

Wetland Restoration in the New Forest

The view from the crowd...

Professor John Shepherd CBE FRS

Based on material prepared by

Friends of Latchmore

Robert Clarke (Burley Parish Council)

DEFRA guidance to Public Bodies re "Sites of International Significance"

- "If you want to carry out or approve work on or near an SSSI that's also a protected European or Ramsar site, eg a Special Area of Conservation (SAC) or Special Protection Area (SPA) ***you'll need to carry out a habitats regulations assessment. You should still get advice from NE***".

Wetland Restoration

some basic issues

- Wetland restoration (of degraded habitats, e.g. especially **preservation of mires**) is generally a Good Thing, **in principle**...
- But **in practice**, there are some questions...
 - Is it necessary ? What is the aim ?
 - How do you do it ?
 - Do the methods used actually work ?
 - How do you know if it is successful ?
 - Are there adverse effects ?
 - Overall, is it desirable ?
 - How do you decide ?
 - Balance of benefits versus costs & risks: needs an EIA

What's been going on ?

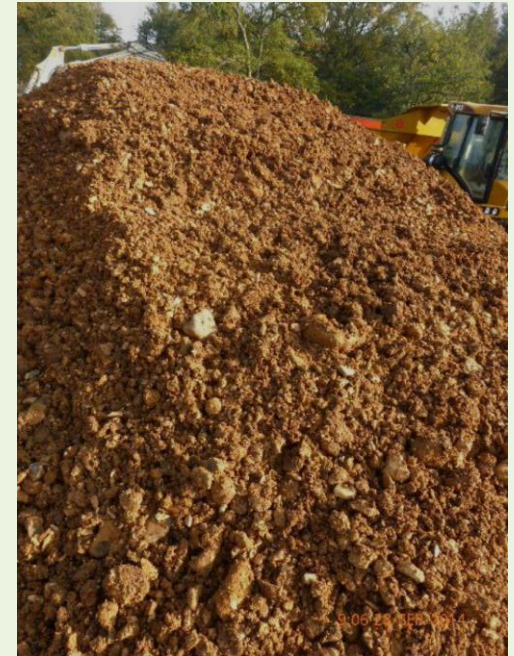
- A major programme of engineering works in the New Forest (over past 15 years)
- To restore streams to a “more natural state” ...

Ditch-end Brook
after “**restoration**”
More natural ??



What's been going on (continued) ?

- Thousands of metres of stream beds have been raised
- Using many thousands of heather bales, plus...
- Thousands of tonnes of hoggin and stone rejects
- At a cost of millions of pounds (with more to spend...)



The Wetland Restoration programme

- A strategic change in the aim of management of wetlands, streams & tributaries in the New Forest
- The long-standing former policy of improving drainage has been reversed
 - Previously aimed to alleviate flooding and improve grazing by straightening meanders, etc.
- A considerable number of projects have been ***“successfully completed”*** ...
- (According to the partners in the HLS Scheme ie Forestry Commission, NPA & the Verderers)
 - With support and advice from Natural England

“Successfully Completed”

How do they know ?

- No clear criteria of success
- No detailed pre-operational surveys
- No monitoring of effects (good or bad)
- No Environmental Impact Assessments
 - Neither before nor after intervention
- Overall: **there is no reliable evidence**
- **And simple observation suggests otherwise**

Ditch-end Brook: “Before” & After



After first works in 2011



In 2014: after repeated “snagging”

Amberslade & Broomy Inclosure

Before



During...



And After.



Broomy Inclosure: the bluebell woods



Then (May 2015)...

And now

The Defra advice on Bluebells Woods is that they are so fragile that people should not walk in them in any numbers... is it OK for the FC to use heavy diggers on them ??



More Questions

- When is restoration required ?
 - What are the criteria ?
- When is planning permission required ?
- When is an EIA (or HRA) required ?
- The FC say they have a "statutory duty" to carry out these works in order to restore the sites to "favourable condition" : true, but...
 - Is that actually possible ?
 - Will the works achieve it ?
 - Who knows ???

Protected Areas: the Law (UK & EU)

- Remember the *DEFRA Guidance* for SSSIs, SACs, SPAs, & RAMSAR sites
- General Principles
 - **Do No Harm** (the precautionary principle)
 - T&C Planning and/or Wildlife and Countryside Act **generally require an EIA**
 - EU Habitats Regs: **No significant intervention without an “Appropriate Assessment”**
 - New Forest is eligible for HLS funds because it is treated as a “Farm” – so it should probably be covered by the Agriculture (EIA) Regulations.

Why have no EIAs or HRAs been done ?

(except for an EIA (but no HRA) for the Latchmore - in progress)

- There is a loophole for work that is “***directly connected with or necessary for the management of the site***”
- What does it mean ???
 - **What is “management”** ? Routine maintenance work ? Major restoration ? Is there a threshold ?
 - **What is “necessary”** ?
 - To maintain state, or prevent further degradation ?
 - To restore to some preferred state (e.g. “favourable condition”) ?
- Natural England have ruled that **all** the projects (so far) **are** necessary, so no Appropriate Assessments are required...

Conclusions

- **The HLS Wetland Restoration projects are major and potentially damaging interventions...**
- **No appropriate assessments of their benefits & risks have been done**
- **There is *no evidence* that they are a success**
- **Simple observation shows that they have actually caused major & damaging changes**
- **Overall: “*The Emperor has no clothes*”**
- **Associated organisations (NGOs etc) should not just support the party line: *Ask More Questions***
 - We need a **real and continuing dialogue** on all these “restoration” schemes: **a special consultative group ?**
- **Meanwhile: these projects should all be suspended**
 - until proper surveys & assessments have been done, and proper monitoring of their effects has been established.

What's happening now...

Clay Stockpile



Harvestlade Bottom



Hoggin Stockpile

Before



After



Supplementary slides

- For answers to questions etc.....

Public involvement ?

This slide needs major simplification if it is to be retained

- How many people directly affected so far?
- Has the public been aware of the implications ?
- Only last year was one of the projects made subject to getting Planning Permission? (? Latchmore ?)
- Latchmore: no application yet: awaiting EIA (the only one)
- Permission granted for the North Sluffers site and the works 'completed' about a year ago.
- Followed by Harvestslade Bottom, just north of Burley, last autumn with works underway currently.
- The Broomy/Amberslade project granted permission and the works completed earlier this year (when still in the bird-nesting season)
- Harvestslade feeds the Mill Lawn Brook that runs through a large stretch of Burley
 - project was subject to the close scrutiny of villagers
 - many cogent questions to the officers of the NFNPA and FC at a public meeting,
 - villagers did not feel reassured of the necessity of the works or the possible implications for future flooding risks
 - particularly concerned that an EIA was not to be undertaken as a prior condition of the grant of planning permission

Habitats Regs: quotation from

www.levett-therivel.co.uk/AAppt.ppt

6.3 Any **plan** or project not directly connected with or necessary to the management of the **site** but likely to have a **significant** effect thereon, either individually or **in combination** with other plans or projects, shall be subject to **appropriate assessment** of its implications for the site in view of the site's conservation objectives... the competent national authorities shall agree to the plan or project **only after having ascertained that it will not adversely affect the integrity of the site** concerned..