

**Thames Basin Heaths  
Joint Strategic Partnership  
30 October 2014  
Council Chamber, Surrey Heath Borough Council**

**Notes of Meeting**

**Present:**

Board Members

Cllr Ashley Bowes	Woking Borough Council
Cllr Chris Elmer	Elmbridge Borough Council
Cllr John Furey	Surrey County Council
Cllr Moira Gibson	Surrey Heath Borough Council (Chairman)
Cllr David Hilton	Royal Borough of Windsor and Maidenhead
Cllr Chris Turrell	Bracknell Forest Borough Council
Cllr Angus Ross	Wokingham Borough Council
Cllr Geoff Woodger	Runnymede Borough Council

Advisory Board Members

Stan Abbott	Forestry Commission
Ken Ancorn	Surrey Wildlife Trust
Rob Cameron	Natural England
Clive Chatters	Hampshire and Isle of Wight Wildlife Trust (Also representing BBOWT and SWT)
James Dawkins	RSPB
Patrick McKernan	Natural England
Jennifer Wadham	Hampshire County Council (Finance)
Carrie Temple	RSPB
Simon Thompson	Natural England
Marc Turner	Natural England

Officers/Observers

Ernest Amoako	Woking Borough Council
Paul Druce	Surrey County Council
Richard Ford	Runnymede Borough Council
Julie Gil	Bracknell Forest Council
Jane Ireland	Surrey Heath Borough Council
Nick Irvine	Rushmoor Borough Council
Dan Knowles	Guildford Borough Council
Gareth Williams	Waverley Borough

**1. Apologies**

- 1.1 Apologies have been received from Katie Bailey (Open Spaces Society), Simon Cridland (Bracknell Forest Borough Council), Cllr Graham Cundy (Woking Borough Council), Cllr Roland Dibbs (Rushmoor Borough Council), Phillip Gill (Royal Borough of Windsor and Maidenhead), Cllr Jonathan Glen (Hampshire County Council), Daniel Hawes (Hart Borough Council), Cllr Peter Isherwood (Waverley Borough Council), Cllr James Radley (Hart Borough Council) and Jenny Rickard (Surrey Heath Borough Council).

## **2. Minutes of the Previous Meeting and Matters Arising**

- 2.1 The minutes of the previous meeting, held on 18 December 2013, were agreed.

## **3. SAMM Project Update**

- 3.1 Patrick McKernan reminded members that, at the previous meeting, the Board had agreed to recruit four wardens and an Education and Communications Officer as full time, fixed term appointments to March 2017. Appointments had been made to the Education and Communications Officer and two warden posts, subject to the necessary clearances.
- 3.2 The SAMM Project had decided, based on a model operated by the Dorset Urban Heaths Partnership, to appoint a senior warden to manage the wardens. Adjustments had been made to other posts to ensure that this could be achieved within the salaries budget. The next step would be to recruit the senior warden and two seasonal wardens, subject to funding streams allowing.
- 3.3 Patrick reported that, following an internal restructuring, he would be taking up a post in Natural England's Sussex and Kent Team and would be replaced, from 1 November 2014, by Simon Thompson.
- 3.3 As a result of the above recruitment, the SAMM Project would commence wardening on the Thames Basin Heaths in early spring 2015.
- 3.4 SANG Visitor Surveys and SANG Review – The SANG Review had been delayed because there had been insufficient data from current SANGS to form the review. A stronger set of ten SANGS was now in place and the contract would be let in November 2014 and a report on the outcomes would be submitted to the next meeting. The review would, crucially, include an analysis of visitor post code data, matched against data on new developments.
- 3.5 Automatic People Counters would be installed at 35 locations across the SPA, to enable automatic visitor data from the Spring 2015 and data from the third annual survey of SPA parking (2014) was currently being analysed. It was, however, considered that data from multiple years would be needed to draw ant robust conclusions.

- 3.6 Measures of Success – Mr McKernan highlighted the complexity of developing measures of success for the SAMM Project, given the number of variables to incorporate. Overall visitor numbers and the increase or decrease of nesting pairs would be too crude to give any real measurable outcome. He suggested that an overarching measure of success could be:

*“To demonstrate, through the gathering and analysis of evidence and the provision of access management, that there had been no impact on the Thames Basin Heaths SPA as a result of new housing in the vicinity of the SPA.”*

- 3.7 Whilst welcoming the Gant Chart at Annex 2 and the proposed activity in 2014, members expressed concern at the progress since measures of success were requested in December 2013. The need for timely reporting to inform future decision making was emphasised as was the need for Key Performance Indicators (KPIs). The impact of the SPA differed depending on geographical location and the extent to which Boroughs included part of or were on the edge of an SPA.
- 3.8 Members emphasised the need for timely interrogatable data and for clear KPIs to be built into the Wardening Strategy. It was suggested that a minimum of 3 meetings should be held per annum, with regular updates on developing data from the wardening strategy and refined measures for calculating the success or otherwise of the SAMM Project.

**Resolved that the report be noted and that a more detailed report be submitted to the next meeting, including Key Performance Indicators built into the Wardening Strategy to develop clear measures of success.**

#### **4. Monitoring Update**

- 4.1 As no report was available, this item was deferred to the next meeting.

#### **5. Hampshire County Council Financial Statement Update**

- 5.1 Jenny Wadham presented an update on the amounts held within the Endowment Account and Maintenance Account of the Thames Basin Heaths SAMM project, including the current financial rate of return on these funds and possible options on future investment of the Endowment Account funds. The report asked the Partnership to consider when and how the Endowment Fund should be invested and from where independent financial advice should be procured. Jenny Wadham confirmed that, as the Finance Business Partner for Hampshire County Council, she would not be able to advise on the Endowment.
- 5.2 Members noted the current financial position, with £837,685 in the Endowment Fund and an additional £185,111 held in the Maintenance Fund. Jenny Wadham provided an indication of projected income up to and including 2016/17. Given the current fluctuations in the financial markets, members queried at what point it would be prudent to consider new investment vehicles and levels of risk.

5.3 The report proposed the following three possible investment options, with a view to maximising performance of the funds whilst minimising risk:

- Option One – Defer the decision on when and how to invest the Endowment Fund for the foreseeable future;
- Option Two – Defer the decision on when and how to invest the Endowment Fund until after 31 March 2017, but seek independent financial advice now on how to invest the fund; or
- Option 3 - Proceed with appointing independent financial advisors to invest the Endowment Fund.

5.4 Whilst recognising that the markets were volatile and the need for caution, Members explored options around at what point independent financial advice should be sought and noted that the amount invested could be controlled taking into account the levels of volatility at the time.

**Resolved, that the financial position be monitored on a four monthly basis, with a view to investing at an appropriate stage and with independent financial advice.**

## **6. Heathland Restoration – Presentation by Natural England**

6.1 Rob Cameron, from Natural England, reminded members that some stakeholders had previously expressed concerns about the costs of SANGS and in particular, in Surrey Heath where there was limited availability of suitable land.

6.2 Natural England developed the following alternative mitigation measures that were considered to have potential:

- (i) Elevation of the access management of SANGS – this was already in place;
- (ii) Strategic Car Parking – for this to be effective, it would need to be used across the whole of the SPA; or
- (iii) Heathland restoration from conifers.

6.3 Principles for considering heathland restoration as mitigation - Natural England established the following principles for the proposal to move forward:

- Additional to the management required for maintenance or restoration of the SPA/SSSIs
- Certain in its effectiveness for the SPA birds
- Capable of being secured over the very long term
- Compatible with the habitat requirements of the other SSSI and SPA features
- Compatible with the Government's objective to increase the total amount of woodland cover

- 6.4 A model was created, considering the impact of a sample of 1,000 new properties on the number and distribution of visitors in the SPA. The impact on the Nightjar population was then projected as this species had the greatest number of nests in the predicted areas of change.
- 6.5 Natural England commissioned the consultants 'Footprint Ecology to look at the impact, using a 500metres grid across the whole of the SPA. This resulted in a map predicting visitor numbers from a notional 1,000 increase in housing. The map suggested that substantial areas of the SPA would not see any significant increase in visitor numbers if the model was applied.
- 6.6 The model was predicated on the indicative need for 9.05 hectares per thousand of population. A number of assumptions were factored in, though it was recognised that these carried the potential for substantial potential inaccuracies.
- 6.7 Within the SPA, there were substantial areas of Public Forest Estate and Forest Enterprise, the land management arm of the Forestry Commission, had indicated that heathland restoration could be an option, with the possibility of 60 Hectares being made available. This would be in addition to the rotational open space in the forest plan and FE would seek a level of funding which reflected the commercial market.
- 6.8 There was evidence to suggest that if you restored heathland habitat, the birds would return, though there would be a need to control the potential increase in visitor numbers to avoid a negative impact on nesting birds. However, the heathland restoration could potentially have the highest mitigation other than SANGS. According to the model, 60 hectares of restoration could mitigate the impact of 2,400 houses.
- 6.9 Rob Cameron reported on a recent European Court judgement on the impact of a road scheme on grassland habitat due to the potential for increased pollution levels. The Briels judgement, on a Special Area of Conservation (SAC), pivoted on a Government decision that another area of the SAC could be used as mitigation. The Court differentiated between mitigation and compensation. The court in this case suggested that the decision amounted to compensation rather than mitigation and decided that such a model could only be applied if there was substantial need, public interest and no viable alternative.
- 6.10 It was not clear if the Briels judgment would apply to an SPA, but if it was to be taken further, Natural England would recommend a full environmental impact assessment, robust scale calculations, selection of suitable parcels of land , and consideration of the compensation/mitigation/avoidance arguments. In the light of the Briels judgement it was strongly recommended that legal advice was sought before committing to the model.

- 6.11 Matt Jackson, Head of Conservation, Policy and Strategy for the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT), highlighted a number of concerns on the proposed heathland restoration model. He queried some of the baseline assumptions, particularly around whether or not maintaining existing nesting bird levels constituted a success. There was no evidence that SANGs were working or that heathland restoration would. In effect, nine years after designation there was still no management plan in place which had provable outcomes.
- 6.12 Carrie Temple, supporting the BBOWT position, highlighted concerns over the legal implications of the Briels judgement and suggested that heathland restoration would be a short term measure which would provide only limited mitigation for a small number of new houses.
- 6.13 The Board thanked Natural England for this piece of exploratory work. It was agreed that, at this stage, heathland restoration would be retained as an option for future consideration, subject to legal advice and for individual Authorities to explore further.

**Resolved, that heathland restoration be retained as a possible future option and that emphasis should continue to be placed on the SANGS alternative.**

## **7. Any Other Business**

- 7.1 CIL/S106 – Members sought clarification on whether SANG and/or SAMM would attract CIL or S106 contributions.
- 7.2 Jane Ireland clarified that CIL would apply in collection of monies for SANGs as this was infrastructure, whilst the SAMM Project, which was not, would be funded via S106 agreements. Patrick McKernan confirmed that Management of Habitat would not be infrastructure.
- 7.3 Cllr James Radley advised that Hart District Council would be approaching fellow affected Local Planning Authorities to enquire about operational SANGS, with the purpose of making an assessment in respect of the effectiveness of SANGS and whether they could scale beyond supporting the housing numbers assessed under the South East Plan (SEP).
- 7.4 Patrick McKernan – The Chairman, noting that this would be Patrick's last meeting before moving to his new post, thanked him for his significant input into the work and progress of the Board, as well as the development of strategies and programmes for the SPA.

## **8. Date of Next Meeting**

- 8.1 A further meeting would be arranged for the end of February 2015.