

Overview of Management Roles for the Exe Estuary

Introduction and Purpose of Paper

This paper provides an overview of management roles for the Exe Estuary. In particular, it seeks to clarify the respective roles of three bodies which are specifically focussed on the management of the Exe Estuary, these being:

- A. The Exe Estuary Management Partnership (EEMP)**
- B. The South East Devon Habitat Regulations Executive Committee, Partnership (SEDHREC, SEDHRP) and Officer Working Group**
- C. Exeter City Council in its role as Harbour Authority**

The Summary Table overleaf provides a concise outline of the role and key differences between each of these three bodies. A fuller description of the purpose, structure and composition of each can be found on the following pages and, also, provides links to where more detail can be found.

There are difficulties in presenting this information in a simple manner. Whilst each body has a distinctive role, there are areas of overlap and frequent joint working. Close liaison and ongoing coordination between these bodies should help to limit this confusion and also ensure that they continue to collaborate in the most efficient manner and in the interests of the Exe Estuary.

Wider Management Responsibilities

In addition to the above three partnerships / authorities, there is a wide range of other statutory authorities and organisations that have duties related to the management of the Exe Estuary. Obvious examples include:

- Local authorities (i.e. Devon County Council, the three District Councils, plus the various Town and Parish Councils)
- Natural England
- Environment Agency
- Devon and Severn Inshore Fisheries and Conservation Authority (IFCA)
- The Marine Management Organisation

All of these statutory bodies are classed as ‘competent authorities’ and have a general duty placed upon them, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive. This requires specific approaches to the delivery of their core functions (e.g. in permitting development or regulating activities on the estuary) to ensure legal compliance and ensure that a favourable conservation status for the Exe Estuary is maintained.

A ‘management scheme’ can be the best means to achieve positive and coordinated working within ‘European Marine Sites’, such as the Exe Estuary Special Protection Area (SPA) and Dawlish Warren Special Area of Conservation (SAC). Legislation requires that any such management scheme is developed jointly between ‘relevant authorities’, which are defined as including nearly all of those listed above. The Exe Estuary Management Plan, produced through EEMP, fulfils this requirement.

However, there is a huge range of other organisations, businesses, groups, clubs, societies and individuals who play a part in the management of the Exe Estuary or who have an active interest in its use and enjoyment. The EEMP is intended to provide an umbrella under which all such stakeholders might be represented.

Summary Table

	EEMP	SEDHREC	Harbour Authority
Role	Coordinates management of the estuary, with a balance between human use and the protected nature	Mitigation of impacts arising from new development (and population growth) within 10km of internationally important conservation sites and wildlife	Promote water safety on the Exe through education and enforcement of byelaws
Remit	Broad remit covering human use and environmental conservation	Focussed remit on the protected wildlife and habitat of the protected sites	Focussed, statutory remit on navigation, safety and pollution issues, whilst ensuring compliance with the Habitat Regulations
Geographic Scope	Full extent of estuary and its immediate hinterland and settlements	European protected sites of the Exe Estuary, Dawlish Warren and East Devon Pebblebed Heaths	Extent of the estuary, but with a specific focus on the Exeter Ship Canal
Objectives / Method of Operation	Exe Estuary Management Plan 2016 - 2021	South-East Devon European Site Mitigation Strategy and Pebblebed Heaths Visitor Management Plan.	Regulation and enforcement of navigation and water safety through staff employed by Exeter City Council
Membership and Governance	Relevant authorities, government agencies, non-statutory bodies and a wide range of local stakeholders and interests	The Habitat Regulations Executive Committee is operated as joint local authority committee for Exeter, Teignbridge and East Devon	Exeter City Council. The Council Executive Committee acts as a 'Harbour Board' in respect of waterways decisions
Structure	<ul style="list-style-type: none"> • Partnership Committee • Executive • Stakeholder Forum 	<ul style="list-style-type: none"> • Executive Committee • Officer Working Group (South East Devon Habitat Regulations Partnership is the umbrella term for the EC and OWG) 	<ul style="list-style-type: none"> • Harbour Authority role lies within Exeter City Council as above
Employed Staff	<ul style="list-style-type: none"> • Exe Estuary Officer 	<ul style="list-style-type: none"> • Habitat Regulations Delivery Manager • Two Habitat Mitigation Officers • 'Devon Loves Dogs' Project Officer 	<ul style="list-style-type: none"> • Harbour Master • Canal Operations Manager • Two FTE Harbour Patroller posts
Funding	Variety including partner contributions and external project funding	Contributions from developers of new housing across the three council areas, within a 10km "zone of influence"	From Exeter City Council existing budgets
Role of Associated Boat	N/A	To help raise awareness with water users on how to use the estuary responsibly and with care for the wildlife	To promote water safety and enforce byelaws



A. Exe Estuary Management Partnership (EEMP)

Role: The EEMP coordinates management of the estuary, on behalf of local authorities, government agencies and conservation bodies and provides a contact point for local communities of the estuary.

The Partnership seeks to conserve and enhance the estuary's special nature and promote sustainable economic and social activity by managing competing demands and addressing any conflicts as they arise, to ensure that interests and activities are harmonised.

The EEMP takes an impartial approach, to help ensure that there is a balance between human use and the protected nature of the Exe.

Remit: EEMP has an extremely broad and varied role, covering all aspects of the management of the estuary, including environmental conservation and resilience, recreational usage and commercial activities.

Geographic Scope: EEMP's area of operation includes the full extent of the estuary and its immediate hinterland and settlements.

Objectives / Method of Operation: EEMP produces and coordinates the delivery of a Management Plan, which incorporates the Management Scheme for the Exe Estuary European Marine Site (under Regulation 38 of the Habitats Regulations), through which the relevant authorities exercise their functions in relation to that site so as to secure compliance with the requirements of the Directives. This plan contains multiple objectives which are implemented via the many constituent partners, as well as a single, dedicated Estuary Officer. The Management Plan can be found at www.exe-estuary.org/web/exe-estuary/partnership-documents5.

Membership / Governance: The partnership structure of EEMP covers relevant local authorities, government agencies, non-statutory bodies and a wide range of local stakeholders and interests, all of whom are represented in some way through a Partnership Committee, an Executive Group and a very broad Forum.

Structure:

- Partnership Committee – strategic lead
- Executive – operational and technical lead
- Stakeholder Forum – community lead and stakeholder engagement

Partners: Devon County Council, East Devon District Council, Teignbridge District Council, Exeter City Council, Exmouth Town Council, Dawlish Town Council, Starcross Parish Council, Woodbury Parish Council, Clyst St George Parish Council, Bishops Clyst Parish Council, Natural England, Environment Agency, Devon and Severn IFCA, RSPB, Powderham Estate, RYA, British Canoeing.

Local communities are represented by a Forum Chair and Forum Vice Chair, as well as a non-voting Stakeholder Representative. SEDHRP is invited to Partnership Committee meetings as a non-voting adviser.

Employed Staff:

- Exe Estuary Officer

Funding: Funding for the EEMP comes from a variety of sources including partner contributions and external project funding.

B. South East Devon Habitat Regulations Executive Committee, Officer Working Group & South East Devon Habitat Regulations Partnership



Role: The South East Devon Habitat Regulations Executive Committee (SEDHREC) is a legally constituted joint committee of Exeter, East Devon and Teignbridge Councils, tasked with ensuring effective mitigation of the impacts arising from new development (and population growth) within 10km of internationally important conservation sites (outlined below).

Remit: A focussed remit on the protected wildlife and habitat of the protected sites, with work linked to very specific statutory requirements.

Geographic Scope: The European protected sites of the Exe Estuary, Dawlish Warren and East Devon Pebblebed Heaths.

Objectives / Method of Operation: The overriding objective of SEDHREC is to plan, co-ordinate and oversee delivery of measures detailed in the South-east Devon European Site Mitigation Strategy. Successfully meeting this objective will facilitate planned growth and development in the Exeter sub-region. Whilst it usually undertakes or commissions such work directly through its own staff team and contractors, there are occasions when it offers financial support and works jointly with EEMP to meet shared objectives or when public consultation is required in relation to the Exe, such as with the wildlife refuge and code of conduct work. The Mitigation Strategy can be found at www.eastdevon.gov.uk/planning/planning-policy/environment-and-green-infrastructure/biodiversity

Membership / Governance: SEDHREC is operated as local authority function, with the governance related to a joint committee.

Structure:

- Executive Committee (Exeter, East Devon and Teignbridge Councils) – delegated the legal powers to work on behalf of the three authorities. There is a right for the public to observe these meetings.
- Officer Working Group (includes officers from Exeter, East Devon and Teignbridge Councils, EEMP, Clinton Devon Estates, Devon Wildlife Trust, the RSPB, Natural England) – role is to advise the SEDHREC.
- The South East Devon Habitat Regulations Partnership (SEDHRP) is an umbrella term used to cover all the different organisations involved in both the Executive Committee and the Officer Working Group.
- Both SEDHREC and the Officer Working Group, together as SEDHRP, can be said to be working towards the same aims and objectives for the purposes of delivering the mitigation strategy but SEDHREC is the formal body with decision making responsibilities and accountability.

Employed Staff:

- Habitat Regulations Delivery Manager
- Two Habitat Mitigation Officers
- 'Devon Loves Dogs' Project Officer

Funding: Implementation of the mitigation strategy is funded through contributions from developers of new housing across the three council areas, within a 10km “zone of influence”.

Habitat Regulations Boat Role: To help raise awareness with water users on how to use the estuary responsibly and with care for the wildlife and to liaise with the Harbour Authority and other relevant departments of the partner authorities.

C. Harbour Authority (Exeter City Council)



Role: The role of Exeter City Council as the statutory Harbour Authority for the Port of Exeter (Canal & River) is to:

- Promote water safety on the Exe through education and enforcement
- Have a presence on the water in order to offer advice and provide a deterrent to those failing to comply with byelaws

Remit: A focussed, statutory remit on navigation, pollution (prevention and response) and safety on the Exe, whilst ensuring compliance with the Habitat Regulations.

Geographic Scope: The Harbour Authority operates over the extent of the estuary (including those areas within the jurisdiction of East Devon and Teignbridge District Councils), but with a specific additional focus on the Exeter Ship Canal.

Objectives / Method of Operation: The Harbour Authority is focussed on the regulation and enforcement of navigation and water safety through staff employed by Exeter City Council. However, one area of overlap with SEDHRP is that both operate 'patrol boats' within the estuary, although the former with an enforcement agenda, whereas SEDHRP is focussed more on education and guidance relating to the wildlife constraints. Additionally, as with all competent authorities, the Harbour Authority has responsibilities under the Habitats Regulations to address the legal requirements linked to the internationally important wildlife interests of the estuary. The work of the Waterways team at Exeter City Council can be found at: www.exeter.gov.uk/leisure-and-culture/sport-and-leisure/waterways/overview

Responsible for:

- Navigation: maintain buoyage to mark deepest part of channel and mark obstructions (wrecks)
- Notices to Mariners: www.exeter.gov.uk/leisure-and-culture/sport-and-leisure/waterways/local-notices-to-mariners
- Byelaws: 10 knot speed limit, navigation safety, activity areas
- Safe Harbour & Port Marine Safety Code
- Pollution prevention and response
- Harbour Directions: to better regulate shipping and improve safety in consultation with Exeter Port User Group (PUG)
- As a competent authority, ensure navigation and water safety regulation complies with the Habitats Regulations, i.e. that it avoids deterioration of natural habitats, disturbance of designated species, and risk of adverse effects on the integrity of the Exe Estuary European Marine Site.

Membership / Governance: The Harbour Authority is operated as local authority function, with the governance related to local authority committees.

Structure: The Council Executive Committee acts as a 'Harbour Board' in respect of Waterways decisions.

Employed Staff:

- Harbour Master
- Canal Operations Manager
- Two FTE Harbour Patroller posts

Funding: Funding for the Harbour Authority is from existing Exeter City Council budgets.

Harbour Patrol Boat Role: To promote water safety and enforce byelaws.