



SOUTH EAST DEVON
HABITAT REGULATIONS
PARTNERSHIP

South East Devon Habitat Regulations Executive Committee

*Monitoring the South East Devon European Site
Mitigation Strategy and Pebblebed Heaths Visitor
Management Plan*

Neil Harris, Habitat Regulations Delivery Manager
October 2019



Exeter
City Council



Legal comment/advice:

The legal implications, such as arise, are addressed in the content of the report. Specific regard should be had to the comments of Natural England in terms of the Partnership's approach to monitoring and its sufficiency in demonstrating that the strategy is achieving the intended purpose.

Finance comment/advice:

The additional budget required to fund either external contractors or internal employee funding of 0.5FTE can be considered as materially equal in terms of costs at £20k. Should additional monitoring assessment be required consideration should be given to the experience that an individual can bring versus that of an external contractor .

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

Recommendations

It is proposed that the Executive Committee;

- 1) Note the review of the current monitoring programme that has been undertaken.
- 2) Consider the options for commissioning more frequent monitoring and the associated resource implications.
- 3) Support continuing with the current monitoring programme, according to the existing timescales and budget.
- 4) Confirm whether a further external review of the monitoring programme should be commissioned.

Equalities impact: Low

Risk: Low. This is a report to the Executive Committee concerning a review of the South East Devon European Site Mitigation Strategy and Pebblebed Heaths Visitor Management Plan monitoring programmes. Monitoring is an essential component of the mitigation approach.

1. Background and Context

1.1 The South East Devon European Site Mitigation Strategy (“the Strategy”), and the Pebblebed Heaths Visitor Management Plan (VMP), are both designed to enact a wide range of evidence-based mitigation measures. These measures are based on national best practise and are the result of professional advice and input from a range of stakeholders contributing their expert opinion. The Strategy and VMP are therefore designed to implement measures which will have cumulative impacts across the region in terms of mitigating the impact of a growing population and maintaining the integrity of the designated sites.

1.2 Monitoring of the impact of the Strategy and VMP is necessary to ensure approaches are working as anticipated and to identify whether further refinements or adjustments are necessary. Therefore, monitoring of key species, habitats and visitor behaviour is specifically designed to provide regular information which assists management effort.

1.3 The monitoring plan for the Strategy and VMP has been developed with consideration of the cost and benefit of each type of monitoring. With consideration of what is monitored and frequency of the monitoring. Over time more data will be gathered and any analysis of data becomes more reliable. However this has to be balanced against the need for making use of the data, providing answers as soon as possible, and the associated costs of collecting and interpreting the data.

1.4. Monitoring is already a significant but essential cost in the strategy. It is essential to establish whether the entire strategy is succeeding in its objectives and to give early warning of any issues before impacts on the European site interest features occur.

1.5 As part of the submission of respective Local Plans and a Core Strategy, Natural England considered that the measures identified in the Strategy and VMP, if implemented, were sufficient to prevent a likely significant effect to the protected sites from increasing recreational pressure as a result of an increasing residential population.

1.6 In absolute terms, the ultimate benchmark of mitigation success would be for there to be no net impact to site features from the baselines recorded prior to the implementation of the respective Local Plans and Core Strategy. In reality it is generally accepted that there are so many external variables (weather, food availability, pollution, climate change, habitat loss) that can exert a huge influence on bird populations, visitor behaviour and habitat condition this can never be an exact science in terms of discerning a binary exchange between cause and effect.

1.7 It is particularly difficult to arrive at precise definitions and make appropriate decisions when the site in question is a Special Protection Area (SPA) with complex use patterns by the species of interest, such as within an estuary. SPA interest features are birds, which are highly mobile in any habitat, but when considering the use of estuaries by overwintering and passage birds it can be extremely difficult to fully understand the use of the habitat and the reasons for any changes in that use. Birds will favour different parts of an estuary at different times, will switch their use to different estuaries, undergo population peaks and troughs, and be influenced by factors that may even occur in a different country. The dynamic nature of estuaries, with sediment, prey and tide changing over time often means that birds will move considerable distances and the complex factors influencing behavioural decisions mean it can be difficult to predict bird numbers at particular locations.

1.8 The main focus of mitigation is about delivering behaviour change, through physical changes to site access on the ground and via education and engagement. Behavioural change is much harder to measure at any one point of delivery, or through any one mitigation tool. For example, the person who doesn't walk through a wildlife refuge and keeps their dog at close recall could be doing that because they met a Habitat Mitigation Officer, saw a sign (at that site or anywhere else in the region), read our leaflet, saw a press release or due to peer pressure from other visitors. Attempting to identify what the trigger is for each person in each circumstance is extremely time consuming and therefore, expensive.

2. The focus of the monitoring programme

2.1 Despite the challenges identified above it is essential to have a robust monitoring programme which is able to measure the impact of the various measures and is also proportionate in terms of the cost and resources employed. The monitoring programme for the Strategy and VMP can be categorised into the monitoring of a) Strategy delivery, b) finance, c) housing delivery, d) visitor behaviour and motivation; e) visitor impacts; and f) key species on protected sites.

2.2 Although not identified in the Strategy, the establishment of the Dawlish Countryside Park Suitable Alternative Natural Green Space (SANGS) has included regular car park counts and automatic visitor counters. Whilst this type of surveying provides coarse data about the number of visitors to the SANGS, it does not provide insight into which factors have motivated the visit or whether this results in a reduction of visits to Dawlish Warren. Visitor surveys, with questionnaires focusing on motivations and behaviour could provide further insight as to the effectiveness of the SANGS in future.

2.3 We also collate data from the direct work of our staff. The Habitat Mitigation Officers record every interaction with members of the public, which allows an overview of: a) split of time between sites and b) type of interactions. With this data, it is possible to identify trends in particular behaviours and at particular locations, with which to guide management effort. The Devon Loves Dogs Project Officer records data on levels of membership, analytical data from website and social media engagements and every event that she provides, so we have information on face to face interactions and active participants in the programme.

2.4 The monitoring programme identified in the strategy provides a longitudinal study of the protected sites and mitigation measures. The various monitoring measures are undertaken at appropriate intervals, which take into account the cost of undertaking the monitoring and the level of detail required to provide reliable and robust data. The results are to be reviewed against previously recorded data, to compare and contrast different trends and inform future management. Indications from long-established mitigation approaches elsewhere in the UK are that a minimum of 10 years of survey results are required to demonstrate the impact of the mitigation strategy.

2.5 The benefits of a monitoring schedule which repeats observations of the same variables over the longer term means that results which are impacted by variables outside of the control of the partnership, for example – the weather, or events in other countries, are considered in the data set. Using annual surveys to review bird population trends or the performance of any given measure could result in the programme drawing inaccurate results.

2.6 A benchmarking exercise with other mitigation partnerships across the UK has been conducted. This includes a review of the monitoring undertaken by other partnerships as follows;

-) Dorset Urban Heaths Partnership
-) Thames Basin Heaths Partnership
-) Bird Aware Solent
-) Bird Wise, North Kent

It can be seen that all of these approaches focus on key criteria:

Area	Strategy Delivery	Finance	Housing	Visitor surveys (sites & SANGS)	Visitor numbers (sites & SANGS)	Visitor impacts (sites)	Annex 1 ¹ Bird populations	Disturbance
Urban Heaths Partnership	✓	✓	✓	✓	✓	✓	✓	✓
Thames Basin Heaths Partnership	✓	✓	✓	✓	✓	✓	✓	✓
Bird Aware Solent	✓	✓	✓	✓	✓	✓	✓	✓
Bird Wise, North Kent	✓	✓	✓	✓	✓	✓	✓	✓

3. Proposed changes to the monitoring of performance of the individual measures identified in the South East Devon European Site Mitigation Strategy and Pebblebed Heaths Visitor Management Plan.

3.1 At the July 2019 meeting of the Habitat Regulations Executive Committee a request was made that the next meeting receives a report on assessing the performance of individual measures identified in the Strategy and VMP. The request identified six questions about monitoring that will be responded to within this report as follows;

Methods for measuring and confirming the efficacy of individual mitigation projects

3.2 The Strategy and VMP include a range of projects for implementing the mitigation measures with a monitoring programme identified. To provide a clear overview of the measurement or monitoring of each of the individual projects some matrices have been prepared (See Appendices 1A-1D). The matrices list the current monitoring projects and the protected sites applicable to them. Each matrix shows a list of monitoring projects and alongside, a list of the individual mitigation projects (1A refers to cross site, 1B refers to Exe Estuary and so on). These indicate how the individual mitigation measures will be measured by the current monitoring programme.

¹ Bird Species of Annex 1 of the Birds Directive.

3.3. There are a range of cross sites measures, on site measures and off-site measures – these are the projects. Accompanying these are 15 types of monitoring programmes, undertaken at differing intervals.

3.4 The monitoring programme for the mitigation measures is comprehensive and was expanded (when compared to other mitigation approaches) by design during the development of the Strategy and VMP. This was due to an increased level of on-site mitigation, in consideration of the Exe Estuary and the impossibility of finding alternative estuarine sites. The Executive Committee approved a bespoke monitoring programme for the wildlife refuges due to public interest. The level of monitoring undertaken within the partnership has been compared in line with other monitoring strategies.

3.5 Our approach has been to devise a monitoring strategy that collects the information needed to target and hone mitigation and ensures mitigation will be effective. For example information on the distribution of birds, the distribution of visitors, and changes in both access and birds, are important to inform the implementation of mitigation. Knowledge of how visitor numbers are changing, where people are going and what they are doing alongside bird data will ensure mitigation can be tailored to the requirements and needs at that time.

3.6 Where considered to provide beneficial insight, the existing monitoring programme does monitor specific measures, such as the interactions with the Habitat Mitigation Officers and the Exe wildlife refuges.

Approaches to distinguishing the performance of one project from another where there are overlaps

3.7 The monitoring strategy needs to ensure that the different mitigation elements work together. With different interventions such as the dogs project, the Habitat Mitigation Officers and the SANGs it is important rather to consider the mitigation as a package, to look across the region and collect data over an extended time period. For example it may well be possible to undertake specific surveys at a single SANG and demonstrate that the SANG is working effectively in drawing local residents away from the coast. Without other information – such as where new houses have been built, how much new development has taken place, where the birds are, which types of access are increasing, it is impossible to place the effectiveness of the individual SANG in context and consider the effectiveness of the mitigation overall. With access patterns changing gradually and awareness-raising work likely to change people's attitudes and behaviour gradually, monitoring must collect comparable data over an extended period in order to fully assess change and success.

3.8 This approach enables the local authorities to meet their legal duty in ensuring that no adverse effects occur as a result of their strategic plans which is primarily through additional development. The expectation from Natural England is that the measures in the Strategy and VMP will be implemented and, primarily, the effect of these measures on the protected sites will be monitored.

3.9 What the Strategy and VMP need to do is collectively mitigate increasing recreational pressure – to understand if projects are effective, we need to understand if and how the key habitats and species are affected. Additional monitoring of visitor numbers, behaviour and motivation helps us to understand the reach of our “brand awareness”. SANGS monitoring can be effective in understanding how successfully these areas absorb greater number of visitors and the motivation of those visitors.

3.10 Each of the mitigation measures responds to the recreational factors identified in the strategy, identifying SAC/SPA interest features and the areas vulnerable to negative impacts.

Quantifying what would constitute good performance for each project

3.11 By summarising the total amount of mitigation – in terms of warden time, dogs initiatives, SANGs etc. the overall quantum of mitigation can be summarised and potentially mapped. In order to demonstrate the effectiveness of mitigation it is important to clearly summarise what is done. With such data clearly set out in each annual report it is possible to review progress over multiple years.

3.12 A key purpose of the annual reports is, over time, to highlight any changes required to the mitigation highlighted by monitoring. They will recommend any changes in mitigation required due to factors such as emerging, novel types of recreation that have potential to impact on bird populations.

Timescales and timings associated with measuring performance

3.13 The monitoring of projects within the Strategy and VMP are undertaken at regular intervals, as indicated in Appendix 1.

Resource implications of this additional monitoring and further support needed (if any)

3.14 The current monitoring programme provides a comprehensive but proportionate approach to reviewing the projects identified in the Strategy and VMP. This approach was developed and agreed by the key stakeholders within the South East Devon Habitat Regulations Partnership when the Strategy was being drawn up.

3.15 A review of, and further discussion concerning the current monitoring programme was undertaken with the Officer Working Group in September 2019. The group restated their support of the rationale and scope of the current monitoring and could not discern sufficient merit for expanding the programme.

3.16 The primary purpose of the monitoring programme is to ensure that the mitigation programme is focused and responsive to changes in the sites, ensuring that the budget is well spent and correctly allocated. This approach is supported by Natural England.

3.17 Additional monitoring, for example increasing all monitoring from its current intervals to more frequent intervals, would have budgetary implications. As Natural England consider the existing monitoring programme to be fit for purpose, any additional cost in monitoring would need to be borne by the partner authorities. This is because it has not been possible to justify additional developer contributions to fund items which are not considered essential to the mitigation programme.

3.18 The delivery of an enhanced monitoring programme would also need additional staffing resources, as current staffing supports the delivery of the existing programme, with no additional capacity to undertake this additional work. Appendix 2 provides an overview of the financial cost of an enhanced monitoring programme.

3.19 There also needs to be consideration of the potential impact of alterations to the monitoring programme:

-) Intervals of monitoring – the monitoring programme provides a longitudinal study of the impact of the strategy. Enhancing the programme and increasing the frequency of the monitoring will provide additional information, but not change the impact of the current mitigation strategy.
-) Increase cost of monitoring programme – increasing the frequency of monitoring will result in a significant increase in cost. This has been calculated to be in excess of £2m (plus inflation) over the remainder of the programme. The current level of monitoring is an important part of the strategy. Increased levels of monitoring will require additional funding. It is not appropriate for this monitoring to be funded from rebasing the strategy, as it is not required for the implementation of the strategy. Any additional cost of monitoring will need to be funded directly by the local authorities.
-) Discernible additional benefit and consultation fatigue – the visitor surveys have been planned to be undertaken at 5 year intervals. The current approach is considered to be proportionate and provides an overview of the impact that the mitigation programme is having upon users. Increasing the frequency of the surveys is unlikely to result in additional insights (it may also result in skewed results) as the focus of mitigation is behavioural change over time. Increased frequency of visitor surveys could also result in consultation fatigue of regular users of the sites.
-) Requirement for additional staff – to deliver the programme of monitoring there would be staff implications. The current level of monitoring is managed by the Habitat Mitigation Delivery Manager, alongside the continued delivery of mitigation measures and other duties. A significant increase to this workload would require an additional member of staff to manage the procurement and delivery of results, as is the approach taken by the Dorset Urban Heaths Partnership. Costs here are initially estimated at 0.5FTE £15,600² per annum, and £1.17M for the remainder of the strategy (75 years).

² Salary of £24k per annum (pro rata) with on costs.

Projects where it will not be straightforward to identify an appropriate measure of performance and proposals for additional work to resolve these issues

3.20 The monitoring programme for the Strategy and VMP needs to ensure that the different mitigation projects work together. The programme therefore focuses on the overall in-combination impact of the various projects rather than an in depth assessment of each individual project. To measure success we need to collect comparable data over an extended period of time to full assess changes to the projected sites and visitor pressures.

3.21 There are numerous examples of projects in the Strategy and VMP where it will not be straightforward to identify individual measures of performance. This is because a) a continuous watching brief would be required and b) for a scientifically rigorous assessment it would be necessary to observe, then compare and contrast at least two areas. Both areas would need to have appropriate survey methodology and performance indicators established. They would need to be subject to monitoring over an agreed period to establish a reliable baseline. Area 1 would be a test area where the project was implemented and the results recorded over a given survey period and assessed against the performance indicators. Area 2 would be a “control” area which would remain unchanged and the results recorded over a given survey period and assessed against the performance indicators.

3.22 This approach causes logistical, financial and legal issues. Establishing a watching brief whereby consultant surveyors record observations over time is, due to the resource-intensive nature of the work, expensive. The data requires collation, analysis and interpretation, which also has resource implications. To undertake this approach for every project in the Strategy requires significant investment in procurement, coordination and project management. Moreover, the authorities are legally bound to act in a precautionary way to prevent impacts where there is insufficient information to discount the possibility of impact. The authorities may face legal challenge if they allowed “Area 2” to degrade by not implementing a project in order to determine whether a project is effective or not.

3.23 By way of an example, a (non-exhaustive) list of physical/access measures to which this could apply, is included below;

-) Close railway crossing and/or layby south of Cockwood.
-) Low fencing/planting at the Imperial Recreation Ground, Exmouth.
-) Gate slipway at Imperial Recreation Ground, Exmouth
-) Access restrictions (temporary fencing etc.) along shore near roost at Dawlish Warren.
-) Reed screening or landscaping between golf course and Bight at Dawlish Warren.
-) Purchase and run a new patrol boat.
-) Relocate bird hide at Dawlish Warren.
-) Rationalisation of path network at Dawlish Warren.

-) Banks or fencing around existing car park.
-) New interpretation boards.
-) Dog bins on the Pebblebed Heaths.
-) Signs directing people on the Pebblebed Heaths.
-) Dedicated routes on the Pebblebed Heaths.

3.24 As referenced in section 1.8, above, it is also a time consuming, expensive and imperfect approach to attempt to identify the trigger for behavioural change for each person in each circumstance. This concerns the difficulty in identifying which project or combination of projects (or completely separate initiative) has had a direct bearing on changing behaviours. A (non-exhaustive) list of measures which focus on messaging and education, is included below;

-) Educational work with schools on the Pebblebed Heaths.
-) Signs asking people to behave differently on the Pebblebed Heaths.
-) Signs at public slipways across the Exe Estuary.
-) Updates of the Exe Estuary leaflets.
-) BBQ posters to retailers at Dawlish Warren.
-) Regular newsletter to Dawlish Warren residents.

4. Assessment

4.1 There has been a request to review the existing the existing monitoring programme for the strategy. A review of the existing programme has been undertaken and the results reported. This has included benchmarking against the monitoring programmes of other mitigation partnerships and taking advice from statutory bodies.

4.2 The result of this review is that the current monitoring programme is considered to be robust and proportionate, as it provides sufficient information to monitor the projects within the Strategy and VMP. This forms the basis for a specific recommendation of this paper.

4.3 Further to the above, there is not a sufficient business case to justify the additional cost burden of implementing, undertaking and interpreting additional monitoring approaches to individual projects. A “micro monitoring” approach has not been adopted across the other mitigation partnerships in the southern half of the UK, for good reason. The projects identified in the strategy/management plan provide an approach that ensures adequate protection for the European wildlife interest.

4.4 There is some scope to further tailor certain elements of the existing monitoring programme, for example by careful consideration of what data to collect as part of the visitor survey questionnaires. As well as understanding visitor motivations for going to a certain site, we will be able to include questions which enable us to gauge the level of awareness of key messages, codes of conduct and level of contact with the Habitat Mitigation Officers and/or Devon Loves Dogs project.

4.5 Members may feel dissatisfied with the conclusion the current approach is robust and proportionate. There is an option to increase the frequency of the current monitoring programme and to appoint a 0.5 FTE mitigation Monitoring Officer. The overall cost of this over the duration of the Strategy is in excess of £2m. Given the position of Natural England (in considering the existing monitoring programme to be sufficient), the cost of this would need to be born outside of any CIL/s.106 payments either by the Authority that wanted to see the additional work undertaken or the three Authorities together.

4.6 Clearly this review has been conducted internally and members may feel more comfortable if an independent, external report was commissioned. This would again need to be funded outside of developer obligations with an initial cost estimate of £20k.

5. Conclusion

5.1 The report concludes that the current monitoring programme has been found to be sufficiently well designed to inform the Executive Committee as to the efficacy of the Strategy and VMP. This review has been undertaken with key stakeholders and in the context of a review of the monitoring programmes for other regional mitigation approaches in the southern part of the UK.

5.2 A number of options are open to the Executive Committee:

1. To accept the findings of this report and continue with the current monitoring programme, according to the existing timescales and budget.
2. To verify the findings of this report by commissioning an independent review of the current monitoring programme. (Single/all authorities, separately funded. Initial estimate: £20k).
3. To increase the frequency of the current monitoring programme and appoint a 0.5 FTE mitigation Monitoring Officer (Single authority, separately funded).
4. To increase the frequency of the current monitoring programme and appoint a 0.5 FTE mitigation Monitoring Officer. (All authorities, separately funded).

Neil Harris
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South East Devon
Habitat Regulations
Executive Committee

October 2019

Natural England comment:

Effective implementation of The South East Devon European Site Mitigation Strategy and the Pebblebed Heaths Visitor Management Plan is required to discharge the local planning authority's duties under the Habitats Regulations. A sufficient level of monitoring to allow us to be certain that the measures are working and to provide an early alert for problems are an absolutely fundamental element of the mitigation strategy.

The safeguarding of ecological integrity so allowing achievement of the conservation objectives of the European sites is the ultimate test of success for the mitigation measures. We advise that this is kept in mind when discussing monitoring effort.

To discern progress with the mitigation measures, it is recommended that the same monitoring methodology is applied over time. Making major changes now could mean that the valuable data already collected will not be comparable and defeat the object of the monitoring.

We concur with the conclusion of this report that the current monitoring programme is sufficient and that efforts should continue to be concentrated on strategy delivery.