



SOUTH EAST DEVON
HABITAT REGULATIONS
PARTNERSHIP

South East Devon Habitat Regulations Executive Committee

2017-18 Annual Business Plan

Neil Harris, Habitat Regulations Delivery Manager
July 2017

Legal comment/advice:

It is a requirement each year for the HREC to agree the Annual Business Plan as this underpins the 5 year Delivery Programme and helps ensure overall delivery of the Mitigation Strategy. Once approved the Delivery Officer can pursue the projects set out in the Annual Business Plan without recourse to the HREC. Accordingly, provided the HREC is satisfied with the intended projects to be delivered through the Business Plan then approval should be given to enable the identified mitigation measures to be delivered. In approving the Business Plan the HREC is only agreeing to the headline principles of the mitigation set out and the HREC is not giving any statutory approvals that may be required – these would need to be dealt with separately. Similarly, some of the measures / projects proposed are likely to require more detailed legal input / consideration and this will be given to the Delivery Officer on a project by project basis. The changes to the Business Plan 'year' to align with budget reporting makes sense and should be supported.

Finance comment/advice:

The financial implications are contained in the report and have been taken into account into the overall financial requirement and the revised charging proposal in the rebasing report.

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

Recommendations

It is proposed that the Executive Committee:

1. Approves the 2017 Annual Business Plan (Appendix 1) and commitments and actions set out therein.
2. Approves changes to the operational year as specified in the report.
3. Receives a progress update on the delivery of the Annual Business Plan at the next meeting (quarterly basis).

Equalities impact: Low

Risk: High.

If the 2017-18 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 legal duties under the Habitat Regulations.

1. Summary

1.1 This paper sets out the principles for the on-site projects which have been recommended as a priority by the Habitat Regulations Delivery Officer, in conjunction with the Officer Working Group. These projects are contained within the attached Appendix 1 as the Annual Business Plan (ABP).

1.2 Mitigation measures enable a competent authority to permit development with certainty that adverse effects on the integrity of the European sites will not occur. Projects should therefore adhere to the National Planning Policy Framework (NPPF) principals for applying planning conditions¹

1.3 Whilst some measures will seek to attract recreational pressure away from the European sites, other measures will seek to appropriately manage recreation on the sites, to minimise potential harm to European site interest features.

1.4 Using the balance of receipts and income forecasts, on site measures from the South East Devon European Site Mitigation Strategy ("the Strategy") are allocated according to the available budget, scoring criteria previously agreed by the Officer Working Group, logical progression of related projects and, where still appropriate, delivery timescales as recommended in the Strategy.

¹ Paragraph 206, National Planning Policy Framework

1.5 Measures recommended in the 2017-18 ABP seek to maintain and build on the projects delivered as part of the 2016-17 plan. The recommendations therefore include continued commitment to revenue costs of established, ongoing projects (such as the Delivery Manager, Habitat Mitigation Officers and Project Officer (Dogs)).

1.6 A number of new projects from the Strategy are also recommended. The timing of delivery of these projects is guided by the 5 Year Business Plan² and where there is logic or merit in the sequential, co-ordinated delivery of mitigation projects (such as the Exe Estuary zonation consultation work leading to design of interpretation boards and signage), seeks to build on work already completed (or due for completion).

1.7 A change in the operational “year” for the business plan is also recommended, in order to align the operational year to the financial year. This will mean a shortened business plan year for 2018-19. Currently running from June-June, it is proposed to run the 2018-19 ABP from July – March and the 2019-20 ABP (and those thereafter) to run from March-March.

Neil Harris
Habitat Regulations Delivery Manager

South East Devon
Habitat Regulations
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Natural England comment:

We support the continuation of funding for the existing measures and are broadly supportive of implementing the proposed new measures. However, this is subject to the commitment to review and refine those relating to the Exe Estuary which are dependent upon the conclusion of the zonation and codes of conduct work currently underway.

² Appendix 2 – Annual Business Plan and 5Yr Delivery Programme – June 2016