



SOUTH EAST DEVON
HABITAT REGULATIONS
PARTNERSHIP

South East Devon Habitat Regulations Executive Committee

2020-21 Annual Business Plan and 5Yr Delivery Plan

*Naomi Harnett,
Principal Projects Manager,*

*Neil Harris,
Habitat Regulations Delivery Manager,*

*Growth, Development & Prosperity,
East Devon District Council
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Exeter
City Council



Legal comment/advice:

There is no direct legal comment to be made at this time, 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.

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

Recommendations

It is proposed that the Executive Committee:

1. Approves the 2020-21 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. Notes potential disruption to delivery of the ABP and 5 Year Delivery Plan as a result of the Covid-19 pandemic.
4. Receives a report by July 2021 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.

Equalities impact: Low

Risk: High.

If the 2020-21 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 impacts of the Covid-19 pandemic to the delivery of the mitigation strategy continue to be felt and are difficult to fully quantify at this point in time. There continue to be significant impacts to our normal site operations and it is clear that significant financial implications are to be expected due to the lockdown in March-May 2020. Added to changing ways of working across the board and the potential for consultants and contractors to have reduced operational capacity, it is anticipated that there will be delays to delivery as a result. Therefore the ABP and 5 year plan is considered as the most appropriate course of action with the best available information at this point in time.

1.3 Timely and regular monitoring of projects, close liaison with partners and accurate reporting of any changes in housing delivery (with associated changes to income forecasting) will ensure that any delays to delivery of the Strategy are minimised, well understood and accounted for.

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. Due to anticipated changes in housing delivery forecasts as a result of Covid-19, it is recommended that current income projections (see Financial Report) are updated and reported to the next meeting of the Committee. As this is likely to change the budget predicted in the 5 year delivery plan it is also recommended that the plan is also reviewed at the next meeting.

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. Therefore, projects earmarked for 2021-25 of the 5 year plan should be read in this context, as an indicative guide, rather than a prescription.

1.6 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.

1.7 It should be noted 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.

1.8 Measures recommended in the 2020/21 ABP seek to maintain and build on the projects delivered in the preceding plans, such as the Pebblebed Heaths visitor access advisory report. 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. 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 Work ranged from installing new 'geotube' sandbag defences under the dunes at the narrowest point of the Warren, removing stone basket "gabions", replacing and modifying timber wall "groynes" (used to capture and/or slow the movement of sand) and near-shore dredging operations to recharge the beach. Over 250,000 cubic metres of sand was pumped onto the beach.

2.3 Since the physical works were completed the site has experienced increased levels of erosion from the sea, rather than recreation, to sections of the beach and dunes than had been anticipated. Although a degree of change, with the beach lowering and the dunes rolling back was to be expected at some future point, this has happened more quickly than had been modelled. In addition, there are unconfirmed reports regarding sand (allegedly as a result of the scheme) deposition in the Exe estuary and concerns relating to potential environmental impacts.

2.4 Therefore, it is recommended that there is a brief pause in any new significant spend on projects at Dawlish Warren which could potentially be affected by storm action or erosion 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.

2.5 There are no similar mitigation measures identified for the Exe which would be affected in the same way as those at Dawlish Warren. However, there is a clear need to understand what (if any) evidence there is of potential impacts to protected species and habitats in the estuary as a result of the BMS. It is acknowledged that is a wider issue than the recreational disturbance which concerns the Executive Committee, but there remains a degree of overlap between the two.

2.6 The Delivery Manager is working with the EA and TDC to arrange a meeting with stakeholders to understand what further changes might be anticipated, over what timescale, what management is proposed for the site and how this might affect the mitigation strategy. However, it is currently unclear how much certainty there can be from future modelling of changes, bearing in mind that the current models are seemingly inaccurate. It is recommended that the outcome of these discussions is the focus of a report to Committee no later than the July 2021 meeting which outlines a plan for the future to deliver cost-effective mitigation and ensure that the authorities continue to meet their legal obligations. This deadline will be dependent on the changing situation regarding Covid-19.

3.0 Pebblebed Heaths visitor access improvements.

3.1 Following the conclusion of the public consultation from Sept-Nov 2019 and Executive approval of the subsequent report, sufficient developer contributions have been collected with which to proceed with phased implementation of the proposals for the Pebblebed Heaths visitor access improvements.

3.2 The Delivery Manager has held meetings with colleagues in Planning, Estates and Engineering departments at EDDC in order to further investigate which works would require permission, the timescales involved and to benchmark the costings used in the advisory reports.

3.3 As listed below, a phased approach achieves a number of different objectives in terms of, 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.

3.4 Appendix B illustrates the proposed schedule of improvements and the estimated budget requirements per year. It can be seen that in 2020-21 (annual business plan period), improvements are recommended at Four Firs, Frying Pans, Stowford Woods and Joney's Cross.

3.5 Each phase includes a 15% consultancy fee in order to cover the costs of 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 C, D, E and F are included in order to provide an overview of the current situation at each site and the intended end result. Appendix G provides an overview map of the whole of the East Devon Pebblebed Heaths SPA/SAC. As two of the most popular car parks on the heaths, the improvements at Four Firs and Joney's Cross are the more significant in the first phase of works, both in terms of investment and intended project outcomes.

3.7 Broadly speaking (and as detailed in the Jan 2020 report¹), the proposals are 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.

¹ East Devon Pebblebed Heaths visitor access consultation, January 2020.

3.8 The closure of the (less frequented) Frying Pans car park to everyday use will enable protection of the site from fly-tipping, abandoned cars and antisocial behaviour but still keep it open for occasional events. By formalising the roadside parking at the entrance, some access to this area of the heaths will still be possible, although future improvements at nearby Wheathills car park will also encourage use of that car park as well.

3.9 In tandem with the physical works in Phase 1 is 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. It is proposed that the design work for this is undertaken as part of Phase 1, with manufacture and installation of the signs to align with subsequent phases as appropriate.

3.10 Initial funding of £5000 for design work on interpretation boards was approved by the Committee as part of the 2019-20 annual business plan. To proceed with full delivery of this measure it is now recommended that the remaining £10K of the interpretation board budget (as identified in the Pebblebed Heaths Visitor Management Plan) is also approved.

Proposed spend in 2020-21: £184,129, comprised of:

Signage relating to behaviour and promoted routes – up to £13,000

Interpretation – up to £10,000

Works to car parks – Phase 1 - up to £161,129

4.0 Positive behavioural change.

4.1 As detailed and prepared in another report from Jan 2020², the Executive Committee have approved a schedule of work aimed at developing our approach to positive behavioural change. This included an expanded outreach programme with local clubs, groups and schoolchildren as well as review and redesign of our online content, which is underway.

4.2 There are three items of recommended expenditure relating to behavioural change which can be funded through savings of £24K realised on an existing measure relating to behavioural change. Work to design and install signage at slipways and access points to the estuary was allocated a capital budget of £40K but has been completed at a cost of £16K due to efficiencies in design and procurement.

Item 1

4.3 It is recommended that £3500 is earmarked for a branded gazebo and associated display equipment and literature to enable the Habitat Mitigation Officers to greatly increase their impact and presence onsite at places such as the Imperial Recreation Ground in Exmouth and across the Pebblebed Heaths. In time, the gazebo will also be able to be used at events such as the Devon County Show and Farmwise Devon Schools day to illustrate the work of the partnership and promote key messages. This will eventually complement the work the officers

² *Effecting positive behavioural change, January 2020.*

have been developing, such as holding “wildlife watch” spots where members of the public can use a telescope to see the birds of the Exe up close and in detail.

Item 2

4.4 The Exmouth Imperial Recreation Ground is a key access point to the Exe estuary and as such is also an important location for messaging relating to behavioural change. A limited amount of signage concerning the wildlife refuges and ecological importance of the estuary was installed in August 2018 but this has since become out of date due to the ongoing tidal defence scheme. Given the importance of this area, it is further recommended that up to £2500 should be invested in new signage for the area when the defence works are completed.

Item 3

4.5 Initially developed 3 years ago with very minimal budget to host the Exe estuary wildlife refuge consultation, the www.southeastdevonwildlife.org.uk website is in need of a redesign. It is of particular relevance now as more and more people engage with information online rather than face to face onsite. A side effect of the Covid-19 lockdown has been for an increase of new visitors discovering the protected sites for the first time, many of whom are not aware of the rarity or vulnerability of the wildlife and habitat. At a time where our on site engagement opportunities are limited by necessity, our online engagement should be improved to try to cover any lost audiences. Its core purposes will be to provide key information, educate and inspire our visitors about some of the most ecologically valuable and biodiverse areas in Europe. It is estimated that this work could be achieved for an estimated £5000.

4.6 With expenditure of approximately £11000 on additional measures, this maintains a saving of £13K from the original signage work estimate.

Proposed spend: £11,000

- Gazebo, display equipment and literature - £3500
- Revised signage for the Imperial Recreation Ground – £2500
- Redesign of website www.southeastdevonwildlife.org.uk - £5000

5. HMO vehicle change.

5.1 As approved in the 2016 (first) annual business plan, the Habitat Mitigation Officers have an Isuzu D-Max vehicle to enable their patrols across the region. In changing the strategy approach from lease to outright purchase (with capital replacement every 10 years) it was estimated that this saved approximately £380,000 over the duration of the strategy.

5.2 The specification of the vehicle was based on a number of presumptions from the Strategy which outlined the possibility that the (as then not procured) patrol boat would need to be towed to and from a storage area on a trailer and that the HMOs may be required to travel off-road around the Pebblebed Heaths

5.3 Since that time and due to subsequent arrangements relating to the patrol boat and work on the heaths, it has become evident that the vehicle is not needed for the more demanding purposes originally intended. As such it is considered beneficial in terms of cost saving and reduction in carbon emissions for the HMO vehicle to be changed for a more appropriate model, such as a Citroen Berlingo.

5.4 An initial investment of up to £3,000 is recommended, to account for the difference in price between the resale value of the IZUSU against the cost of a new Citroen Berlingo. However, market testing indicates that this investment would be recouped over a 10 year period due to cheaper running and servicing costs of the smaller vehicle. Additionally, this also realises significant carbon emissions savings of 83 g/km, or approximately 1000kg/year based on annual mileage of 7500.

7.0 Conclusion

7.1 This paper seeks approval for the 2020/21 Annual Delivery Plan in the context of an updated 5 year Delivery Plan. The Covid-19 pandemic poses unprecedented challenges to successful delivery of the Strategy and it is anticipated that there will be some delay whilst we adjust our ways of working to the “new normal”. Early indications are that both Dawlish Warren and the Pebblebed Heaths are experiencing significant changes in recreational pressure as a result of the pandemic. If such changes persist then the Strategy will need to adapt to account for them. Timely and regular reporting of the status of projects in the 2021/21 ABP will provide reassurance to the Committee and our partners that everything that can be done is being done.

7.2 Further work is required 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.

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

Naomi Harnett
Principal Projects Manager,

Neil Harris,
Habitat Regulations Delivery Manager,

Growth, Development and Prosperity
East Devon District Council, July 2020

Natural England comment:

It is likely that there will be changes in the pressures on the protected sites a result of the pandemic during 2020-21, therefore the ABP and 5 year Delivery Plan measures will need to be flexible to adapt as the implications become clearer.

It is important that the visitor counts and surveys currently underway are completed as soon as feasible to help us understand what changes in visitor numbers and behaviour are occurring on the protected sites.