

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 06 July 2020

Portfolio:	Planning and Development
Subject:	Hook Lake Coastal Management Study
Report of:	Director of Planning and Regeneration
Strategy/Policy:	Fareham Borough Council Corporate Strategy 2017-2023
Corporate Objective:	Protect and enhance the environment

Purpose:

To seek approval to undertake a project to identify viable habitat creation options, to develop outline designs and produce a business case for delivering new habitat at Hook Lake, to help meet the Regional Habitat Compensation Programme (RHCP) targets in the Solent and South Downs (SSD) Area. The project will also provide opportunity to investigate additional broader outcomes important to Fareham Borough Council and the wider Fareham community, not just in relation to the environment, but also to enhance amenity, improve access and community health and wellbeing.

Executive summary:

Hook Lake is located to the south of Warsash, on the eastern side of the River Hamble (Appendix A). The area is important environmentally, hosting national and international environmental designations including the Solent and Southampton Water Special Protection Area (SPA) and Ramsar site, the Lee-on-the-Solent to Itchen Estuary Site of Specific Scientific Interest (SSSI) and Hook-with-Warsash Local Nature Reserve (LNR).

The existing site, owned and managed by Hampshire County Council, comprises approximately 39 ha of coastal grazing marsh and 4 ha of reedbed habitat and the frontage is popular with locals and tourists due to its abundance of wildlife and network of footpaths passing through the reserve, including the Solent Way.

The aim of the study is to identify options to create compensatory intertidal habitat at Hook Lake, as recommended in the River Hamble to Portchester Strategy (RHPS) (2016) and the North Solent Shoreline Management Plan (2010).

This project will help to meet the targets of the Solent and South Downs (SSD) Regional Habitat Compensation Programme (RHCP) to deliver compensatory intertidal habitat which is a legal requirement of the North Solent Shoreline Management Plan (NSSMP) Imperative Reasons of Overriding Public Interest (IROPI) agreement and Statement of Case.

Funding is already secured for the study from Environment Agency Grant-in-Aid.

Recommendation:

It is recommended that the Executive:

- (a) approves commencement of the Hook Lake Coastal Management Study; and
- (b) agrees that the Director of Planning and Regeneration, is given delegated authority to procure and deliver the works, subject to the award of contract being made through an Individual Decision by the Executive Member for Planning and Development.

Reason:

Across the SSD area there has been a reduction in European Designated Sites (Natura 2000), either via the direct encroachment of new coastal defences or through coastal squeeze, resulting from the combination of rising sea levels and 'Hold the Line' (HTL) SMP policies. The SSD RHCP Annual Review Report (2017), completed as part of the progress review and strategic update for the RHCP, calculated the intertidal habitat losses as, 435ha of saltmarsh and 75ha of mudflat, over the next 100 years.

The habitat compensation targets set for Epoch 1 (2005-2025) have mostly been met, primarily from Medmerry in West Sussex, but there is still 20 ha of saltmarsh habitat short. The habitat creation targets for Epoch 2 (2026-2055) are set as 149ha of saltmarsh and 70 ha of mudflat.

The creation of new compensatory intertidal habitat through the RHCP will help to offset these losses and is a legal requirement of the North Solent SMP IROPI agreement and Statement of Case. To ensure that the regional Flood and Coastal Erosion Risk Management (FCERM) programme can continue to be delivered without delay, compensatory habitat must be in place in advance for all FCERM schemes that will encroach and/or cause coastal squeeze damage to European Sites (Natura 2000 sites). Without provision of this compensatory habitat, many future FCERM schemes across the North Solent SMP area, will not have their Habitat Regulations Assessment approved, preventing planning and marine licence consents from being granted and therefore future FCERM schemes will not be able to progress.

Hook lake has been identified as a key high priority habitat compensation site to create up to 40.5 ha of saltmarsh and mudflat compensatory habitat to meet the Epoch 1 deficit and some of Epoch 2 (2026-2055).

The existing defences at Hook Lake have a residual life of 10-20 years. Given the present poor condition of the seawall, ad-hoc maintenance would be insufficient to mitigate health and safety risks associated with potential localised structure failure in the future. The Environment Agency (EA) currently maintains these however, they are not legally or contractually obliged to continue maintaining assets in the system and there is an intent to look at withdrawing maintenance in the short term.

The Hook Lake coastal management study and associated scheme are included in the EA's Capital Grant Programme. Funding for the study was approved by the EA in December 2019.

Cost of proposals:

Total estimated budget cost of proposals is indicated in confidential Appendix B.

Appendices:

A: Location Plan

B: Confidential – Estimated Cost of Proposals

C: Project Timeline

Background papers: None.

Reference papers: North Solent SMP: Minutes of Executive meeting 08/11/2010

River Hamble to Portchester Coastal Flood Risk &
Management Strategy proposed for Adoption: Minutes of
Executive Meeting 20/04/2015

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BOROUGH COUNCIL

Executive Briefing Paper

Date:	06 July 2020
Subject:	Hook Lake Coastal Management Study
Briefing by:	Director of Planning and Regeneration
Portfolio:	Planning and Development

INTRODUCTION

1. Fareham Borough Council's (FBC) coastal team, the Eastern Solent Coastal Partnership (ESCP), propose to undertake a study to investigate compensatory intertidal habitat creation options at Hook Lake, Fareham.
2. The project will identify viable habitat creation options, develop outline designs and produce a business case for delivering the scheme through to detailed design and construction. The project will also provide opportunity to investigate additional broader outcomes important to Fareham Borough Council and the wider community, not just in relation to the environment, but also to enhance amenity, improve access and community health and wellbeing.

LOCATION

3. The site is located to the south of Warsash, on the eastern side of the River Hamble in Fareham, Hampshire (Appendix A). The frontage is popular with locals and tourists due to its abundance of wildlife and network of footpaths through the reserve, including the Solent Way footpath.

BACKGROUND

4. Across the Solent and South Downs (SSD) area there has been a reduction in European Designated Sites (Natura 2000), either via the direct encroachment of new coastal defences or through coastal squeeze, resulting from the combination of rising sea levels and 'Hold The Line' (HTL) Shoreline Management Plan (SMP) policies.
5. The SSD Regional Habitat Creation Programme (RHCP) Annual Review Report (2017), completed as part of the progress review and strategic update for the RHCP, summarises the intertidal habitat losses expected throughout the remainder of Epoch 1 (2005-2025) and in Epochs 2 (2025-2055) and 3 (2055-2105) of the 100-year SMP period. By the end of Epoch 3, the negative balance in saltmarsh and coastal grazing habitats in the SSD area is predicted to be -435 ha and -76 ha respectively.
6. The creation of new compensatory intertidal habitat through the RHCP will help to offset

these losses and is a legal requirement of the North Solent SMP IROPI agreement and Statement of Case. To ensure that the regional Flood and Coastal Erosion Risk Management (FCERM) programme can continue to be delivered without delay, compensatory habitat must be in place in advance for all FCERM schemes that will encroach and/or cause coastal squeeze damage to European Sites (Natura 2000 sites).

7. The existing defences consist of a concrete sea wall and a barrier beach with a shingle spit, which have a residual life of 10-20 years. Given the present poor condition of the sea wall, ad-hoc maintenance would be insufficient to mitigate health and safety risks associated with potential localised structure failure.

LINKS TO STRATEGIES

8. This site falls within two Policy Units in the North Solent SMP (2010). The policy for the frontage inside the estuary is No Active Intervention (NAI) in Epoch 1, Managed Realignment (MR) in Epoch 2 and HTL in Epoch 3 and the policy for the open coast frontage is NAI with localised HTL for cross-Solent National Grid operational assets. The SMP Appropriate Assessment identifies areas of wetland habitat within the Solent European Marine Sites that would be lost as a consequence of HTL policies, due to coastal squeeze. The Environment Agency has a legal obligation under the Birds and Habitats Directive (Directive 2009/147/E and Council Directive 92/43/EEC) to provide compensatory habitat for the losses that have been identified.
9. The site falls within Option Development Unit (ODU) 25 of the River Hamble to Portchester Strategy (2015). The Strategy makes recommendations to maintain the existing defence and undertake further studies during Epoch 1, before a phased implementation of a regulated tidal exchange or a managed realignment scheme to create new intertidal habitat from 2030.
10. Following the strategic update of the SSD RHCP, the site at Hook Lake is considered high priority in order to help meet RHCP targets for saltmarsh habitat during Epoch 1 (up to 2025). The Hook Lake site could deliver up to 40.5 hectares of intertidal habitat. Without provision of these 40.5 hectares of compensatory habitat, many projects delivering the North Solent SMP policies will not have their Habitat Regulations Assessment approved and therefore will not be able to progress.
11. The proposed study falls under the Fareham Borough Council Corporate Strategy 2017-2023. Specifically, the Corporate Objective to: Protect and Enhance the Environment.

LEGAL IMPLICATIONS

12. The land is owned by Hampshire County Council (HCC) and the reserve managed by the Hampshire Countryside Service.
13. HCC as landowner has contributed staff time to help develop proposals for the study and have committed to contribute data and time moving forward.
14. Any future works following the study will be carried out under the Land Drainage Act 1991, or Coast Protection Act 1949, where Fareham Borough Council have permissive powers to act in the public interest; doing so only when there is:
 - a clear economic benefit;
 - an appropriate engineering solution can be achieved; and,

- no contravention of environmental legislation.

ENVIRONMENTAL IMPLICATIONS

15. The area is important environmentally, hosting national and international environmental designations including the Solent and Southampton Water Special Protection Area (SPA) and Ramsar site, the Lee-on-the-Solent to Itchen Estuary Site of Specific Scientific Interest (SSSI) and Hook-with-Warsash Local Nature Reserve (LNR).
16. The existing site comprises approximately 39 ha of coastal grazing marsh and 4 ha of reedbed habitat and the frontage is popular with locals and tourists due to its abundance of wildlife and network of footpaths passing through the reserve, including the Solent Way footpath.
17. The Hook Lake site could deliver up to 40.5 hectares of saltmarsh and mudflat habitat.
18. Potential impacts on the site shall be assessed so that the impacts of the scheme do not adversely affect the natural environment. This will be assessed through the study and normal consenting process in consultation with the relevant environmental bodies.

FINANCIAL IMPLICATIONS

19. At present, the scheme sits within the Environment Agency's (EA) capital programme and the most up to date Partnership Funding (PF) calculator gives a raw funding score of 18%. Typically, schemes need to demonstrate a 100% or above adjusted partnership funding score (taking account of secured contributions) to be eligible for Grant in Aid (GiA). However, given that the habitat creation scheme is required to fulfil SSD RHCP objectives and legal requirements for habitat creation, the scheme is eligible for GiA (via moderation) even if the partnership funding score for the scheme does not meet the 100% threshold.
20. Funding for the study was approved by the EA in December 2019 allocated over a three-year period.
21. The allocation for the year 2019/20 has already been claimed upfront.
22. There are opportunities for efficiencies in this scheme as environmental work would be undertaken in-house by our environmental experts, which includes a Coastal Project Engineer who was previously on secondment to HBC from Natural England (NE). The landowner, HCC, has already contributed staff time to help develop proposals for the study and have committed to contribute data and time moving forward.
23. The ESCP have been pioneering a more open approach since it formed in 2012 by truly working with others to facilitate place shaping and place making through the delivery of its projects.
24. When delivering our projects, we identify additional objectives shared with our partners rather than just constructing flood defences. This in turn enables opportunities to secure additional funding and enhancements to the projects being delivered. As part of this study, broader outcomes and additional funding will be investigated in order to deliver as wide a range of objectives as possible which not only delivers important habitat but also looks to improve the area for the community in terms of amenity, recreation, access, heritage and community health and well-being.

PARTNER ENGAGEMENT

25. A Project Board will be set up to agree key project decisions and will comprise representatives from FBC, the EA, the study consultant (when appointed) and with additional support from FBC legal and financial assurance officers. The Project Board is accountable for the success of the project and will provide overall guidance and direction.
26. A steering group will be set up with a number of key partners and interested parties along this frontage including FBC, the EA, HCC, River Hamble Harbour Authority, Natural England and Historic England.
27. An Engagement Plan is being developed as a live document that outlines a framework for engagement with project partners and interested parties throughout the development of the study.
28. A mapping exercise took place in February 2020 with the ESCP project team, FBC Planning, HCC estates and Countryside Team and the EA, to identify potential partners and interested parties and gauge their level of interest in and support of the project to help plan engagement going forwards.
29. Early engagement with statutory consultees and key interested parties will be vital for the success of the project and targeted stakeholder engagement activities will be key.
30. The ESCP project team will integrate and collaborate with the FBC communications team throughout delivery of the study. Members will be kept up to date through papers and briefings as required.

PROCUREMENT

31. A Procurement Strategy to procure professional services for the study has been prepared and it is recommended that the Director of Planning and Regeneration is given delegated authority to procure and deliver the works, subject to the award of contract being made through an Individual Decision of the Executive Member for Planning and Development.

PROJECT TIMELINE

32. The current high-level project timeline is included in Appendix C.

CONCLUSIONS

33. The approval of the commencement of the Hook Lake Coastal Management Study by the Executive will allow the EA funded study to identify options for intertidal habitat creation to offset habitat losses as a result of SMP policies which is a legal requirement of the North Solent SMP IROPI agreement and Statement of Case. The project will also provide opportunity to investigate additional broader outcomes important to Fareham Borough Council and the wider community, not just in relation to the environment, but also to enhance amenity, improve access and community health and wellbeing.

Enquiries:

For further information on this report please contact Sam Box, Policy Team Leader, Eastern Solent Coastal Partnership samantha.box@havant.gov.uk .