

Queen's Harbour Master's Office
 Longroom
 RM Barracks
 Stonehouse

QHM 532/3

19 July 2007

**NOTES OF THE TAMAR ESTUARIES CONSULTATIVE FORUM MEETING
 HELD AT 1015 ON THURSDAY 12 JULY 2007 IN THE CONFERENCE ROOM
 HM NAVAL BASE DEVONPORT**

<u>Present</u>	<u>Representing</u>
Commander I Hugo Royal Navy	Chairman and Queen's Harbour Master (QHM)
Cllr G Jordan Cllr M Leaves Mr P Ford	Plymouth City Council (PCC)
Mr A Winder	Devon County Council (DCC Coastal Officer)
Ms F McNie Mr B Preston	Cornwall County Council (CCC)
Mr R Swinfen	Wembury Conservation Group (WCG)
Captain T Charlesworth	Cattewater Harbour Commissioners (CHC)
Ms M Nightingale	Coastal Officer (CO)
Miss L Heape Mr S Lee	Natural England (NE)
Ms R Teverson	Tamar Valley AONB (TVAONB)
Mr K Carter	South Hams District Council (SHDC)
Mr D Cresswell	Devon Sea Fisheries Committee (DSFC)
Mrs S Last	Minute Secretary

<u>Item</u>	<u>Discussion and Decisions</u>	<u>Action</u>
1. Intro-duction.	1. Cdr Hugo welcomed those present to the meeting. He invited members to introduce themselves and identify their respective organisations. He welcomed new members and for their benefit, outlined the TECF remit and broad current status of business.	
2. Apologies for Absence.	1. Apologies for absence had been received from Lt Cdr Trathen, DQHM, Ms Perry and Cllr Pike, WDBC, Captain Andrews, ABP, Messrs Whitby, DEFRA, Toogood, SHDC/AONB, and Councillors	

	Hosking, DCC, and Fielden, SHDC.	
3. Notes of Previous Meeting.	1. The notes of the previous meeting held on 15 March 2007 were accepted.	
4. Matters Arising.	<p>1. <u>Co-ordination and Information.</u></p> <p>a. <u>Management Plan and Annual Work Programme.</u> CO advised that the current Plan had been adopted in September 06. She listed the 4 main work stands which had subsequently been agreed and explained that these would be discussed as individual agenda items. Other routine educational and project business was ongoing.</p> <p>b. <u>Financial Statement and Funding.</u> With core funding agreed and the welcome return of SHDC, CO was content that the short term financial situation was reasonably stable. Because of her impending departure she had passed out invoices early in order to ensure a smooth turnover to her successor.</p> <p>c. <u>EA Withdrawal of Funding.</u> Radical funding cuts within EA and questions over their future at this Forum had prompted correspondence between EA and Cdr Hugo. EA remained eager to take part in TECF business and had intimated that although no direct financial contribution was possible, an opportunity for limited assistance to future project funding may be possible.</p> <p>d. <u>Memorandum of Agreement.</u> There were some differing views over the legal requirements of the document. Mr Winder (DCC) had signed similar agreements and therefore had no objections, Captain Charlesworth's (CHM) legal team had advised against signing, CCC required a list of definitions to be added and others still required to seek advice. All felt that in principal, the Agreement would provide a useful tool towards achieving wider objectives and agreed that Ms McNie's suggestion of a change in title from "Agreement" to "Understanding" may be key to avoiding any subsequent legal difficulties. CO to investigate.</p> <p>e. <u>Marine and Coastal Policy Developments.</u></p> <p>(i). <u>Marine Bill.</u> It was important to ensure that TECF was placed at the correct level in the final organisational chain. Input into the recent ICZM seminar and ongoing engagement should ensure that the expertise and experience within TECF would be acknowledged.</p> <p>(ii) <u>Improving Coastal Access.</u> Because detail was still unclear Ms Teverson (TVAONB) asked if NE could provide clarity. Ms Heape (NE) agreed that there was still much work to be done and suggested</p>	CO

	<p>NE's website should be monitored for current and further information. Mr Winder was able to explain that four options were still under consideration. He admitted to having reservations however, it was hoped that the current ambiguity would be addressed in the near future.</p> <p>f. <u>Coastal Officer Supersession</u>. QHM stressed the importance of maintaining momentum until a new CO was appointed. Mr Ford (PCC) said that the closing date for applications had been fixed for 27 July after which a short list would be established and interviews would take place. It was suggested that the partners be involved, both with providing suitable interview questions and presence at the short list presentations and final interviews. Those wishing to take part should contact Mr Ford soonest.</p> <p>2. <u>Waterfront and Marine Development Plan</u>.</p> <p>a. <u>Coastal Planning SPD</u>. CO confirmed that the Supplementary Planning Document had been incorporated in the PCC Core Strategy where the intention to use it to link up with other planning authorities had been published. Mr Ford went on to state that the detailed guidance contained in the document would prove important for the Tamar Estuary and TECF. With the Marine Bill offering huge opportunities for cohesive estuary management, and government and planning inspectorate support, he was eager to set up a Working Group with members taken from this Forum, to take the task forward. He had set a provisional completion date of October 08 for publication of the final report. Members wishing to serve should contact Mr Ford soonest.</p> <p>b. <u>Millbay Inner Basin/Millbay Development Plan</u>. The Planning Application was expected imminently. The Millbay and Devonport action plans would be passed to PCC for adoption on 6 August 2007.</p> <p>c. <u>Sutton Channel pontoons/Barbican Landing Stage</u>. The Sutton Channel Licence had been granted and re-tendering was underway. An application to site the ex HMS PLYMOUTH in this vicinity had raised issues which were being addressed.</p> <p>3. <u>Nature Conservation</u>.</p> <p>a. <u>SAC Matters</u>. Ms Heape gave her report, copy attached.</p> <p><u>Dredging in the Dockyard Port of Plymouth</u>. Cdr Hugo was pleased to report that the MOD 2007 maintenance campaign had been accomplished within the expected time line and had achieved success in driving down cost and disposal amounts. It was noted that other areas of the port had also completed their 2007 campaigns.</p>	<p>All</p> <p>All</p>
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	<p>b. <u>Marine Protected Areas Project</u>. CO re-iterated the importance of wide engagement and clarification of intent. She was delighted to confirm the participation of Devon Sea Fisheries who would provide valuable input. She referred to Ms Heape’s draft paper entitled “Marine Protected Areas in Plymouth” – a copy of which was passed to those present. She urged Members to read the paper as it simplified the aims and aspirations of the project. Copy attached. It was considered that Cllr Jordan’s concerns over data accuracy, particularly with regard to fish stocks/migration, would be addressed by the “Finding Sanctuary” initiative which would encompass a network of marine protected areas and guide the quality of the study.</p> <p>4. <u>Navigation and Waterborne Public Transport</u>.</p> <p>a. <u>Revision of the Dockyard Port of Plymouth Order</u>. The draft amendments had been returned to the Legal Department for final corrections and it was hoped to be in a position to begin formal consultation before the end of the year. TECF, PPMLC would be included in the process.</p> <p>b. <u>Dredging Protocols for the Tamar Estuaries</u>. The project brief had been accepted and key stakeholders identified. It was hoped that funding could be raised among local partners.</p> <p>5. <u>Public Access, Recreation and Moorings</u>.</p> <p>a. <u>Weir Quay Development Plan</u>. Ms Teverson said the disparity of varying interests and highly emotive local feeling meant that the initiative was complicated and slow-moving. However, with the final consultant report imminent, a public consultation event had been tentatively booked for the autumn.</p> <p>b. <u>Managing the Interests of the Upper Estuary</u>. A technical Working Group had been established to handle the wide-ranging and varied study. The Weir Quay Development Plan would be integral to this body of work.</p> <p>6. <u>Marine Archaeology</u>.</p> <p>a. <u>Archaeological Representative</u>. In response to PPMLC’s proposal CO had approached English Heritage who had agreed in principal to taking up a seat on the Forum. An official invitation would be forwarded.</p>	<p>QHM</p> <p>CO</p>
<p>5. Matters Brought Forward from PPMLC.</p>	<p>1. <u>Piling at Sutton Harbour</u>. The PPMLC RYA representative had been astonished by piling which had gone ahead without planning permission. The lack of council enforcement officers had been highlighted with a subsequent request that TECF take action to</p>	

	pressure PCC for their re-instatement.	CO								
6. Significant Future Events.	<p>1. QHM provided an update on events for 2007:</p> <p>22-27 July National Schools Sailing Asssoc. Dinghy Regatta Port of Plymouth Regatta</p> <p>27-31 July Plymouth Classic Boat Rally</p> <p>15 – 19 August Finish of Fastnet Race</p> <p>23 – 25 August National J’s Cup</p> <p>13-14 August National Fireworks Competition</p>									
7. Any Other Business.	<p>1. <u>Estuary Management Review</u> .</p> <p>a. <u>South Hams</u>. Mr Carter (SHDC)) revealed that his authority would be undertaking an estuary management review. Current structures would be integrated and there may be some impact on TECF partnership. It may be necessary to seek some advice and guidance as the review developed.</p> <p>b. <u>Devon County Council</u>. Mr Winder (DCC) echoed the previous item. Having appointed Mr J Masters as co-ordinator, DCC would be looking to Devon Maritime Forum to facilitate discussion.</p> <p>2. <u>Antony Passage Management and Access</u>. Cdr Hugo would investigate incidents which had been reported to Captain Charlesworth of vessel owners being denied access to the beach and moorings by individuals alleged to be acting for local riparian landowners.</p> <p>3. <u>Departure of Maeve Nightingale</u>. In acknowledging Maeve’s huge contribution to TECF Cdr Hugo listed her enthusiasm, energy, pragmatism, charm and patience. She had worked to make things happen and been the driving force in re-vitalising the Forum. He was delighted that she had been offered an exciting work opportunity in Sri Lanka and wished her and her family the very best for the future.</p> <p>Maeve replied graciously saying that she had thoroughly enjoyed her time with the partnership. She wished it well for the future and thanked all those who had given her support and assistance during her tenure.</p>	QHM								
9. Future Meeting Dates.	<p>1. Dates for future TECF and PPMLC meetings as follows:</p> <table border="0"> <tr> <td><u>PPMLC</u></td> <td><u>TECF</u></td> </tr> <tr> <td>11 October 07</td> <td>15 November 07</td> </tr> <tr> <td>14 February 2008</td> <td>13 March 2008</td> </tr> <tr> <td>12 June 2008</td> <td>17 July 2008</td> </tr> </table>	<u>PPMLC</u>	<u>TECF</u>	11 October 07	15 November 07	14 February 2008	13 March 2008	12 June 2008	17 July 2008	
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TECF Briefing from Natural England for July 12th 2007 (previous TECF March 15th)

1) Casework

Cargreen Yacht Club – Discussion with club over proposals for a re-instating an old slipway. NE would like to see a solution which does not involve a permanent reclamation of the intertidal.

Scallop farming – Proposal to farm scallops just off Jennycliff shore. The scallops will be farmed in pearl nets at a nursery stage then placed onto the sea bed.

Port maintenance dredging - Last 3 yr licence runs out in December 2007. Informal consultation about next maintenance dredging license. A dredging Status Review has been produced by Westminster dredging which looks at ways in which they could improve the dredging strategy.

Calstock – NE have been consulted over removal of part of the bank adjacent to the shore to improve dingy storage. NE have no concerns for the SAC or SSSI from this.

2) Giant Hogweed Clearance – Further work to eradicate the Giant Hogweed led by EA, NE, DCC and AONB unit. Clearance in the upper estuary and the River Lyd. Some public awareness work with landowners to try and ensure that they have a bigger part to play in making sure it is controlled in the future.

3) Marine bill- NE have now made a formal response to the White Paper for the Marine Bill. All the detailed responses are on the DEFRA website but the key points made by Natural England are:

- 1) The designating body for Marine Conservation Zones (MCZ) should have a ‘duty’ to designate a network of MCZ’s (rather than the power) and that they should lead on designation, selection, consultation and enforcement.
- 2) NE support the Marine Spatial Planning and advises there should be strong links between marine spatial planning and terrestrial planning system.
- 3) That NE should be the statutory consultee for decision making.

4) Coastal Access

A consultation has been launched by DEFRA on improving coastal access which is due to complete on 11th September. See www.defra.uk/corporate/consult/coast-access. NE have produced a report on its recommendations. The key aim is fill the gaps in coastal access where there is none now. The South West already has good access and so may not be vastly affected by these plans. NE have already advised that this takes into account heritage and wildlife.

3) NE staff coverage of Plymouth Sound and Estuaries SAC, Tamar-Tavy SSSI and Tamar AONB

Further to the transfer of the NE lead for the SAC from Chris Davis to Laura Heape. For more terrestrial issues; Hugh Tyler has taken over from Carol Williams and Sangeeta McNair on the Cornwall side. On the Devon side, Simon Lee (recently joined the Devon office) will cover terrestrial issues. **Simon will take a lead on AONB issues.**

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Marine Protected Areas in Plymouth

Why should the protection level of some areas of the marine environment within the Plymouth area be enhanced?

The seas around Britain are suffering from the cumulative effects of destructive and intensive commercial fishing, climate change, pollution, development and dredging. The effects are clear in the damage to seabed habitats, the poor catches of some fish species and the loss of diverse marine communities.

We have lost any sense of what the sea should look like and have long forgotten the age of thriving and productive coastal and marine ecosystems.

On land we can visibly see the changing landscapes over time. We are only just waking up to the fact that what lies under the seemingly unchanging surface of the sea is equally as influenced by man and needs similar levels of protection as Dartmoor or Exmoor.

At present, Plymouth Sound and Estuaries, including Wembury and the Yealm Estuary, are protected under the Habitats Directive as a Special Area of Conservation (SAC). The upper estuaries are also protected as a Special Protection Area (SPA) for important bird species. Superimposed on these sites are a number of nationally important Sites of Special Scientific Interest (SSSI's) which cover a mix of both coastal e.g. saltmarsh and marine or estuarine habitats.

So why do we need any more protection for the marine environment around Plymouth? Well, surprisingly, these designations only offer so much protection to the marine environment. Firstly, they are targeted at a limited number of habitats and species, those that are rare and threatened at a European level and not the 'ecosystem'. The SAC aims to maintain favourable condition of these features. Secondly, the aim is to 'maintain favourable condition' and does not provide for ecosystem recovery. Thirdly, the protection only extends as far as the defined seaward boundary. Last but not least, the designations don't effectively ensure sufficient protection (or any in some cases) against a whole host of activities including anchoring, spear fishing, dredging, potting and angling. We can safely assume that every part of Plymouth Sound and the surrounding waters have been impacted upon in some way.

Like the rest of our seas, Plymouth needs 'refuge areas', areas that are free from direct detrimental human activities. These areas may then have a chance to recover to a more natural flourishing state and help create a more robust wider marine environment.

The Marine Bill is proposing to allow for protection of a wider range of species and habitats and provides for objectives to be set to allow for ecosystem recovery. Finding Sanctuary is a partnership project aiming to create a network of Marine Protected Areas (MPA's) in the South West. This project has been developed and supported by a broad range of national, regional and local organisations. The Marine Protected Areas Management project for the Tamar estuaries and coastal area should identify if there are any areas within the TECF area that could benefit from additional protection. Effectively it is a pilot project of Finding Sanctuary.

What are the benefits of increasing the protection levels?

The idea of a Marine Protected Area (MPA) in its purest form, as a Highly Marine Protected Area (HMPA), is that living things within them are not killed, damaged, disturbed and removed from the food chain. What they are living on, in or under is left alone. Simple. A seagrass bed will thrive and have the best chance of providing a haven for spawning flatfish and the rugged terrain essential for attachment of larvae and a whole community of slow growing species will gradually be restored.

Animals, including some commercial fish species e.g. lobsters and fish will be allowed to live longer, grow larger and produce many more eggs. There is enough evidence from around the world to suggest that refuge areas may become a rich source of larvae and young which 'spill over' into surrounding areas.

There may equally be an agreement that a certain area is closed off to just one particular activity rather than all exploitative uses.

Overall, these areas can help create more robust and thriving marine ecosystems which are better able to cope with the forces nature throws at them such as disease, storms and climate change and the ever present human impacts.

If the community using the sea are behind these MPA's, they have a better chance of success. People can take more ownership of what lies on their doorstep. Setting aside these areas will help provide a more formalised use of different water areas and aim to reduce conflict between users.

MPA's are an opportunity to spread the word about what lies beneath the sea and allow people a real opportunity to help restore it to its former glory.

At Leigh in New Zealand, a reserve was created in 1977 where no fishing was allowed. Now, the previously large sea urchins numbers no longer graze out the kelp forest, the rock lobsters densities are over 10 times higher in the reserve than outside it and fishermen believe the reserve provides valuable fish stocks to adjacent waters.

The best places to put MPA's in terms of conserving biodiversity or sustainability of fish stocks are areas of rare or vulnerable habitats or species e.g. eelgrass, rocky reefs, nursery and spawning ground and fish aggregation areas e.g. wrecks. However, protecting any area of sea will have benefits.

What would be the potential negative effects in relation to possible sites in the Plymouth area?

Plymouth is a multiple use site, a common feature of our coastline. There is competition for sea space. It will be a challenge to come to an agreement with all users on where such a protected area or areas should be, how big it should be and to what extent different activities are excluded. There will need to be some compromises. There could be a short term loss in the area available for fishing for example but experience from around the world indicates this would soon be outweighed by the boost given to surrounding fisheries. However, the seas are a complex system. Some changes may occur in a matter of years, others over many years.

We should consider the scenario that by creating refuge areas we are displacing fishing effort or other detrimental impacts elsewhere, worst of all one that is a more vulnerable environment than the original patch.