

Executive – 4 October 2007

YEALM ESTUARY ENVIRONMENTAL MANAGEMENT PLAN 2007-2012

Report of the Head of Landscape and Leisure

Statutory Powers: The Conservation (Natural Habitats) Regulations 1994 (as amended), and sections 28G and 85 of the Countryside and Rights of Way Act 2000.

Financial Implications: Project costs will be met from within existing Landscape and Leisure Service budgets augmented by contributions from grants and other partner organisations where possible. (In the event of external contributions not being forthcoming, the project work will be scaled down accordingly).

Purpose

This report seeks Executive approval for the revised environmental management plan for the Yealm Estuary.

This relates to the CP3 'maintaining the District's distinctive environment' and CP4 'maintaining a clean environment'; and promotes the Council's commitments to sustainability and effective partnerships.

Recommendations

That the Executive RESOLVES that the revised Environmental Management Plan for the Yealm Estuary be adopted.

Why the Plan is needed

1. The Yealm Estuary is a European Special Area of Conservation, part of the Plymouth Sound and Estuaries European marine site. There is a requirement that all such areas have an environmental management scheme. The estuary is also a Site of Special Scientific Interest, an Area of Outstanding Natural Beauty, and (in part) a Heritage Coast. An environmental plan is a way of co-ordinating everyone's activities to keep the area special. The plan fulfils the requirements of the UK Conservation (Natural Habitats) Regulations 1994 for the Yealm estuary area, as well as addressing wider estuary management issues.

Background to the Management Plan

2. A first Yealm Estuary management plan was produced in 1998. This current exercise is about revising and updating that plan, and providing a new programme of actions for the next five years covering 2007 to 2012. An initial consultation programme was held in 2005 to review the "old" plan and to seek views on the issues and priorities for a new plan. This included a questionnaire and mail out, local articles, and public exhibitions at Yealmpton Community Centre and the Yealmpton Show. That helped greatly in focusing where attention is needed in future. Consideration was also given to identifying relevant issues by the Council's Environment Policy Development

Group meeting (26th January 2005). More recently, a further consultation phase was held this year by circulating the draft plan for comment.

3. The draft Plan was approved in principle by the last meeting of the Yealm Estuary Management Group and, subject to any final detailed comments by the partner organisations, will be adopted by the next meeting of the Yealm Estuary Management Group in November.

What does the plan deal with?

4. The revised plan addresses a wide range of environmental issues from water quality and marine habitats, to public access and fisheries, and communications and awareness. It helps to deliver at a local level the broader objectives of the AONB Management Plan.
5. Key issues and challenges facing the estuary identified by consultees during the Management Plan Review were:
 - Water quality
 - Land management in the catchment (diffuse pollution)
 - Monitoring nature conservation features
 - Co-ordinating actions and working together
 - Sustainable foreshore development and coastal defence
 - Improving a range of recreational opportunities
 - Keeping social and cultural traditions alive
 - Raising awareness of the estuary's special features
 - Supporting sustainable shellfisheries
 - Encouraging green tourism
 - Maintaining the ferry service
 - Controlling the number, type and position of moorings
 - Reducing the occurrence and amount of marine litter
 - Conduct of river users
 - Landscape assessment of the estuary corridor
 - Supporting community-based initiatives
 - Sharing information openly
6. The Plan covers not only the estuary, but a wider range of issues throughout the catchment that affect the estuary. There is no one organisation responsible for the Yealm, so the Plan refers to actions by many different agencies and groups.
7. The most important single issue for the Council's work at present is in managing the "downstream" impacts of new housing and employment development proposals to be sited in the Yealm river catchment. Water run-off, siltation, nutrient enrichment and pollution will all need careful management through the Council's development control function, and increased recreational impacts will also need consideration. These issues will be primarily addressed through the Local Development Framework and development control processes, and their attendant environmental assessments.
8. A brief summary of the Environmental Management Plan is attached. The full version of the plan is in the Council Members' room and can also be viewed on www.southdevonaonb.org.uk .

The Council's involvement and duties

9. The Habitat Regulations place a duty on certain government, public and statutory agencies – including South Hams District Council - to consider whether any of their functions may affect the European Marine Site's special interest features, and to change how they carry out their functions so as to avoid damaging impacts. Organisations must also have regard for Sites of Special Scientific Interest and Areas of Outstanding Natural Beauty when carrying out their functions. At the local level, these organisations have been co-ordinating their work, with representatives of other interest groups, through the Yealm Estuary Management Group over the last 10 years. The Group itself has no statutory powers or authority but serves to co-ordinate the work of relevant authorities and organisations. The updating of the plan has been facilitated by the AONB office on behalf of the group.

Delivering the plan

10. The plan divides the range of proposed actions into those things that could be done with existing resources, and those things that could only be done if additional resources are secured. There is no dedicated environmental budget for the Yealm, so the plan has to be realistic about what can be achieved, while at the same time keeping some longer term aspirations in sight. Important aspects of the Plan will be delivered through the regulatory and statutory functions of the various authorities – including the Harbour Authority, the Sea Fisheries Committee and the Environment Agency.

Risk Assessment

Risk	Mitigation
There is a risk that the Council could fail to observe its statutory duties, set out in the Habitats Regulations and in the Wildlife and the Countryside and Rights of Way Act 2000, towards the management of European Special Areas of Conservation, Sites of Special Scientific Interest and Areas of Outstanding Natural Beauty.	Being an active partner in the Yealm Estuary Management Group and publishing the Yealm Estuary Environmental Management Plan will help ensure that the Council fulfils its statutory duties in an effective manner.

Conclusion

11. South Hams District Council has only a limited range of direct interests in the Yealm Estuary. It does not own or control land there and for most of the proposed actions, other organisations (harbour authority, Environment Agency, Natural England and others) will be taking the lead.
12. However, its special nature and environmental designations do give the Council a statutory responsibility to promote the sustainable environmental management of the Estuary and this can be achieved through the Management Plan and the partnership work of the Yealm Estuary Management Group.

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Executive
4 October 2007

Ken Carter
Head of Landscape and Leisure

Background Documents:

Yealm Estuary Environmental Management Plan 2007-2012
Yealm Consultation Report 2005