

06 December 2017

ENVIRONMENT COMMITTEE

A meeting of the Environment Committee will be held on **THURSDAY 14 DECEMBER 2017** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **7.00 pm.**



David Hagg
Chief Executive

Please Note: This meeting will be filmed for live or subsequent broadcast via the Council's internet site (www.stroud.gov.uk). By entering the Council Chamber you are consenting to being filmed. The whole of the meeting will be filmed except where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

AGENDA

- 1 **APOLOGIES**
To receive apologies for absence.
- 2 **DECLARATIONS OF INTEREST**
To receive declarations of interest.
- 3 **MINUTES**
To approve the minutes of the meeting held on 14 September 2017.
- 4 **PUBLIC QUESTION TIME**
The Chair of Committee will answer questions from members of the public submitted in accordance with the Council's procedures.
DEADLINE FOR RECEIPT OF QUESTIONS
Noon on MONDAY 11 DECEMBER 2017.
Questions must be submitted in writing to the Chief Executive, Democratic Services, Ebley Mill, Ebley Wharf, Stroud and sent by post or by Email:
democratic.services@stroud.gov.uk

5 WORK PROGRAMME

To consider the work programme.

6 MEMBER REPORTS

- a) Performance Monitoring Representatives
- b) Stroud Concordat
- c) Planning Review Panel

7 CAPITAL PROJECT MONITORING

- a) Stroud District Cycling and Walking Plan
- b) Wallbridge Gateway Site
- c) Canal Regeneration (C2C)
- d) Multi-Service Contract – Vehicle Replacement
- e) Market Town Centres Initiative Fund

8 SEVERN ESTUARY RECREATION & MITIGATION STRATEGY

To approve the above strategy.

9 MEMBERS' QUESTIONS

See Agenda Item 4 for deadline for submission.

Members of Environment Committee

Councillor Simon Pickering (Chair)
Councillor Paul Denney (Vice-Chair)
Councillor Chris Brine
Councillor Jim Dewey
Councillor Chas Fellows
Councillor Alison Hayward

Councillor Skeena Rathor
Councillor Haydn Sutton
Councillor Brian Tipper
Councillor Jessica Tomblin
Councillor Ken Tucker
Councillor Tim Williams

ENVIRONMENT COMMITTEE

14 September 2017

7.00 pm – 8.50 pm

Council Chamber, Ebley Mill, Stroud

3

Minutes

Membership:

Councillor Simon Pickering (Chair)	P	Councillor Skeena Rathor	P
Councillor Paul Denney (Vice-Chair)	P	Councillor Haydn Sutton	P
Councillor Chris Brine	P	Councillor Brian Tipper	A
Councillor Jim Dewey	P	Councillor Jessica Tomblin	P
Councillor Chas Fellows	A	Councillor Ken Tucker	P
Councillor Alison Hayward	P	Councillor Tim Williams	P

P = Present A = Absent

Officers in Attendance

Director of Development Services	Democratic Services Officer
Accountant	Public Spaces Officer
Public Space Manager	Neighbourhood Planning Officer
Planning Strategy Manager	Principal Projects Officer

Before the meeting started Members and Officers stood for 1 minute silence in remembrance of Councillor Liz Peters, who passed away recently.

Committee agreed that Item 12 on the agenda (Minute No. EC.021) could be moved forward in the meeting.

EC.015

APOLOGIES

Apologies were received from Councillor Nigel Studdert-Kennedy who was attending to give an update on Minute No. EC.020 – Member Reports.

EC.016

DECLARATIONS OF INTEREST

There were no declarations of interest.

EC.017

MINUTES

RESOLVED

That the Minutes of the Meeting held on 29 June 2017 are approved as a correct record and signed by the Chair.

EC.018 **PUBLIC QUESTION TIME**

Questions were received from Mr. Richard Lupo and were answered by Councillor Pickering. They are published on the Council's Website using the following link: [Item 4 – Public Question Time.](#)

EC.019 **WORK PROGRAMME**

The matters to be considered in December 2017 will be adjusted in line with the item to be agreed on the Local Development Scheme.

RESOLVED **To note the work programme.**

EC.020 **MEMBER REPORTS**

- a) Performance Monitoring Representatives – a report will be presented to the meeting in December 2017.
- b) Stroud Concordat – Councillor Pickering highlighted key points, such as, Town Centre Retail Study, enforcement of vehicles in pedestrian areas in Stroud, key projects at the railway station, business waste and highway matters.
- c) Planning Review Panel – an update was given by the Director of Development Services on planning appeals and their implications and DC validation checklist.

EC.021 **FUTURE OF TOWN CENTRES REPORT**

The Planning Strategy Manager and Principal Planning Officer gave an update on the report which had now been finalised following discussions with town councils during the summer.

Councillor Neil Gibbs of Stonehouse Town Council spoke on behalf of the Town Council, explaining that the Council welcomed the report although signage to the town should also be prominent from the canal where there were opportunities for new moorings and facilities for walkers. He also mentioned the possibility of funding for a Town Centre Manager. He commented that this is an opportunity for tourists to visit Stonehouse and the Canal.

Councillor Pickering mentioned a letter received from Stroud Town Council and that the feedback was welcome. The letters would be considered alongside all representations to inform future policy.

Members discussed the report and highlighted a range of issues and opportunities, such as: access to town centres from the Canal and public highways, tourist signs, possible future water taxis from Stonehouse to Stroud, charging electric cars from town centre car parks, improved footpaths and cycle trails.

RESOLVED **a) To note the contents of the Future of Town Centre report.**
b) To support further discussions with town councils and key stakeholders to take forward its recommendations and related projects designed to improve our town centres.

EC.022 **CAPITAL PROJECT MONITORING**

The Director of Development Services updated Committee on the following projects:

- Wallbridge Gateway Site
- Stroud District Cycling and Walking Plan
- Canal Regeneration (C2C)
- Market Town Centres Initiative Fund
- Multi-Service Contract Vehicle Replacement.

EC.023 **BUDGET MONITORING REPORT 2017-18 Q1**

The Accountant presented the report and explained that this report was the first of the financial year. It focussed on each budget holder's estimates.

Members discussed the increase in cost of bulky and green waste.

RECOMMENDED **to Strategy and Resources Committee:**
 a) **The Capital Budget for the Ebley Mill Hydro scheme and the Stroud Valleys Initiative are removed.**
 b) **The re-profiled capital budget for the Multi Service Vehicles is approved.**

RESOLVED **To note the outturn forecast for the General Fund Revenue budget and the Capital programme for this Committee.**

EC.024 **LOCAL PLAN REVIEW – ISSUES AND OPTIONS PUBLIC CONSULTATION**

The Planning Strategy Manager presented the report and explained that the timetable envisages the adoption of a new Local Plan in Winter 2021. Until this time full weight will continue to be given to the current Local Plan. The first stage of the review will be an Issues and Options consultation to stimulate debate within local communities on the main planning related issues and local needs relating to where people live, work and visit within the District.

RESOLVED a) **To approve the timetable for the review of the Local Plan set out in the Local Development Scheme (Appendix A).**
 b) **To approve the Issues and Options Consultation Paper for public consultation commencing October 2017 (Appendix B).**

EC.025 **STONEHOUSE NEIGHBOURHOOD DEVELOPMENT PLAN**

The Neighbourhood Planning Officer and Planning Strategy Manager presented this item. Following public examination, officers had carefully assessed the draft plan as modified by the Examiner's recommendations to consider whether it could progress to referendum on 23 November 2017.

RESOLVED a) **To accept all recommended modifications of the Examiner's Report (Appendix A).**
 b) **That the Stonehouse Neighbourhood Development Plan, as modified, meets the basic conditions, is**

compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP.

- c) To take all appropriate actions to progress the Stonehouse Neighbourhood Development Plan to referendum on the 23rd of November 2017.

EC.026 **ENVIRONMENT STRATEGY OUTCOMES**

The Director of Development Services and Principal Projects Officer informed Committee of the outcomes from the Strategy. Targets in the strategy have been met although it is now time for a review.

RESOLVED

- a) To recognise the achievements made by the District Council in implementing the strategy.
- b) To agree that work on revising the Strategy is commenced and that an updated version is brought back to the Environment Committee for approval.

EC.027 **MEMBERS' QUESTIONS**

There were none.

The meeting ended at 8.50 pm.

Chair

STROUD DISTRICT COUNCIL
ENVIRONMENT COMMITTEE

**AGENDA
ITEM NO**

14 DECEMBER 2017

5

WORK PROGRAMME

Date of meeting	Matter to be considered	Notes (eg lead member and officer)
08.02.18	Work Programme 2017/18	Leads: Leads: Chair and Director of Development Services
	Capital Project Monitoring a) Canal Regeneration (C2C) b) Market Town Centres Initiative Fund c) Wallbridge Gateway Site d) Stroud District Cycling & Walking Plan e) Multi-Service Contract – Vehicle Replacement	Leads: Canal Project Manager Director of Development Services Director of Development Services Director of Development Services Director of Customer Services
	Member Reports a) Planning Review Panel b) Stroud Concordat c) Performance Monitoring	Leads: Cllr N Studdert-Kennedy Cllr S Pickering Cllrs A Hayward, H Sutton
	Heritage Strategy	Lead: Senior Planning Strategy Officer
05.04.18	Work Programme 2017/18	Leads: Leads: Chair and Director of Development Services
	Capital Project Monitoring a) Canal Regeneration (C2C) b) Market Town Centres Initiative Fund c) Wallbridge Gateway Site d) Stroud District Cycling & Walking Plan e) Multi-Service Contract – Vehicle Replacement	Leads: Canal Project Manager Director of Development Services Director of Development Services Director of Development Services Director of Customer Services
	Member Reports a) Planning Review Panel b) Stroud Concordat c) Performance Monitoring	Leads: Cllr N Studdert-Kennedy Cllr S Pickering Cllrs A Hayward, H Sutton
	Budget Monitoring Report 2017/18	Lead: Accountancy Manager

STROUD DISTRICT COUNCIL
ENVIRONMENT COMMITTEE

**AGENDA
ITEM NO**

14 DECEMBER 2017

7

Report Title	CAPITAL PROJECT MONITORING
Purpose of Report	To inform the Committee of progress on capital projects within its remit.
Decision(s)	The Committee RESOLVES to note the project updates within the report.
Consultation and Feedback	Details are contained within the body of the report.
Financial Implications and Risk Assessment	<p>The 2017/18 £20.6m capital programme assumed a funding position based on the budget profiles set out in the February 2017 MTFP. If projects are delayed, or are not able to achieve the desired outcomes and do not progress, then the capital budget would remain unspent and would not be reallocated to additional projects without consideration by the Council as part of the 2018/19 budget setting process. Any increase in expenditure in excess of the agreed budget must be reported separately.</p> <p>In January 2018 the Strategy and Resources Committee will recommend a new capital budget to Council that takes into account what is affordable given the capital resources available, together with any revenue implications arising.</p> <p>Graham Bailey – Principal Accountant Tel 01453 754133 Email graham.bailey@stroud.gov.uk</p>
Legal Implications	<p>This report is for information purposes only. There are no specific decisions required. Legal advice on each capital project will be provided as appropriate and required. Any strategic risks pertinent to the programmes should be referred to in the Strategic Risk Register. R28.11CD30.11</p> <p>Craig Hallett, Solicitor & Deputy Monitoring Officer Tel: 01453 754364 Email: craig.hallett@stroud.gov.uk</p>
Report Authors	<p>Barry Wyatt, Strategic Head of Development Services Tel 01453 754210, Email: barry.wyatt@stroud.gov.uk</p> <p>David Marshall, Canal Project Manager Tel 01453 754646, Email david.marshall@stroud.gov.uk</p> <p>Alana Roy Public Spaces Officer Tel 01453 754406, Email carlos.novoth@stroud.gov.uk</p> <p>Gideon Darley, Regeneration Officer (Business) Tel 01453 754301, Email gideon.darley@stroud.gov.uk</p>

Options	The report is for information only. Any decision to re define projects outside of the scope of the capital programme would need to be recommended to Strategy and Resources Committee.
Performance Management Follow Up	Update reports are to be supplied to this committee on a regular basis.
Background Papers/ Appendices	None

Introduction

1. The following report provides an executive summary of each of the Capital Projects within the remit of the Environment Committee.
2. The purpose of this report is both to advise the Committee of progress with the capital projects and to recommend decisions to members. Members will see that the two projects agreed at the last meeting to be discontinued, Ebley Hydro and the Stroud Valleys Initiative, have been removed from the update. The financial consequences of this change are covered in the budget update report.

Stroud District Cycling & Walking Plan

3. The Council has allocated a sum of £300,000 to a Stroud District Cycling and Walking Plan and Committee agreed the scope of the Plan at the meeting on 29/6/17.
4. Following endorsement of an Expression of Interest (EOI) to the RDPE Growth Programme, Rural Tourism Infrastructure fund, relating to the Dursley and Uley Greenway, a full application was completed and submitted to the Rural Payments Agency (RPA). As noted at the last Committee, Gloucestershire County Council (GCC) undertook to produce a sectionalised view of the Greenway route, to provide an idea of obstacles/costs etc related to individual sections. Unfortunately this information, which was to inform the full application, was not forthcoming. The RPA have queried the lack of evidential cost information and the decision has now been taken to withdraw the application.
5. A further meeting will be held with representatives from GCC to bottom out the level of resource and commitment GCC can provide to support the Stroud District Cycling and Walking Plan and its contingent routes, including the Greenway and the full application could be restored to the process. The intention is to map out the routes with packages of necessary works to the point at which they could go out to tender.
6. A small amount of funding has been agreed with both Stroud and Stonehouse Town Councils as potential match for their bids to the GWR Customer & Communities Improvement Fund. Both bids relate to improving cycling access/parking/signage at the respective stations.
7. Gloucestershire Wildlife Trust have submitted an EOI to the European Regional Development Fund (ERDF) call under the Preserving and Protecting the Environment and Promoting Resource Efficiency strand. Although the project focuses on improving biodiversity, delivered in three clusters of market towns

across the County, in the Stroud cluster the project will take place along the Nailsworth to Stonehouse corridor, using the cycle path as the catalyst to improve biodiversity and green infrastructure along and beside the route. This would include improvements to the cycle path and it is on that basis that support has been offered to the GWT at the early stage of their bid.

Wallbridge Gateway Site

8. On 13th October 2016 Strategy and Resources committee resolved: 'That the Head of Asset Management progresses discussions with Stroud Town Council, Gloucestershire County Council (GCC) and Ecotricity on the design, costs and funding of a landscaping scheme for the land at Wallbridge and implements a scheme in consultation with those parties and the Chairs and Vice Chairs of Community Services and Licensing Committee and Environment Committees'
9. Budget contributions were confirmed as Stroud District Council (SDC) - £90K, Stroud Town Council (STC) - £10K, Ecotricity - £90K. Land transfer has taken place from GCC to SDC for land south of the canal, while the transfer of land to the north of the canal has been delayed pending remedial work/refurbishment of the old brewery wall, currently being completed by Cotswold Canal Trust volunteers.
10. A design brief has been agreed internally and with partners, as above. A meeting was held with STC on the 21 November and the brief will be placed on the SW procurement portal, to procure a landscape architect, within the next two weeks.
11. Consideration is now being given to undertaking ground investigations ahead of any procurement, but this is unlikely to take place until work on the brewery wall has been completed.

Canal Regeneration

12. The Council has allocated £3m as matched funding towards a Heritage Lottery Fund (HLF) bid to be submitted by the 30th November. The Council will be the lead partner in this bid, working closely with the Cotswold Canals Trust (CCT). The outcome of this bid is likely to be known in 2018. A successful bid would enable restoration of a 4 mile length of canal West of Stonehouse to Saul Junction; connecting Stroud to the national waterway network. The bid could not be made until the present restoration (between Stonehouse and Bowbridge) had been deemed to be complete. This was due to be checked on 18th October, when an HLF monitoring team was due to sail on *Wookey Hole* (the canal maintenance boat) from Bowbridge Lock into Stonehouse Ocean. This was postponed due to poor progress at Wallbridge Lower Lock but successfully took place on the 10th November.
13. Some volunteer-led work has already been undertaken in advance of the bid – primarily channel clearance west of the A38 at Whitminster, with more planned this winter. CCT has recently opened a new Visitor Centre at Bond's Mill, where overhanging trees will be cut back this winter. Waterway Recovery Group volunteers are currently constructing a new bypass at Dock Lock. A 150m stretch of towpath between Pike Bridge and Dock Lock has been upgraded by visiting teams from Ecotricity and National Grid, together with our own volunteers.

14. Alongside these, several pieces of work have been commissioned which will have the effects of both enhancing the bid and removing perceived risk. These include a heritage assessment, flood risk assessment, economic and social output projections and an outline planning application in respect of the 'missing mile'.

Multi-Service Contract – Vehicle Replacement

15. Council has agreed an annual budget of £250k for the period of four years 2016/17 to 2020/21, for a capital programme of vehicle replacements for services covered by the Multi Service Contract.
16. The Vehicle Replacement Programme (VRP) produced by Ubico, and agreed by officers in June 2016, is revisited each year to identify necessary changes to the fleet. These changes are determined by operational needs and the remaining useful life and economic cost of maintaining individual vehicles; in an effort to maximise productive use of fleet resources and improve service efficiencies, vehicles that have become surplus to requirements are sold and income reinvested within the fleet; the vehicle fleet currently comprises of an agreed mix of new and used vehicles.
17. Officers have undertaken the first review of the VRP with Ubico. The financing of certain vehicles will be moved from ongoing hire to long term purchases; these changes will result in corresponding revenue savings. A number of vehicles have become surplus to requirements and will be sold; income from sales has been allocated to providing replacements within the fleet. The review outcome identified a need to pull forward a capital spend of £84k from the budgeted profile.
18. The decision by Strategy and Resources in October 2017 to approve the increased capital has now been confirmed with Ubico. A further meeting has taken place in respect of the council's Fleet requirements with Ubico. A number of purchase options are currently being considered; the council's preferred option is to be finalised over the coming weeks and the necessary Officer approval sought. It is hoped that the necessary vehicles will be purchased and in use by the end of the financial year but this will be dependent on the purchase option.

Market Town Centres Initiative Fund

19. The Council has allocated a budget of £50,000pa for 4 years totalling £200,000 to support capital projects within town centres, subject to match funding coming from the host town council. The design of the 'offer' has yet to be progressed following the recommendations of the 'Future of Town Centres' report at the last committee. The fund is intended to include the five towns, Stroud, Nailsworth, Stonehouse, Dursley and Wotton-under-Edge. It is intended that that in the first instance town councils be asked to submit outline expressions of interest so that interest can be gauged and assist in designing the offer.

STROUD DISTRICT COUNCIL
ENVIRONMENT COMMITTEE

**AGENDA
ITEM NO**

14 DECEMBER 2017

8

Report Title	SEVERN ESTUARY RECREATION & MITIGATION STRATEGY
Purpose of Report	To approve a Severn Estuary Recreation & Mitigation Strategy (SE RAM) for Avoidance of Likely Significant Adverse Effects on Severn Estuary Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site.
Decision(s)	The Committee RESOLVES to ADOPT the Severn Estuary Recreation & Mitigation Strategy (SE RAM) for Avoidance of Likely Significant Adverse Effects set out in Appendix A.
Consultation and Feedback	The Local Plan and supporting evidence has been subject to public consultation. Over the last year the Council has worked collaboratively with Natural England (NE), the Wetlands and Wildfowl Trust (WWT), the Canals & Rivers Trust (CRT), Severn Estuary Partnership (SEP), Association of Severn Estuary Relevant Authorities (ASERA), Gloucestershire Severn Estuary Stakeholders (GlosSES), British Trust for Ornithology (BTO), CaBA and landowners, to devise an agreed SE RaMS. As the evidence and strategy has developed it has been reported to stakeholders and Planning Review Panel (PRP).
Financial Implications and Risk Assessment	<p>There are no direct financial implications arising from the report. Any mitigation measures are to be provided directly or funded by developers, therefore there is no direct cost to the Council. The agreements pose no financial risks to the Council. SDC will administer a ring-fenced fund for the monies received. This should enable identified mitigation measures to be implemented at appropriate times with our partner organisations.</p> <p>Adele Rudkin Accountant Tel: 01453 754109 Email: adelerudkin@stroud.gov.uk</p> <p>There is a risk that the measures identified could be unsuccessful in mitigating the effects of development on the Severn Estuary SPA, SAC and Ramsar. This risk is inherent in the whole avoidance and mitigation approach, and one which Natural England accepts.</p>
Legal Implications	Appendix A (the Severn Estuary Recreation & Mitigation Strategy) was not completed by the relevant print deadline to enable Legal Services to review in advance of printing. Legal Services has agreed to separately advise the Committee in advance of its meeting should there be any further legal implications to report other than below.

<p>Legal Implications Cont'd</p>	<p>The Conservation of Habitats and Species Regulations 2017 makes it so that any detriment on European protected sites will be a material planning consideration and planning permission should only be granted if sufficient mitigation is put in place to mitigate that. If mitigation is not brought forward planning permission must be refused.</p> <p>Mitigation will be done through a £385 contribution per net dwelling and how the Council will be able to collect this money depends on whether or not these projects are infrastructure.</p> <p>This committee approved the Community Infrastructure Levy (CIL) Charging Schedule 15 December 2016 (taking effect from 1 April 2017). Any development which is liable for CIL infrastructure cannot be “double charged” for said infrastructure through a S106 Agreement (or Unilateral Undertaking).</p> <p>If the mitigation projects do not come under the CIL Charging Schedule but is infrastructure defined by the Planning Act 2008 (including but not limited to: roads and other transport facilities; flood defences; schools and other educational facilities; medical facilities; sporting and recreation facilities; and, open spaces) then no more than five obligations can be pooled by the charging authority (under section 106 agreements) to provide for the same item of infrastructure. No such restrictions apply for non-infrastructure contributions.</p> <p>There are no further legal implications to report beyond that other than those already covered in the report. R29.11C5.12D30.11 (AppNR) Craig Hallett, Solicitor & Deputy Monitoring Officer Tel: 01453 754364 Email: craig.hallett@stroud.gov.uk</p>
<p>Report Author</p>	<p>Conrad Moore, Principal Planning Officer, Planning Strategy Tel: 01453 754328 Email: conrad:moore@stroud.gov.uk</p>
<p>Options</p>	<p>The Council may decide not to approve the mitigation strategy. However, development proposals within the core catchment area of the Severn Estuary would still be required to take account of published research findings and recommendations and it is likely that Natural England (NE) will raise objections to planning applications involving an increase in houses within vicinity of the Severn Estuary SPA, SAC and Ramsar on the grounds that the resulting recreational pressure may threaten protected habitats and species. The development of a Strategy will assist effective and efficient planning decision-making in accordance with relevant European Directives, international agreements and national legislative requirements and advice.</p>

Performance Management Follow Up	The operation of the Strategy will be monitored by the Council through the development control process and the guidance reviewed to ensure continued conformity with any future local planning and national planning policy direction. If necessary SE RaMS will be revised to incorporate any changes or additional impact avoidance measures linked to the review of the Local Plan.
Background Papers/ Appendices	Appendix A – SE RaMS

1. INTRODUCTION & BACKGROUND

- 1.1 The Severn Estuary is designated as a Special Protection Area (SPA) and Ramsar site for its internationally important populations of overwintering birds, and as a Special Area of Conservation (SAC) and Ramsar site for its overwintering birds, estuarine habitats and associated species of fish. Approximately 22 km of the Severn Estuary SPA/SAC/ Ramsar site shoreline falls within Stroud District.
- 1.2 The European Union has introduced two pieces of legislation that deal with the protection of rare species and habitats: the Birds Directive and the Habitats Directive. This legislation has been transposed into UK legislation as the Habitats Regulations. The Regulations deal with both the impact of development and of development plans (Stroud District Local Plan) upon European Sites. The Convention on Wetlands, called the Ramsar Convention, is an intergovernmental treaty that provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources.
- 1.3 Under Article 6(3) of the Habitats Directive, “competent authorities” have a duty to ensure that all the activities they regulate have no adverse effect on the integrity of any of the Natura 2000 sites (Together SPAs and SACs make up the network of Natura 2000 sites). Local planning authorities are identified as competent authorities for the purposes of determining whether or not a proposed development scheme or Local Plan is likely to have a significant effect upon the SAC. Local planning authorities have to ensure that no likely significant adverse effect arises from any proposed development scheme or plan. The effect of this legislation together with the Natural England and Rural Communities Act 2006 is to impose on local authorities a legal duty of care to protect biodiversity. If local authorities think harm or “likely significant effect” could occur they are legally obliged not to approve the proposed plan or project unless appropriate avoidance and mitigation measures can be put in place.
- 1.4 Approaches to the mitigation of recreational impacts on European sites have been established elsewhere in England for the Thames Basin Heaths, the Solent and the Dorset Heaths for example.

2. ISSUES FOR CONSIDERATION

- 2.1 The Estuary is known to attract visitors from wide ranging areas, who visit for recreational purposes. The Habitat Regulations Assessment (2013) that accompanied the Local Plan identified a need for further work to establish any

potential impact on the Severn Estuary from growth. The Delivery Policy ES6 of the adopted Stroud Local Plan identifies the potential need to establish a core recreational catchment zone, over which recreational pressure effects may extend. Development within the core catchment zone may be required to contribute funding towards impact avoidance and mitigation measures.

- 2.2 The Council has therefore worked with a range of stakeholders including Natural England, Wildfowl and Wetlands Trust Severn Estuary Partnership, ASERA and Severn Estuary Stakeholders to develop an understanding of recreational pressure and to develop appropriate mitigation proposals. Studies from partnership organisations show marked declines of some key bird species. There is currently insufficient evidence to adequately assess the full cause of these declines. However disturbance is one factor, and other studies in UK have shown recreational activities to cause disturbance impacts to birds. Nine access points to the Estuary were identified and in 2015/16 visitor questionnaires were undertaken by consultants Ecological Planning and Research (EPR). This identified that whilst baseline recreational pressure is currently low, it is likely to increase as new housing, employment and tourism development comes forward. A likely significant effect on the conservation status of the SPA and SAC's qualifying features could not be ruled out and hence the Council has been developing a mitigation strategy.
- 2.3 New development in Stroud District (at least 11,400 additional dwellings for the period 2006 to 2031 are planned for in the Stroud District Local Plan (2015)) brings more people to the local area and access levels have been predicted to increase on the coastal sites. Such an increase will probably be gradual and long-term, across a wide stretch of estuarine coast but solutions are required to be identified ensure that this level of development in the District does not have an adverse effect on the integrity of the European site.
- 2.4 The Council with EPR, WWT, BTO & Natural England since 2015 has:
- Gathered robust baseline data on levels and patterns of recreation in the survey area;
 - Identified an agreed core visitor catchment area;
 - Identified with NE and BTO (May 2017) using Webs data areas of conflict with overwintering birds;
- 2.5 The proposed strategy seeks to address disturbance impacts and provides a solution to issues relating to disturbance. The Strategy has two broad aims:
- To support sustainable growth whilst protecting the integrity of Severn Estuary wildlife sites from impacts relating to recreational disturbance
 - To reduce the existing recorded recreation impact on birds on the Severn Estuary wildlife sites related to this District in order to meet duties relating to the maintenance and restoration of European sites, as required by Article 4(4) of the Birds Directive.

2.6 Elements within the Severn Estuary Recreation & Management Strategy (SE RaMS) include:

- Educate and engage with local dog walkers to promote particular less sensitive sites or routes to dog walkers and raise awareness of disturbance issues;
- Explore potential wardening and a visitor engagement role deployed across a range of locations, targeting areas with particular issues or close to new development;
- Explore new access Infrastructure through a range of discrete, focussed projects that could be phased with new development;
- Explore and review parking locations with landowners, communities and developers. Any changes can be phased over time and linked to available funding and locations where new development comes forward;
- Introduce Codes of Conduct (with ASERA/SEP), raising awareness of estuarine issues and providing guidance across a range of activities. In-line with these, working with local clubs/groups is envisaged;
- Create 'quiet' refuge areas within the upper Severn Estuary where recreation and other activities are discouraged;
- Introduce interpretation/signage targeted at areas of most concern.
- Advise and work with landowners to increase the suitability and capacity of new habitat and alternative recreational areas;
- Continue to monitor levels of usage. As with the Rodborough Common Mitigation Strategy, this is needed to address any implementation issues and adjustment of this Strategy if necessary;
- Enhance existing sites to create managed hubs –Slimbridge, Purton, Saul for example. In the long term, access is best focussed away from the SPAs or in particular honey pots around the shore where it can be managed and engagement with visitors targeted. Slimbridge WWT already draws high numbers of visitors but has management practices in place to reduce disturbance potential;
- Create new wildfowl feeding and roosting habitat in appropriate locations with the reintroduction of salt water marsh, scrapes and new or better management regimes.

2.7 This Strategy is directed specifically towards residential proposals and the measures, which can be taken to enable them to proceed without harm to the integrity of the protected Severn Estuary SPA, SAC. Whilst it may be possible for larger developments to demonstrate that they can mitigate the impacts of the development by providing on-site mitigation measures (for example, alternative recreation areas), most development within the catchment area will be of a small scale. To enable these proposals to demonstrate that they will not harm the designated areas, it is proposed that they will be able to contribute financially to the implementation of the specific projects set out in the Strategy. The cost per net dwelling will be £385 based upon the cost of the projects shared amongst the total amount of development within the catchment zone. It reflects the precautionary principle and the need to consider the "in combination" effects of development. Payment if chosen would be through a unilateral undertaking (as per Rodborough Common).

- 2.8 The Strategy applies to all proposals for new net residential development in the following classes whether full or outline planning permission:
- Proposals for 1 or more net new dwelling units (including studios or individual bedsits within Houses in Multiple Occupation) falling within Use Class C3: residential development
 - Proposals for 1 or more net new units of staff residential accommodation associated with Use Classes C1 and C2.
- 2.9 Replacement dwellings will not generally lead to increased recreational pressure, and therefore, will have no likely significant effect on the SPA/SAC/Ramsar and will not be required to make a contribution to the provision of avoidance measures. All other applications for planning permission in the vicinity of the Severn Estuary will need to be subject to a Habitats Regulations Assessment to ascertain whether they are likely to have a significant effect (individually or in combination with other plans or projects); and where it is necessary for a full Appropriate Assessment to be undertaken. The Council's duty to consider the impact of development on this SAC/SPA/Ramsar applies also to non-residential development applications which will need to be considered on their individual merits.
- 2.10 The implementation of the Strategy will be delivered by the Council in consultation with key stakeholders. This model exists for Rodborough Common where a Conservation Panel including the landowner, Natural England, local wildlife and conservation groups and the Graziers meets quarterly to discuss the phasing and spending aspects of that mitigation fund for the identified projects within that strategy. This approach has proved successful in securing agreed implementation of those identified projects. A similar approach is envisaged for implementing this Strategy. The project costs and the calculation of necessary financial contributions will be reviewed and if necessary updated on an annual basis.
- 2.11 The Strategy will be reassessed as part of the development of environmental policies and the growth strategy included within the review of the Local Plan, which is planned to be in place by 2022. If necessary at that time, the Strategy will be revised to incorporate any necessary changes or additional impact avoidance measures.

3. CONCLUSION / RECOMMENDATION

- 3.1 In accordance with our statutory duties under the Habitats Regulations and the evidence base which accompanies the Local Plan it is concluded that a recreation and mitigation strategy is necessary to deal with the impact of development upon this international site of acknowledged importance. It is therefore recommended that the proposed Severn Estuary Recreation & Mitigation Strategy (SE RaMS) for the avoidance of likely significant adverse effects be adopted following work with relevant parties, statutory bodies and agencies.