

2 February 2017

LATCHMORE WETLAND RESTORATION SCHEME – NEW FOREST**Purpose**

1. To update the Committee on the decisions of the New Forest Higher Level Stewardship (HLS) Board on the Latchmore wetland restoration scheme following the rejection of our application for Planning Permission by the New Forest National Park Authority Planning Committee and to consider the impact on the SSSI and reputation of Forest Enterprise as a result of these decision.

Background

2. The New Forest HLS is an agreement between the Verderers of the New Forest and Natural England that funds land management work to improve the condition of the New Forest SSSI and also provides support payments to commoners. It is a 10 year agreement that ends in March 2020. The Verderers have a formal Partnership Agreement with FE and the New Forest National Park Authority (NF NPA) to deliver the work supported by the HLS agreement.

3. FE receives funds to deliver land management works within the eligible area (those parts of the Forest where commoning stock graze, i.e. excludes enclosed woodlands). Works include restoration, often as part of a whole catchment scheme, of wetland habitats and streams modified by past management. If the long term integrity of the catchment restoration requires action within enclosed woodlands then that work would have to be supported separately from core FE funds.

4. The HLS Agreement does not have a list of sites to deliver. Specific partner actions are authorised by the HLS Board following regular and ongoing dialogue with local Natural England (NE) officers. This means that sites and programmes can change throughout the agreement period provided they meet the objectives of the agreement and are agreed locally with NE.

5. A principle was established in the early stages of delivery that restoration schemes of sufficient scale would require planning permission. The scheme covering the Latchmore Brook catchment is the largest proposed to date covering an area extending to 519 hectares.

6. After 6 years of preparation at a cash cost of £250k, including extensive ecological, topographical and hydrological surveys to inform the plans and an Environmental Impact Assessment, the Latchmore scheme was considered on 15 November 2016 by the National Park Authority Planning Committee. The plans were rejected by 6 votes to 5. There has been extensive pressure from a local opposition group (known as the Friends of Latchmore) which appears to have had significant influence, including drawing the matter to the attention of the media.

7. The FE delivery team met the local NE team on 14 December 2016 to consider future options for presentation to the HLS Board. This included consideration of an appeal against the planning decision. The FC was the applicant and it is our choice whether or not to make an appeal, although we would take the advice of the HLS

Board. However, unless the FC is prepared to fund the appeal itself we would be reliant on HLS Board support and funding.

8. Although we have confidence in the integrity of the proposal it was decided not to lodge an appeal because of the long timescales of the process (which would involve local inquiry) against the time remaining in the Verderers HLS Agreement to complete delivery of the scheme. An appeal would only lead to further entrenchment and detailed challenge of the evidence from the opposition leading to unsustainable pressures on staff raising additional welfare concerns.

9. Accordingly we agreed with NE a reduced scheme focussing on some of the most degraded components of the upper catchment. The scale of work was achievable within the remaining agreement period and left us this calendar year to reframe and deliver a more effective and inclusive stakeholder engagement process. We retained concerns however about the long term hydrological integrity of the scheme if some parts of the catchment were left untouched.

HLS Board Decisions

10. The HLS Board met on 11 January 2017, the first time since the planning decision. The Board decided not to support an appeal and to reject the proposal for a reduced scheme. It also made the decision to withdraw from any further work in the Latchmore catchment within the HLS Agreement.

11. The principle reasons for this decision were:

- A lack of confidence in future Planning Committee decisions despite provision of extensive evidence and positive Planning Officer recommendation.
- A revised scheme and further stakeholder engagement would not diminish the entrenched opposition. The process would continue to absorb a disproportionate amount of time and resources from the project team and distract significantly from delivery of other programmes. The pressure on staff would be unsustainable, rising welfare issues.
- A preference to ensure the HLS programme rebuilds its public and political reputation over the remaining time of the Agreement in order not to compromise opportunities for further future funding post HLS.
- A revised scheme based on partial delivery of the original scheme was against the principles of whole catchment restoration and may be seen by stakeholders as a way for the work to avoid the need for planning permission.

12. The Board agreed that other approved wetland restoration schemes should continue (ensuring rigorous adherence to planning conditions and work methods). Future wetland restoration proposals should focus on smaller schemes which are likely to be less contentious.

13. The Board asked the FE delivery team to revise the forward work programme, in consultation with NE, to generate a new range of land management actions that would contribute to meeting the HLS objectives. The Board agreed to support the continued monitoring of the condition of the Latchmore catchment habitats which will provide good quality evidence of change.

14. The Official Verderer, as Chair of the HLS Board, announced the Board's decision at the Open Verderer's Court on 18 January 2017. His statement is given at Annex 1. Local media representatives were in attendance at the Court. Although this

announcement predates ENC's consideration of FC's position, a statement (Annex 2) was prepared by FC, and signed off by the ENC Chair, in readiness to respond to stakeholder and media enquiries. The statement has not been required to date as the decision has not been picked up by the local media and the Friends of Latchmore website has not yet published any response to the decision.

15. Our statement maintains our commitment to our corporate target of improving the SSSI condition to have at least 50% in "favourable" status and 95% in "favourable" and "unfavourable recovering" status by 2020. We have analysed the current condition of the New Forest SSSI and the implications of not achieving "unfavourable recovering" status at Latchmore – figures are given at Annex 3. In summary failure to restore Latchmore does not in itself compromise achievement of our corporate target, but reduces flexibility.

Implications for FE

16. The HLS Board decision may have the following impacts on the reputation of FE in the New Forest:

- That scrutiny and challenge on a wider range of land management work in the New Forest will increase. We are already seeing some instances of this and we will have to build a more robust plan of general community engagement (in conjunction with a range of partners) to improve our visibility, trust in our land management experience and identify ways to engage communities collaboratively in decision-making and sharing monitoring of the Forest's condition.
- That some of our supporting stakeholders will see the decision as caving in to unfounded pressure. Their support is important so our communication lines following the decision should aim to address this issue and we have already spoken with most of them. We continue to emphasise our commitment to our responsibilities to manage and improve the SSSI in the longer term and our confidence with the evidence we have gathered.

17. The local FE and NE delivery team has endured significant personal pressures and remained resolute on their commitment to the scheme because it is the "right thing to do". This decision will damage their morale further and we are working hard locally to support that group of staff and lift their eyes to the longer term and a reframing of the programme.

Recommendations

18. That the National Committee endorses the local FE team's decision to not make an appeal the planning decision and supports the principles set out in the Statement in Annex 2.

19. That members of the Committee make a gesture of thanks and support to all staff who have committed so much time and effort in delivering the HLS programme to date.

Bruce Rothnie
Deputy Surveyor, New Forest
24 January 2017

Statement made by Official Verderer at the Verderer's Court on 18 January 2017.

Latchmore Catchment River Restoration Project

In our November Court, I informed you that we had not been successful in gaining planning permission for our river restoration at Latchmore. At our recent HLS board meeting, we decided that we will not pursue the Latchmore project further, withdrawing from the planning process, allocating our money and staff time to less controversial projects over our 50,000 acres, the largest HLS scheme in the UK. This is a pragmatic decision which gives us the opportunity to press on with other very good HLS projects, without committing staff to a further round of the planning process and stakeholder discussions at this time.

The purpose of our HLS funding is to maintain and enhance the forest, and we will therefore now be able to increase our financial support for an even wider range of work that will improve our priceless environment and fragile ecology.

We still firmly believe that the Latchmore restoration would have greatly benefited the condition of the forest, and we will therefore continue to monitor the erosion of the mires and deterioration of the ecology of the catchment; it would be irresponsible of us not to do so. I am much in favour of river restorations in general, and the Latchmore project in particular, and I am disappointed that it will not go ahead. However, as I have said previously, there is more to unite both sides of the argument, than to divide us: we all clearly love the New Forest, cherishing its landscape and beauty. This common ground should bind us together in the future, and I advocate that we all work together from now on to protect and improve the New Forest for future generations.

Dominic May, Official Verderer
18 January 2017

FC Statement prepared in response to announcement by Official Verderer (to be deployed to media and stakeholders as required)

Bruce Rothnie, Deputy Surveyor for the New Forest said:

“We understand and respect the decision taken by the HLS Board to focus their future funding on a range of projects that will build on the success of completed conservation and restoration work across the New Forest.

“Obviously we are disappointed that the hard work of many people, over several years to develop and communicate evidence-based plans, including making adjustments to proposals in light of concerns raised, will not be taken forward at this time.

“We will now reflect on the impact of the decision on the threatened wetlands at Latchmore Brook and how we, along with other public bodies, will further our responsibility to enhance the special features of this nationally important Site of Special Scientific Interest and to meet Government targets for improvement of biodiversity. The Forestry Commission, as a land manager of SSSIs nationally, has one of the best records of achieving its targets for moving these sites into favourable condition.

“We are pleased that annual monitoring to measure change at the sites of most concern will continue under the remaining period of the HLS agreement. The Forestry Commission remains deeply committed to maintaining and restoring threatened areas of the New Forest.”

18 January 2017

New Forest SSSI Condition Assessment

The total land area of the New Forest SSSI is 28,924 hectares.

The FC manages 91.1% of the SSSI or 26,345 hectares.

The condition assessment units within the Latchmore scheme amount to 519 hectares or 2% of the FC land area.

While a plan for restoration of Latchmore was in place its condition was assessed as “Unfavourable – recovering”.

The summary of condition assessment for FC land when Latchmore is restored or if it is excluded is shown in table below (Source: NE):

Condition Assessment		Including Latchmore		Excluding Latchmore	
		Area (ha)	Percentage	Area (ha)	Percentage
1	Favourable	14,502	55.0%	14,502	55.0%
2	Unfavourable - Recovering	11,726	44.6%	11,206	42.5%
1+2	Sub-Total	26,228	99.6%	25,708	97.5%
3	Unfavourable - No change	26	0.1%	472	1.8%
4	Unfavourable - Declining	91	0.3%	165	0.6%
5	Partially Destroyed	0		0	
6	Destroyed	0		0	
1-6	Total SSSI	26,345	100.0%	26,345	100.0%

In summary the New Forest currently meets the corporate target of 50% in “Favourable” condition and 95% in “Favourable” plus “Unfavourable – Recovering”.

This target is not immediately compromised by loss of the restoration of Latchmore.