



Report to the Partnership for Urban South Hampshire Joint Committee

Date: **2 December 2014**

Report of: **Steve Lees, Infrastructure Theme Lead**

Subject: **Solent Recreation Mitigation Strategy and Partnership**

Purpose: **For decision**

SUMMARY

New house building around the Solent will create additional recreational pressures at the coast which research has shown will impact on the three Solent Special Protection Areas unless mitigation measures are put in place. The affected local authorities (the PUSH authorities plus Chichester District Council, New Forest National Park Authority and the South Downs National Park Authority) in conjunction with Natural England and other key wildlife/conservation bodies have prepared an interim strategy to coordinate implementation of the necessary mitigation measures which will be funded by developer contributions.

The interim strategy is now reached a stage where it is appropriate to formally recognise the partnership arrangement which is proposed to implement and monitor the strategy. It is proposed that the necessary political governance should be provided by the PUSH Planning & Infrastructure Panel and the PUSH Joint Committee with representatives from Chichester District Council and the two National Park Authorities being invited to participate in meetings when Partnership-related matters are to be discussed.

The Joint Committee's formal support is now needed for the interim mitigation strategy, the Partnership's terms of reference and the proposed governance arrangements.

RECOMMENDATION

It is RECOMMENDED that the Joint Committee NOTE and ENDORSE the:-

- a) Solent Recreation Mitigation Interim Mitigation Strategy;
- b) Terms of Reference for the Solent Recreation Mitigation Partnership;
- c) Governance arrangements;
- d) Phasing of implementation of the mitigation measures; and
- e) Extension of the temporary project officer post to 31 March 2016.

INTRODUCTION

1. The Solent shoreline comprises the mainland coast from Hurst Castle in the west to West Wittering in the east, together with the north shoreline of the Isle of Wight. This 250 kilometre shoreline is a mix of open coast and harbours/estuaries including Southampton Water and Portsmouth, Langstone and Chichester Harbours. The Solent is internationally important for its wildlife interest and there are various protective designations including three Special Protection Areas (SPAs). These SPAs have been designated predominantly for the protection of the large numbers of waders and wildfowl which spend the winter on the Solent.
2. A substantial amount of house building is planned around the Solent and this new housing can have potential impacts on the SPAs. One of these potential impacts is increased recreational activity at the coast resulting from population increases associated with the new homes. Increased recreational activity could lead to increased disturbance to waders and wildfowl within the SPAs. Such disturbance reduces the birds' opportunities to feed resulting in a reduction in the bird population.
3. The legal requirement is to assess the impact of one development proposal in combination with other plans and projects across a wide area. A sub-regional approach is a more efficient and effective way of dealing with this than the local authorities tackling the issue individually and also has the benefits of consistency of approach.
4. The Solent Disturbance Mitigation Project (SDMP) was initiated by the Solent Forum and PUSH to commission research into that impact. In the light of the research, Natural England formally advised the local planning authorities that the additional recreational pressures which would arise from new housing development would require mitigation measures to avoid adverse impacts on the SPAs. Without mitigation measures, permitting housing development would be in conflict with the Habitats Directive and potentially open to legal challenge

5. Natural England and other partners recognised that it would take some time to put in place a comprehensive package of measures and supported an interim approach which included securing developer contributions to fund some initial projects with the aim of having a comprehensive strategy in place by 2016/17. To initiate implementation of the measures, PUSH and the local authorities funded a part-time post for eleven months.
6. Substantial progress has been made over recent months through partnership working between the local authorities, Natural England and key voluntary sector bodies (Hampshire & Isle of Wight Wildlife Trust, Royal Society for the Protection of Birds and Chichester Harbour Conservancy). As new housing up to 5.6 kilometres away could have an impact on the SPAs, the local authorities affected include all the PUSH authorities, Chichester District Council, New Forest National Park Authority and the South Downs National Park Authority.

INTERIM MITIGATION STRATEGY

7. An interim mitigation strategy, attached as appendix 1 to this report, has been drafted which envisages a team of rangers who will reduce bird disturbance by influencing the behaviour of visitors, initiatives to encourage responsible dog walking and encourage dog owners to go to less sensitive parts of the coast, a monitoring scheme to track the implementation of mitigation measures and assess their effectiveness, a project officer and a financial contribution to the realisation of the Alver Valley Country Park. This mitigation package is being funded by a £172 per dwelling developer contribution from all new homes built within 5.6 kilometres of the SPA boundaries.
8. The additional coastal recreational activity generated from new housing development will be a permanent feature, so the measures to prevent that increased activity having an impact on the birds must also be in place for the lifetime of the new homes. The £172 per dwelling developer contribution therefore includes funding for providing the mitigation measures and an element which will be invested to generate sufficient annual income to maintain them in perpetuity.
9. Each local planning authority will decide which legal mechanisms to use to secure developer contributions from schemes within its area. The authorities will pool the developer contributions and implement the mitigation measures collectively. This means that funding secured in one local authority area may be spent on mitigation measures in another area, which reflects that the residents of a housing scheme in one authority's area may visit the coast within a different authority.

SOLENT RECREATION MITIGATION PARTNERSHIP

10. The nineteen organisations listed in paragraph 6 above have formed a partnership - the 'Solent Recreation Mitigation Partnership' - to implement and monitor the strategy. The proposed management structure for the Partnership comprises:-
 - A Members forum to ensure political engagement (see paragraphs 15-16 below);
 - A small Project Board of senior officers which will meet twice a year to provide a high level oversight;
 - A Steering Group comprising officer representatives of each of the nineteen partners which will meet more frequently to manage the work (reporting to the Project Board);
 - Task-and-finish groups as/when needed.
11. The composition, functions and inter-relationship of the Project Board and Steering Group are set out in more detail in the draft Terms of Reference for the Partnership which attached as appendix 2.
12. In line with section 2.3 of those Terms of Reference, the proposed membership of the Project Board is:-
 - Steve Lees, PUSH lead officer on infrastructure planning (chairman)
 - Claire Upton-Brown, Assistant Head of Planning, Portsmouth City Council
 - Louise Driscoll, Head of Development Management, Eastleigh Borough Council
 - Simon Finch, Assistant Director Built Environment, Winchester City Council
 - Emma Noyce, Strategic Manager: Land and Recreation, Hampshire County Council
 - Mike Allgrove Planning Policy Manager, Chichester District Council
 - Chris McMullon, Natural England
 - Carrie Temple, Royal Society for the Protection of Birds/Pauline Holmes, Hampshire & Isle of Wight Wildlife Trust/Siún Cranny, Chichester Harbour Conservancy (occupying two seats on a rotating basis).
13. The proposed local authority membership of the Board is varied and balanced: it includes an officer from one of the core cities, a borough council which is wholly within the PUSH area, an authority which is partly in and partly out, the county council, and one of the non-PUSH authorities. It includes all officers who volunteered/were nominated by their authority.
14. Test Valley Borough Council has agreed to undertake the necessary financial accounting on behalf of the Partnership. In due course, the Partnership will be handling large sums of money, so a Financial Protocol is being prepared which will set out the processes for approving expenditure etc.

GOVERNANCE

15. The involvement of elected members is considered to be a key element of the management of the Solent Recreation Mitigation Partnership (SRMP). The Partnership will potentially be committing significant funds, secured from development across fifteen local authorities, to a range of individual initiatives over an extended period of time. To provide that political governance, it is proposed to build on the existing structures within PUSH with the involvement of the local authorities who are integral to the project but are not PUSH members i.e. Chichester District Council, the New Forest and South Downs National Park Authorities. This is felt to be more efficient than establishing a new dedicated Member forum for the SRMP.
16. It is intended that reports from the SRMP should be considered by the PUSH Planning & Infrastructure Panel before being presented to the PUSH Joint Committee. To ensure that the project is supported at Member level by all the authorities who are partners in the SRMP, representatives from Chichester District Council and the two National Park Authorities are being invited to attend meetings of the Panel and the PUSH Joint Committee when the SRMP's activities are to be discussed. It is envisaged that this will occur once a year to review progress and agree future proposals.

IMPLEMENTATION OF THE MITIGATION MEASURES

17. Many of the homes which will be built over the next few years were permitted before the introduction of the requirement for a developer contribution towards the mitigation measures described in paragraph 7 above. In addition, the requirement is generally for the developer contributions to be paid on the commencement of dwelling construction. For these reasons, the money available for implementing the mitigation measures will only increase gradually over the next few years.
18. It is uncertain how quickly construction will begin on the homes which are liable to pay the developer contribution, which in turn means considerable difficulty in projecting the amount of money which will be available for mitigation measures during the next few years. To cope with the uncertainty, the Partnership intends to phase the implementation of the mitigation measures.
19. The Interim Mitigation Strategy includes a project officer to oversee its implementation and monitoring, and to develop the longer term strategy. The Partnership sees this post as critical to moving the whole initiative forward. It would succeed the current temporary post which runs until 9 February 2015. To ensure continuity over the coming year which will be a critical period for the project, it is proposed to extend the contract of the temporary post until 31 March 2016 subject to the funding being in place. This extension would support the development of the longer term strategy which will need to be in place by 2017.

20. The appointment of the first ranger is also seen by the Partnership as a priority. It is intended that this post should be a whole-year one which will recruit and manage the other rangers which will be winter-only posts (because that is the period when migratory birds are present on the Solent and are thus vulnerable to human disturbance). Visitor surveys to assess the Alver Valley Country Park's potential to attract people who otherwise would have gone to the SPAs are also needed soon, in order that they can inform decisions on whether to include other similar green space enhancements in the long term mitigation strategy.

21. The phased introduction of the mitigation measures proposed by the Partnership is as follows:-

Phase 1:

- Project officer
- While-year ranger
- Contribution to in-perpetuity fund (see paragraph 8) for the items above
- Alver Valley Country Park visitor survey

Phase 2:

- One winter-only ranger
- Awareness raising and engagement events
- Dog initiatives
- Contribution to in-perpetuity fund for the items above

Phase 3:

- The remaining winter-only rangers
- Branding and marketing
- Operating budget
- Contribution to in-perpetuity fund for the items above

Phase 4

- Contribution to creating the Alver Valley Country Park
- Monitoring.

22. The only expenditure which is envisaged this financial year 2014/15 is funding (approx. £4'000) for the salary and on-costs of the project officer beyond 9 February 2015 when the PUSH and local authorities funding runs out. The developer contributions which are expected to be received will more than cover the cost of this post. In 2015/16, developer contributions should enable the remainder of the phase 1 items to be implemented and potentially phase 2 items too.

NEXT STEPS

23. If the Joint Committee endorses the Interim Mitigation Strategy, it will then be for each authority to decide whether it needs to formally approve the document.

24. Further work is planned to develop the working relationships and to consider the merits of formalising the partnership in the form of a memorandum of understanding.
25. It is proposed that the governance arrangement in paragraphs 15 and 16 should be operated for three years, at the end of which it would be reviewed.

RECOMMENDATION

It is RECOMMENDED that the Joint Committee NOTE and ENDORSE the:-

- a) Solent Recreation Mitigation Interim Mitigation Strategy;
- b) Terms of Reference for the Solent Recreation Mitigation Partnership;
- c) governance arrangements;
- d) phasing of implementation of the mitigation measures;
- e) extension of the temporary project officer post to 31 March 2016.

ENQUIRIES:

For further information on this report please contact:-

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Interim Solent Recreation Mitigation Strategy

**An interim framework to mitigate the impact on the
Solent Special Protection Areas of increased
visitor pressure arising from house building**

December 2014

Solent Recreation Mitigation Partnership

FOREWORD

Providing for necessary new development without an adverse impact on the environment is challenging anywhere: more so in areas surrounded by nationally and internationally important countryside and coast. Here in South Hampshire and the Isle of Wight, new housing is required to meet the needs of local people and support business expansion, but it must be built without adversely affecting the internationally renowned Solent Special Protection Areas (SPAs).

Some of the potential impacts of new development on the SPAs, such as noise or disruption to bird flight paths, will be addressed individually by the local planning authorities. However, the impact of additional people making recreational visits will be more diffuse, so it makes sense to address that impact on a pan-authority basis through this strategy. It enables house building to proceed whilst safeguarding the SPAs through a pragmatic approach based on managing the coast for the benefit of people and wildlife.

The Partnership for Urban South Hampshire (PUSH) was formed in 2003 to enable collaboration on a range of topics through joint studies, strategy and action. We are now a partnership of twelve local authorities in South Hampshire and the Isle of Wight who are working together to secure sustainable development and faster economic growth whilst conserving the natural and historic environment.

PUSH part-funded the research on which this mitigation strategy is based and is pleased to now help facilitate its implementation. It makes sense for PUSH - with the involvement of Chichester District Council and the New Forest and South Downs National Park Authorities who are not PUSH members - to provide the necessary political oversight and steer for strategy implementation on behalf of our local communities. We will perform that role with diligence, to ensure that public access to the coast is maintained but is carefully managed to avoid disturbance to the birds which are such an important feature of our shores.

Councillor Seán Woodward
Chairman
Partnership for Urban South Hampshire

1. INTRODUCTION

- 1.1. The Solent is internationally important for its wildlife interest and there are various protective designations including three Special Protection Areas (SPAs). These SPAs have been designated predominantly for the protection of the large numbers of waders and wildfowl which spend the winter on the Solent.
- 1.2. The substantial amount of house building which is planned around the Solent could have potential impacts on the SPAs. One of these potential impacts is increased recreational activity at the coast resulting from population increases associated with the new homes. Extensive research has quantified this impact and recommended measures - known as 'mitigation measures' - to ensure that the additional recreational activity would not result in harm to the SPAs.
- 1.3. The need to look at the overall impact of planned development around the Solent has led the local planning authorities to address this matter collaboratively. The issues involved are complex and the formulation of a definitive strategy for implementing the mitigation measures will take some time. However, in order not to hold up necessary development, the local planning authorities working with partner organisations have drawn up this interim strategy. The aim is to finalise the definitive strategy by 2017.
- 1.4. This document summarises the background research, sets out the interim mitigation measures, explains how they will be funded and describes how their implementation will be monitored.
- 1.5. This publication has been produced by the Solent Recreation Mitigation Partnership which comprises the fifteen Solent local authorities, Natural England, the Royal Society for the Protection of Birds, Hampshire & Isle of Wight Wildlife Trust, and Chichester Harbour Conservancy. The local authorities are: Chichester District Council, East Hampshire District Council, Eastleigh Borough Council, Fareham Borough Council, Gosport Borough Council, Hampshire County Council, Havant Borough Council, Isle of Wight Council, New Forest District Council, New Forest National Park Authority, Portsmouth City Council, Southampton City Council, South Downs National Park Authority, Test Valley Borough Council, Winchester City Council.

2. THE SPECIAL PROTECTION AREAS

- 2.1. The Solent shoreline stretches from Hurst Castle (near Lymington) in the west to West Wittering in the east and includes the northern shore of the Isle of Wight from Warden Point (near Colwell) to Whitecliffe Bay (near Bembridge). This 250 kilometres shoreline includes the tidal sections of the rivers which flow into the Solent as well as Chichester, Langstone and Portsmouth Harbours. The Solent is internationally important for its wildlife interest and there are various protective designations including three Special Protection Areas.
- 2.2. The three SPAs on the Solent are: Chichester & Langstone Harbours SPA; Portsmouth Harbour SPA; and Solent & Southampton Water SPA. They are shown on the map on page 11. The SPAs were designated principally for the protection of internationally significant numbers of over-wintering waterfowl (different at each) that include geese, ducks and wading birds. The Solent supports over 90,000 waders and over 10 per cent of the global population of Brent Geese. Many of these birds travel thousands of miles to over-winter on the Solent. The intertidal habitats, particularly the mudflats, shingle and saltmarshes, provide essential winter feeding and roosting grounds for these species.
- 2.3. The Solent coast, including the coastline within the SPAs, is popular with local people and enjoyed for a wide range of recreational activities. The wildlife interest is part of the specific draw for many people, and some travel quite long distances to access the coast. However, recreation and the presence of people in and around the SPAs can result in disturbance to the birds, albeit often unintentional.
- 2.4. Human disturbance of the birds can have several impacts. Birds may be more alert, resulting in a reduction in the amount of food eaten, or they may fly away from the disturbance. A bird which flies away forgoes valuable feeding time whilst in the air and also uses energy in flying - a double impact on the bird's energy reserves. If the disturbance is substantial, then food-rich areas may be little used by the birds or avoided altogether, leading to other areas hosting a higher density of birds and intensifying the competition for the available food. Ultimately, the consequence of human disturbance can increase bird mortality or a reduction in the amount of energy which the individual bird has available at the end of the winter period to fly back to its breeding grounds. If as a consequence the birds are unable to complete their migratory journey or are not in sufficiently good condition to breed when they arrive, then this would lead to a reduction in the bird population.
- 2.5. The protection afforded by the SPA designations has particular consequences. Under the Habitats Regulations¹ any plan or project can only lawfully go ahead if it can be shown that the development, either on

¹ The Conservation of Habitats and Species Regulations 2010 (and subsequent amendments)

its own or in combination with other plans or projects, will have no adverse effect on the integrity of the SPAs.

3. RESEARCH

3.1. House building around the SPAs will result in an increase in the number of local residents and thus the number of people visiting the coast for recreation, with a consequential risk of increased disturbance to the birds. Extensive research into this matter was undertaken during 2009-2013 through the Solent Disturbance & Mitigation Project² which preceded this Partnership. It included:-

- a desktop review of existing national and local research;
- a survey of visitors at the Solent SPAs asking them about their visit;
- a survey of households living close to the Solent SPAs about their use of the coast;
- bird disturbance fieldwork at the SPAs to assess how birds respond to potential disturbance events;
- computer modelling to establish whether the patterns of activity which were observed at the Solent SPAs could lead to increased bird disturbance;
- recommendations on the mitigation measures that could be used to prevent housing development affecting the integrity of the SPAs.

3.2. Based on the research, it is estimated that around 52 million visits are made by households to the Solent coast each year, of which just over half are made by car. The majority of visitors make trips to the coast specifically to see the sea and enjoy the coastal scenery.

3.3. Dog walking was the most frequently observed activity, with walking, cycling and jogging being other common recreational activities. Most activities involved people staying on the shore/sea wall rather than being on the intertidal areas or in the water. Human activity that took place on the intertidal areas was more likely to result in bird disturbance; on those areas dog walking was particularly common and resulted in a disproportionate amount of the observed bird disturbance. The research found that disturbance tended to occur when the human activity was relatively close to the birds i.e. within 50 metres, and that birds tended to respond less the further the human activity was from them.

3.4. The Solent area is heavily populated and it is estimated that over 1.4 million people live within a ten minute drive of a car park on the Solent shoreline. Substantial additional housing is planned and much of this will be within a short distance of the coast.

² The research can be seen at:

http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/

- 3.5. The research predicted that while some birds will be able to compensate for increased disturbance by altering their feeding habits, a number of species will suffer increased mortality as a consequence of the additional recreational visits generated by housing development. The number of current visitors to each section of coast varies widely, as does the predicted future increase. These variations reflect differences in the attractiveness and accessibility of different parts of the coast; the variations in the predicted increase also reflect the geographical pattern of housing development foreseen by the planning authorities.
- 3.6. A key finding of the research is that the level of disturbance is determined more by how people behave and where they go, rather than purely by the number of people. Consequently, mitigation measures should focus on visitor management rather than simply curtailing access to the coast.
- 3.7. The research undertaken for the Solent considered a range of potential mitigation measures, from initiatives which will influence visitor behaviour (publicity, signage, rangers etc.) to access management and enforcement measures. The creation of new green space - Suitable Alternative Natural Green space (SANGs) - in less environmentally-sensitive locations was also seen as having the potential to deflect recreational pressure away from the SPAs. Although most people visit the coast specifically to see the sea and enjoy the coastal scenery, having a short travel time from home is also important to them and for dog walkers it is of equal importance. So the research concluded that some people may be persuaded to visit a SANG instead of going to a section of coast within the SPAs, provided that the SANG is attractive and close to their homes.
- 3.8. Overall, the research concluded that there is likely to be a significant effect on the Solent SPAs from the additional recreation which will result from new housing development. Natural England - the Government's advisor on wildlife matters - has advised that the research *"represents the best available evidence, and therefore avoidance measures are required in order to ensure a significant effect, in combination, arising from new housing development around the Solent, is avoided"*³

4. KEY PRINCIPLES

- 4.1. Taking account of the research above, the approach in this interim mitigation strategy is based on six key principles:-
- managing the coast for the benefit of both wildlife and the public;
 - all development which creates net additional dwellings within 5.6 kilometres of the Solent SPAs is likely to have a significant effect on the SPAs and requires mitigation;
 - provision of that mitigation through the preparation of a long term strategy on a sub-regional basis;

³ This advice letter can be seen at:

http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/Advice_to_PUSH_and_Solent_Forum%20310513.pdf

- mitigation funding from developer contributions secured by partner local authorities;
 - a phased approach to strategy implementation;
 - ongoing monitoring and regular reviews of the strategy.
- 4.2. Public access to the coast provides widespread benefits including health, education, inspiration, spiritual and general well-being. Moreover, visitor access is important in the management of the sites for nature conservation because people are more likely to want to be involved with and protect local sites if they have close links with them. So the intention is to maintain public access, but with measures to ensure that access and nature conservation interests are not in conflict. In that way, the coast can be managed for the benefit of both wildlife and the public.
- 4.3. In that spirit, this strategy aims to mitigate the impact of planned housing development so that it does not have a significant effect on the three Special Protection Areas. The scale of planned house building is set out in Local Plans; most of which cover the period to 2026 but some look further ahead. So the time horizon for this strategy is 2028/9. It is thus a long term strategy, although this document is only an interim version pending completion of the definitive strategy.
- 4.4. Reflecting the research finding explained in paragraph 3.6 above, the mitigation measures will be focused on visitor management - influencing where people go and how they behave once there - rather than simply curtailing access to the coast.
- 4.5. Increases in recreational use resulting from new residents will be gradual. Consequently, the implementation of mitigation measures will be phased to mirror the pace at which new homes are expected to be built.
- 4.6. Although the prime concern of this strategy is the sections of coast which are within the Special Protection Areas, mitigation measures may relate to sections outside the SPA boundaries. This is firstly because coastal access enhancements outside the SPAs may attract people who would otherwise visit sites within the SPAs, and secondly because areas within and outside the SPAs are functionally linked with birds ranging across the SPA boundaries in order to feed/roost.
- 4.7. It is difficult to be confident of how the coastline, the distribution of birds, the distribution of prey and access patterns may change over the next 10-15 years. Sea level is rising and this may affect the numbers and distribution of birds on the Solent. Climate change may result in people using the coast differently and in seasonal shifts in bird numbers. The precise nature of the mitigation measures which are implemented over that time period will therefore need to respond and adapt to changing circumstances. To that end, there is a need for ongoing monitoring and for regular reviews of the strategy.

- 4.8. The legal requirement to assess the impact of one development proposal in combination with other plans and projects, coupled with the fact that the residents of a housing scheme in one authority's area may visit the coast within a different authority, led to the sub-regional approach which is enshrined within this document. The result of this approach, is that funding secured in one local authority area may be spent on mitigation measures in another area.
- 4.9. It is logical that the development which will generate the increased visitor numbers should mitigate their impact on the natural environment. This will be done through a developer contribution towards the cost of the mitigation measures being paid in respect of each net additional dwelling.
- 4.10. In comparable locations elsewhere - the Thames Basin Heaths and Dorset Heathlands SPAs - it was deemed appropriate to delineate a 'zone of influence' around the SPAs within which all housing developments should contribute to mitigation measures. That zone boundary was drawn - at a constant distance from the boundaries of the SPAs - so as to include 75 per cent of residents who regularly visit the coast. As the approach in those areas was adopted after careful scrutiny and public examination of the proposals by a planning inspector, the same principles have been used to define the equivalent zone for the Solent. On that basis, the zone within which developments will be required to contribute to mitigation measures through this Interim Strategy is 5.6 kilometres around the Solent SPAs. That zone is shown on the map on page 21.
- 4.11. Individual authorities may fine-tune the precise boundary to follow real features on the ground in order that the line does not arbitrarily divide a development site (which could otherwise mean a financial contribution being paid for one new property but not for the immediately adjoining one).
- 4.12. Based on the research above and the precautionary principle, it is assumed that any development which would result in additional dwellings within 5.6 kilometres of the Solent SPAs is likely to have a significant effect unless evidence specific to the development shows otherwise. The strategic mitigation approach set out in this document will enable the majority of housing developments to address this issue without the developer having to undertake an Appropriate Assessment and implement bespoke mitigation measures. It thus enables developers to deal with the issue quickly, simply and at minimal cost. However, developers have the choice to rely on this strategy to mitigate the likely effect of their development on the SPAs or to undertake a bespoke assessment.
- 4.13. Some schemes particularly those located close to the boundary of the SPA may need to provide mitigation measures in addition to making the financial contribution set out in this strategy in order to ensure effective avoidance/mitigation of impacts on the SPA(s). The local planning

authority, with advice from Natural England, will consider the mitigation requirements for such development proposals on a case-by-case basis. Developers are encouraged to hold early discussions with the local planning authority on the mitigation needed for their scheme.

5. INTERIM MITIGATION MEASURES

5.1. Based on the research and the principles above, the following interim package of mitigation measures will be implemented:-

- a team of rangers who will work on the ground to reduce disturbance by influencing the behaviour of visitors;
- initiatives to encourage responsible dog walking and encourage dog owners to go to less sensitive parts of the coast;
- a monitoring scheme to track the implementation of mitigation measures and to assess their effectiveness;
- a project officer who will coordinate and help implement the mitigation measures in this document, undertake monitoring and prepare the definitive mitigation strategy;
- a financial contribution towards a pilot project to test the effectiveness of providing alternative recreation opportunities.

5.2. The pilot project is the creation of the Alver Valley Country Park in Gosport Borough. It will include picnic areas, trails, footpaths, cycleways, bridleways and interpretative facilities together with a visitor centre. These facilities and the Park's location in close proximity to the coast and proposed residential development sites means it has the potential to act as a Suitable Alternative Natural Green space (see paragraph 3.7 above) and lessen pressure on the SPAs.

5.3. As it is a pilot, an assessment will be undertaken of how the new Country Park is used by the public which will inform decisions on whether support for similar facilities is part of the definitive strategy. However, even if the Alver Valley Country Park is not fully effective as a Suitable Alternative Natural Green space, the local planning authorities are satisfied that the other elements of this strategy are capable of avoiding a likely significant effect on the SPAs.

5.4. The additional coastal recreational activity generated from new housing development will be a permanent feature, so the measures to prevent that increased activity having an impact on the birds must also be in place for the lifetime of the new homes. The funding contributions must therefore provide for the mitigation measures to be continued in perpetuity. This will be achieved by investing some of the funding contribution: by 2028/9 there should be sufficient money invested to generate sufficient annual income to cover the annual cost of the mitigation package set out above.

6. IMPLEMENTATION

- 6.1. Local Plans make provision for around 2,400 new homes per annum from 2014 onwards within the 5.6 kilometre zone. A contribution of £172 per dwelling is required to fund the necessary mitigation measures in perpetuity. In addition individual planning authorities may also apply an administrative charge.
- 6.2. The cost of implementing the mitigation measures will rise in line with inflation, so the £172 per dwelling contribution figure will be updated on 1 April each year in line with the Retail Price Index.
- 6.3. The authorities will require a contribution for every net additional dwelling⁴ unless the developer can demonstrate to the satisfaction of the local planning authority and Natural England that it will provide alternative measures which will fully mitigate the impact of the development. The North Whiteley and Welborne developments are expected to fall into this category.
- 6.4. Each individual local planning authority will decide which legal mechanisms to use to secure developer contributions from schemes within its area. Legal agreements/unilateral undertakings⁵ will require payment to be made on or before the commencement of development in line with the legislative requirement for mitigation measures to be in place before the scheme is allowed to go ahead. The authorities will pool the developer contributions and implement the mitigation measures through this Partnership.

7. MONITORING

- 7.1. Two types of monitoring will be undertaken:-
 - monitoring of delivery - which will formally record what mitigation measures have been implemented;
 - monitoring of effectiveness - which will evaluate the effectiveness of those mitigation measures in avoiding house building having an impact on the SPAs.
- 7.2 Monitoring of delivery will focus on recording progress in implementing the measures set out in the mitigation strategy including the recruitment/deployment of the rangers, initiatives taken to encourage responsible dog walking, and progress in realising the Alver Valley Country Park. It will also record the number of dwellings permitted subject to a developer contribution, any provision of on-site mitigation, and any noteworthy decisions by planning inspectors.

⁴ including second homes, holiday accommodation, student accommodation and new dwellings created as a result of approval granted under the General Permitted Development Order

⁵ Under Section 106 of the Town and County Planning Act 1990 (as amended).

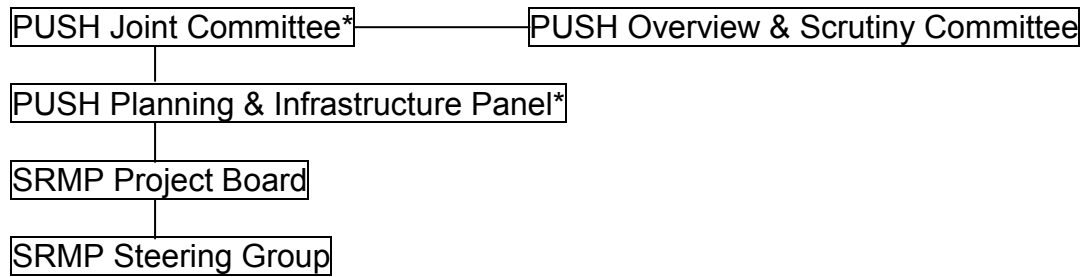
- 7.3 That information is largely factual and is readily available from the partners and other coastal organisations. It will be analysed and published in an annual report. Effectiveness monitoring will be undertaken approximately every five years. This is because changes in the indicators of effectiveness occur relatively slowly and will only be discernable over a minimum period of several years.
- 7.4 The definitive mitigation strategy will explain how monitoring of effectiveness will be undertaken, but it is likely to include assessing whether the number of visitors to the coast within the SPAs has changed since the 2010/11 baseline established in the SDMP research, whether there have been changes in visitor behaviour, and to what extent those changes are the result of the mitigation measures. It is anticipated that the necessary surveys will be undertaken over the winter 2018/19 enabling publication of an effectiveness monitoring report in late 2019.
- 7.5 The Partnership will work with Gosport Borough Council to evaluate the extent to which the Alver Valley Park is attracting people who would otherwise have gone to the coast within the SPAs. This will entail a survey which, amongst other matters, will identify the type of visitors, their home location and reasons for visiting the Park. The conclusions of that survey will help the Partnership to decide whether the definitive mitigation strategy should include proposals for similar facilities elsewhere.

8. GOVERNANCE

- 8.1. The implementation of this Interim Strategy will be overseen by councillors and officers of the local planning authorities and partner organisations:-
- the Joint Committee of the Partnership for Urban South Hampshire (PUSH) with the involvement of Chichester District Council and the New Forest and South Downs National Park Authorities which will provide political governance;
 - a small Project Board of senior officers which will meet twice a year to provide a high level oversight and steer;
 - a Steering Group of officers from all the partner organisations (listed in paragraph 1.5) which will meet approximately bi-monthly to manage the work;
 - task-and-finish groups as/when needed.
- 8.2. Further details of the roles and composition of the Project Board and Steering Group are set out in the Partnership's Terms of Reference which can be seen at: [\(web address to be added\)](#)
- 8.3. Reports from the Solent Recreation Mitigation Partnership will be considered by the PUSH Planning and Infrastructure Panel before then being presented to the PUSH Joint Committee. These PUSH bodies will receive a report from the Partnership annually and at other times if/when appropriate. In due course, the PUSH Joint Committee will be asked to approve the definitive mitigation strategy. Representatives of Chichester

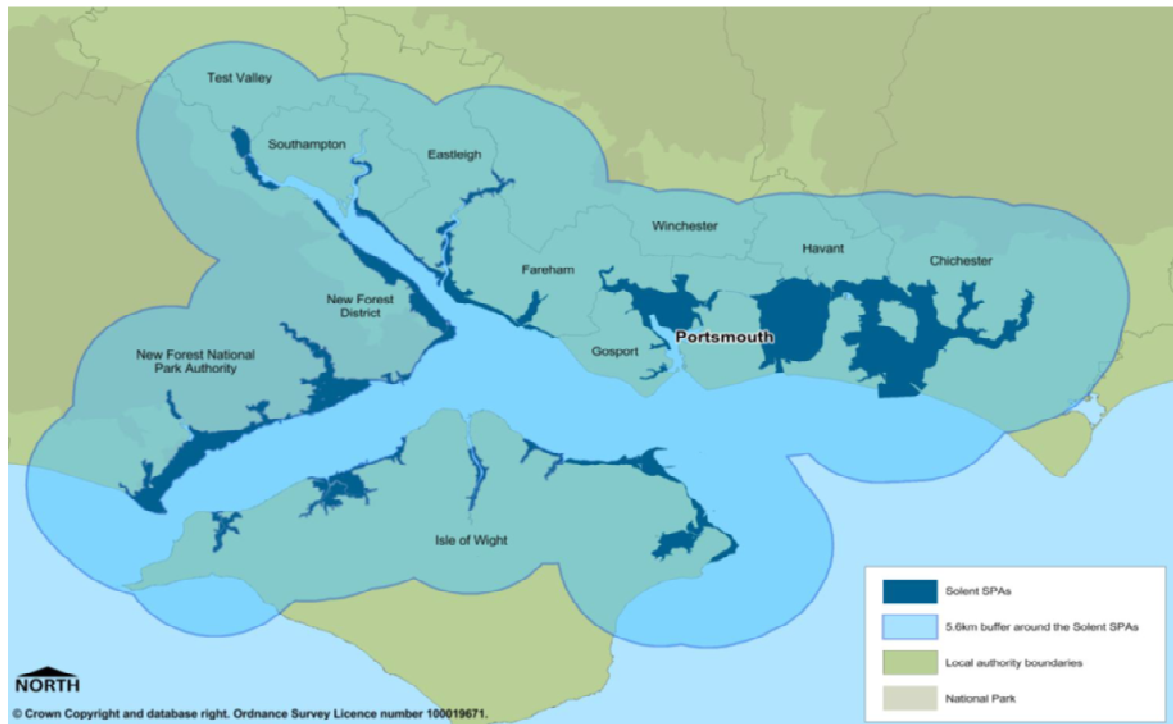
District Council, New Forest National Park Authority and South Downs National Park Authority will be invited to meetings of the PUSH Planning and Infrastructure Panel and PUSH Joint Committee when matters relating to the Solent Recreation Mitigation Partnership are to be discussed.

8.4. This diagram shows the management structure of the Solent Recreation Mitigation Partnership and its relationship with PUSH:-



* Representatives of Chichester District Council, New Forest National Park Authority and South Downs National Park Authority will be invited when matters relating to the Solent Recreation Mitigation Partnership are to be discussed.

Map showing the Solent Special Protection Areas and the zone of influence



SOLENT RECREATION MITIGATION PARTNERSHIP TERMS OF REFERENCE

1. Purpose of the Partnership

- 1.1. The purpose of the Solent Recreation Mitigation Partnership is to facilitate joint working by local authorities and other bodies on the implementation of measures which will mitigate the impact of additional recreational activity which will result from planned housing development so that it does not have a significant effect on the three Special Protection Areas in the Solent. It succeeds the Solent Disturbance and Mitigation Project which commissioned research into the impact.
- 1.2. The Partnership will undertake joint technical work to identify, implement and monitor the necessary mitigation measures, and facilitate liaison and information sharing between the partners.
- 1.3. The Partnership will maintain liaison with other organisations which are undertaking related activities in order to exchange information and avoid duplication of work.
- 1.4. For the avoidance of doubt, the Partnership cannot exercise any of the functions of a planning authority nor can it fetter any decisions made by such bodies, nor the rights and responsibilities of the landowners within the SPAs. The Partnership will recognise and take account of the interests, rights and responsibilities of landowners, users and other stakeholders.

2. Partnership membership, structure and relationships

- 2.1. The Partnership comprises of the following local authorities and other organisations:-
 - Chichester District Council
 - East Hampshire District Council
 - Eastleigh Borough Council
 - Fareham Borough Council
 - Gosport Borough Council
 - Hampshire County Council
 - Havant Borough Council

- Isle of Wight Council
- New Forest District Council
- New Forest National Park Authority
- Portsmouth City Council
- Southampton City Council
- South Downs National Park Authority
- Test Valley Borough Council
- Winchester City Council
- Natural England
- Royal Society for the Protection of Birds
- Hampshire and Isle of Wight Wildlife Trust
- Chichester Harbour Conservancy.

2.2. The Partnership will consist of two bodies:

- A Project Board which will determine the Partnership's overall direction;
- A Steering Group which will manage the Partnership's work and activities within the overall direction set by the Project Board.

2.3. The Project Board will comprise of:

- the Partnership for Urban South Hampshire (PUSH) lead officer on infrastructure planning;
- four chief/senior officers from the local authorities listed in 2.1 of which one will be from an authority which is not a member of PUSH;
- a representative of Natural England;
- two representatives of the three wildlife/conservation organisations listed in 2.1 (i.e. Royal Society for the Protection of Birds; Hampshire and Isle of Wight Wildlife Trust; Chichester Harbour Conservancy);
- an officer representative of any organisation which is employing staff on behalf of the Partnership⁶.

2.4. The Steering Group will comprise of an officer representative from each of the organisations listed in 2.1.

2.5. At the discretion of the meeting chairperson, staff which are employed to undertake the work of the Partnership will also be able to attend meetings of the Project Board and the Steering Group in a non-voting capacity.

⁶The Partnership is not legally able to employ staff itself, so any staff will be employed on its behalf by one of the partner organisations.

3. Governance

3.1. The work of the Partnership will be overseen by the PUSH Planning & Infrastructure Panel, with the PUSH Joint Committee approving the annual work programme and priorities. PUSH will invite one representative of each of the local authorities listed in 2.1 which are not members of PUSH (Chichester District Council, New Forest National Park Authority and South Downs National Park Authority) to meetings of its Planning & Infrastructure Panel and Joint Committee where the work of this Partnership is to be discussed.

4. Project Board functions and procedures

4.1. The Project Board shall have the following functions:

- 4.1.1. To act on behalf of the member organisations in identifying and implementing the measures which are necessary to mitigate the impact of additional recreational activity on the Solent Special Protection Areas;
- 4.1.2. To commission studies and surveys, and fund works relating to the Partnership's objectives;
- 4.1.3. To fund and manage the employment of staff¹ to undertake the Partnership's activities;
- 4.1.4. To administer funds received from member organisations or other sources to carry out these functions, and maintain accounts relating to the allocation and expenditure of these funds;
- 4.1.5. To instruct the Steering Group to undertake work and to fund such work as appropriate;
- 4.1.6. To approve and publish documents relating to the Partnership's objectives;
- 4.1.7. To publish guidance and provide advice to member and stakeholder organisations, including making non-binding recommendations for a course of action or policy for adoption;
- 4.1.8. To report on the Partnership's activities and seek approval of the future work programme, as necessary and at least annually, to the Partnership for South Hampshire (PUSH);
- 4.1.9. To keep these terms of reference under review and make appropriate amendments as necessary.

4.2. The Project Board will meet at least twice each year. It will be chaired by the PUSH lead officer on infrastructure planning.

5. Steering Group functions and procedures

- 5.1. The Steering Group will provide technical support to the Project Board, prepare reports for the Board's consideration and carry out such actions as may be instructed by the Board including the following:
- 5.1.1. To prepare, for approval by the Project Board, a long-term strategy which sets out the necessary mitigation measures and how they will be funded;
 - 5.1.2. To manage and implement the studies, surveys, and mitigation works commissioned by the Project Board;
 - 5.1.3. To prepare monitoring reports which set out the progress made in implementing the mitigation measures and their effectiveness;
 - 5.1.4. To prepare regular updates on progress and make recommendations to the Project Board annually on the work programme for the coming year
 - 5.1.5. To keep partner organisations briefed on the Partnership's work and activities.
- 5.2. The Steering Group will meet at least four times each year. A chairperson will be elected annually from amongst the nominated representatives of the partner organisations.
- 5.3. The Steering Group may establish small project or working groups, resourced as necessary, to progress particular aspects of its work. Representatives of organisations who have a recognised interest in the planning or management of the Solent SPAs but are not Partnership members may be invited to join such groups.

6. Financial administration

- 6.1. The Partnership Project Board shall appoint one of the local authorities listed in 2.1 to hold and administer the Partnership's funds, and to provide advice and guidance on all financial matters.
- 6.2. The Project Board will prepare a financial protocol which will set out the procedures for approving expenditure and for accounting for money handled by the Partnership.

These terms of reference were approved by the Project Board on 5 November 2014 and were endorsed by the Partnership for Urban South Hampshire Joint Committee on 2 December 2014.