was due to open to the public at the end of the summer.
- A complete reassessment of the assumptions made by the Strategy had been undertaken.
- A new Visitor Management Plan for the Pebblebed Heaths.
- There had been a significant reappraisal of mitigation project costs, which had lead to new per dwelling contributions.
- Sustained, meaningful and important progress had been achieved through local authorities and stakeholder organisations working together in partnership.

With the agreement of the Chairman, the Habitat Regulations Delivery Manager invited the Habitat Mitigation Officers, Project Officer and Exe Estuary Officer to give a brief update on their work:

Habitat Mitigation Officers

- Through positive engagement, the Officers provided education to encourage responsible behaviour of visitors to the sites and nature reserves covered in the Mitigation Strategy. They had made over 1000 interactions with members of the public since the project had started 9 months ago.
- The Officers attended a number of local events – these were a good way to engage with members of the public.
- The Officers had met with other mitigation teams across the UK and would be arranging a Mitigation Officer meet up – this was good for networking and an opportunity to discuss best practices with other officers. An online forum was in the process of being set up, which Mitigation Officers would be able to use to share knowledge.

Project Officer (Devon Loves Dogs)

- The Project Officer had worked with partners to develop the Devon Loves Dogs project and learnt from similar projects across the country. A brand had then been established.
- The Project Officer had worked with partners to develop a Code for dog owners which could be used across the SANGS sites.
- A website for the project was now live (although still be developed) and there had been a lot of interactions through social media. A top twenty dog walks leaflet was being produced to encourage members of the public away from protected sites.
- The Project Officer had worked with the Green Spaces Team at Teignbridge District Council on the event to open the new SANGS in Dawlish.
- The Project Officer had attended events, such as family festivals and guided walks, to promote the Code and engage with members of the public.

Exe Estuary Officer - The Exe Estuary Officer spoke of her work on the zone proposals on the Estuary.

- Initial zone proposals covered critical locations which were important bird habitats – the proposals only covered 9% of the Estuary. A public consultation had been held at the end of last year through to the beginning of this year, with an online survey still ongoing. All consultation responses had been taken into consideration; however there was a need to balance wildlife interest with human interest. As a result of the consultation the exclusion zones, renamed Wildlife Refuges, had been reviewed and now covered 7.2% of the Estuary for 14 weeks of the year and 3.58% of the Estuary for the remainder of the year. The new proposals were considered to have a limited impact on users of the Estuary. A final report on the Wildlife Refuge proposal would be brought to the next Committee meeting in October. The Refuge areas would be clearly marked out.

- Existing codes of conduct for water users were currently under review.

RESOLVED: that the progress made towards delivering the 2016-17 Annual Business Plan be noted.

***5 Rebasing the South East Devon European Site Mitigation Strategy – the strategic response**

The Executive Committee considered the Habitat Regulations Delivery Manager's report outlining the work that had been undertaken to re-validate the core assumptions underpinning the Mitigation Strategy. This built on work which had revealed discrepancies between the quantum of new homes that would be making a full financial contribution to the Strategy with those that had assumed when the Strategy was finalised in 2014. In order to ensure that there was a credible and secure financial approach which enabled ongoing delivery, the report outlined a revised financial position. In order to meet legal obligations it was imperative that new per dwelling contributions were based on re-validation of income, cost and expenditure were adopted and implemented by each of the partner authorities.

RECOMMENDATION to the partner authorities:

that the revised per dwelling contributions (as per the committee report and detailed in Appendix 1) should be adopted by each of the partner authorities as soon as possible. The contribution rates to be index linked with an annual increase to be applied from April 2018; Infrastructure charges to be increased annually by BCIS (Building Cost Information Service) and non-Infrastructure charges to be increased annually by RPI (Retail Price Index).

RESOLVED:

1. that the work undertaken to rebase the South-East Devon European Site Mitigation Strategy be noted. The significant deviations from the original assumptions that had been revealed from the work undertaken were acknowledged by the Executive Committee.
2. that the approach to mitigation for CIL exempt development, as detailed in the committee report, be endorsed.
3. that the proposed arrangement to cover the shortfall in funding at Dawlish Warren (as detailed in paragraph 12 of the committee report), subject to the anticipated S106 receipts actually being received by Exeter City Council, be agreed.

***6 Pebblebed Heaths Visitor Management Plan**

The Executive Committee considered the Habitat Regulations Delivery Manager's report summarising the requirement for the Pebblebed Heaths Visitor Management Plan (VMP) as a partial replacement of (and addition to) the South East Devon European Site Mitigation Strategy. There was a high risk that delivery of the Strategy would be significantly compromised or delayed if the VMP was not endorsed.

RESOLVED:

that the Pebblebed Heaths Visitor Management Plan, noting that estimated costs have been adjusted as part of recent rebasing work (outlined in the separate report "Rebasing the SEDESMS – the strategic response"), be adopted.

***7 2017-18 Annual Business Plan**

The Habitat Regulations Delivery Manager presented the report setting out the principles for the on-site projects which had been recommended as a priority in conjunction with the Officer Working Group to ensure delivery of the Mitigation Strategy. These projects were appended to the Annual Business Plan.

RESOLVED:

1. that the 2017 Annual Business Plan (Appendix 1 to the committee report) and commitments and actions set out therein be approved.
2. that the changes to the operational year as specified in the committee report be approved.
3. that the Executive Committee receive a progress update on the delivery of the Annual Business Plan at the next meeting (quarterly basis).

Attendance list

Committee Members:

Cllr Daniel Gottschalk, Exeter City Council (Chairman)
Cllr Humphrey Clemens, Teignbridge District Council
Cllr Phil Twiss, East Devon District Council

Amanda Newsome, Natural England

Officers

Colin Acton, Waterways Team Manager
Stephanie Clark, Exe Estuary Officer
Amelia Davies, Habitat Mitigation Officer
Sama Euridge, Habitat Mitigation Officer
Henry Gordon Lennox, Strategic Lead – Governance and Licensing (EDDC)
Ed Freeman, Service Lead – Strategic Planning and Development Management (EDDC)
Neil Harris, Habitat Regulations Delivery Manager – Growth Point Team
Naomi Hartnett, Principal Projects Manager – Growth Point Team
Anne Mountjoy, Growth Point Communications Officer – Growth Point Team
Julie Owen, Projects Officer (Devon Loves Dogs)
Fergus Pate, Principal Growth Point Officer (TDC)
Andy Robbins, City Development Manager (ECC)
Hannah Whitfield, Democratic Services Officer (EDDC)

Apologies:

Simon Davey, Strategic Lead – Finance (EDDC)
Peter Hearn, Strategic Infrastructure Planning (ECC)
Peter Lacey, Green Infrastructure Board

Chairman Date.....