

<b>DECISION-MAKER:</b>	Cabinet
<b>SUBJECT:</b>	<b>Bird Aware Partnership Revised Strategy</b>
<b>DATE OF DECISION:</b>	7 <sup>th</sup> January 2025
<b>REPORT OF:</b>	<b>COUNCILLOR BOGLE CABINET MEMBER FOR ECONOMIC DEVELOPMENT</b>

<b><u>CONTACT DETAILS</u></b>			
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<b>STATEMENT OF CONFIDENTIALITY</b>
NOT APPLICABLE

<b>BRIEF SUMMARY</b>	
<p>Southampton City Council is a member of the Bird Aware Solent Partnership. Its Bird Aware Strategy (previously known as the Solent Recreation Mitigation Partnership Strategy), which identifies contributions towards the Solent Disturbance Mitigation Project (SDMP) as a means of mitigating the impact of development on protected areas in the Solent, was initially endorsed by PfSH (formerly known as PUSH) in December 2017, then approved by Southampton City Council before coming into operation on 1 April 2018, replacing an interim strategy which had been in operation since 2015.</p>	
<p>On 30<sup>th</sup> September 2024, PfSH Joint Committee approved a Revised Bird Aware Strategy and it is that which is now being presented for a Cabinet decision.</p>	
<p>It should be noted that all other Bird Aware Solent Partnership members are also obtaining the same approval within their respective authorities and it has been agreed that there will be a deadline for decisions by the end of January 2025.</p>	
<b>RECOMMENDATIONS:</b>	
	(i) To endorse the Bird Aware Partnership's revised strategy and supporting financial model as set out at Appendix 1.
<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	The current Bird Aware Strategy is over 6 years old and in need of update to ensure it accurately reflects the current position/situation locally; the likely mitigation requirements in the short, medium and long-term; and that financial charging will be able to appropriately mitigate against the levels of development expected in the area, including within the City. The changes proposed also extend the duration of the strategy (from 2034 to 2050), to better support emerging local plans which will run beyond the current strategy

	period of 2034, of which the emerging Southampton City Vision Local Plan is one.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
2.	The only alternative is to not endorse the revised strategy and financial model, which is not recommended as the Council would then need to replicate this work, identifying alternative approaches to ensure the requirements of the Habitats Regulations are met in terms of the impact of increased recreational pressure on the Solent SPAs as a result of new residential development. This would require a significant financial commitment beyond what is budgeted for, would also take a significant amount of time to produce and for internal colleagues to review, and would take time to adopt and put in place the measures required. In addition, the Council and Bird Aware Solent Partnership would also need to review the Council's membership of the Partnership as a result of this decision.
<b>DETAIL (Including consultation carried out)</b>	
3.	<u>Background</u> The Bird Aware Strategy (previously known as the Solent Recreation Mitigation Partnership Strategy which requires development contributions towards the Solent Disturbance Mitigation Project (SDMP)) was initially endorsed by PUSH in December 2017, then approved by Southampton City Council before coming into operation on 1 April 2018, replacing an interim strategy which had been in operation since 2015. On 30 <sup>th</sup> September 2024, PFSH Joint Committee approved a Revised Bird Aware Strategy and it is that which is now being considered for internal approval and will require a Cabinet decision.
4.	Southampton City Council is an active member of the Bird Aware Partnership, with representation on the Steering Group. The Strategy is now well established and annually delivers in excess of 650 ranger patrols talking to over 8,000 people, over 50 community events allowing the rangers to speak with a further 1,500 people and over 30 guided walks with a total of over 400 people taking part.
5.	The Partnership further extends this outreach work with effective communication tools such as leaflets (6,000 delivered annually), site signage and targeted social media posts (over 10,000 followers across different platforms). Feedback shows that 97% of people who hear their messaging receive it positively.
6.	Through this work (and other measures) the Partnership is able to provide effective mitigation for over 2,500 residential planning permissions annually, including all eligible ones within Southampton via SDMP developer contributions. The Partnership has achieved both peer and national recognition for the work it undertakes, winning several prestigious awards.
7.	<u>Key Revisions to the Bird Aware Strategy since it was endorsed in December 2017</u> The revised strategy is contained within Appendix 1, the main changes from the original Bird Aware Strategy are listed below: <ul style="list-style-type: none"> <li>• The duration of the strategy has been extended from 2034 to 2050, with the in-perpetuity period now running until 2130 (was previously 2114). This is in response to requests from the PFSH Planning</li> </ul>

	<p>Officers Group, and allows the strategy to support emerging local plans which have dates beyond 2034.</p> <ul style="list-style-type: none"> <li>• Based upon this extended operating period, the number of predicted dwellings has been remodelled. This requires the revised strategy to be capable of providing mitigation for around 5,700 dwellings per annum, where previously it had been meeting the needs of closer to 2,500 per annum. This means that over the lifetime of the strategy, it is predicted to mitigate for just over 147,000 new dwellings.</li> <li>• The strategy has been extended to provide a proportional response to meet the needs of breeding birds, by supporting the work of organisations already active in that area of work. This means that rangers will provide an element of site visits for the entire year, not just the winter period as has been the case to date.</li> <li>• The core team of dedicated staff will be increased from 10 to 19. This is in response to the warnings related to low staffing numbers in the independent review and allows for the additional workload associated with breeding bird mitigation to be adequately accommodated.</li> <li>• Increased resources allocated to our dog initiative 'Coast and Country Canines' (three of the additional staff members and a £20k uplift to the annual budget) based on the success of this initiative so far and an ongoing awareness that this user group remains a key target audience for the Partnerships to work with.</li> <li>• Increased resources allocated to communications and engagement workstreams (two of the additional staff members and a £20k uplift to the annual budget) in recognition of the role this work plays in reaching our audiences and amplifying our message in all interactions.</li> </ul> <p>Note: an Equality and Safety Impact Assessment relating to Southampton only is attached as Appendix 2.</p>
8.	<p>The increased resources allocated to monitoring (one of the additional staff members) will ensure that the resources are allocated as efficiently as possible and to make sure that changes in coastal use patterns are quickly identified and appropriately responded to.</p>
<p><b>RESOURCE IMPLICATIONS</b></p>	
<p><b><u>Capital/Revenue</u></b></p>	
9.	<p>The Partnership will begin recruiting the new team members from early 2025, with the intention of being fully staffed and operating under the new strategy from 1 April 2025. Portsmouth City Council is the recruiting authority. There are no direct resource impacts to Southampton City Council.</p>
10.	<p>SCC Contributions Received from development (under existing strategy) and passed to the Partnership to deliver the Project:</p> <ul style="list-style-type: none"> <li>• 2024 to date - £152,772</li> <li>• 2023 - £162,578</li> <li>• 2022 - £205,211</li> </ul> <p>This has been spent on a core team of dedicated staff (10 total) covering initiatives to improve public awareness of the issues, communications and engagement, and monitoring. As states at paragraph 2.2, at present the</p>

strategy annually delivers in excess of 650 ranger patrols, over 50 community events and over 30 guided walks with over 9,950 people spoken to. The strategy also extends to outreach work with effective communication tools such as leaflets (6,000 delivered annually), site signage and targeted social media posts (over 10,000 followers across different platforms).

11.

The future charging rate is outlined below in Table 1 below:

Bedroom size	Current: 2024/25	Moves to: All year	Homes within the zone of SPA with winter birds only (less than 1% of total)
1	£465	£465*	£419*
2	£671	£671*	£604*
3	£875	£875*	£788*
4	£1,029	£1,029*	£927*
5+	£1,207	£1,207*	£1,087*
flat fee	£777	£777*	£700*

TABLE 1 - Future charging structure (the \* notes that the annual inflationary increase will continue as usual).

**Property/Other**

12.

Planning

Bird Aware Solent’s strategy aims to provide mitigation for the duration of the impact, that is, for the lifetime of the additional dwellings in the Solent (‘in perpetuity’), in line with the Habitats Regulations. Throughout this period, regular strategic reviews will be conducted by the Bird Aware Solent Partnership every 5 years; or more frequently if changes in the legislation or local evidence indicate this is needed.

13.

New residential developments require mitigation to address the ‘in combination’ effects that increased numbers of residents in the region, and therefore increased numbers of visits to the coastal SPAs, will have on the protected bird species. This mitigation is required to comply with the Habitats Regulations.

14.

Financial contributions will therefore continue to be sought as part of the planning application process, in the same way as they currently are. There are therefore no additional implications for the planning department (Strategic Planning and Development Management) as a result of the revised strategy, other than to consider the updated strategy when determining planning applications and to use the strategy to support the emerging Local Plan.

**LEGAL IMPLICATIONS**

**Statutory power to undertake proposals in the report:**

15.

Endorsing the revised strategy produced by Bird Aware Solent Partnership is considered incidental to the council’s statutory functions as local planning authority. There are three Special Protection Areas (SPAs) for birds along the Solent coastline that are recognised under UK law (see Appendix 3). These

	protected areas are safeguarded by legislation, namely, the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) as amended. This means that mitigation must be provided for any proposed development that is likely to have any significant effects on an SPA. Local Planning Authorities must ensure necessary mitigation will be provided before planning permission is granted. The revised strategy will be a material consideration in determining planning applications and (should the developer elect to rely on this form of mitigation) a useful tool in quantifying the level of developer contribution necessary to ensure development in Southampton has no adverse effect on the Solent coastline. For the avoidance of any doubt, this document is not considered to be a local development document for the purposes of plan making as it has been produced and published by the Bird Aware Solent Partnership.
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**Other Legal Implications:**

16.	S.149 Equalities Act 2010 applies (the public sector equality duty) to the adoption of this strategy and the document has been subject to an appropriate equalities impact assessment being carried out to support the delivery of our equality and inclusion duties.
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**RISK MANAGEMENT IMPLICATIONS**

17.	If Cabinet chooses not to endorse the revised strategy and financial model, as the Council would need to replicate this work, identifying alternative solutions to ensure the requirements of the Habitats Regulations are met in terms of the impact of increased recreational pressure on the Solent SPAs as a result of new residential development. As stated at paragraph 1.6, this would require a significant financial commitment beyond what is budgeted for, would take a significant amount of time to produce and for internal colleagues to review, and would take time to adopt and put in place the measures required to mitigate against residential development in the city. Development could therefore become stalled as a worst-case scenario.
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18.	In addition, the Council and Bird Aware Solent Partnership would also need to review the Council's membership of the Partnership as a result of this decision.
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**POLICY FRAMEWORK IMPLICATIONS**

19.	The proposed revised strategy is compliant with the objectives of the Council's corporate plan (2024)(promoting evidence informed decision-making), the Green City Plan 2030 (objective to assess the environmental impacts, mitigation measures and opportunities to adopt sustainable options in all council projects and decisions), and the Local Development Plan (Core Strategy Policy CS22 – Promoting Biodiversity and Protecting Habitats).
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20.	More broadly, the revised strategy is also key to ensuring Council's growth aims (residential specifically) can be met in the long-term, ensuring an appropriate environmental mitigation strategy related to the Council's obligation as Local Planning Authority to satisfy the Habitats Regulations.
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<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	ALL

SUPPORTING DOCUMENTATION

**Appendices**

1.	Bird Aware Solent Revised Strategy Sept 2024
2.	ESIA Bird Aware Revised Strategy
3.	Special Protection Areas in the Bird Aware Solent Region

**Documents In Members' Rooms**

1.	None.
2.	

**Equality Impact Assessment**

<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>Yes</b>
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**Data Protection Impact Assessment**

<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>	<b>No</b>
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**Other Background Documents**

**Other Background documents available for inspection at: NOT APPLICABLE**

<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	None.
2.	