



Lower Otter Restoration Project

Minutes of the Stakeholder Group Meeting

Rolle Estate Office, 10:30 Tuesday 19th January 2016

1 – Attendance

Mark Rice (Environment Agency) - Chair
Sam Bridgewater (East Devon Pebblebed Heaths Conservation Trust / Clinton Devon Estates)
Steve Panks (Natural England)
Richard Spurway (Devon County Council)
Steve Edmonds (East Devon District Council)
David Turner (East Devon District Council)
Chris Woodruff (East Devon AONB)
Greg Evans (Budleigh Salterton Cricket Club)
Roger Saunders (Otter Valley Association)
Cllr Christine Channon (Devon County Council)
Cllr Tom Wright (East Devon District Council and Budleigh Salterton Town Council)
Cllr Mike Clarke (East Budleigh & Bickton Parish Council)
Cllr Tony Bennett (Otterton Parish Council)
Cllr Christopher Silverthorne (Colaton Raleigh Parish Council)
Ian Wycherley (Representing residents and businesses around South Farm)
David Butler (Representing residents of Granary Lane)
Mike Williams (Lower Otter Restoration Project Manager)

2 – Apologies

Steve Rendell (EA Project Manager)
Noted to add Cllr Geoff Jung (EDDC Colaton Raleigh) to future Stakeholder Group meetings

3 – Introductions

All parties introduced themselves and highlighted any immediate interest or concerns about the potential project. It was agreed that a 'Concerns Log' would be set up in line with project management principles as suggested by David Butler, representative of Granary Lane residents. [See Appendix 1.](#)

David Butler, representative of Granary Lane residents also tabled a current position statement. [See Appendix 2.](#)

Concerns raised and logged at the meeting included:

- The potential adverse impact of tidal flooding on existing public access and local businesses at South Farm and Otterton should South Farm Road be allowed to flood
- The risk of erosion to the old municipal tip south of South Farm Road
- The risk of erosion of the cliffs adjacent to Granary Lane
- Although there was general agreement that climate change was having an impact in the lower Otter valley, that existing infrastructure is compromised and that impeded drainage currently impacts adversely on the cricket club and South Farm Road, a range of views were presented on how these issues might best be addressed and the costs and benefits of various approaches.

Ian Wycherley, representative of residents and businesses around South Farm also tabled a paper for inclusion and reference in the meeting. [See Appendix 3.](#)

4 - Project governance

Mike Williams gave an overview of the evolution of the project to date and how this influences the governance. The final shape is still being determined but is likely to comprise a Project Board, Project Steering Group and the Stakeholder Group.

Project Board provides strategic direction and oversight of the project. It will be a small group consisting of:

- Environment Agency, Area Manager
- Clinton Devon Estates, Estates' Director
- Environment Agency Project Executive
- Environment Agency and EDPHCT Project Manager(s)

Project Steering Group is likely to comprise Regulatory Bodies and Statutory entities; it will provide advice to the Project Board and guide the development of the project.

The Stakeholder Group will inform and advise the Steering Group and make recommendations, but will not be responsible for making decisions.

5 - Environment Agency project management process

Mike Williams clarified that the project is currently at an 'ideas' stage and that the work to date has been to underpin an appraisal process which is required for the project to go ahead. Many of the concerns raised and questions, at this stage unanswered, will be addressed during the project appraisal process.

The stages of the process are as follows:

- Approval of outline business case and funding for appraisal: Spring 2016
- Appraisal, including design: Summer 2016 to Summer 2018
- Approval of full business case and funding for construction: Summer/Autumn 2018
- Construction: Summer 2019 to Autumn 2020 (possibly longer)

6 - Draft terms of reference and purpose of the stakeholder group

All parties required to return, by email, their views and thoughts on the Draft terms of reference by Tuesday 2nd February. [See Appendix 4](#)

7 - Project update

Mike Williams presented an update on several aspects of the project [See Appendix 5](#)

The risks of policy changes throughout the duration of the project was raised. The representatives from the Environment Agency explained their familiarity with policy changes through project conception, inception and delivery.

CLlr Christine Channon raised queries regarding the need to gather geographical data on the tidal activity and the Otter Mouth. Mike Williams explained that whilst it is not expected that the project would affect the mouth of the estuary it would of course be fully assessed during appraisal.

Dr Bridgewater noted that Budleigh Salterton Cricket Club recognise a need to move regardless of whether the project proceeds.

8 - Access issues

8a - Park Lane

Park lane continues to be under a traffic order. It was initially investigated as an alternative access route for residents and business of South Farm Road but quickly became apparent that it would not be an option due to the width of the road and the additional time and distance that it would add to the journey from South Farm Road to Budleigh Salterton.

8b - Footpath 12

Initial observations suggested that an upgrade of the footpath adjacent to the cliff would be beneficial. Conclusions suggested that work to simply make the path more robust would be suitable.

Mike Williams highlighted that the Environment Agency are not focused on creating a cycleway, the suggestion had previously been made in response to suggestions at other consultations. Details regarding works to footpaths, purpose of use and access would be investigated as part of the project appraisal.

8c - South Farm Road

South Farm Road continues to be a significant issue. It would not be possible to proceed with the project without an appropriate access solution for South Farm. Project partners believe that it is better to manage planned flooding rather than unplanned.

CLlr Channon confirmed that a statement from Devon County Council ([See Appendix 6](#)) could be circulated to the Group.

Dr Bridgewater highlighted that Clinton Devon Estates' perspective is that an access solution for South Farm Road is vital and a non-tidal bridge would be favoured. The Estate would like to know if this is possible.

9 – AOB

A question was raised that a potential conflict of interest may exist and it was suggested that independent oversight from DEFRA may be required due to a board member of EA also being the Estate Director of Clinton Devon Estates and a Trustee of EDPH.

10 - Date of next meeting: Tuesday 19 April 2016 suggested – Please confirm availability

Appendix 1 - Concerns log

Concerns log as at 19.01.16 as presented by David Butler, Representative of Granary Lane Residents. Full excel version to be managed and updated by the project team. Other tabs are currently empty.

Concern n	Concern Title	Concern Description	Source of Concern (GL/BC)	Concern Category (RAID)	Concern Accepted/Rejected	Assigned To	Date Raised	Status	Date Closed
1	Pursuit of a Single Solution Option	Current focus of Project activities on developing a Single Solution Option is generating an irresistible momentum for that option which has yet to be justified. At least one or two alternative solution options (other than allowing the River Ower to spread by reconnecting it to its floodplain) need to be fully researched and assessed against quantitative and qualitative criteria	BC	Issue					
2	Prioritizing provision of wildlife environment over people's homes and businesses.	Decision made in concert by the EA and CDE that Ower Estuary should provide 14 hectares of compensatory inter tidal habitat for flood works elsewhere reached without justification or public consultation.	BC	Issue					
3	Perceived Conflicts of Interest	The influential positions held by a single individual in all three bodies sponsoring the Project (CDE, EA and PHCT) need to be balanced by appropriate levels of demonstrably independent oversight and assurance by DEFRA	BC	Risk					
4	Out of date research	Hajcock report, now over six years old, has become stale and needs to be refreshed to take account of current projections of future river/flood flows.	GL	Risk					
5	Transparency of Investment Appraisal	There is a need for independent scrutiny of the tangible and intangible benefits and disbenefits of the Project, the Return On Investment over its projected life cycle and the potential betterment accruing to CDE against the detriment accruing to residents and businesses.	GL	Risk					
6	Transparency of synergies with FAB Link Project	These two projects, both focused on the Ower Estuary, have been developing in parallel since their conception in 2009/10. They are converging - particularly in respect of proposals that the cable should follow the route of Footpath 12 along the western bank of the estuary adjacent to Granary Lane private properties. CDE will presumably benefit from an income stream in consideration of granting wayleave permissions to Transmission Investments. It is timely for a public statement to be made by the Project on its strategies for exploiting the evident synergies and negotiating a substantial contribution by Transmission Investments to the future maintenance of the Estuary.	BC	Dependency					
7	Unjustified Project Team Assumptions	Dismissal of various concerns raised at public consultation meetings as "not significant" based on subjective opinion of relevant experts and authorities rather than on objective evidence obtained from Impact Assessments and Modelling	GL	Assumption					
8	Impact of Accelerated Erosion of the Western Escarpment	Erosion of the Western Escarpment exacerbated by increased river flow and tidal inundation (which would impact adversely on the amenity and value of properties adjoining the estuary) has not been independently assessed or modelled	BC	Risk					
9	Silt Accretion	Accretion of silt converting estuary landscape (from that which has evolved over 200 years into essentially attractive part of designated AONB) to unattractive mudflats and swamp	BC	Risk					
10	Denial of Access to South Farm Road	Unacceptable high detrimental impacts on value of the public highway and footpath to residents, SME businesses and tourists	GL	Risk					
11	Cycle Path	Nuisance to residents caused by possible construction of a substantial new cycle path on the western bank of the estuary along the route of Footpath 12	BC	Risk					
12	Falling Oak Trees.	Erosion of the Western Escarpment causing oak trees to fall threatening the safety of users of Footpath 12	GL/BC	Risk					
13	Mosquitoes	Creation of inter-tidal habitat attractive to invading species of mosquitoes threatening the health of local inhabitants	GL/BC	Risk					
14									
15									
16									
17									
18									

Appendix 2 - GRANARY LANE RESIDENTS – POSITION STATEMENT

1. We welcome the invitation to join the extended Project Stakeholder Group and the opportunity this offers of working with the Group and the Project Team to develop and deliver secure and sustainable solutions for the future of the Otter Estuary, our private properties, the local communities and the local environment.
2. We recognise, understand and accept that the cost of funding properly planned preventive, reactive and remedial maintenance of the existing infrastructure of the Lower Otter Estuary *may* prove to be unsustainable in the face of *both* continuing periodic flooding and budget cuts.
3. We note the Project's public commitment to openness and transparency in working with local communities but we do not feel that the Project has, so far, fulfilled this commitment by engaging us in a *genuine* dialogue to identify problems, to understand our concerns, to develop ideas on what options might be available, to find shared solutions and the best way of delivering them.
4. We are looking to the Project to access independent professional research on contentious issues and to reach and communicate decisions based on demonstrably objective analyses of such research rather than on subjective expert opinion.
5. We are seeking guarantees from the relevant bodies that, whatever sources of capital funding are secured for future investment in the infrastructure of the Lower Otter Estuary, appropriate sources of annual revenue are also secured over the next 50 years to fund properly planned preventive, reactive and remedial maintenance.
6. We have compiled a log of our concerns to facilitate monitoring of their progress and resolution through the formal decision making processes of the Project.

Appendix 3 – South Farm residents and businesses summary

19 January 2016

South Farm Road Community Statement: Summary

We as a community perceive the Lower Otter "Restoration" proposal as strikingly destructive and unwise: we are united in our distress and opposition to its irreversible, impassable, tidal flooding of the road that is the lifeline of our community, and a vital parish and visitor asset. On careful analysis, we perceive this proposal will sadly *create* much of the destruction it purports to address. Far from averting theoretical damage, which may not occur for 30 years, (or may be partial/repairable), it will *inflict* dramatic damage on both landscape and the community.

It will, for example, reduce emergency capacity, notably at high tide – no small thing in a flash-flood prone valley. And in drowning a road with irreplaceable functionality (*see statement*), it will destroy a business hub/farm shop, weaken emergency access, and sever residents/staff (including non-drivers) from essential Budleigh services, plus their car, foot, bus-link, and cycle right of way to their homes, damaging daily life.

The scheme fails on practical and ethical grounds (would project managers push this plan if they lived/worked in the communities/parishes it stands to damage?). We question the transparency of pursuing such outsize marsh-creation, despite all the risks and negative knock-on consequences, when marsh could be *more sensibly* distributed elsewhere.

And we offer examples of inspiring, emerging alternatives, including *replacing the scheme entirely* with non-damaging drainage measures financed by the subsea cable company. And finally, as a matter of overriding probity and urgency, we call for new, independent assessment of the growing alternatives.

Thank you

Attachments

1) Flood Modelling Year-round impact of the scheme on South Farm Road: tidal flood depth/duration data based on published measurements and sine-wave mathematics.

"The project could only proceed if it demonstrates that it will not increase flood risk" EA/CDE paper 8/2015

The scheme will replace occasional road-flooding with 300 day/year impassable flooding 2x a day.

2) Statement from the South Farm Community of Residents and Businesses 19 January 2016 19 January 2016

¹"Creating a Better Place Corporate Plan Summary 2014-16" 11, 3 2 e.g. European Centre of Disease Control trends / maps 3 "in the same bio-geographic region...or migrating route or wintering area...in the Member State" Guidance Doc Article 6(4) EEC Jan 2007

Statement from the South Farm Community of Residents and Businesses – cont'd

We regard the Lower Otter proposal as on balance unwise and damaging: one which we collectively oppose, and believe should be **replaced** with one that seeks to improve valley drainage without the severe negative impacts this proposal will bring, including irreversible tidal flooding of South Farm Road, a county/parish asset, the **daily lifeline** to our community of residents, farmers, and entrepreneurs.

We collectively highlight that this proposed large-scale tidal invasion, at the expense of South Farm Road, is **socially unsustainable**: it stands to ruin the daily lives of everyone based here (not all of whom can drive); it will put unsupportable strain on the local residential, farming, visitor, and parish landscape; it will destroy our community's business hub, and loved, 3-generation farm shop; all of which violates, sadly, the Environment Agency's corporate aim to foster "environments that...enhance people's lives"¹

Crucially, we perceive that, **far from mitigating** gradual effects of climate change, deliberate tidal breaching will – in flooding our only realistic access route, posing risks to Granary Lane's cliff, baring Frogmore Lane homes to storm spring-tide risks, and reducing emergency capacity (standard hydrology) to accept the flash-floods so key to our valley, notably at high tide – create the very damage it purports to prevent i.e. **net destruction** rather than 'restoration'. It will also besiege a landfill with a long, erratic toxic history, such that sampling cannot give a 100% accurate picture of the residual risks it poses.

Our experience as key stakeholders, unfortunately, has been poor, including long exclusion from stakeholder meetings, and a tendency for the fate of this essential public road/right of way, and our community, to be **downplayed** in public communications. We are also concerned this scheme is being **oversold** by the Environment Agency/Clinton Devon's small management team, led by an Environment Agency trustee, (whilst understating banks' core resilience/potential to be raised), at the expense of local people's daily needs/equal rights, Clinton Devon core values, and some common sense considerations.

We believe this proposal **sidelines** far less damaging, more sensitive and, we believe, more sensible alternatives. There is no transparent, independent, inclusive, current process of assessing other options; project managers (without **accountability**) appear to be fixated on this single, shaky, monolithic option. Such 'managed realignment' is in our view (and others') **inappropriate on this large scale** in this small valley tightly interwoven with functionally irreplaceable access, people's homes, businesses, landfill, soft cliffs, pro-mosquito climate,² and intergenerational farming. Especially as the issue is not untenable sea walls but, in the main, fluvial load/flash-floods. The effects of deliberate breaching are **unpredictable**: even a tiny miscalculation of variables, we are advised, could underestimate risks posed. We oppose **sacrificing** the Otter to marsh to fulfil, as it were, a 'paper exercise' to meet UK salt-marsh targets, or compensate for the Exe (Environment Agency coastal squeeze), where it may more justly belong, when EU habitats directive 6(4)³ and DEFRA allow flexibility in location/number of compensating sites. To sacrifice the daily needs of an entire community, and parish assets, for transferable habitat targets that **could be created / distributed elsewhere**, with far less community/landscape damage, is deeply disturbing, and a form of discrimination (re: Equal Opportunities). Especially if any **non-transparent factors** may be involved (as in Clyst parish experience of a withdrawn, matching scheme). ⁴ *Nb, Clinton Devon Estates' published "anticipated key aims" include: "protection...of public access from flooding" (CDE online 12.1.16)*

The tidal flooding of a community lifeline is not humane; rendering it permanently impassable twice daily, for 80% tides, for many hours [*data attached*] is unsupportable. This public road⁴ and right of way is held in trust **for all**, including local parishes, the many summer visitors – and crucially, for those whose daily lives, homes, & businesses depend on it. Above all, the road's **functionality is irreplaceable** i.e. direct, safe, car, cycle, foot, delivery-van, farm-trailer, and pallet-lorry all-hour access to our junction with Budleigh, and so to our GPs, bus services, shops, customers, suppliers etc. The only farm-track, high on the headland, is long, feeble, rutted, prone to tree falls, and exposed to very high winds. Far too dangerous for everyday access / ambulances, too remote for customers, it finally reaches lanes too often blocked by parked cars for 24-hr HGV/farm/fire access. Route 2 cycle-lane north, meanwhile, is cut by heavy subsidence, narrow, swerving, blind, beloved by walkers/cyclists; those of us who knew its earlier days attest it is and was a nightmare.

We believe **turning back the clock** two centuries, with this deep, racing, far-reaching tidal invasion squanders the valley's superb engineering, and is out of step with the modern residential / business setting of prize-winning South Farm Court and its environs, plus today's social needs, the **nationally important** Cycle Route 2 along South Farm Road, and access needs of contemporary farming equipment.

We believe that, for a process that is just, rigorous, compassionate, and publically accountable, fully decoupled from PR, **it is pressing and appropriate for independent assessments** to be made – especially of alternative strategies. i.e. Practical, non-breaching, conserving measures, perhaps within a sustainable **whole-catchment** approach that better addresses fluvial flash-flood risks, enhances South Farm Road and its popular right of way, and supports carbon capture. Such a beneficial approach could include:

1. install a one-way **tide gate**, or farmer-operated gate, to speed flood drainage into the estuary
2. enlarge the **cricket pitch outfall** (simple/cost-effective) to similar effect
3. install a bypass **drain** between the landfill and White Bridge, and/or clear the overgrowth (simple/cost-effective) reducing fluvial flood risks to the banks while speeding in-situ drainage
4. strengthen the embankments by further **coppice-planting** and/or modest investment/raising
5. occasionally **clear** worst bottlenecks in the lowest river (i.e. sensitive management; the

lack of this appears to be impairing the river's otherwise impressive hydraulic capacity)

6. work with partners to reduce run-off via upper catchment **tree planting: a worldwide strategy**
7. use inspiring, innovative, '**slow the flow**' techniques, successful in e.g. Yorkshire / Somerset
8. smaller **habitat** enhancements, to be explored/discussed, plus the habitat restoration of 6 (above)
9. a negotiated sea-outfall upgrade (and/or 1), plus South Farm Road upgrade/raising and culverts

by transnational **FAB link**, to permit their subsea cable to use Lime Kiln / any part of the valley.

This rare **funding opportunity** (or 1-8) helpfully removes any 'need' for a damaging, large-scale tidal invasion to address the climate/valley drainage, i.e. the landowner's stated initial aim.

We therefore support calls for the project to be shelved, and for new, all-inclusive, transparent, accountable, assessments of alternative strategies by verifiably independent experts. Thank you.

Appendix 4 - Draft Terms of Reference

Lower Otter Restoration Project

Stakeholder Group

Draft Terms of Reference

Background

The Lower Otter Restoration Project is a partnership between the Environment Agency, Clinton Devon Estates and East Devon Pebblebed Heaths Conservation Trust that aims to deliver a planned, more sustainable way of managing the lower Otter Valley, rather than reacting to unplanned failure of infrastructure. Climate change and sea level rise make it likely that the embankments that currently exclude the tide will fail in the short to medium term.

The project will restore tidal flooding to parts of the former estuary of the River Otter. It will create some 60 hectares of mudflat, saltmarsh, reedbed and grazing marsh. The former waste tip will be protected from erosion. The restored intertidal habitat could also compensate for that lost to sea level rise and coastal squeeze in the Exe Estuary.

The Project will be led by the Environment Agency, with a Project Board including senior managers from both partners. A Steering Group comprising representatives from regulators and statutory bodies will provide advice and guidance to the Project Managers and Project Board. The Stakeholder Group includes a broad range of interested parties, including local residents and businesses, and will influence the development and implementation of the Project.

Purpose of the Stakeholder Group

Initially established with a smaller membership soon after project inception, the Stakeholder Group has been expanded so that all key stakeholders can contribute to the project.

The group will provide a forum for effective interchange of information between the Project partners and other interested parties. It will also enable open discussion of issues, with the intention of reaching consensus where possible.

The group will also influence the general direction of the project and the selection of options.

The remit of the Stakeholder Group does not extend to decision making or providing strategic direction.

Activities

- To receive updates from the Lower Otter Restoration Project Manager(s).
- To advise the Project Manager(s) of issues, concerns and opportunities relating to the development and implementation of the project.
- To consider and respond to issues and risks identified by the Project Manager(s) or Steering Group.
- To identify data and information that could be made available to the project.

Membership

The following table lists the representatives as at January 2016 and may be subject to change.

Organisation	Representative
East Devon Pebblebed Heaths Conservation Trust	Sam Bridgewater
Environment Agency	Mark Rice Hugh Davey
Natural England	Steve Panks
Devon County Council	Richard Spurway Cllr Christine Channon
East Devon District Council	Dave Turner Steve Edmonds Cllr Tom Wright
East Devon AONB	Chris Woodruff
Otter Valley Association	Roger Saunders Haylor Lass
Granary Lane Residents	David Butler Lynne Jones
South Farm Residents / Businesses	Ian Wycherley
East Budleigh & Bicton Parish Council	Cllr Mike Clarke
Otterton Parish Council	Cllr Tony Bennett
Colaton Raleigh Parish Council	Cllr Christopher Silverthorne
Budleigh Salterton Cricket Club	Greg Evans
Project Managers	Steve Rendell (EA) Mike Williams

Meetings

- Will normally take place quarterly and will be held at the Rolle Estate Office.
- Will be minuted and the minutes circulated to group members.
- Will normally be chaired by the Project Manager.

Appendix 5 – Mike Williams – Project Update



Lower Otter Restoration Project Stakeholder Group

Project Update: January 2016

Funding

EDPHCT has appointed funding consultants to develop bids to several potential sources. Our consultants have prepared an initial report and timetable for this work.

The main targets for project funding are the France Channel England (FCE) programme of Interreg Va and the Heritage Grants programme of the Heritage Lottery Fund (HLF). Other potential sources include the Landfill Communities Fund (LCF) and Sport England, although these are likely to be smaller amounts.

The Environment Agency's formal partnership in the project enables it to fund some of the work, which can be used to draw down match funding from FCE and / or HLF. The Environment Agency's external funding specialists are also part of the project team.

The FCE programme runs from 2014 – 2020, but has had a very slow start, with relatively few projects so far receiving approval. We have recently submitted a Project Idea Form, with initial response encouraging and a first meeting arranged with the programme secretariat. Funding is unlikely to be confirmed until mid 2017.

We met with HLF in 2015 and they are enthusiastic about the project. We are meeting with them later in January and expect to submit an initial application in mid 2016. Again, final confirmation is unlikely before 2017.

Data

We are working on the interpretation of bird data and have commissioned a survey of use by waders and wildfowl and links with other estuaries. There is some evidence to show that birds are moving between the Exe, Otter and Axe.

We have carried out some further topographic survey of the western footpath to understand better the extent and frequency of flooding.

We have commissioned a survey of the cliff on the western edge of the floodplain to provide a better understanding of its current condition and risk of erosion if subject to tidal inundation.

Cricket Club

We have had several meetings with BSCC and their consultant regarding a potential new location for the club. We have explored several sites and now have a preferred location. There is enough room for the club to realise its long term aspirations and access is good.

The Club and EDPHCT have jointly commissioned a feasibility study by STRI, which will investigate the suitability of the site in more detail. The report should be produced later in the spring. Funding of this part of the project is still a major issue.

FAB Link

There is a project to bring electricity from France, via Alderney, to Britain as part of increasing the capacity for cross border energy trade. FAB has been recognized as a "Project of Common Interest" by the European Union following support received from both the French and UK governments. The FAB project has received funding from the European Commission.

The cables will cross the English Channel from the Cherbourg peninsula and the most likely landfall is at Budleigh Salterton. The promoters have been carrying out offshore and terrestrial surveys, including work in the Limekilns car park. The connection to the National Grid would be at the Exeter sub-station near Whimble. The cable route between Budleigh Salterton and Whimble has not yet been determined but could be along the western footpath.

Education

There has been considerable interest in the Lower Otter Restoration Project as the focus of secondary education recently. We have been approached by the East Devon Science, Technology, Engineering and Maths (STEM) team who are interested in using some of the data that is available (e.g. flow, LiDAR or biodiversity data) to support work by students. We will be working with schools from Honiton, Ottery St Mary, Axminster, Sidmouth and Broadclyst.

Exeter University has been able to secure ESRC funding for a PhD studentship on using place-based education to promote understanding of environmental science and develop school-community links.

Timing

Aligning timing of all the various components is one of the tricky aspects of the project. We are still piecing the puzzle together, but it does look as though it will be possible to bring them together with care.

The Environment Agency's appraisal process could take two years, with construction unlikely to commence before 2019 if the project does go ahead. Construction would take one to two years, depending on the final design detail.

Mike Williams
19 January 2016



Lower Otter Restoration Project

The Environment Agency and Clinton Devon Estates have liaised with officers at Devon County Council (DCC) in relation to their Lower Otter Restoration Project proposals. This document provides a summary of the views presented on behalf of this Authority, specifically in relation to its highways, public rights of way, environmental and flood risk management interests.

1. There is support for the main objectives of the project, acknowledging that these are intended to provide a sustainable and long-term approach to management of the lower valley system to address current problems (especially flood risk issues), whilst realising new environmental opportunities. Although requiring significant change from the current position in the Lower Otter, the proposed approach is consistent with the present-day thinking on aligning catchment and shoreline management with natural systems.
2. It is recognised that the proposed environmental gains, specifically the creation of new areas of intertidal habitat, are required to comply with statutory requirements relating to “*compensatory habitat provision*”, with the Otter Valley providing opportunities which are unavailable on the Exe Estuary.
3. Consideration could, if relevant, be given to a minor adjustment to the project boundary to extend it northwards to the weir close to Otterton, particularly if this might enable consideration to be given to the flood flows which affect the road on its approach into the village.
4. Notwithstanding this support for the overall project objectives, the proposals have significant implications for DCC highway assets, particularly for South Farm Road, but also the Public Rights of Way (PRoW) network, which is extremely popular and heavily used within the Lower Otter Valley. As such, there are a series of significant concerns which require further dialogue and agreement.
5. The original proposal to raise the level of South Farm Road, either through a bridge structure or major earth embankment, is considered to be inappropriate on cost grounds. The scale and nature of such works is also likely to conflict with the special landscape and wildlife qualities of the area, particularly as part of the East Devon Area of Outstanding Natural Beauty.

6. It is acknowledged that without any such raising of its level, the road will become subject to regular tidal inundation on a significant proportion of all high tides. Whilst this will have clear implications for its future use, which may be unpopular locally, it is not inconsistent with its ongoing status as part of the county highway network.
7. However, should the road be subject to tidal inundation, there would be a need to establish alternative access solutions, most notably for South Farm, as well as significant adaptation by the business units and affected residents.
8. It is recognised that the situation within the Lower Otter is not unique. DCC and the local community are facing similar dilemmas at other coastal locations, such as at Slapton Line.
9. The proposed works, particularly the breaching of the existing flood bank, will also have a direct and immediate effect on the PRoW network and recreational activity in the lower valley. There is, however, clear scope to mitigate such impact through the installation of new structures to bridge these gaps, the details of which would need to be agreed by DCC.
10. DCC is willing to work with project partners to identify and establish suitable access solutions and new opportunities. This could include exploration of cycle options linking to Park Lane. However, any consideration of new cycle provision should take into account the knock-on implications for the pedestrian footway linking to Marine Parade.
11. Additional capital costs for new access arrangements and PRoW maintenance costs should be seen as part of the project cost and covered externally; they cannot be covered by DCC.
12. Whilst acknowledged that the old landfill site is currently threatened by occasional flows of flood water, there is currently a lack of clarity on how the proposals will affect its long term integrity, including any necessary measures to protect it from tidal waters. It is assumed that this issue will be fully addressed through the project. It should be noted that this redundant land was never transferred to the control of DCC and, as such, this Authority has no responsibility for it.
13. DCC, in its role as Lead Local Flood Authority, welcomes the manner in which the project should address the current problems associated with the movement of flood waters in the Lower Otter. However, we would highlight the desirability of linking these proposals with a more holistic approach at the catchment scale. This could include the promotion of measures to reduce surface run-off, so helping to reduce the speed and intensity of flood flows in the lower valley. DCC would be pleased to work with the Environment Agency and the East Devon Catchment Partnership to explore the potential for such an initiative.