



SOUTH EAST DEVON
HABITAT REGULATIONS
PARTNERSHIP

South East Devon Habitat Regulations Executive Committee

2023-24 Annual Business Plan and 5Yr Delivery Plan

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East Devon District Council
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Exeter
City Council



Legal comment/advice:

There is no direct comment to be made in relation to this report, each and any individual issue will need to be considered as it arises.

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 2023-24 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 completion of a review by the Environment Agency.

Equalities impact: Low

Risk: High.

If the 2023-24 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 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.

1.3 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 continued success (or otherwise) of established measures, such as the Exe Estuary wildlife refuges. Accordingly, projects earmarked for 2024-28 of the 5 year plan should be read in this context, as an indicative guide, rather than a prescription.

1.4 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.

1.5 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.

1.6 Measures recommended in the 2023/24 ABP seek to maintain and build on the projects delivered in the preceding plans, such as fencing of vulnerable habitat at Dawlish Warren or a new website for Devon Loves Dogs. 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. Devon Loves Dogs website.

2.1 The current Devon Loves Dogs (DLD) website is now 7 years old, having been developed in 2016 using the Drupal 7 Content Management System (CMS). A CMS is the core system that enables users to log in and make changes and add to the content that is presented to the public. Drupal is one of the world's leading CMS systems and is used by millions of websites and developers across the globe.

2.2 The security of the DLD website is extremely important. Over time, technology evolves and eventually older technology is discontinued / becomes obsolete. When this happens, it is no longer possible for security measures to be kept up to date, putting the security of the website, visitors to the website and the hosting servers at risk.

2.3 Drupal have released a statement to say that the version of Drupal that the DLD website is running will be discontinued in November 2023¹. This means that if the website remains on the current version it will cease to work after this date.

2.4 To protect the website and visitors to the site, our IT consultants have recommended moving to the new Drupal 9 – the very latest version of Drupal. This will mean that the website will continue to be secure to use and remain useable into the future.

2.5 This news is something completely out of our control and is the nature of constantly evolving technology. To continue with a website presence for the DLD project, it will be necessary to rebuild and transfer the site in Drupal 9.

¹ <https://www.drupal.org/psa-2022-02-23>

2.6 The DLD website continues to be an important element of the DLD project and acts as a hub of key information for dog owners – and the primary place to convey our key messages. It hosts the “Four Paws” code, notifies visitors of the dates/locations of guided “waggy” walks, regularly updated news and events pages, alternative walks and the opportunity for visitors to sign up to both the e-newsletter and the membership scheme. It is therefore recommended that a rebuilt website is a fundamental and necessary element of the mitigation approach.

2.7 There is sufficient headroom in existing budgets to enable the rebuild of the website. Thereafter, the updated mitigation strategy is likely to incorporate website rebuilds/maintenance on a cyclical basis, in order to account for this type of issue. Estimated cost: £8,000.

Proposed spend: £8000, comprised of:

Rebuild and transfer of website - £8000.

3.0 Dawlish Warren / Beach Management Scheme

3.1 The Beach Management Scheme (BMS) review at Dawlish Warren is yet to be fully completed by the Environment Agency (EA).

3.2 A 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 is still in effect. This is intended to ensure that investments are as effective as possible, both in terms of cost and mitigation impact.

3.3 The EA 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. With Local Plan reviews and an updated mitigation strategy currently in development, it follows that the EA BMS review should feed into this work. This will enable a plan to deliver cost-effective mitigation and ensure that the authorities continue to meet their legal obligations

3.4 Whilst a pause in significant spend remains prudent, there is one item of smaller investment which concerns ongoing maintenance and repair to the extensive fencing network at the Warren.

3.5 The Rangers report ongoing and dynamic pressures around the site, with lowering of beach levels along the coastal shoreline resulting in large numbers of people, notably summer beach visitors looking for dry sandy areas within the dunes, particularly around high water.

3.6 This can have a significant negative impact on developing strandline and mobile dune ecological communities. Fencing along the front already exists, but much of this is plain post and wire which some visitors are climbing through to set up for the day. The erection of chestnut paling will help to reduce this happening.

3.7 In addition the changing foreshore has altered where the protected bird flocks can roost, with more now utilising the estuary shoreline. These roosts are particularly vulnerable to disturbance from visitors walking the shoreline. The Rangers require paling maintenance and repairs to protect the most important, and vulnerable roosts, particularly at the distal end of the sandspit. Estimated cost: £2000

Proposed spend: £2000, comprised of:

Fencing - £2000

4.0 Pebblebed Heaths

Erosion/path width.

4.1 The heaths support a small, vulnerable population of Southern Damselfly, one of Europe's rarest and most threatened damselflies. Typically found in heathland streams/valley mires, they rarely fly for long distances and tend to remain in the same area throughout their entire adult lives.

4.2 In order to relieve visitor pressure on a single crossing point above the mire (area of boggy ground) where the Southern Damselfly population is found, a more attractive and robust crossing point to the southern end of the mire is recommended. This will link two broad tracks in the area and enable bicycles to cross, drawing pressure away from the sensitive areas above the damselfly population.

4.3 In order to support this footbridge crossing point, some bank repair and restoration will also be required. Estimated cost: £15000.

Educational resources

4.4 A number of educational resources for primary schools, based on the Pebblebed Heaths, was approved as part of the 2018-19 ABP. This project was completed and the resources are hosted on the website of the Pebblebed Heaths Conservation Trust (PHCT).²

4.5 Whilst resources for primary schools have been developed, there is a gap in resources for GCSE and A level students. It is therefore recommended that resources are developed which tie into the curriculum and also convey our key messages about disturbance and care for the heaths.

4.6 The team at PHCT have previously worked with Geography Southwest³ on the Lower Otter Restoration Project. Geography Southwest are a not-for-profit, collaborative project aimed at creating a wide-ranging and dynamic resource to support learning about Geography. There is scope to work in partnership to develop a more comprehensive range of educational resources for the Pebblebed Heaths. Estimated cost: £5000.

² <https://www.pebblebedheaths.org.uk/education-outreach/>

³ <https://www.geographysouthwest.co.uk/secondary/16-plus-articles/sustainable-coastal-management-lower-otter-restoration-project/>

Nightjar productivity

4.7 As discussed in the East Devon Pebblebed Heaths monitoring report⁴, Nightjar monitoring effort is constant across the area of interest and covers almost all of the Special Protection Area (SPA). Data suggests that the number of territories remained broadly stable across the area during the five year period, close to the target value of 83.

4.8 Nightjars are relatively long-lived birds and although recent counts across the site suggest populations are stable, there may be hidden trends related to a reduction in breeding success due to disturbance. There is value in gaining insight into the productivity of nightjars in addition to territory counts, to give confidence that the birds are indeed successfully fledging young in order to maintain the population in the long term.

4.9 The current collection and analysis of data is good enough to track territory use across the heaths and modelling could explore territory selection in relation to visitor use. However, it is not able to give any insight into the productivity of these birds. Even if there is confidence that territory selection is not limited by visitor pressure (i.e. the birds are making use of the best quality habitat regardless of visitor use and not pushed into sub-optimal locations), this does not assess whether disturbance limits the breeding success of these pairs. It is possible that if nesting attempts fail to produce enough fledglings the population will become unsustainable and decline over longer periods. This may go undetected as other birds may move in to occupy empty territories, masking the real decline in the population

4.10 In the 2016 Pebblebed Heaths Visitor Management Plan, a sub-set of data was used to explore whether territory selection was influenced by visitor pressure. At that time no clear trends were discernible to suggest that nightjar were deterred from nesting near to areas with high visitor use. Now that more extensive nightjar data is available there is significant value in repeating this early modelling work. Estimated cost: £6000.

Proposed spend: £26,000 comprised of:

Erosion/path repair - up to £15,000

GCSE/A level resources – up to £5000

Nightjar productivity modelling – up to £6000.

5.0 Conclusion

5.1 This paper seeks approval for the 2023/24 Annual Business Plan in the context of an updated 5 year Delivery Plan.

⁴ HREC - East Devon Pebblebed Heaths annual monitoring report 27012022 South and East Devon Habitat.pdf

5.2 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 incorporated into an updated mitigation strategy, following discussion between relevant organisations including the EA, Natural England, TDC, Devon Wildlife Trust and the Exe Estuary Management Partnership.

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April 2023

Natural England comment:

Natural England have reviewed the report and have no comment.