



SOUTH EAST DEVON
HABITAT REGULATIONS
PARTNERSHIP

South East Devon Habitat Regulations Executive Committee

2021-22 Annual Business Plan and 5Yr Delivery Plan

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Exeter
City Council



Legal comment/advice:

The legal considerations are included within the report. Legal Services will assist with any further issues on which advice may be needed as they are raised.

Finance comment/advice:

The financial implications are set out in the report.

Public Document:	Yes
Exemption:	None
Review date for release	None

Recommendations

It is proposed that the Executive Committee:

1. Approves the 2021-22 Annual Business Plan (Appendix A) and the commitments and actions set out therein.
2. Notes the updated 5 Year Delivery Plan also shown in Appendix A.
3. Receives a further report relating to any proposed changes to the mitigation strategy regarding Dawlish Warren and the Exe estuary in relation to the Dawlish Warren Beach Management Scheme. Timing dependent on initiation of a review by the Environment Agency.

Equalities impact: Low

Risk: High.

If the 2021-22 Annual Business Plan is not approved there is a high risk that the delivery of the South East Devon European Site Mitigation Strategy would be significantly compromised or delayed. This would put the delivery of the partner Authorities' Local Plans at risk due to their continued legal duties under the Habitat Regulations.

1. Summary

1.1 This paper sets out the principles for the projects which have been recommended as a priority for delivery over the next 12 months by the Habitat Regulations Delivery Manager. These recommendations have been reviewed and agreed by the respective organisations which constitute the Officer Working Group. These projects are contained within the attached Appendix A as the Annual Business Plan (ABP).

1.2 The impact of the coronavirus pandemic on the delivery of the mitigation strategy so far has been a period of furlough for staff, increased pressure on staff home schooling, changes to working procedures, reduced opportunities for public engagement, increased resentment towards staff from members of the public and clear increases in recreational use of the protected sites¹.

1.3 Whilst the pandemic is ongoing, there is a high degree of uncertainty as to whether these impacts will persist or if new impacts will emerge. However, mitigation and partner organisation staff have shown a high degree of flexibility and adaptation to very challenging circumstances. Further delay or interruption to delivery cannot be ruled out and there has been careful consideration of revised income forecasts to decide upon the most appropriate course of action with the best available information.

¹ See *Core Staff Capacity report, November 2020*.

1.4 The ABP has been incorporated into an updated 5 year delivery plan, also contained within the attached Appendix A. This therefore sets out an indicative programme and budget forecast for the short and medium term.

1.5 As with previous business plans, it is important to note that a number of measures included in the 5 year plan are dependent on the success (or otherwise) of established measures, such as the Exe Estuary wildlife refuges. An overarching review of the efficacy of the refuges will be reported to the Committee in summer 2021.

1.6 Accordingly, projects earmarked for 2022-26 of the 5 year plan should be read in this context, as an indicative guide, rather than a prescription.

1.7 Using the balance of receipts and income forecast from issued planning permissions, measures from the mitigation Strategy (“the Strategy”) are allocated according to the available budget, logical progression of related projects and, where still appropriate, delivery timescales as recommended in the Strategy.

1.8 As before, it is important to note that the last line of each year’s spreadsheet (termed “Balance less expenditure”) in Appendix A refers to the *potential* carry-forward of income once the projected income (3rd line of each spreadsheet) has been received and after allowing for the recommended expenditure. This potential carry-forward is in effect an ongoing fund which sets aside revenue income over a period of time to fund the ongoing mitigation projects over their intended 80 year lifespan. This is to ensure mitigation in-perpetuity as per the Strategy remit.

1.9 Measures recommended in the 2021/22 ABP seek to maintain and build on the projects delivered in the preceding plans, such as phase 2 of the Pebblebed Heaths visitor access improvements. The timing of delivery of these projects is guided by the updated 5 year Delivery Plan and where there is logic or merit in the sequential, co-ordinated delivery of mitigation projects, seeks to build on work already completed (or due for completion).

2.0 Dawlish Warren / Beach Management Scheme

2.1 The Beach Management Scheme (BMS) at Dawlish Warren was a £12million project completed by the Environment Agency (EA) and TDC in October 2017. This work was primarily aimed at reducing the risk of flooding to properties around the River Exe.

2.2 The 2020-21 ABP recommended a brief pause in any new significant spend on projects at Dawlish Warren which could potentially be affected by further storm action or erosion at the distal end of the Warren in the short to medium term. This is intended to ensure that investments are as effective as possible, both in terms of cost and mitigation impact.

2.3 The EA review of the BMS is yet to be initiated and therefore it has not been possible to make further recommendations to the Committee according to the anticipated timescale. This review remains critical to understanding what further changes might be anticipated, over what timescale, what management is proposed for the site and how this might affect the mitigation strategy.

2.4 The EA still intend to undertake the review and therefore the recommendation remains for the outcome of these discussions to be the focus of a future report to Committee. This will enable a plan for the future to deliver cost-effective mitigation and ensure that the authorities continue to meet their legal obligations.

2.5 Whilst a pause in significant spend remains prudent, there are three items of smaller investment which are nonetheless effective mitigation measures to be recommended to the Committee this year.

2.6 One of the key species found at Dawlish Warren is Petalwort, an Annex II species² under the Special Area of Conservation (SAC) designation that covers the reserve. As previously reported³, it is considered highly likely that without intervention and monitoring, this key species may disappear from the site entirely.

2.7 This tiny liverwort plant is highly vulnerable to environmental change, with trampling or vegetation changes being examples of threats to the survival of this internationally important species.

2.8 The site has held two distinct populations of Petalwort, with one of these being at risk of loss through the impact of coastal change and the impact that this will have on how visitors use the site.

2.9 The previous report warned that the failure of attempts to establish Petalwort in areas to the west of the Visitor Centre means that if the Greenland Lake Slack population continues to decline, there is no reliable way of ensuring the survival of the plant at Dawlish Warren, other than through undertaking translocation of samples to areas protected from inundation by the sea and visitor pressure.

2.10 It is recommended that £2000 is invested to instigate specialist contractor works required to safeguard this vulnerable population. Work to translocate samples of the plant will take place with oversight by the site Ranger team under appropriate licencing by Natural England. Ongoing monitoring of the success/failure of this work will continue as identified in the mitigation Strategy monitoring programme.

2.11 It is recommended that £2800 is invested to repair and improve the spur fencing to prevent access along the shore near the high tide roosts in the Bight. Shown in Appendix B, "Finger point" is the most important high tide roosting (resting) site for Oystercatchers in the southern part of the Estuary. The existing fencing here is in need of repair and this prevents walkers from reaching (and thus disturbing) birds at and around high tide. Due to scarcity of land available to the birds at high tide, keeping this area free from disturbance is vital, ensuring they have safe havens in which to rest.

² A list of species which have priority status (a priority species is one in danger of disappearance and for which there is a particular responsibility to conserve).

³ Monitoring Petalwort at Dawlish Warren, July 2019

2.12 It is further recommended that £1500 is invested to redesign improved signage at Soft Sand Bay relating to landing by boat and for replacement of behavioural signage at key points along the fencing referred to above in 2.11.

Proposed spend: £6300, comprised of:
Petalwort translocation - £2000
Replacement of fencing to restrict access - £2800
Signage relating to behaviour – £1500

Measures of success:

A new, viable population of Petalwort created at the Warren and protected from trampling and saltwater inundation. Ongoing monitoring of Petalwort according to mitigation Strategy programme.

Reduction in shore based disturbance, captured/reported via ongoing disturbance monitoring programme, Wetland Bird Survey data.

3.0 Pebblebed Heaths visitor access improvements.

3.1 As reported separately, Phase 1 of the visitor access improvement works is currently in preparation for planning approval at East Devon District Council by consultants WSP.

3.2 As recommended in the 20-21 ABP, a phased approach achieves a number of different objectives in terms of objectives, preparation, implementation and communication:

- Allows prioritisation of works which encourage visitors towards car parks where habitats are more robust and away from more dispersed access points.
- Economies of scale can be achieved in terms of materials and labour.
- Tenders become more attractive due to the amount of expenditure.
- Proposed phasing of works would appeal to different sized contractors.
- Budget can be allocated without risking funding needed to ensure ongoing delivery of other projects.
- Phased improvements enable continued access to the heaths with as little disruption as possible.
- Works can be organised so as to provide significant improvements prior to any scheduled restrictions of access in other areas of the heaths.
- Planning applications can apply to whole phases rather than per proposal.
- Communication to visitors and other arrangements about the works can be more easily co-ordinated.
- A clear, phased communications plan can be implemented to inform the wider public about the works and act as a reminder for why they are needed.

3.3 With works on the ground to implement phase 1 anticipated in autumn 2021 and funding secured⁴, it is timely and appropriate to undertake phase 2 improvements during the 2021-22 business year. Appendix C illustrates the proposed schedule of improvements and the estimated budget requirements per year.

3.4 The phasing schedule has changed slightly from that identified in the 2020-21 ABP. This is due to feedback from the Pebblebed Heaths Conservation Trust (PHCT) site manager in relation to the patterns and levels of visitor pressure observed at different car parks across the heaths in the past year. It can be seen that in 2021-22, improvements are recommended at Estuary View/Entrance, Castle and Warren car parks.

3.5 As with phase 1, cost estimates include a 15% consultancy fee in order to cover project management of all aspects of the works. This is considered a reasonable allowance based on previous engineering projects of a similar scale and complexity. This fee includes design development, planning support, appointment/overview of contractors to undertake the work, liaison with the Delivery Manager and Pebblebed Heaths site manager and a contingency reserve. Issues of capacity and staff resource prohibit both Clinton Devon Estates and EDDC from undertaking the project management work itself.

3.6 Appendices D and E are included in order to provide an overview of the current situation at each site and the intended end result. Appendix F provides an overview map of the whole of the East Devon Pebblebed Heaths SPA/SAC. As places experiencing some of the highest visitor pressure over the last year, the improvements at Estuary, Castle and Warren are significant both in terms of investment and intended project outcomes.

3.7 According to the principles established in the Visitor Access Advisory Report⁵ the proposals remain focused on improving surfacing, layout, signage and entrance points to the heaths. They are aimed at making areas safer to access, easier to park and easier to find, whilst at the same time enabling greater communication of key messages and therefore promoting positive behavioural change.

3.8 The 2020-21 ABP included a recommendation to approve design and development of new interpretation boards and signage to inform visitors about the special nature of the area, help them to find their way around and promote less sensitive routes around the heaths.

3.9 Given the interconnectivity and wider context of the heaths it is more efficient and effective to approach signage design, manufacture and installation holistically, rather than on a car park by car park basis. Appendix G provides further detail as to the type and number of signs required.

⁴ See also 2021 Financial Report.

⁵ See East Devon Pebblebed Heaths visitor access consultation, Jan 2020.

3.10 With design work underway and expected to complete in summer 2021, it is important to maintain momentum and bring forward investment for manufacture and installation. Working in partnership with PHCT, signage will be installed across the heaths and removed for safekeeping as appropriate during any subsequent physical improvement works.

3.11 With investment of £23K for signage design identified in the 2020-21 ABP and a total estimated requirement of £56K, it is recommended that the remaining £33,300 is approved to enable manufacture & installation of the entire suite of signage once design work is complete.

Proposed spend: £180,837, comprised of:

Manufacture/installation of signage relating to car park name signs, primary and secondary interpretation, behaviour and promoted routes – up to £33K.

Works to car parks – Phase 2 - up to £147,837

Measures of success:

- no net increase in parking spaces by physical restrictions onsite, measured by vehicle counter data collected by PHCT;
- visitor pressure directed away from most sensitive locations and focused at key hubs across the site, captured/reported by regular, ongoing visitor behaviour survey monitoring programme;
- No impacts to key species and habitats, captured/reported in part via species monitoring programmes undertaken by partners and SEDHRP and site condition surveying by NE. NB: changes to condition of habitat and species populations cannot generally be attributed to single impact pathways. Cumulative effect of all measures most important factor, monitored through the established programmes outlined in the Strategy/Visitor Management Plan.

4.0 Conclusion

4.1 This paper seeks approval for the 2021/22 Annual Delivery Plan in the context of an updated 5 year Delivery Plan. The coronavirus pandemic continues to overshadow day to day delivery of the mitigation Strategy, although there is cause for a more optimistic outlook.

4.2 Further work remains in order to fully understand the current (and likely future) situation at Dawlish Warren and the Exe estuary. Any potential implications for the protected sites as they relate to the mitigation Strategy will be the subject of a future report to the Executive, following discussion between relevant organisations including the EA, Natural England, TDC, Devon Wildlife Trust and the Exe Estuary Management Partnership.

4.3 The recommendations also build on previous reports relating to behavioural change initiatives and survey work on the East Devon Pebblebed Heaths.

**Andy Wood,
Service Lead**

**Growth, Development and Prosperity
East Devon District Council, April 2021**

Natural England comment:

Natural England welcome the measures set out in the 2021-22 Annual Business Plan.