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PROPOSED MARINA AT SUTTON BRIDGE, RIVER NENE, LINCOLNSHIRE

ASSESSMENT OF THE POTENTIAL FOR IMPACT ON NATURA 2000 SITES

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PROPOSED MARINA AT SUTTON BRIDGE, RIVER NENE, LINCOLNSHIRE

ASSESSMENT OF THE POTENTIAL FOR IMPACT ON NATURA 2000 SITES

1 BACKGROUND

1.1 In 2010, Nene Marine prepared an application to develop a marina on the tidal River Nene, immediately downstream of the existing road bridge at Sutton Bridge. The plan included provision of floating pontoons providing up to 69 small craft berths in a linear format on the left bank of the river. Full details of the proposal, including plans and working methods, were provided in the application.

1.2 Since the proposed marina site lies outwith but in close proximity to a number of designated sites, including The Wash Site of Special Scientific Interest (SSSI), The Wash Special Protection Area (SPA), The Wash Ramsar Site and The Wash and North Norfolk Coast Special Area of Conservation (SAC), Site of Community Importance (SCI) and candidate Special Area of Conservation (cSAC), it was necessary to consider the potential for a significant impact on the integrity of these sites arising from the proposal. Information on these sites is given in Appendix 1, and the basis for the requirement for an Appropriate Assessment is given in Appendix 2.

1.3 The proposal was discussed at various times with Natural England (R Bavin, *pers.comm.*) who in turn consulted other relevant staff members. The Natural England advice was that the proposal was likely to have a significant effect on the integrity of the International sites, particularly in combination with other sites, and is not directly connected with the management of the site for nature conservation, and that an Appropriate Assessment would therefore be required. This Assessment should cover the following topics:

- Potential disturbance to the over-wintering SPA birds by boat movements in the Wash between September and spring; and
- Potential disturbance to breeding common seals between April and June.

1.4 Given that a number of other similar sites have been built or consented or are currently planned, Natural England consider it of primary importance that the potential effects are considered in combination with those from these additional sites.

1.5 A detailed assessment of possible impacts on these interest features was carried out, as set out in the next section, together with recommendations where appropriate. On the basis of the information provided the Appropriate Assessment carried out by South Holland District Council is shown in Appendix 3, and in due course planning consent was given..

1.6 Since that time a number of considerations have delayed the start of the project, and since it will not now commence before the permission expires, a new application to extend the permission will be needed. In addition there are a number of changes to the design, none of which affect the ecological effects of the proposal. There is therefore a requirement to review and if necessary refresh the ecological investigations. The potential impacts on protected species are considered separately; this report reviews the information affecting the potential effect on the International Sites.

2 ANALYSIS OF POTENTIAL IMPACTS IN RELATION TO CONSERVATION OBJECTIVES

2.1 POTENTIAL IN-COMBINATION SITES CONSIDERED

2.1.1 Sites known to have been consented and/or built, providing access to the Wash for recreational craft in 2010 were:

- Boston Marina;
- Fosdyke Yacht Haven;
- Wisbech Yacht Haven; and
- Wells Harbour

A marina with coastal access was included in the plans for the Waterfront Regeneration Area of King's Lynn but had not progressed since a revised Masterplan was produced in 2009. It appeared that no application was in prospect, and this potential future site was not considered further in 2010.

2.1.2 All of these sites were approached again to assess whether there had been any significant change to their number of berths, type of usage or recreational traffic into or out of The Wash over the intervening period.

2.1.3 Boston Gateway Marina is situated the River Witham and provides berthing and access to the Wash via the Grand Sluice for the summer period only. No information on Wash traffic is available from the Marina, but the Boston Grand Sluice logs all boat traffic through the sluice, and the Sluice keeper (*pers comm.*) provided an estimate of perhaps 1000 movements (ie, in or out) over the 120 days when passage is available. This equates to an average of 8 such movements/day, with most of these being at weekends or during the holiday period, and usually only in good weather. Many of these boats will go out and return in the same day, but some are leaving for trips up the coast to Grimsby, across to the continent, or to Wells Harbour and the Norfolk coast. The Sluice keeper also remarked that traffic into the Wash has steadily decreased, and is now only some 70% of what it has been in the past.

2.1.4 Fosdyke Yacht Haven (http://www.fosdykeyachthaven.co.uk/) has floating pontoon moorings on the River Welland, downstream of the fixed River Bridge at Fosdyke. The following

information was provided by the Harbour Office (*pers comm.*) in 2010. ñThe facility is open all year and provides 50 berths with most of these filled by boat owners with yearly contracts and most of the berths filled. All of the boats using this facility are sea-going although for the majority of time, no boats enter or leave. It is estimated that during the peak high summer season perhaps 2-3 boats leave and enter per day, on a variety of trip lengths from one day to a week.ò When recontacted, the Harbour Office stated that their berthage is the same, and this estimate of movements may now be on the high side.

2.1.5 Wisbech Yacht Haven lies on the River Nene, just downstream of the fixed bridge. It provides up to 126 berths, including some floating pontoon moorings. The following information was provided in 2010 by the Harbour Office (L. White, *pers comm.*). ñCurrently all berths are full, and it is estimated that around 90% of the berths are occupied by permanent 12 month contracts. The winter berthing contract runs from 1 Nov-31 March to encourage boats to moor or stay there ôhardstandingô over winter. They are open both summer and winter although their peak activity time is during the summer. Only a small minority of the boats are sea-going and most remain in the harbour. As an estimate perhaps 10% of the boats leave the harbour over the whole duration of the summer and very few of these leave for longer than one day.ò In 2015 the Harbourmaster (J.Hemming, pers comm..) again agreed that this is a reasonable summary, and movements into the Wash have not increased. The majority of boats using this marina are sailing the inland waterways, though occasionally boats may travel across the Wash to Boston, to access more of the inland system via the Grand Sluice.

2.1.6 Kings Lynn now provides pontoon berths for up to 8 visiting boats, but has no permanent moorings.

2.1.7 Wells Harbour (http://www.wellsharbour.co.uk/) provides facilities for visiting boats at the west end of the quay wall, which has some pontoon berths, and there are also visitors moorings which dry out on flat sand to the north east of the harbour office. Longer-term moorings are also available. The following information was provided by the Harbour Master (R.Smith, *pers.comm.*). They have up to 450 berths and are open over both summer and winter, with the winter generally quieter. The harbour is mainly used by fishing boats, only one of which heads to the Wash, and boats servicing the windfarm, which head to the north-east. During the height of the summer he estimates that 15 boats will leave per day and 30 boats will arrive per day, but very few of the pleasure boats, yachts etc head to the Wash.

2.1.8 In summary, an average of ca 4-5 pleasure boat-movements pass the Witham Grand Sluice each way daily in summer; Fosdyke Yacht Haven sees 2-3 boat movements to or from the Wash daily in high season. If each of the 12-13 boats which leave Wisbech Yacht Harbour at all during the summer actually leave the harbour once every week (likely to be the maximum) this would indicate an average of ca 2-3 boat movements in and out generated per day.

Added to this, if one boat leaves Kingôs Lynn for the Wash every day in summer, and perhaps 5 of the boat movements from Wells Harbour are pleasure boats which also pass into or through the Wash, this indicates a current figure of perhaps 25-30 pleasure boat trips through the Wash each day from the public moorings currently in operation. (This is of course an over-estimate, since many of these journeys will start in one Marina/Harbour and end at another, thus appearing twice in the above total.

2.1.9 By analogy to Fosdyke and Wisbech Yacht Harbours, the Sutton Bridge Marina would be expected to add around a further 2-3 daily movements to this, assuming its use by sea-going boats is additional to those currently moored at Wisbech.

2.1.10 This total excludes activity from commercial craft, including shipping, fishing, and seal- or bird-watching trips, together with dinghy sailing, water-skiing and so on. In addition, the number of boats moored privately on the tributary rivers and potentially entering The Wash without using any of the above facilities is not known.

2.2 USE OF THE WASH BY PLEASURE BOATS

2.2.1 Thanks to the extent of commercial shipping from the ports of Boston, Port Sutton Bridge, Wisbech and Kings Lynn, the navigable channels are well marked and maintained. The Wash is not a forgiving place to navigate, and smaller craft crossing it, drawing around 1.5m draft, will ensure that they have sufficient depth of water below them not to ground on the sandbanks. It can therefore be assumed that such movements will not be attempted on a falling tide.

2.2.2 The Wisbech Yacht Harbour Appropriate Assessment (January 2000) points out that at low water, small boats will principally use the channels of The Wash to begin or end passages from further afield. This report states that:

> ñBoats heading for Wisbech will, at the least by the time of half tide rising, be well into the Wisbech Channel. Boats departing The Nene will, by the very latest by the time of half tide falling, be clear of the Wisbech Channel and on passage, and by the time sands are uncovered, be almost clear of The Wash completely.ò

2.2.3 Further, the Grand Sluice keeper makes the strong point that all boats passing out through the sluice are given similar detailed instructions for navigating the Boston Roads and staying within the marked channels at all times. The Wells Harbourmaster also remarked that the reason few boats leaves Wells for the Wash is that with the fast rising and falling tides, and the large areas of mud and sandflats, it has little to offer pleasure sailors. Overall therefore, movements tend to be purposeful, with boats moving through the Wash, in the marked channels, as quickly as possible.

2.3 DISTURBANCE TO WINTERING BIRDS

2.3.1 Disturbance can affect populations of wintering birds in a number of ways. Where the birds form part of a (sub-)population sharing the same resources, such as feeding or roosting areas, removal of access to portions of this resource may cause increased competition for the remaining resource. If the total population is small in relation to the total resource and the resource is widely distributed through the area used by the population, the impact of these losses will still not be significant. If however the resource becomes limiting on the population through additive losses, or the birds must travel further, with concomitant energy costs, to reach unused resource, the total impact may be significant.

2.3.2 The potential for disturbance to either feeding or roosting birds by leisure craft is considered to be very low, for two reasons, both relating to the way in which the boats, and the birds, use The Wash resource. Firstly, as indicated by the Managers and Harbour Masters of the existing mooring facilities, taking leisure craft out to sea is very largely a summer activity. The number of leisure boats which put out from any of these moorings in winter, even where they remain open over this season, is very low. By contrast, every waterfowl species which is listed as an interest feature for The Wash SPA/Ramsar Site, has its peak populations present between November and February (Wetland Bird Survey Reports), and it is also at this time that energetic demands are highest. A number of these species do have populations or sub-species which use The Wash on passage or for moulting between late August and the end of October, or during April, but the numbers present at this time are always much smaller than in mid-winter and the foraging area, and prey species, available are not limiting at these times. Potential overlap periods are therefore small, and occur when the resource, ie foraging area, is widely available, so that disturbance would not be significant.

2.3.3 Secondly, as set out in Section 2.2 above, sea-going craft have a draft of ca 1.5m, and use the open water only at high tide. On spring tides the birds will then be on high water roosts, either on the upper saltmarsh or on fields beyond the sea wall; on neap tides they may be feeding along the tide line, but in either case they will be well away from areas which these craft can approach. By half-tide on a falling tide any sailing craft will be well within the buoyed channels. Not only does mudflat close to such channels occupy a relatively small amount of the feeding area available, but these channels are also used by much larger numbers of larger vessels, so that feeding birds will have become habituated to craft using them.

2.3.4 It is therefore concluded that there will be no more than trivial disturbance, if any, to wintering birds by leisure craft.

2.4 DISTURBANCE TO BREEDING COMMON SEALS

2.4.1 This topic was covered in detail for the Wisbech Yacht Harbour Appropriate Assessment (January 2000) which quotes information from the National Seal Sanctuary in Gweek, Cornwall; the Sea Mammal Research Unit; the RSPCA at Eastwinch and investigations carried out during 1994 in the Waddenzee by the Institute of Forestry and Nature Research in The Netherlands. It also describes experience on the River Blackwater, Essex, and these findings are referred to below.

2.4.2 The Wash has a large population of common seals. They are present all year, regularly hauling out onto the sandbanks at low water to rest. The females also haul out to give birth to their single pup, usually in June, and during their moult, which occurs shortly after breeding. The pups can both swim and dive when only a few hours old, but return to the sandbanks on successive low tides, where their mothers attend to suckle them with a highly nutritious milk. Any disturbance sufficient to cause mothers and/or pups to retreat or ôflushô into the water over the 3-4-week nursing period could therefore cost pups at least one meal. Regular disturbance could reduce their fitness and health. The 1994 Waddenzee research cited above demonstrated that motorised craft could cause flushing at ca 350m, and the quieter canoes or pedestrians at ca 250m. However, recovery was faster from the cruisers or yachts than from the silent approach.

2.4.3 Disturbance of hauled-out seals is unlikely, due to the need of craft to avoid the areas of sand banks other than at high water, when they are well submerged. As the tide falls craft will retreat to the safe channels, as described above. Distribution data provided by the Sea Mammal Research Unit and quoted in the Wisbech Yacht Harbour Appropriate Assessment demonstrated that haul-out sites were almost always remote from the buoyed channels, with observed seals at least 800m and typically more than 1 nautical mile from them. For the Wisbech approach, no seals were observed hauled out less than 2 nautical miles from the buoyed channel. At these distances, there would be no disturbance to the seals.

2.4.4 In the water, common seals could be injured by boat propellers, or could be disturbed by deliberate ôchasingô by would-be spectators. However, the National Seal Sanctuary in Gweek, Cornwall (cited above) apparently find a very low proportion of injuries attributable to boat damage, and where propeller injuries occur, this tends to relate to seals following fishing vessels. Harrying by chasing could theoretically cause lowering of fitness, especially to pregnant or moulting animals but is probably not dangerous to adult seals overall, which can dive to escape. The greatest danger is probably from separation of mothers and nursing pups, which could potentially lead to the death of the latter, but this is far more likely to occur as a result of bad weather. It can be expected that commercial providers of seal-watching

trips will take care not to jeopardise the health and safety of the seals, and thus their own livelihoods, by taking their boats too close.

2.4.5 The Harbourmasters approached for information on boat movements in this study also remarked that sailors are warned not to approach seals, for animal welfare reasons. It is therefore concluded that there will be no more than trivial disturbance, if any, to common seals by leisure craft. However, as noted elsewhere, there is likely to be continuing scope for education of all coastal users on the need to avoid such disturbance and of the potential harm it can do to these animals.

2.5 SEVERANCE OF MOVEMENT CORRIDORS FOR OTTERS

2.5.1 Currently the Lincolnshire Environmental Record Centre hold no records for otters using the mouth of the River Nene and adjacent coast, but they are now known from many Lincolnshire rivers and the population is probably expanding (www.mammal.org.uk). There is no suitable lying-up habitat for otters along most of the tidal Nene, and the main use of this stretch is going to be as a movement corridor for otters moving between catchments. Since otters tend to move by night, can dive to avoid lighted areas and travel at least 20km in a night, their movements are unlikely to be recorded. They also move regularly across country between rivers and waterbodies to avoid built-up areas.

2.5.2 For these reasons, movements of otters are highly unlikely to be adversely affected by the presence of moored boats at Sutton Bridge.

CONCLUSIONS AND RECOMMENDATIONS

3.1 Consultation with Harbour Masters and Marina Managers at the existing facilities has ascertained that the actual number of daily movements into or from The Wash is actually quite low, even in summer, and much lower in winter. On current understanding it seems likely that this amounts to <30 movements/day, as a maximum, at the peak summer season. These craft will be within the buoyed channels until well after all mud and sandflats are well covered by open water. This total includes the expected movements from a new Marina at Sutton Bridge, and the assessments below therefore consider potential impacts from all sources in combination.

3.2 Largely as a result of minimal seasonal overlap in the period of main use, and of the requirement of sea-going craft for considerable depth of water, ensuring that they will remain a considerable distance from the mudflats used by feeding birds, there will be no significant disturbance to feeding or roosting SPA birds, and thus no adverse effect on the integrity of The Wash SPA/Ramsar Site.

3.3 Similarly, due to this requirement for deep water, these craft will not normally approach sandflats suitable for common seals, and their pups, to haul out. In general such flats are much further than the likely flushing distance from the channels used by boats at any point when the flats might be uncovered. There will therefore be no significant disturbance to the seals from these craft, and thus no adverse effect on the integrity of The Wash and North Norfolk Coast SAC/SCI/cSAC.

3.4 Nevertheless, to prevent any impact on the seals developing with increased leisure sailing, it is recommended that all facilities ensure that the measures to educate boat-owners and the general public to the needs of these animals are in place, and are being actively pursued. Where they are not in use, this should be remedied immediately.

3.5 The above conclusions apply to the current situation so far as it can be assessed from available information.

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Appendix 1

The Wash SPA, The Wash Ramsar Site, and

The Wash and North Norfolk Coast SAC, SPA, SCI and cSAC

THE WASH SSSI

The Wash SSSI covers 63,135ha. It was re-notified under the 1981 Act in 1983/84 and the citation states:

> *The whole area is of exceptional biological interest. The intertidal mudflats and saltmarshes represent one of Britain's most important winter feeding areas for waders and wildfowl outside of the breeding season. Enormous numbers of migrant birds, of international significance, are dependant on the rich supply of invertebrate food. The saltmarsh and shingle communities are of considerable botanical interest and the mature saltmarsh is a valuable bird breeding zone. In addition the Wash is also very important as a breeding ground for Common Seals.*

THE WASH SPECIAL PROTECTION AREA

1 The following information is taken from the SPA data form (Site Code UK9008021) This site occupies approximately 62,211.66 ha, comprising marine areas, sea inlets, tidal rivers, estuaries, mud- and sand-flats, lagoons (including saltwork basins), saltmarshes, salt pastures and salt steppes.

2 This site is designated for its importance to a range of breeding and non-breeding birds. It qualifies under Article 4.1 of the 'Birds Directive' 79/409/EEC by regularly supporting the following species listed on Annex I:

- Bewick's swan *Cygnus columbianus bewickii* (over winter)
- Bar-tailed godwit *Limosa lapponica* (over winter)
- Little tern *Sterna albifrons* (breeding)
- Common tern *Sterna hirundo* (breeding)

3 The site also qualifies under Article 4.2 of the Directive by regularly supporting populations of European importance of the following migratory species over the winter period:

- Pink-footed goose *Anser brachyrhynchus*
- Dark-bellied brent goose *Branta bernicla bernicla*
- Shelduck *Tadorna tadorna*
- Wigeon *Anas penelope*
- Gadwall *Anas strepera*
- Northern pintail *Anas acuta*
- Common scoter *Melanitta nigra*
- Goldeneye *Bucephala clangula*
- Eurasian oystercatcher *Haematopus ostralegus*
- Grey plover *Pluvialis squatarola*
- Red knot *Calidris canutus*
- Sanderling *Calidris alba*
- Dunlin *Calidris alpina alpina*
- Black-tailed godwit *Limosa limosa islandica*
- Bar-tailed godwit *Limosa lapponica* (over winter)
- Eurasian curlew *Numenius arquata*
- Common redshank *Tringa totanus*
- Ruddy turnstone *Arenaria interpres*

4 The site further qualifies under Article 4.2 by regularly supporting at least 20,000 waterfowl; for the five year period to1997/98, the counted total was 400367 waterfowl.

THE WASH RAMSAR SITE

1 The following information is taken from the Ramsar Information Sheet (Site Code UK11072), The boundaries of this site are coincident with those of the SPA, and it thus includes the same range of habitats. This site qualifies for designation under Ramsar criteria 1, 3, 5 and 6.

2 Under Criterion 1 it qualifies as a large shallow bay comprising very extensive saltmarshes, major intertidal banks of sand and mud, shallow water and deep channels.

3 Under Criterion 3 it qualifies because of the inter-relationship between its various components including saltmarshes, intertidal sand and mud flats and the estuarine waters. The saltmarshes and the plankton in the estuarine water provide a primary source of organic material which, together with other organic matter, forms the basis for the high productivity of the estuary.

4 Under Criterion 5 it qualifies by holding an assemblage of international importance. The 5-year mean peak over the winters of 1998/99 to 2002/03 was 292,541 waterfowl.

5 Under Criterion 6 it qualifies by regularly holding a number of species or populations which occur at levels of international importance. The species included at the time of designation were as follows.

Species with peak counts in spring/autumn:

- Eurasian oystercatcher *Haematopus ostralegus*
- Grey plover *Pluvialis squatarola*
- Red knot *Calidris canutus*
- Sanderling *Calidris alba*
- Eurasian curlew *Numenius arquata*
- Common redshank *Tringa totanus*
- Ruddy turnstone *Arenaria interpres*

Species with peak counts in winter:

- Pink-footed goose *Anser brachyrhynchus*
- Dark-bellied brent goose *Branta bernicla bernicla*
- Shelduck *Tadorna tadorna*
- Northern pintail *Anas acuta*
- Dunlin *Calidris alpina alpina*
- Bar-tailed godwit *Limosa lapponica* (over winter)

The following species were identified subsequent to designation for possible future consideration under this Criterion

Species with peak counts in spring/autumn:

- Ringed plover *Charadrius hiaticula*
- Black-tailed godwit *Limosa limosa islandica*

Species with peak counts in winter:

- European golden plover , Pluvialis apricaria apricaria,
- Northern lapwing , *Vanellus vanellus*

THE WASH AND NORTH NORFOLK COAST SPECIAL AREA OFCONSERVATION, SITE OF COMMUNITY IMPORTANCE, AND CANDIDATE SAC

1 The following information is taken from the SAC data form (Site Code UK00717075) This site occupies approximately 107,761.28ha and consists of the same habitats as the SPA/Ramsar Site, though in different proportions.

2 The following Annex I habitats are listed as a primary reason for selection of this site:

- Sandbanks which are slightly covered by sea water all the time
- Mudflats and sandflats not covered by seawater at low tide
- Large shallow inlets and bays
- Reefs
- *Salicornia* and other annuals colonising mud and sand
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*)

A further Annex I habitat, Coastal lagoons, is also present as a qualifying feature, but is not a primary reason for selection of the site.

3 One Annex II species, common seal *Phoca vitulina,* is given as a primary reason for selection of the site. The extensive intertidal flats present within this site provide ideal conditions for breeding and hauling out by this species. For this reason the site holds the largest population of common seals in the UK, with some 7% of the UK population using it at the time of selection. A further Annex II species, otter *Lutra lutra,* is also present as a qualifying feature, but is not a primary reason for selection of the site.

Appendix 2

Requirement for Appropriate Assessment

REQUIREMENT FOR APPROPRIATE ASSESSMENT

1 The requirement for an Appropriate Assessment is contained in Regulation 61 of the Conservation of Habitats and Species Regulations 2010 which implements Article 6(3) of the *Habitats Directive* (92/43/EEC). Appropriate Assessment is required by law for all European Sites. A European Site is any classified SPA and any SAC from the point where the Commission and the Government agree the site as a Site of Community Importance. Appropriate assessment is also required, as a matter of Government policy, for potential SPAs, candidate SACs and listed Ramsar Sites for the purpose of considering development proposals affecting them.

2 Regulation 61 states, *inter alia*, that:

(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorization for, a plan or project whichï

a) either alone or in combination with other plans or projects would be *likely to have a significant effect* on a European Site, and

b) is not directly connected with the management of the site for nature conservation

shall make an appropriate assessment of the implications for the site in view of that sitesconservation objectives.

2) A person applying for any such consent, permission or other authorization shall provide such information as the competent authority may reasonably require for the purposes of the assessment.

3) The competent authority shall for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority may specify.

4) They shall also, if they consider it appropriate, take the opinion of the general public; and if they do so, they shall take such steps for that purpose as they consider appropriate.

5) In the light of the conclusions of the assessment, and subject to regulation 49, the authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.

6) In considering whether a plan or project will adversely affect the integrity of the site, the authority shall have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which they propose that the consent, permission or other authorisation should be given.

Appendix 3

The Appropriate Assessment 2010

THE APPROPRIATE ASSESSMENT 2010

This is a record of the appropriate assessment, required by Regulation 48 of the Habitats Regulations 1994, undertaken by South Holland District Council in respect of the above plan/project, in accordance with the Habitats Directive (Council Directive 92/43/EEC). Having considered that the plan or project would be likely to have a significant effect on The Wash Site of Special Scientific Interest (SSSI), The Wash Special Protection Area (SPA), The Wash Ramsar Site and The Wash and North Norfolk Coast Special Area of Conservation (SAC), Site of Community Importance (SCI) and candidate Special Area of Conservation (cSAC) and that the plan or project was not directly connected with or necessary to the management of these sites, an appropriate assessment has been undertaken of the implications of the proposal in view of the sitesø conservation objectives.

Natural England was consulted under Regulation 48(3) during August 2010 and their representations, to which this authority has had regard, are given above. The conclusions of this appropriate assessment are in accordance with the advice and recommendations of Natural England.

The sitesø conservation objectives have been taken into account, including consideration of the citation for the sites and information supplied by Natural England. The likely effects of the proposal on the international nature conservation interests for which the site was designated may be summarised as:

Disturbance to over-wintering SPA birds; disturbance to breeding common seals

The assessment has concluded that the plan or project as proposed would not adversely affect the integrity of the site. However, it is considered that advice should be provided to all users of the facility on the potential sensitivity of wildlife to disturbance from boats in order to forestall any possibility of such an effect.

September 2010