



EXE ESTUARY MANAGEMENT PARTNERSHIP

MANAGEMENT GROUP MINUTES

Sargent Room, Coaver Club, County Hall, Exeter

10am Thursday 23rd January 2014

Present:

Cllr Bernard Hughes, DCC (BH) (Chair)
Neil Downes, Forum Chair;
Cllr Pat Graham, ETC;
Cllr Margaret Baldwin, ECC (MB);
Aidan Winder, DCC (AW);
Colin Poole, ETC (CP);
Graeme Smith, TDC (GS);

Cllr Ted Hockin, TDC (TH) (Vice Chair)
Cllr Andrew Cadbury, SPC (AC)
Gavin Bloomfield, RSPB;
Jane Lavick, LiCCo/EA;
Paula Salge, EEMP (PS);
Tom Manning, NE (TM);
Midge Kelly, Exe Estuary Officer (MK)

1. Welcome and Apologies for absence:

Apologies were noted from: Cllr Michael Howe, EDDC (MH); Lynn Trout, Forum Vice Chair (LT); Sarah Clark, D&SIFCA; Pete Ball, EA (PB).

It was agreed that the Chairman could sign the minutes from the last meeting as a true record.

2. Budget Update

AW introduced the budget monitoring statement showing the financial position at the end of November 2013, which had been circulated previously, and indicated that spending is on track.

He went on to say that the EEMP needs around £42K to run for a year, including staffing costs and a small project fund to cover products such as the newsletter, website etc. Current levels of contributions from Partners fall approx.. £7K short of this, so it is important that we reserve funds from sources currently available (e.g. officer time spent on the LiCCo project) from 2013/14 and seek to maintain the present level of Partner contributions in order to cover 2014/15 costs. The financial year 2015/16 is looking particularly crucial.

BH asked Partners for indications of their contributions to the EEMP for 2014/15. In the discussion that ensued, the following points were made:

GS – He had heard nothing concrete either way from TDC, so the 14/15 contribution is probably safe.

BH - from DCC's perspective, everything is open to scrutiny to save money, so he couldn't comment. He went on to say that the EEMP is grateful for contributions from all Partners.

CP - ETC has agreed its budget for 2014/15, including the EEMP contribution. However, Members had compared ETC's contribution to that from the far larger ECC and TDC and commented on the disparity, which could mean a cut in future contributions from ETC.

BH – ECC is still paying a significant amount towards its activities and responsibilities relating to the Estuary. He expressed the desire that once the port authority issues are sorted out, it is hoped that ECC will feel able to increase its contribution to the EEMP. In the intervening period, the EEMP would prefer to have ECC come to the table with a disproportionately low contribution and taking an active role, rather than not have their presence at all.

CP – ETC and TDC also make significant financial contributions to estuary management, so this is not really a justifiable explanation.

GS – We should not really link statutory contributions to estuary costs with voluntary contributions to the EEMP.

GS – Queried the presentation of TDC's contribution on the budget statement, resulting from DCC having invoiced for the 2012/13 amount in error, and then the exchange of credit notes not being satisfactory to TDC.

MK – DCC's finance team have sent a credit and new invoice to TDC in the last couple of days, so she understands that the issue has now been resolved.

3. Exe Estuary Officer report – MK

MK elaborated briefly on the list of activities and achievements circulated in advance of the meeting. There were no queries.

4. LiCCo update - JL

The LiCCo project is on the home straight and ends on 30 September 2014, but there is still a lot to do:

Education – working with the former Geography Adviser with DCC, David Weatherly, to produce an education resource for teachers. Two training days have been arranged to launch and promote the packs to teachers in May and June at Courtlands House near Exmouth. JL encouraged Partners to spread the word to any teachers that they are in contact with.

The education resources work is being extended to include material suitable for students at GCSE level. JL is also working with Exeter University lecturers to discuss how LiCCo themes in relation to the Exe Estuary can be embedded in MSc and degree courses.

Interpretation Panels – JL and MK are working with ETC and EDDC on heritage-themed panels to demonstrate the key features of the coast to locals and visitors. They have been liaising with Exmouth Historical Society on historical paintings by Exmouth artists and will be putting together a touring exhibition visiting sites in Exmouth, Lymptone, Starcross and Dawlish Warren.

Beach Management Scheme – the Dawlish Warren scheme is progressing and on track.

5. Paula's Projects – Update

PS reported that she has been taken on to deliver 4 projects – Recreational Management Review; Moorings Management Review; Completion of State of the Exe report; Review of EEMP Stakeholder Database. She has started work on 3 of these projects and to date has spent most time on the recreational management review. PS tabled a table showing the main components of each of the projects and providing an indication of those completed and still outstanding.

TH – requested that PS give a presentation to the Management Group at the end of her work.

ACTION: PS to present her findings to Management Group (at next meeting?)

GB – asked PS to outline her interim findings, esp.in relation to recreation management.

Accordingly, PS made the following points:

Most people mentioned the lack of enforcement of the byelaws, the fact that there is no harbour master for the estuary, and that the patrol boat is active infrequently in summer only. It is hard to identify who is driving boats causing problems because there is no vessel registration scheme.

PS has also been researching the mechanics for addressing the issues. Is 10 knots the best limit and, if not, what is an how could it be changed? What is the procedure and cost of changing byelaws?

Most people are aware of the byelaws and codes, but don't know the details. For example, few people knew about the 'no landing' policy for boats on Dawlish Warren. There is a need for greater awareness-raising, especially of voluntary measures.

BH – It is likely that local people know the rules but visitors to the area are less aware.

PS – Even local people don't know. They perhaps tend not to stop and read the signs! We need to think about new ways of communicating the rules.

BH – Will we ever have the resources to ensure widespread awareness and enforcement of the rules?

GB – Funding resources are becoming available through the levy on new developments within 10km of the estuary to reduce the bird disturbance associated with the recreational activities of people who will live in the new developments. This fund can be used for a new patrol boat, wardening of the patrol boat, fuel for the boat etc. PS's work will ensure that the funds can be applied strategically.

PS – The work I am doing will highlight the priorities for action, propose how we should balance the conflicts between recreation and birds, and identify what needs to be done urgently.

GS queried whether a prosecution has ever been brought by the patrol boat, stating that this would have a much-needed deterrent effect. It is known that the ECC representative on the Working Group indicated that a prosecution was being brought following an incident in August 2013, but some Partners thought that this may have been dropped.

ACTION: MK to find out status of ECC's intended prosecution and report back to Management Group

There was a discussion on how the development fund will be committed. It can only be used on measures to offset new disturbance associated with the new properties, not to offset disturbance caused by pre-existing factors. But the distinction between the two is blurred in practice and will probably only be clarified over time through case law. The funds are already being collected from developers and questions are already being asked as to how they will be spent. EDDC and TDC are both looking at creating new terrestrial sites to draw dog walkers away from the estuary.

It was suggested that the fund could be used to pay for the costs of prosecuting people who contravene the byelaws. However, ECC holds (most of) the byelaws, and the fund cannot be

used to help organisations meet their statutory duties, so his unlikely to be allowed. Developers can make legal challenges if the funds are spent inappropriately, which would leave local planning authorities financially vulnerable and potentially facing costs being awarded against them. The challenges could also come from federations of developers, such as the National Federation of House Builders, though it was agreed that the NFHB have not challenged the principles of the fund to date.

The question was asked as to when we will know what the new fund can be spent on. It seems likely that there is no clear answer and that understanding will evolve over time, as case law amasses in the face of legal challenges by developers around the country. All rather frustrating, and could make off-site measures (such as new terrestrial dog walking sites) seem less potentially risk from a funding perspective than on-site management measures that could be challenged. It is likely that a very cautious approach will be taken by the planning authorities in the first few years.

GB said that progress is being made on a joint approach involving EDDC, ECC and TDC to deciding how the funds are to be committed. He expressed the view that they are 3 or 4 months away from a list of measures being taken to Members at committee.

ACTION: GS to keep Management Group informed on plans for using the development fund and how the EEMP can be involved.

6. Winter Forum Arrangements – MK

MK has previously circulated the invitation letter and programme for the Forum, which will be on 26th February in DCCs' Council Chamber. She drew Partners' attention to the 3 community soapbox sessions, and the need for appointing or reappointing a chair and vice chair of the Forum, but pointed out that, to date, no proposals for the community soapbox sessions have been received, and no nominations for the chair and vice chair positions.

It was agreed that any election should be by secret ballot on the night, if new nominations are received.

ACTION: MK to ask GS to bring his 'ballot box' to the Forum if nominations are received by the due date.

ACTION: MK to liaise with BH once the due date for nominations has passed to discuss a way forward for the Forum evening.

7. Outstanding LiCCo deliverables

MK explained that following a recent meeting of all LiCCo partners, we now have clarity on the amount of allocated LiCCo budget remaining (for capital projects, not officer time), and the outputs that must be delivered before the project ends in September. MK tabled a paper listing several projects (grouped according to whether they deliver essential or desirable outputs), along with approximate costings. She explained that if any of the essential outputs are not delivered we could be asked to repay funds already received.

There was a short discussion about the proposed LiCCo-themed summer cruise, as the EEMP summer event. The proposal was generally supported, but it was agreed that other EEMP messages could be available on the cruise alongside LiCCo. GS urged against overloading people and stressed the importance of picking messages carefully.

8. Developing the next EEMP Management Plan (2016-2021)

MK had circulated a discussion paper on this item in advance of the meeting. The following points were made by Partners:

The issue is being raised at just the right time. With budget issues looming, we need to start planning our future priorities and objectives now. It is really important for Partners to think about the proposed approach presented and to input their views. The EEMP needs buy-in from every Partner.

JL suggested and it was agreed that the focus groups proposed to develop each topic or theme of the Management Plan should be expanded beyond EEMP Partners, and that invitations could be extended to other estuary landowners such as the National Trust, Devon Wildlife Trust and Powderham Estate.

GB highlighted the importance of ensuring that linkages between the various topics and themes of the Management Plan are not forgotten.

GS expressed support for a leaner and focused Management Plan. He also suggested that the Management Plan should focus on non statutory roles, and getting people to work together, rather than on ensuring delivery of statutory commitments. He reported that the Teign Estuary Partnership has neither a Management Plan nor an Action Plan, but instead meets and agrees priorities every 3 months, which enables a flexible and reactive operation.

AW said that the EEMP has a role in encouraging organisations with statutory estuary management roles to meet their commitments. He said he wouldn't want to exclude reference to statutory responsibilities, but accepted that of course we need to also seek, through the Management Plan and associated action plan(s) to add value.

TM pointed out that NE is currently undertaking a major piece of work on conservation advice packages, which set out the conservation objectives for the estuary, pressures etc., and sets them out in a way that will provide a basis for action planning. This work needs to be considered alongside the State of the Exe report as a basis for the Management Plan. The advice package for the Exe Estuary should be available late 2014/early 2015.

ACTION: ALL Partners to send comments and suggestions about the proposed approach for developing the Management Plan to MK as soon as possible.

ACTION: MK to incorporate comments and suggestions from Partners in a revised proposal document to be brought to the next round of Working and Management Group meetings.

9. Action Log – AW

The Action Log had been circulated in advance of the meeting. There were no comments made at the meeting.

10. Any other business

AW's body plans – AW informed Partners that owing to impending medical issues, he would be out of the office for a period of 6 to 8 weeks from the end of January. Contacts for estuary matters during that time are either MK or Peter Chamberlain (DCC's Environment Manager – peter.chamberlain@devon.gov.uk or tel 01392 383000).

11. Dates of Next Meetings

Owing to problems with parking at County Hall, MK was asked to reschedule the next Management Group meeting to an afternoon, ideally on the same day as originally scheduled. This has been done, and the next meeting will start at the new time of **2pm on Friday 28th March 2014** in the **Sargent Room** of Coaver Club.

The next Working Group meeting will be at 10am on Thursday 13th March 2014 in the Sargent Room at Coaver Club, County Hall.

