

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of South and East Devon Habitat Regulations Executive Committee held on 18 November 2020**

#### **Attendance list at end of document**

The meeting started at 2.03 pm and ended at 4.39 pm

#### **49 Public speaking**

There were no members of the public registered to speak at the meeting.

#### **50 Minutes of the previous meeting**

Minutes of the South East Devon Habitat Regulations Executive Committee meeting held on 17 July 2020 were not confirmed at the meeting. A request was made to amend the minutes in relation to minute number 44 Annual Business Plan, to append to resolution 2 “subject to those measures of success coming forward”. With no clear recollection of the wording by two Committee Members, the Chair agreed that the live stream of the meeting of 17 July 2020 would be reviewed and reported back to the next meeting to clarify and subsequently agree the minutes.

#### **51 Declarations of interest**

Cllr Martin Wrigley – Personal Interest . His house overlooks the estuary and he is a member and Treasurer of Cockwood Boat Club.

#### **52 Matters of urgency**

There were no matters of urgency.

#### **53 Confidential/exempt items**

There were no matters which officers recommended be dealt with in this way.

#### **54 Update on the Annual Business Plan delivery**

The Executive Committee received a brief update on work creating a new website. This included benchmarking against other similar websites, publishing key performance indicators and monitoring. Analysis of the site would be undertaken to establish take up of content and ease of use of the site.

The impact of the pandemic was not possible to include in the reports presented to the Committee in the timeframe; however future reports would seek to address this, particularly the impact on financial elements of the plan.

#### **55 Dawlish Warren NNR**

The report outlined the conclusions from the botanical survey relating to impacts associated with human activity at Dawlish Warren NNR. It provided an important baseline monitoring assessment of the impact of human trampling, and areas associated with increased fertility. The study identifies that plant species of conservation concern at

the Warren are more likely to be associated to areas where there is little trampling and the soil is less fertile.

The study is planned to be undertaken every three years, intended to provide an early warning system of identifying negative impacts from trampling and eutrophication, which can then be addressed through appropriate management. The next survey is scheduled for 2022.

Comment and questions covered:

- Work continued in linking with the Devon Loves Dogs team and associated wardens on the issue of dog fouling;
- Rabbit numbers were low, but the site was grazed by ponies, so there was less reliance on rabbit numbers;
- This was the first survey that covered empirical data compared to the 2010 survey, but that previous survey was still of value and led to some of the mitigation measures required to protect the area.

**Resolved** that the Executive Committee:

1. Notes the results of the botanical survey relating to impacts associated with human activity at Dawlish Warren NNR;
2. Received an updated botanical survey report as part of the ongoing monitoring programme in 2022, with comparison to the previous report.

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## **Exe Estuary Wildlife Refuge**

The Executive Committee received their second annual report on the monitoring of the Exe Estuary wildlife refuge. Regular monitoring of bird species and numbers showed that the majority of the internationally important populations of Dark-bellied Brent Goose, Wigeon and Oystercatcher in the estuary are found at Dawlish Warren National Nature Reserve and Exmouth Local Nature Reserve. The protection of these habitats and species from disturbance is a fundamental part of the mitigation strategy for the Exe Estuary.

Questions and comments covered:

- Water based activities continued to be an issue of disturbance; communication continued with the local Harbour Master and associated officers;
- Monitoring took place up until the first lockdown, but priorities of the Councils in dealing with the pandemic meant that this did not occur again until July;
- Signage and footpaths at Exmouth were back in place, which should raise awareness for local users of that impact they may have on the area;
- Information about the impact of the first lockdown was not included in the report;
- Continued aircraft activity causing disturbance – again, contact would be made to make both military and emergency services aware of the impact via the Exe Estuary Partnership.

**Resolved** that the Executive Committee:

1. Notes the interim results from the second annual wildlife refuge monitoring report;
2. Receives an overarching review of monitoring results after completion of the third year of monitoring (2021).

## 57 **Core Staff Capacity**

The Executive Committee previously agreed in principle in July 2019 to pay for essential core staff. It is not possible to fund this through the Housing Infrastructure Fund and so an increase to developer contributions was recommended. As part of this, the recommendation was to secure ongoing dedicated support and input of a Communication Officer. The report put forward a flexible approach to additional site staff resources in the form of an additional 0.5 FTE Habitat Mitigation Officer from January 2021, financed from furlough savings.

The report highlighted the flexibility needed to manage both increasing visitor numbers, as people stayed local and sought exercise and mental health from using the sites; as well as expanding the online presence as face to face conversations with visitors has become more challenging.

Comments and questions covered:

- Concern that agreement to the recommendations was premature, in light of the current pandemic and the impact that would have on future housing delivery, which in turn impacted on funds available; in response, the mitigation was related to the current local plan, not future plans;
- There was a danger that if not funded, and the current level of mitigation ended, there was a risk of Natural England preventing the authorities to continue to build;
- Recognise that visitor numbers would continue to be high as visitors chose the sites as a destination rather than travelling abroad or elsewhere;
- Funding of staff was critical to the delivery of the mitigation strategy, and that the level suggested was not sufficient and should be higher.

Discussion took place on concerns raised by the Teignbridge committee member that the current measures in place were not sufficient, and required more measurement and more feedback. He felt that there was a need to adapt and change the current measures, or they would fail in their delivery. He voiced his frustration at being unable to make an effective change to the current strategy because of the how the committee currently operated.

In response, the Chair offered to meet with him outside of the meeting, alongside the remaining committee member, Leaders of the three authorities, and relevant portfolio holders, to discuss his concerns about how the committee functions and strategy flexibility.

**Resolved** that the Executive Committee:

1. Approves an increase in non-infrastructure developer contribution to secure ongoing staff requirements as previously approved in July 2019 and updated in Section 5 of the related report, to be reviewed in April 2022 alongside the business plan;
2. As part of the increase to developer contributions referred to in (1) above, approved funding to secure a dedicated Communications Officer resource at 0.2 FTE to be reviewed in April 2022 alongside the business plan;
3. Approves funding to secure an additional 0.5 FTE Habitat Mitigation Officer for 12 months from January 2021. For this additional resource to be funded from savings as a result of furlough during COVID-19 lockdown

58 **HREC funding arrangements**

The Executive Committee received an update on SANGS progress since the last update in March 2019. This included:

- Two land transfers, with another imminent, on track for opening to the public by the end of 2020/21;
- Deliver Strategy updated prior to procurement and establishment, led by TDC Green Spaces;
- TDC has agreed heads of terms with Land Trust for a long-lease and funding agreement of both Dawlish and South-West Exeter to ensure effective management. Funding is now secure following finalising of the legal agreement for the Housing Infrastructure Fund award;
- The strategic “off site” approach to mitigation will be secured in perpetuity.

The Committee welcomed the report and thanked the Teignbridge team for their dedicated work on delivery.

**Resolved** that the Executive Committee:

1. Notes the continued progress made by Teignbridge District Council (TDC) of delivery of the Suitable Alternative Natural Green Space (SANGS) at South West Exeter (SWE SANGS);
2. Notes the completion of the Funding Agreement between Homes England and Devon County Council, legally securing the Housing Infrastructure Fund (HIF) award;
3. Approves the specific funding arrangements detailed in the report to cover off the Dawlish and SWE SANGS in perpetuity, so that the maintenance arrangements can be legally set in place, including the contributions from each partner authority.

**Attendance List**

**Councillors present:**

R Sutton (Chair, Exeter City Council)  
M Wrigley (Teignbridge District Council)  
G Jung (East Devon District Council)

**Councillors also present (for some or all of the meeting)**

P Hayward  
P Arnott  
M Chapman  
P Faithfull  
N Hookway  
D Ledger  
M Rixson  
E Wragg

**Officers in attendance:**

Ali Slade, Natural England  
Naomi Harnett, Principal Projects Manager East Of Exeter EDDC  
Ed Freeman, Service Lead Planning Strategy and Development Management EDDC  
Neil Harris, Habitat Regulation Delivery Manager  
Susan Howl, Democratic Services Manager EDDC

Debbie Meakin, Democratic Services Officer EDDC

Fergus Pate, Teignbridge District Council

Anita Williams, Principal Solicitor (and Deputy Monitoring Officer) EDDC

Andrew Wood, Service Lead - Growth Development and Prosperity EDDC

Sarah Jenkins, Democratic Services Officer EDDC

Anne Mountjoy, Growth Point Communications Officer