



Lower Otter Restoration Project

Minutes of the combined Stakeholder Group and Technical Steering Group Meeting

Via Zoom

10am Tuesday 15 September 2020

Attendees

Cllr Tom Wright (Chair)	(East Devon District Council & Budleigh Salterton Town Council)
Cllr Geoff Jung	(East Devon District Council, Woodbury & Lypstone - Environment Portfolio holder – previously Colaton Raleigh)
Alison Slade	(Natural England)
Bill Horner	(Devon County Council)
Bridget Beer	(Environment Agency)
Cllr Jim Carter	(East Budleigh and Bicton Parish Council)
Richard Spurway	(Devon County Council)
John Hiles	(Otterton Parish Council)
Nik Whalley	(South West Water)
Robert Wiltshire	(Otter Valley Association)
Rochelle Yeo	(Environment Agency)
Sam Scriven	(Jurassic Coast Trust)
Toby Wilson	(Jacobs)
Mike Williams	(Environment Agency)
Megan Rimmer	(Environment Agency)
Mark Rice	(Environment Agency)
Wendy Harding	(Environment Agency)
Charlie Smith	(Environment Agency)
Geoff Porter	(Otter Valley Association)
Haylor Lass	(Otter Valley Association)
Sam Bridgewater	(EDPHCT / Clinton Devon Estates)
Kate Ponting	(EDPHCT / Clinton Devon Estates)
Carla Whitaker	(Clinton Devon Estates)
Iain Ure	(Otterton Parish Council)
Andrew Howard	(KOR Communications)
William Roper	(Budleigh Salterton Cricket Club)

Marcus Adams	(South West Water)
Jim Pyne	(Pulhayes Farm)
Chris Jenner	(FAB Link)
Ian Wycherley	(Representing South Farm residents and businesses)
Pauline Dyer	(Representing Granary Lane Residents)
Christopher Hodgson	(OVA – Observer)
Kevin Dentith	(Devon County Council)

Apologies

Henry Riddell	(Budleigh Salterton Town Council)
Luke Richie	(South Farm Residents)
Lynne Jones	(Granary Lane Residents)
Peter Chamberlain	(Devon County Council)
Nick Jennings	(Devon County Council)
Amy Cocker	(Environment Agency)
Katy McCarthy	(Environment Agency)
David Butler	(Granary Lane Residents)

1. Welcome and Introduction

Actions all completed.

2. Minutes of Previous Meeting

The minutes of the previous meeting were approved.

It was raised that the parking in Otterton was minuted as being out of scope and that these discussions would be separate and outside of the meeting. John Hiles highlighted that there is concern amongst the parish council, some residents and EDDC that LORP may impact negatively on traffic and parking in Otterton. The project team confirmed that although the provision of parking in Otterton was outside of the project scope, discussions are taking place between the Council and Clinton Devon Estates on this matter.

3. For Discussion - Updates and forthcoming work

Megan Rimmer provided an update on the project as follows:

- The project team now includes Kier who will be leading construction of all elements of the scheme, including BSCC relocation.

- The funding application to the EU Interreg fund for a wider project PACCo (Promoting Adaptation to Changing Coasts) , of which LORP is part, was successful; EA funding will be confirmed once construction costs are in.
- It was commented that the potential loss of the lower path round by Donkey Turn is likely to raise concern from local walkers as it is well used. It is a difficult balance to protect South West Water (SWW) overflow and natural processes.
- All project partners are currently involved in recruitment for support in the construction project; there will be a lot of additional work as part of the wider PACCo project which will expand the team and provide further support to the LORP team.
- Diversion of the combined sewer overflow; the specifics of that won't be in the planning application for the main scheme. SWW will deliver this (primarily funded by the LORP) but via a separate project.
- LORP is working closely with FAB link to ensure objectives of both projects can be achieved and overlaps are positive.
- Road to South Farm will be raised and re-routed sufficiently to reduce flooding.
- DCC have agreed to adopt the new road and are closely involved in the design. It will remain part of the construction project until the point of adoption.
- Planning and marine licence applications for the main scheme are due to be submitted by the end of September. The former will be validated by EDDC, then put in the public domain through the planning portal. EDDC will have 16 weeks to determine the application, during which public consultation will take place.
- Covid restrictions have impacted the ability to hold public engagement events but an 'exhibition' highlighting the key points of the scheme will be available online.

Granary Lane Residents:

- Nothing to report

South Farm residents:

- Looking ahead residents hoping that there will be information in the planning application related to likely disruption to traffic/businesses during works. It was confirmed by the project team that planning puts restrictions on movement of vehicles and that there will be the opportunity to comment during planning.

Budleigh Salterton Cricket Club:

- BSCC – in discussion with BSCC committee the project is working through procurement for the schedule of finishes and finalising the construction contract to start work next spring. Planning was granted on Janies Field last year.
- BSCC have concerns with regards to the spring start next year and how long it will take for the field to settle and be ready to play. Negotiations are still ongoing.

FAB Link:

- Continuing to progress regulatory issues, with Brexit putting the brakes on the project. this continues to be a topical issue in parliament.
- The French partners have committed to two further interconnectors which is positive. Updated data from the EU in respect of a ten-year network delivery plan is expected.
- Believe that a late 2021/22 decision is likely, with possible delivery in 2023.

- In terms of overlaps for projects, FAB link has permitted development rights, Compulsory Purchase Orders and Options Agreements in place including permission to raise the footpath. LORP and FAB have worked very well together and will need to continue to do so.
- Cricket pitch solution has been agreed to allow both projects to progress.
- It is likely LORP delivery will be prior to FAB commencing. In this scenario both are in discussions to ensure LORP does not impact negatively on FAB.
- FAB willing to renegotiate compound to ensure road is viable.
- EA have tabled a number of options for the footpath, both permanent and temporary. Raising of footpath would require a new planning application.
- Dialogue will continue through the planning process on any interface issues between projects. FAB have been able to provide feedback on the planning application.
- Cumulative effects between two projects need to be addressed such as planning for raising footpath.
- Essential that positive dialogue is continued and hope to provide further updates in the near future.

AONB:

- Currently working with Western Power looking to underground the power cables to South Farm. Currently looking to confirm that supply to SWW outfall at Otterton Point is not required which would clarify any project links. These should be undergrounded over next 6-9 months. EA and AONB to ensure respective contractors are in communication.

5 – For Discussion – Issues Log – updates, comments and issues to close

- FAB Link: The project continues to work with FAB Link to ensure both projects are aligned.
- Mosquito/disease. This is addressed as part of Environment Statement (ES). The overview is that the project has designed out stagnant water areas, which would be likely to attract mosquitoes.
- Disused tip: This will be protected by rock revetment, matting and side slopes.
- Public water supply: Further modelling has been done and is detailed in planning attached to the Environmental Statement (ES).
- Invasive species: Knotweed on the tip was treated again this year.
- Boating, paddleboarders and kayakers: There is a Public Right of Navigation (PRN) on the existing estuary. Recently EDDC have licensed a rental for these. It was confirmed that there is in place an instruction to hirers not to go up the river; the issue is individual users. Geoff Jung agreed to take this up with the beach safety officer and concession officer and discuss with EDPHCT regarding any recent incidents. EDPHCT is acutely aware of this issue and noted an increase since lockdown. PRN only applies if the river is accessed from sea not from banks. The team do not believe PRN will automatically apply to any new areas flooded but are seeking legal advice on this matter

It was confirmed that a lot of work was done on the Exe Estuary looking at impact of recreation on different wildlife and birds. There is a need to understand the basis of legal rights and educate the public on this, whilst being careful to strike a balance for public access balanced with wildlife. The current protocol on the existing Otter Estuary is to encourage people to make responsible recreational choices. On the Exe Estuary they have used voluntary codes where bylaws cannot be put in place.

- Jacobs flora and fauna survey: Jacobs to forward a copy to Jim Pyne. The farm provides a unique habitat for bats, with eight species currently known to visit the LORP area. It was confirmed survey data on bats has been collected and forms part of the evidence within the

ES of the planning application. It was confirmed that bats are EU protected species and as such qualify for highest levels of consideration as part of ES.

- Himalayan Balsam (HB): Looks to be increasing in the lower parts of the valley, including in reed beds which are at least semi saline. Contractors are aware of this and will need to mitigate it. CDE with OVA have been successfully managing HB on the tributaries of the Otter. The inter-tidal nature of LORP should not encourage further HB incursion.

6 – For Discussion – Public Engagement and online materials

- Covid-19 restrictions mean the public consultation will be virtual and will signpost people to the planning application to make comments. There are a variety of ways to ensure people are updated including emails, social media, local newsletters, posters etc and offering opportunities to ask questions if necessary.
- The LORP website will be up-to-date and representative of the project.
- A direct link to planning portal will be shared with a more accessible version available on the website.
- The list of planning documents was shared to the meeting along with schematics showing how the scheme will look in the future. Sam Bridgewater highlighted key elements of the project. This will also be available to the public via planning.
- If any stakeholders would like to have a conversation regarding this prior to commenting on the planning the team are all very happy to make time for this.
- It was confirmed that the current informal parking will be removed on South Farm Rd and replaced with formal parking on a field outside of the SSSI; it is as yet undetermined whether this will be a pay or free carpark.
- The new South Farm Road was confirmed to have been designed for both cyclists and pedestrians. The footpath has been separated from the road and there are sections and cross sections showing this. The team are consulting with Richard Spurway regarding this.
- –The estuary mouth is historically quite a narrow entry/exit point. It was confirmed that significant flood risk modelling has been undertaken as part of the scheme. This location will not be armoured, as it is part of the Jurassic coast and as such the preference is to allow it to change by natural processes. This is a key area for the project. The South West Water pipe is not redundant so a decision was needed whether to protect it in situ or reroute it. The latter was viewed as the better long term solution. Under project proposals it is expected that the estuary mouth will open somewhat (both width and depth). Natural England and Jurassic Coast Trust have indicated a preference for allowing natural processes to take place.
- With regard to the National Cycle path route, diversions will need to be in place. This is dealt with in the Human Population chapter of the ES and will ensure this is in place. It was agreed that the team will take away question of how this is communicated nationally and whether this is required.
- The new South Farm Road was confirmed to be wider than the old one, with passing places though it will not be two track. There are parts of the road which will be two-lane such as by South Farm Cottages. In addition new parking should also reduce the need for cars parking on the road, improving visibility and passing opportunities.
- Road east of White Bridge – it was agreed to confirm whether this is a private or Devon County Council road as this will affect any potential traffic order if required.
- It was noted that even though parking at Otterton is out of scope it would be a shame if residents of Otterton objected on grounds of parking issues. Ladram Bay and Otterton Mill already bring traffic to the village and LORP will likely bring a further increase. It was agreed

that discussions between Clinton Devon Estates and the Council should be taken offline and the potential risk to the application was noted.

7 – For Discussion – Future communication with the Stakeholder Group and Technical Steering Group

- The group was asked how they would like to be involved moving forward.
- It was confirmed that the contractor will have a public liaison officer and updates will be circulated.
- It would be helpful to understand what format the group would like communication to be in and thoughts were requested to be forwarded to the team.
- It was agreed that Stakeholder Group has almost run its course.
- There are still some outstanding comments which need addressing. Groups or individuals that still have concerns should provide comment through the planning process.
- It is up to the project team to outline in the planning application how stakeholders have been engaged with and what responses have been made.
- The group commented that the Stakeholder Group has worked well; once planning has gone through there is potential for a similar group to work with the team as a project liaison group working moving forwards.

8 - AOB

- Noted the importance and value of positive written support during the planning process to ensure a balanced view is received by EDDC.
- It was commented that this project is a fantastic opportunity
- The team were thanked on behalf of EDDC for the team seeing this through to what is hopefully a successful planning application.
- The team were thanked for having resolved issues of public rights of way and roads
- With regards to FAB Link the resolution of the western footpath has to remain a priority and FAB cannot be relied upon for financial support for this until their project is confirmed.
- The chairman thanked all those who have attended the Stakeholder Group meetings and for representing the groups they had been elected to represent.

9 - Statement

- Andrew Howard was requested to write a statement to represent the outcome of the meeting.
- Important that statement recognises that issues noted have been addressed and that there are still two outstanding: potential parking concerns at Otterton; and public access of new inter-tidal areas.

10 – Actions

1. EA Comms team: To include the potential loss of the lower path round by Donkey Turn as a likely public concern.
2. Cllr Geoff Jung to discuss Public Right of Navigation with EDPHCT, the Beach Safety Officer and Concession Officer.
3. Jacobs to forward a copy of Flora and Fauna data to Jim Pyne.
4. Megan Rimmer to discuss with Jacobs how to determine requirements for communication of national cycle network diversion.
5. Mike Williams to confirm whether road east of White Bridge is private or Devon County and whether this impacts potential Traffic Orders. Post-meeting note: It is confirmed that South farm Road is adopted by DCC as far east as the entrance to South Farm.
6. Sam Bridgewater to ensure communication continues between Clinton Devon Estates and the Council (County, District and Local) on the subject of parking in Otterton