

Foundation Document

Stage 1 towards the SEAMS
Management Scheme

February 2002



Solent European Marine Sites
Foundation Document- Stage 1 towards the SEMS Management Scheme.

Compiled by: Rachael Bayliss
February 2002
(Updated February 2002)
(Updated July 2003)

Cover photographs: © Hampshire County Council & Solent Forum

ISBN 1 85975 534 8

Contents

1.0	Introduction	1
2.0	Legislative Background	3
2.1	The Habitats and Birds Directives and the Convention on Wetlands of International Importance	
2.2	The Habitats Regulations 1994	
2.3	Competent and Relevant Authorities	
2.4	Management Scheme	
2.5	English Nature's Role	
3.0	European Marine Sites in the Solent	7
3.1	European Marine Sites	
3.2	Special Areas of Conservation within the SEMS	
3.3	Special Protection Areas and Ramsar sites within the SEMS	
3.4	Solent European Marine Sites	
3.5	Other Designations Adjacent to the SEMS	
4.0	Management Structure	17
4.1	Relevant Authorities in the Solent	
4.2	SEMS Management Group	
4.3	SEMS Strategic Advisory Group	
4.4	SEMS Project Officer	
4.5	Cluster Groups	
4.6	Other groups	
4.7	Relationship with Other Coastal Initiatives	
4.7.1	Links to the Solent Forum	
4.7.2	Links to other groups/initiatives	
5.0	English Nature's Regulation 33 Advice	23
5.1	Introduction	
5.2	Conservation Objectives	
5.3	Favourable Condition Table and Monitoring	
5.4	Operations	
6.0	Plans & Projects	27
6.1	Determination of Significant Effect	
6.2	Appropriate Assessment	
7.0	SEMS Management Scheme	29
7.1	Introduction	
7.2	Key Principles for Production of the SEMS Management Scheme	
7.2.1	Favourable Condition	
7.2.2	Sustainable Development	
7.2.3	Regulatory Use of Bye-laws	
7.2.4	Links to Existing Management and Other Plans/Initiatives	
7.2.5	Onus of Proof	
7.2.6	Management Actions	

8.0	SEMS Management Scheme Aims and Objectives	37
8.1	Aim of Management Scheme	
8.2	Conservation Objectives	
8.3	Management Scheme Objectives	
9.0	Management Scheme Process	45
9.1	Stage One - Foundation Document	
9.2	Stage Two – Identification of Key Activities	
9.3	Stage Three - Inventory of Activities that may cause Deterioration or Damage	
9.4	Stage Four - Analysis	
9.5	Stage Five- Assessment of Activities	
9.6	Stage Six - Framework for monitoring and periodic assessment and review	
9.7	Stage Seven - Management Scheme Production and Consultation	
9.8	Newsletters	
9.9	Consultation	
10.0	Other Activities	55
10.1	Web Site & Closed User Discussion Group	
10.2	Plans and Projects Database	
10.3	Information System	
11.0	Human Use	59
11.1	Human Use in the SEMS	
11.2	Management of Human Use in SEMS	
	Glossary of Terms	65
	References	69
	Appendix 1 - Responsibilities of SEMS Relevant & Competent Authorities in SEMS	71
	Appendix 2 - Solent European Marine Sites Management Group Terms Of Reference	91
	Appendix 3 - Strategic Advisory Group (SAG) Terms of Reference	95
	Appendix 4 - Contents of English Natures Draft Regulation 33 Advice (July 2001)	97
	Appendix 5 - SEMS Harbour Authorities - Joint Position Statement	99
	Appendix 6 - Initiatives and Plans in the Solent	101
	Appendix 7 - Solent European Marine Sites - Inventory of Activities Proforma	103
	Appendix 8 - Human Use of the SEMS	105

1.0 Introduction

Within the Solent and Southampton Water there is a candidate maritime Special Area of Conservation (SAC), 3 classified (i.e. designated) Special Protection Areas (SPAs) and 3 Ramsar sites which have become known collectively as the Solent European Marine Sites (SEMS).

The main aim of the Habitats Directive is to promote the maintenance of biodiversity, taking account of economic, social, cultural requirements and regional and local characteristics. The relevant authorities have agreed to prepare a single management scheme to guide the exercise of their functions in order to secure compliance with the Habitats Directive.

The purpose of this foundation document is to describe the basic information and principles on which the SEMS management scheme is to be founded. The foundation document draws upon existing guidance produced by the Department of Environment, Transport and the Regions (DETR) and the UK Marine SACs Project. It covers the following areas:

- legislative background and information about European marine sites in the Solent;
- terms of reference for relevant authorities working together and management frameworks and;
- outline of the process for producing the SEMS management scheme.

The Foundation Document has been amended to take into account factual comments received since its first publication in February 2002. It should be noted that certain sections of the Foundation Document e.g. section 7.2 on key principles and section 9 on the process have been superseded by events. These sections have been left as originally agreed by the Management Group. The up to date principles and a record of the process undertaken to write the management scheme are listed in section 3 of the management scheme folder.

2.0 Legislative Background

2.1 The Habitats and Birds Directives and the Convention on Wetlands of International Importance

Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, commonly known as the **Habitats Directive**, aims to ensure that biodiversity is maintained through conservation of important, rare or threatened habitats and the habitats of certain species. This Directive requires member states to select Special Areas of Conservation (SACs) for a series of specified habitats and species (including maritime) of European importance.

Council Directive 79/409/EEC on the conservation of wild birds, commonly known as the **Birds Directive**, aims to protect wild birds and their habitats, and gives member states the power and responsibility to designate Special Protection Areas (SPAs) to protect birds that are considered rare or vulnerable within the European Community as well as regularly occurring migratory birds.

The Convention on Wetlands of International Importance especially as Waterfowl Habitats was finalised at a conference of countries concerned about wetland and waterfowl conservation in Ramsar, Iran in 1971. The broad objectives are to stem the loss and progressive encroachment on wetlands now and in the future through the designation of Ramsar sites. A habitat can qualify for its representation of a wetland, the plant or animal species it supports and for its role in supporting internationally important waterfowl. Interest features are identified with these criteria. Ramsar sites are often coincident with SPA sites designated under the Birds Directive.

The SACs and SPAs will together form a European network of sites known as Natura 2000.

2.2 The Habitats Regulations 1994

The implementation of the Habitats and Birds Directives has been translated into UK legislation by The Conservation (Natural Habitats, & c) Regulations 1994, commonly known as the **Habitats Regulations**. The Habitats Regulations include various provisions for the designation, safeguard and management of sites. The key provisions which relate to European marine sites are outlined here, however for a complete understanding of the provisions reference should be made to the original text of the Habitats Regulations.

2.3 Competent and Relevant Authorities

The Habitats Regulations use the terms relevant authorities and competent authorities to describe statutory bodies to which the Regulations apply (see box 1 for definition).

Box 1 : Competent and Relevant Authorities

The term **competent authorities** includes any statutory body or public office exercising legislative powers, whether on land or sea.

Relevant authorities are those competent authorities which have powers or functions which have, or could have, an impact on the marine area within or adjacent to a European marine site.

The Habitat Regulations place a responsibility on every competent authority:

“In relation to marine areas any competent authority having functions relevant to marine conservation shall exercise those functions so as to secure compliance with the requirements of the Habitats Directive.” Regulation 3(3)

“... every competent authority in the exercise of any of their functions, shall have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.” Regulation 3(4)

Some competent authorities are also relevant authorities who regulate activities in the marine environment. Regulation 5 lists those bodies that can be relevant authorities:

"For the purposes of these regulations **the relevant authorities**, in relation to a marine area or European marine site, are such of the following as have functions in relation to land or waters within or adjacent to that area or site:

- (a) a nature conservation body
- (b) a county council, district council, London Borough council or, in Scotland, a regional islands or district council
- (c) the National Rivers Authority¹, a water undertaker or sewerage undertaker, or an internal drainage board
- (d) a navigation authority within the meaning of the Water Resources Act 1991
- (e) a Harbour Authority within the meaning of the Harbours Act 1964
- (f) a lighthouse authority
- (g) a river purification board or a district salmon fishery
- (h) a local fisheries committee constituted under the Sea Fisheries Regulation Act 1966 or any authority exercising powers of such a committee"

¹ National Rivers Authority became known as the Environment Agency under the Environment Act 1995

2.4 Management Scheme

The Regulations make provision (in Regulation 34) for the relevant authorities to establish a management scheme for a European marine site:

“The relevant authorities, or any of them, may, establish for a European marine site a management scheme under which their functions (including any power to make byelaws) shall be exercised so as to secure in relation to that site compliance with the requirements of the Habitats Directive.”
Regulation 34(1)

DETR guidance states that this is “to set the framework within which activities will be managed, either voluntarily or through regulation, so as to achieve the conservation objectives [of the site]. Where new regulation is needed the measures may be based entirely upon the existing powers of the relevant authorities if they are capable of being used to achieve the objectives of designation. In other cases, relevant authorities may need to consider seeking changes to the ways in which their existing statutory jurisdiction is applied using the established procedures for that purpose.” (DETR guidance, para. 3.18)

Regulation 34(2) also states:

“Only one management scheme may be made for each European marine site.”

The DETR guidance provides further advice on this Regulation. “Although Regulation 34 states that relevant authorities may create a management scheme, there can be only one management scheme for each site. This means in practice that where there are overlapping SACs and SPAs then only one management scheme should be produced that covers the whole European marine site.

The management scheme should be developed and agreed by all the relevant authorities whose functions affect the area. No relevant authority will have precedence or powers over any of the others. However, if there are no pre-existing consultation mechanisms between relevant authorities, it may be desirable for one of the relevant authorities to take the lead in order to initiate, and if necessary co-ordinate, the process of developing a management scheme.” (DETR guidance para. 3.20)

Regulation 35 (1) gives the relevant Minister powers to direct the relevant authorities to set up a management scheme:

“The relevant Minister may give direction to the relevant authorities, or any of them, as to the establishment of a management scheme for a European marine site.”

Plans prepared by local bodies and suited to local circumstances are more effective and preferred to those imposed from outside. It is therefore expected that all relevant authorities will wish to co-operate to draw up management schemes without urging from Government.

The DETR guidance provides further guidance on the production of the management scheme and suggests the process outlined below:

- establish a management group and advisory group;
- establish conservation objectives for the site;
- establish the operations which may cause deterioration of habitat or disturbance of species;
- evaluate current use and operations against the conservation objectives;
- agree a strategy for achieving the conservation objectives;
- establish what action is needed by whom and the timescales for that action;
- implement through agreements, working practices, byelaws, and/or orders;
- monitor effects and;
- feedback.

The management scheme will construct a clear picture of the effects of current use and will establish whether additional measures are required to meet the conservation objectives of the site. Once this has been agreed the management group, in consultation with the advisory group, will consider what actions are needed. In some cases this will only be an endorsement of the status quo, some changes may be applied on a voluntary basis, however new regulation will only be needed where voluntary measures are not proving effective or where the existing regulatory framework is insufficient. The management scheme will provide the legal framework for the actions of relevant authorities, if agreement cannot be reached Ministers may use their reserve powers under Regulation 35.

2.5 English Nature's Role

English Nature is required by Regulation 33(2) to advise other relevant authorities as to the conservation objectives of a European marine site and any operations which may cause deterioration to habitats or disturbance to species for which it has been designated. "This advice will guide the relevant authorities in developing the management scheme through which they must comply with their own duties under the Regulations." (DETR guidance para 3.21)

Regulation 36 makes available English Nature's byelaw-making powers for Marine Nature Reserves (MNR) for use as necessary in European marine sites. The agencies are not empowered to act so as to interfere with, or override the exercise of the functions of any other relevant authority, but allows them to act where there is no other relevant authority or where the authority is unable to act for legal or practical reasons. However it is anticipated that most regulatory controls on sites will be applied by relevant authorities other than the statutory nature conservation agency. (DETR guidance para 3.24)

There is a requirement within the Habitats Directive (Article 17) for Member State governments to report on the conservation status of the habitats and species which SACs and SPAs aim to conserve. The first monitoring period is 2000-2006. To achieve this English Nature will regularly monitor the site to establish whether its conservation objectives are being met. The monitoring programme will be developed as part of the management scheme process. English Nature will be responsible for collating the information required to assess condition and will form a judgement on the condition of each feature within the site, taking into account all available information and using the favourable condition table in the Regulation 33 advice as a guide.

3.0 European Marine Sites in the Solent

3.1 European Marine Sites

The Regulations describe marine areas as

“ any land covered (continuously or intermittently) by tidal water, or any part of the sea, in or adjacent to Great Britain, up to the seaward limit of territorial waters.”

The boundaries of European marine sites can therefore only extend to Highest Astronomical Tide (HAT) to the landward side and to the extent of the features of interest seawards.

European marine sites include :

marine Special Areas of Conservation (SAC) including important species and habitats of marine life.

and

marine Special Protection Areas (SPA) and Ramsar sites including important marine birds and their habitats.

Marine SACs include habitats within the intertidal and subtidal area. In the intertidal SACs are based on areas that are already designated as Sites of Special Scientific Interest (SSSI). The SSSI legislation does not allow for the designation of areas below Mean Low Water (although areas within Chichester & Langstone Harbour and within Bembridge Harbour were designated as SSSIs including areas below MLW). The Habitats Regulations introduced new legislation which allowed for the designation of subtidal areas as SACs or SPAs.

The SAC designation may extend above Highest Astronomical Tide (HAT) due to the presence of terrestrial features, these areas would not be considered as within a European marine site and as such the Regulation 33 advice and management scheme do not apply.

The Council Directive 79/409/EEC (The Birds Directive) places no restriction on the extent of SPAs. In the UK SPAs have been based on the existing SSSI network, however in certain instances SPAs have been inadvertently designated across harbour mouths, therefore including subtidal areas that are not part of the SSSI network. In these instances the classified SPA boundaries are legally binding and considered ecologically justifiable and therefore considered as part of a European marine site.

3.2 Special Areas of Conservation within the SEMS

The original proposal for a Solent Maritime SAC was a blanket designation covering the whole area between the mainland and the Isle of Wight, together with the inshore areas around the rest of the island. The SAC was selected for the following Annex I habitats:

- estuaries;
- atlantic saltmeadow and;
- cordgrass swards.

The original proposal attracted many objections, particularly concerning the lack of scientific justification for large parts of the area (such as the main shipping channels) and the possible restrictive effects on uses, activities and the economy of the area.

The objections were considered by English Nature and the DETR, and a revised proposal put forward which:

- divided the site into two separate maritime SACs - the Solent and South Wight;
- substantially reduced the area proposed to be designated in the Solent and;
- fragmented the Solent SAC into a number of component parts or 'clusters'.

Although some objections remained, the DETR accepted the revised proposal and forwarded it to the EC in October 1998 for inclusion in the Natura 2000 network. It is now, therefore, termed a 'candidate SAC'.

Further revisions were made to the SAC in 2001 through the moderation process which aimed to add additional features which are of European importance where they occur within the existing defined boundaries of European sites. This was carried out by the UK Government to fulfil the European Commissions requirement to provide a more representative range of habitats and species of European interest across Natura 2000 sites. The moderated Solent Maritime cSAC was sent to Europe on 16 March 2001. The features added to the Solent Maritime SAC as a result of moderation are as follows:

- mudflats and sandflats not covered by seawater at low tide;
- *salicornia* and other annuals colonising mud and sand;
- sandbanks which are slightly covered by seawater all the time and;
- annual vegetation of drift lines.

These new features are within the current boundaries and no additional areas have been included, they have been given equal status to those features already included in the site. The current features and sub features for the Solent Maritime SAC are shown in Box 2.

Once all EU countries have submitted their candidate SACs, the EC will adopt a list of 'sites of Community importance', these will be the sites which will then be designated by each EU country. The original timetable for the list of sites of Community importance was June 1998, however at time of production this process had not yet taken place. The UK Government

consider that all the sites it has submitted to the EC as candidate SACs are likely to qualify as sites of Community importance and that following adoption by the Commission it should be possible for SAC designation to take place. As such Government policy has been to treat all candidate SACs as if they were fully designated. The Habitats amendment regulations (Statutory Instrument 2000 Number 192 made on 31 January 2000, laid before Parliament on 7 February 2000 and came into effect on 28 February 2000) add candidate SACs i.e those proposed by the Secretary of State and transmitted to Europe to the definition of European site in regulation 10 of the Habitats Regulations.

Box 2 Solent Maritime SAC Interest Features & Sub features	
Features	Sub features
<ul style="list-style-type: none"> • Estuaries 	<ul style="list-style-type: none"> – Saltmarsh communities – Intertidal mudflat and sandflat communities – Intertidal mixed sediment communities – Subtidal sediment communities
<ul style="list-style-type: none"> • Annual vegetation of drift lines 	
<ul style="list-style-type: none"> • Atlantic salt meadows: 	<ul style="list-style-type: none"> – Low marsh communities – Mid marsh communities – Upper marsh communities – Transitional high marsh communities
<ul style="list-style-type: none"> • <i>Salicornia</i> and other annuals colonising mud and sand 	<ul style="list-style-type: none"> – Annual <i>Salicornia</i> saltmarsh communities (SM8) – <i>Suaeda maritima</i> saltmarsh communities (SM9)
<ul style="list-style-type: none"> • Cordgrass swards 	<ul style="list-style-type: none"> – Small cordgrass communities – Smooth cordgrass communities – Townsend's cordgrass communities
<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide 	<ul style="list-style-type: none"> – Intertidal mud communities – Intertidal muddy sand communities – Intertidal sand communities – Intertidal mixed sediment communities
<ul style="list-style-type: none"> • Sandbanks slightly covered by seawater all the time 	<ul style="list-style-type: none"> – Subtidal gravel and sands – Subtidal muddy sand – Subtidal eelgrass <i>Zostera maritima</i> beds

3.3 Special Protection Areas and Ramsar sites within the SEMS

There are three Special Protection Areas and three Ramsar sites within the Solent.

- Langstone and Chichester Harbours SPA/Ramsar;
- Solent and Southampton Water SPA/Ramsar and;
- Portsmouth Harbour SPA/Ramsar.

The Solent and Southampton Water SPA and Ramsar site boundaries differ in places, however the boundaries for the Portsmouth Harbour and Chichester and Langstone Harbour SPA and Ramsar sites are concurrent. The features and sub features for each of the designations are shown in boxes 3 to 8.

The SAC overlaps substantially with Langstone and Chichester Harbours SPA/Ramsar and the Solent and Southampton Water SPA/Ramsar but not with the Portsmouth Harbour SPA/Ramsar.

JNCC are carrying out a review of SPAs and Ramsar sites. This will document any changes to populations and or species since the citations were issued and the site was originally listed. This will provide advice to Ministers on any changes required in the SPA/Ramsar citations and depending on this review English Nature may need to review the Regulation 33 advice.

Box 3 - Solent & Southampton Water SPA	
Features	Sub features
<ul style="list-style-type: none"> Regularly occurring Annex 1 species 	<ul style="list-style-type: none"> Sand and shingle Saltmarsh Intertidal mud and sandflats Shallow coastal waters
<ul style="list-style-type: none"> Importance for regularly occurring migratory species 	<ul style="list-style-type: none"> Intertidal mudflats and sandflats Boulders and cobble shores Saltmarsh Mixed sediment shore,
<ul style="list-style-type: none"> Important for internationally important assemblage of waterfowl 	<ul style="list-style-type: none"> Intertidal mudflats and sandflats Boulders and cobble shores Saltmarsh Mixed sediment shore

Box 4 - Solent & Southampton Water Ramsar	
Features	Sub features
<ul style="list-style-type: none"> Criterion 1a: Internationally important wetland characteristic of the Atlantic biogeographical region 	<ul style="list-style-type: none"> Estuaries Saline lagoons Saltmarsh Intertidal reefs
<ul style="list-style-type: none"> Criterion 2a: Wetland hosting an assemblage of rare, vulnerable or endangered species in favourable condition 	<ul style="list-style-type: none"> Saline lagoons Saltmarsh Cordgrass swards
<ul style="list-style-type: none"> Criterion 3a: Wetland regularly supporting 20 000 waterfowl species in favourable condition 	<ul style="list-style-type: none"> Saltmarsh Intertidal mudflats and sandflats Boulder and cobble shores Mixed sediment shores
<ul style="list-style-type: none"> Criterion 3c: Wetland regularly supporting 1% more of the individuals in a population of waterfowl species: 	<ul style="list-style-type: none"> Saltmarshes Sand and shingle Shallow coastal waters Intertidal mudflats and sandflats Boulder and cobble shores Mixed sediment shores

Box 5 -Chichester & Langstone Harbours SPA	
Features	Sub features
<ul style="list-style-type: none"> • Importance for regularly occurring Annex 1 species 	<ul style="list-style-type: none"> – Sand and shingle – Shallow coastal waters
<ul style="list-style-type: none"> • Importance for regularly occurring migratory species 	<ul style="list-style-type: none"> – Shingle – Intertidal sand and mudflats – Saltmarsh – Mixed sediment shores
<ul style="list-style-type: none"> • Important for internationally important assemblage of waterfowl 	<ul style="list-style-type: none"> – Shingle – Intertidal sand and mudflats – Saltmarsh – Mixed sediment shores – Shallow coastal waters

Box 6 - Chichester & Langstone Harbour Ramsar	
Features	Sub features
<ul style="list-style-type: none"> • Criterion 1a: Internationally important wetland characteristic of the Atlantic biogeographical region 	<ul style="list-style-type: none"> – Estuaries – Saltmarshes – Intertidal mudflats and sandflats
<ul style="list-style-type: none"> • Criterion 3a: Wetland regularly supporting 20 000 waterfowl species 	<ul style="list-style-type: none"> – Shingle – Saltmarsh – Intertidal mudflats and sandflats – Mixed sediment shores – Shallow coastal waters
<ul style="list-style-type: none"> • Criterion 3c: Wetland supporting 1% or more of the individuals in a population of waterfowl species in favourable condition*, in particular 	<ul style="list-style-type: none"> – Saltmarsh – Intertidal mudflats and sandflats – Mixed sediment shores – Shingle – Sand and shingle – Shallow coastal waters

Box 7- Portsmouth Harbour SPA	
Features	Sub features
<ul style="list-style-type: none"> • Importance for regularly occurring migratory species 	<ul style="list-style-type: none"> – Intertidal sand and mudflat – Saltmarsh – Shallow coastal waters

Box 8 - Portsmouth Harbour Ramsar	
Features	Sub features
– Criterion 1a: Internationally important wetland characteristic of the Atlantic biogeographical region	– Estuaries, Saltmarshes, Intertidal mudflats and sandflats
– Criterion 2b: Wetland supporting genetically and ecologically diverse flora and fauna:	– Saltmarsh, Cordgrass swards, Intertidal mudflats and sandflats
– Criterion 3c: Wetland supporting 1% or more of the individuals in a population of waterfowl species:	– Saltmarsh, Shallow coastal waters, Intertidal mudflats and sandflats

3.4 Solent European Marine Sites

The Management Group of relevant authorities (see 4.1) has agreed that the SAC and three SPAs shall be known collectively as the Solent European Marine Sites (SEMS). Table 1 summarises the habitats which are included in each of the designations within the SEMS.

The landward boundaries of European marine sites can only extend up to HAT, therefore SEMS only includes the intertidal and subtidal areas which are designated as SAC, SPA or Ramsar. Parts of the SPAs, SAC and Ramsar sites which extend above HAT are not included in the SEMS.

Map 1 is an illustrative maps showing the general extent of the 4 designations which make up the SEMS. Maps showing the detailed site boundaries of the SAC, SPAs and Ramsars on an Ordnance Survey base, and descriptions of the features and sub-features of interest, are contained in English Nature's Regulation 33 advice. It is not possible to map HAT on an Ordnance Survey base, therefore it should be noted that all these maps only show the extent of the individual designations and not the actual European marine site.

The SEMS management scheme will cover all activities within the 3 SPA/Ramsars and the Solent SAC up to and including HAT, activities occurring adjacent to the site will also be considered if it is thought that they may have an effect on the features of interest in the site.

3.5 Other Designations Adjacent to the SEMS

A number of features of interest occur within each of the three designations but fall outside of the boundary of the SEMS because they occur above HAT. Consequently there are no specific conservation objectives for these habitats and species and they will not be considered in the management scheme. Objectives to maintain these features in favorable condition are identified within English Nature's conservation objectives for the relevant SSSIs. However the relevant authorities and the management scheme need to be aware of factors adjacent and beyond the site as they may be affected by activities taking place within the site.

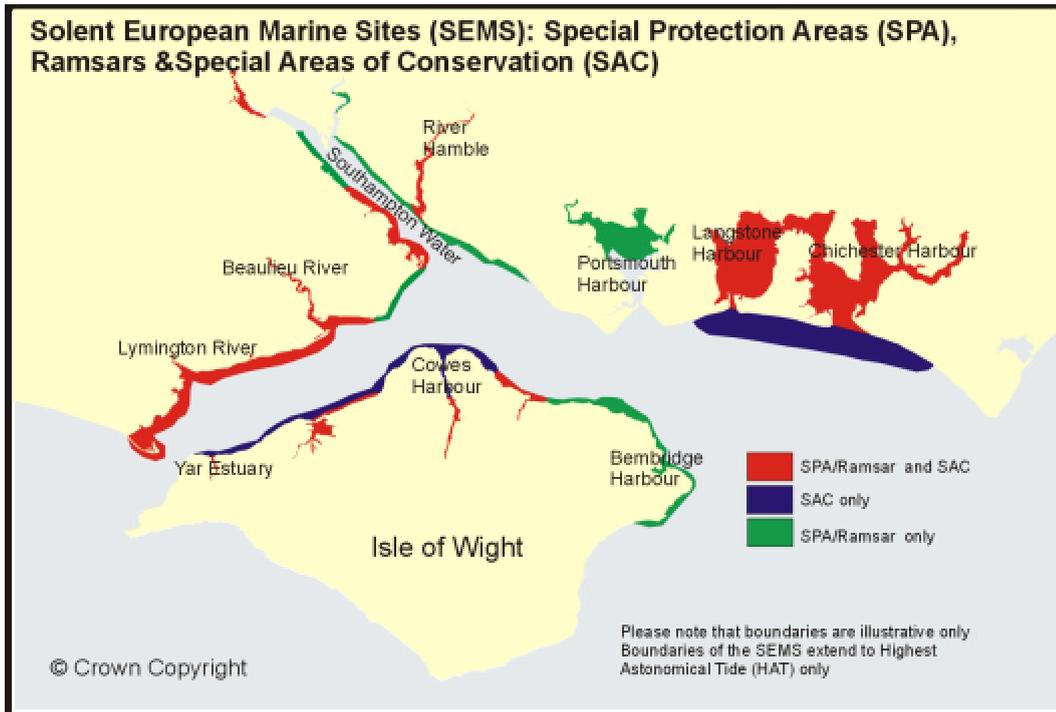
A further marine cSAC is present adjacent to the SEMS, known as the South Wight SAC. This has been selected for intertidal and subtidal reefs, vegetated sea cliffs and sea caves. A separate management scheme is being progressed for the adjacent South Wight SAC. There is an area of overlap between the SEMS and the South Wight SAC at Bembridge and it will be important that this is taken into account during the production of both management schemes.

Table 1 – Habitats within SEMS individual sites

Site Name	Qualification		Habitats that each Site Supports															
			Estuaries	Annual vegetation	Salicornia	Sand-banks	Saltmarsh	Saline lagoons	Intertidal reefs	Cordgrass swards	Mud & sand flats	Boulder & cobble	Mixed sediment	Sand & shingle	Shallow coastal waters	Atlantic salt meadow	Shingle	
Solent Maritime	cSAC	Annex 1 habitats	◆	◆	◆	◆				◆	◆					◆		
Solent & Southampton Water	SPA	Annex 1 species					◆			◆			◆	◆				
		Migratory species					◆			◆	◆	◆						
		Assemblage species					◆			◆	◆	◆						
	Ramsar	Criterion 1a	◆				◆	◆	◆									
		Criterion 2a					◆	◆	◆									
		Criterion 3a					◆				◆	◆	◆					
Criterion 3c						◆				◆	◆	◆	◆	◆				
Chichester & Langstone Harbour	SPA	Annex 1 species					◆			◆			◆	◆				
		Migratory species					◆			◆		◆					◆	
		Assemblage species					◆			◆		◆		◆				◆
	Ramsar	Criterion 1a	◆				◆				◆							
		Criterion 3a					◆				◆		◆		◆			◆
	Criterion 3c					◆				◆		◆	◆	◆			◆	
Portsmouth Harbour	SPA	Migratory species					◆			◆					◆			
	Ramsar	Criterion 1a	◆				◆			◆								
		Criterion 2b					◆		◆	◆								
		Criterion 3c					◆			◆				◆				

Source: English Nature, July 2000.

Map 1 – Solent European Marine Sites



Map 2 – Relevant Authority Areas of Jurisdiction



4.0 Management Structure

Partnerships underpin the development and implementation of management schemes on marine sites for legal and practical reasons. Legally management of the site is the responsibility of all those statutory bodies with relevant functions and no one single body has overall responsibility or control. In addition the support of wider stakeholders in the decision on the use of sites is needed if management is to be sustained in the long term. Government policy for the development of management schemes for European marine sites suggests the formation of ‘management groups’ and ‘advisory groups’, in practice a range of structures has been adopted across the country from distinct hierarchical groups through to groups where both relevant authorities and stakeholders participate jointly.

The management structure which is proposed for the SEMS reflects the local characteristics i.e. size, geographical spread, cluster formation and takes into account good practice from elsewhere in the country. The structure also reflects the views of both relevant authorities and other stakeholders in the Solent and also respects the presence of existing management structures and other networks already operating around the Solent.

4.1 Relevant Authorities in the Solent

In response to an initiative from the ports in the Solent area, Hampshire County Council has become the facilitating authority for the SEMS management scheme.

As described in section 2.3 relevant authorities are those competent authorities which have powers or functions which have, or could have, an impact on the marine area within or adjacent to a European marine site. Whilst carrying out their duties relevant authorities are required to have due regard to the requirements of the Habitats Directive and as such may review their management of the activities under their control that pose the greatest potential threat to the favourable condition of interest features in the SEMS. The relevant authorities within the SEMS are listed in box 9.

The areas of jurisdiction of the relevant authorities are shown on map 2.

The relevant authorities are not given additional powers by the Regulations, but are required to use their existing powers within their statutory limits and jurisdiction in such a manner as to comply with the regulations.

It is agreed that a single management scheme for the SEMS is desirable and it is assumed that, if advice were sought from the Secretary of State, he would indicate that such a scheme should be put in place.

Box 9 - SEMS Relevant Authorities	
Harbour Authorities	Local Authorities
Associated British Ports Beaulieu River Management Bembridge Harbour Improvements Co. Chichester Harbour Conservancy Cowes Harbour Commissioners Dockyard Port of Portsmouth (QHM) River Hamble Harbour Authority (HCC) Langstone Harbour Board Lymington Harbour Commissioners Newport Harbour Authority Portsmouth Commercial Port Wightlink Yarmouth Harbour Commissioners	Chichester District Council Eastleigh Borough Council Fareham Borough Council Gosport Borough Council Hampshire County Council Havant Borough Council Isle of Wight Council New Forest District Council Portsmouth City Council Southampton City Council Test Valley Borough Council West Sussex County Council Winchester City Council
Other Authorities	
English Nature Environment Agency Sea Fisheries Committee Southern Water Trinity House	

Even though there shall only be one management scheme, there is no joint responsibility for the scheme and no relevant authority may instruct another on how its duties should be fulfilled. The main duties of the conservation body - in this case English Nature - is to provide conservation objectives, monitor site condition and to advise relevant authorities on the impacts or likely impacts of operations and activities within their control. In every other respect, English Nature is an equal partner with the other relevant authorities. These arrangements require the development of consensus among relevant authorities, while allowing each the freedom to deliver the conservation objectives using their skills, experience and powers as they individually deem appropriate. Should differences of view prove to be irreconcilable, the Secretary of State has reserve powers to direct.

The roles and responsibilities of relevant authorities and competent authorities are summarised in Appendix 1.

4.2 SEMS Management Group

The relevant authorities have agreed to form the **Solent European Marine Sites (SEMS) Management Group** in order to facilitate the development and implementation of the management scheme. The Group's full terms of reference are in Appendix 2.

4.3 SEMS Strategic Advisory Group

DETR guidance emphasises that “although only relevant authorities have the statutory responsibility for establishing the management scheme, it is essential that owners and occupiers, rightholders, local interests, user groups and conservation groups should be encouraged to participate in the process of developing the management scheme at the earliest opportunity. The management group should... meet periodically to consult with representatives from such interest groups in one or more advisory groups.” (DETR guidance para. 4.4)

The DETR guidance defines ‘advisory group’ as “the body of representatives from local interests, user groups and conservation groups, formed to advise the management group”. (DETR guidance page 15) However, it is not clear from the guidance whether or not:

- advisory group(s) may or should include representatives of the relevant authorities and;
- whether there should be both strategic and local area advisory groups in a large and fragmented area like the Solent.

The relevant authorities have recognised that there is already a considerable amount of consultation taking place between interest groups and individual relevant authorities, and it is not intended that such mechanisms should be replaced or weakened in any way. However, it is considered that there should be an advisory consultation group that gives strategic advice to the Management Group of relevant authorities. The Management Group has therefore agreed that a **Strategic Advisory Group (SAG)** be established in order to advise the SEMS Management Group.

The Strategic Advisory Groups terms of reference are outlined in Appendix 3.

4.4 SEMS Project Officer

A project officer has been appointed, supported by joint funding from some of the relevant authorities, to facilitate the preparation of the management scheme. The project officer will also act as secretariat to both the Management Group and Strategic Advisory Group.

4.5 Cluster Groups

Due to the diverse nature and geographical spread of the SEMS a number of cluster groups have been formed to drive and steer the work and to concentrate on local issues. Five groups have been set up which include the appropriate relevant authorities. Table 2 shows how the clusters have been formed and their membership. It is likely that these will continue throughout the management scheme process. Once the management scheme has been produced the future of the cluster groups and their role in the implementation stage will need to be reviewed and agreed by the Management Group.

4.6 Other Groups

Other groups may be formed during stage five of the management scheme process, these will be focused on specific issues or activities and their formation will be agreed by the members of the Management/cluster group as and when appropriate.

4.7 Relationship with Other Coastal Initiatives

There are a number of bodies concerned with the management of the Solent which offer some form of co-ordination and collaboration between the different sectors of the community.

Table 2 – Cluster Groups in the SEMS

Cluster	Relevant Authority
Chichester & Langstone Harbours	Chichester Harbour Conservancy Langstone Harbour Board Chichester District Council West Sussex County Council Hampshire County Council Havant Borough Council Portsmouth City Council Sussex Sea Fisheries Committee Environment Agency (Sussex) English Nature (Sussex)
Portsmouth Harbour	Hampshire County Council Portsmouth Commercial Port Dockyard Port of Portsmouth (QHM) Fareham Borough Council Gosport Borough Council Portsmouth City Council Portsmouth Commercial Port Wightlink
Southampton Water	Hampshire County Council Southampton City Council New Forest District Council River Hamble Harbour Authority Eastleigh Borough Council Associated British Ports Fareham Borough Council Winchester City Council Test Valley Borough Council
North West Solent	Hampshire County Council New Forest District Council Beaulieu River Management Lymington Harbour Commissioners Wightlink
Isle of Wight Harbours	Isle of Wight Council Newport Harbour Authority Cowes Harbour Commissioners Yarmouth Harbour Commissioners Bembridge Harbour Improvements Dockyard Port of Portsmouth (QHM) Newport Harbour Authority Wightlink
Others	Southern Water Environment Agency (Hampshire & Isle of Wight) English Nature (Hampshire & Isle of Wight) Southern Sea Fisheries Committees Trinity House

These include groups that represent the views and opinions of individuals and organisations in the Solent, these may be geographically based and associated with particular initiatives such as estuary management plans, or sectoral, and based on particular areas of interest such as certain interest groups. Other groups also exist at a more strategic level such as the Solent Forum and SCOPAC.

It is important that all these groups are kept informed of progress on the SEMS management scheme. This is achieved through links to the Management Group and the Strategic Advisory Group.

4.7.1 Links to the Solent Forum

It was originally suggested that the Solent Forum could be used as the Strategic Advisory Group, however members had concerns over this suggestion and it was decided that members of the Forum minus the relevant authorities would be invited to sit on the Strategic Advisory Group in the first instance and that this would be reviewed as the management scheme progressed. The reasons for this are outlined below.

- The Solent Forum was formed in 1992 and since that time has completed many successful projects. Members felt that it was important that this work continued and that it was not over-shadowed by the SEMS management scheme.
- The main aims of the Solent Forum are to facilitate more integrated planning and management of the Solent, to assist the agencies and authorities in carrying out their functions and to provide a 'voice' for the Solent. These aims differ from the statutory role of the SEMS management scheme, and it was felt that the separate identities would be lost if the SEMS initiative came under the umbrella of Solent Forum.
- Membership of the Forum includes both relevant authorities and other organisations. It was felt that the Strategic Advisory Group for the SEMS should only include other stakeholders and not the relevant authorities therefore the Solent Forum was not seen as the most appropriate vehicle for the group.

There are areas of overlap between the two initiatives and all efforts are made to ensure that duplication of effort is minimised and opportunities for joint working are taken advantage of where appropriate.

The relationship of the SEMS and the Solent Forum will be reviewed again once the management scheme is complete.

4.7.2 Links to other groups/initiatives

Links to other groups such as existing committees and panels are ensured through representation on the Strategic Advisory Group. This ensures the dissemination of information to interested parties and encourages feedback relating to the management scheme.

Further information on links to other initiatives is outlined in section 7.3

5.0 English Nature’s Regulation 33 Advice

5.1 Introduction

As referred to in section 2.5, English Nature is required under Regulation 33 of the Habitats (Conservation &c.) Regulations 1994 to advise relevant authorities as to the conservation objectives for the SEMS, and any operations which may cause deterioration or disturbance to habitats or species. In formulating its Regulation 33 advice, English Nature “should undertake discussions with the management group and, through it, with the advisory group to take account of the range of knowledge and expertise that may be available. Following such discussions and taking them into account the agency [English Nature] should provide its formal advice... to the management group from which a strategy for meeting the objectives can be derived.” (DETR guidance, para. 4.7)

The Regulation 33 advice contains English Nature’s statutory advice as to the conservation objectives and the operations which may cause deterioration or disturbance to the interest features of the European marine site. The advice is designed to help relevant and competent authorities to:

- understand the international importance of the site, the underlying physical processes and the ecological requirements of the habitats and species involved, and
- set standards against which the condition of the site’s interest features can be determined and compliance monitoring undertaken to establish whether they are in favourable condition.

English Nature’s draft advice given under Regulation 33 for SEMS was first issued for consultation in November 2000. Revised versions were issued in May 2001 and July 2001, the later containing the moderated features and Ramsar conservation objectives. The final version was issued in October 2001. The scope is set out in Appendix 4 and the full document is available separately from English Nature.

5.2 Conservation Objectives

Conservation objectives are related directly to the features and sub-features for which the site is designated. The standard wording for a conservation objective is:

“Subject to natural change, maintain in favourable condition the habitat for the [feature], in particular [the sub-features]”

The conservation objectives are listed in section 8.0.

All conservation objectives acknowledge the importance of recognising ‘natural change’. Natural change, due to sea level rise or climate change and natural coastal dynamics are not something that can be changed or altered and the conservation objectives therefore allow for these natural changes to occur.

5.3 Favourable Condition Table and Monitoring

As part of the Regulation 33 advice, English Nature supplies a Favourable Condition Table which aims to detail for each feature and sub-feature the relevant attributes, measures and targets. These will be used to monitor the condition of the site features and to report to the EU.

5.4 Operations

A description of ‘operations’ as defined by the Habitats Regulations is outlined in box 10. English Nature has drawn up the following standard list of categories of operations which may cause deterioration or disturbance (to features for which the site has been designated under the EU Birds or Habitats Directives):

- physical loss through removal and/or smothering;
- physical damage through siltation, selective extraction and/or abrasion;
- non-physical disturbance by noise and/or visual presence;
- toxic contamination through the introduction of synthetic and/or non-synthetic compounds and introduction of radionuclides;
- non-toxic contamination through changes in nutrient and/or organic loading and/or changes in turbidity/thermal regime and salinity;
- biological disturbance through the introduction of non-native species and/or translocation and/or selective extraction of species and introduction of microbial pathogens.

The advice on operations is set out in English Nature’s Regulation 33 advice package. It provides the basis for discussion about the nature and extent of the operations taking place within or close to the site which may have an impact on its interest features. The advice will be one of the tools used to identify the extent to which existing control measures, management and use are, or can be made, consistent with the conservation objectives, thereby focusing the attention of relevant authorities and monitoring efforts to areas that may need new or refined management measures. This advice will, therefore form the basis for the production of the management scheme for SEMS.

Box 10 - ‘Operation’, ‘Activity’ and ‘Plans and Projects’

In terms of implementing the Regulations and managing the European marine site, it is important to recognise the distinctions between these three definitions.

- **Plans and Projects**

In general any action which requires an application to be made for specific statutory consent, authorisation, licence or other permission is considered as a plan or project. There are separate provisions within the Habitats Regulations for dealing with Plans and Projects, therefore they are not covered by the management scheme (see section 6.0 for further details).

‘Dumping’ of dredged spoil in the sea requires a FEPA licence from DEFRA and is therefore considered as a ‘plan or project’.

- **Operations which may cause deterioration or disturbance.**

The term ‘operation’ is used to describe the mechanism by which a given activity within, adjacent to, or remote from a European marine site may have the potential to cause deterioration to the natural habitats for which the site was designated or disturbance to the species and its habitats for which the site was designated.

‘Non –physical disturbance such as noise or visual presense’ is considered as an ‘operation’.

The Regulation 33 advice outlines those ‘operations’ which may cause deterioration or damage to the features of the site (however it should be noted that this is not intended as an exhaustive list). In order to consider management on sites it is important to relate the list of ‘operations’ in the Regulation 33 advice to current ‘activities’ occurring on, in or adjacent to the European marine site.

- **Activities**

Activities are those actions that are not plans or projects. They may be controlled or managed by competent or relevant authorities on a continuing basis or may fall outside of any jurisdiction.

Many ‘recreational pursuits’ are considered as ‘activities’ as no permissions are required to carry them out.

- **Relationship between Operations and Activities**

Operations as defined in the Regulation 33 advice need to be translated into activities occurring on the site to determine whether any damage or deterioration is taking place. An activity can therefore cause the type of operations that are defined in the Regulation 33 advice.

A recreational ‘activity’ may cause a noise ‘operation’.

6.0 Plans & Projects

Many actions, either current or planned that occur within the SEMS are subject to gaining the consent or permission of a competent authority before they can proceed or continue. These are known in the Habitats Regulations as ‘plans and projects’ and the Regulations state that where such consents are given with the potential to have a significant effect upon a European marine site full consideration must be given to the provisions of the Habitats Directive. A description of ‘plans and project’ in relation to ‘operations’ and ‘activities’ is outlined in box 10.

Regulations 3(3), 3(4) and 47-85 of the Habitats Regulations are concerned with new plans, projects, consents and permissions with the potential to affect European sites and outline a statutory framework which needs to be applied. All competent authorities (whether they be relevant authorities or not) are required to carry out an ‘appropriate assessment’ of new plans and projects which are likely to have a significant effect upon the European site, independently of the management scheme for that site.

Regulation 50 places a duty on certain competent authorities to review existing consents and permissions likely to have a significant affect upon a European marine site designated after the consents or permissions were given.

6.1 Determination of Significant Effect

Development issues will generally be resolved on a case by case basis and many of the relevant authorities and other interested organisations will be consulted as part of the normal planning procedures or as part of a statutory consultation except where the proposal lies outside local planning authority jurisdiction. The first step in the process should be the test for judging whether a proposal will have a ‘significant effect’ under the Habitat Regulations. This is intended to ensure that all relevant plans and projects likely to have an affect on these sites are subject to an appropriate assessment.

The test of significant effect must be carried out by the competent authority and must take into account advice by the appropriate nature conservation agencies. Judgements must only be made in relation to the interest features for which the site was designated or associated conservation objectives. Proposals deemed to have no or minimal ‘significant effect’ may proceed immediately but reasons for this conclusion must be recorded. If a judgement is made identifying a significant effect then an appropriate assessment must be carried out.

6.2 Appropriate Assessment

Under Regulation 48 of the Habitat Regulations an ‘appropriate assessment’ must be carried out for any plan or project which is:

- not directly connected with or necessary to the management of the site and;
- likely to have a ‘significant effect’ upon a European site, either alone or in combination with other proposals.

Appropriate Assessments are required by UK law for all European sites including pSPAs and cSACs and listed Ramsar sites for the purpose of considering development proposals likely to significantly effect them.

The scope and content of what constitutes an appropriate assessment will depend on the location, size and significance of the proposed project. The conclusion of the assessment should enable the competent authority to ascertain whether the proposal would adversely affect the integrity of the site. The competent authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.

The key steps to be taken by a competent authority with regard to ‘appropriate assessment’ are as follows.

- 1 English Nature must be consulted.
- 2 The applicant must provide any information that might reasonably be required by the competent authority for the purposes of the Appropriate Assessment, to allow assessment of the application.
- 3 The effects of the proposal on the habitats and species of international importance should be clearly identified.
- 4 The relevant authority must decide whether the plan or project, as proposed, would adversely affect the integrity of the site in light of the conservation objectives.
- 5 If an adverse effect on the sites integrity is shown, the competent authority should consider the manner in which the plan or project is proposed to be carried out, and determine whether it can be modified or whether conditions or restrictions could be imposed, so as to avoid adverse effects upon the integrity of the site.
- 6 Conclude whether the proposal, as modified by condition or restrictions, would adversely affect the integrity of the site.
- 7 The competent authority should record the assessment and notify English Nature of the conclusions.

Further information is available in English Nature’s, Habitats Regulation Guidance Note 1, 1997.

7.0 SEMS Management Scheme

7.1 Introduction

The main aim of the SEMS designations is to provide a stronghold for habitats and species through appropriate management measures achieved by co-operation between the relevant regulating authorities, land owners, industries and public who use the site. Where new plans and projects (a description of ‘activities’ and ‘plan and projects’ is outlined in box 10) are proposed this is achieved through the implementation of special provisions in the Regulations (see section 6), however these provisions do not cover ongoing activities. The Regulations do, however, make further provisions for ongoing activities in European marine sites through the production of a management scheme for the site which will act as a tool with which the authorities will perform their duties.

The management scheme will address the methods of establishing if any potentially damaging activities are actually causing adverse effects and how such activities may be regulated by relevant authorities so they can be accommodated in ways that are acceptable.

The SEMS management scheme is concerned with promoting the sustainable use of a living, working coast. The management scheme does not aim to stop people using the Solent and for most people the scheme will make very little difference to day-to-day life. There is no intention to exclude traditional human activities, these will only be managed if it is shown that they are causing damage to the habitats or species for which the site has been designated. It is likely that most activities do not do this and so will not be affected, or if they have the potential to do so are already managed in a way so as to prevent damage.

The management scheme does not set out to be a static management plan but an ongoing process that aids decision making and continually evolves to take account of changing issues and legal obligations. It is also important to remember that the management scheme document itself will not be able to answer all questions and queries. What the management scheme will do is to start the process of addressing issues by setting and prioritising what is to be undertaken and a timetable for delivery. It is hoped that recognition of any damaging practices will lead to a change for the long term sustainability of the site which will fulfil the requirements of the Habitats Regulations but also allow the area to be a resource to industry and recreation for future generations.

The nature of the management scheme for the Solent is unconventional because the site is geographically fragmented. Nevertheless, the Regulations and accompanying guidance are clear: only one management scheme may be established for each European marine site. This poses a dilemma for the Solent: whether to take a ‘top down’ approach, in which an overarching management scheme is developed for application in the clusters, or a ‘bottom up’ approach in which management schemes are developed for the clusters and then assembled to form a single management scheme for the whole SAC. Either extreme would be unsatisfactory. It would be better to take a balanced approach which combines the best features of the two extremes.

This means that an overall framework with general principles will be developed at strategic level in parallel with more detailed management plans at cluster level, with synthesis into a single management scheme occurring towards the end of the process.

7.2 Key Principles for Production of the SEMS Management Scheme

It is understood and agreed by the Management Group that all relevant authorities must use their powers within the context of their main responsibilities set out in their principal Act to ensure that operations and activities under their control do not detract from the favourable condition of the site. To help ensure that all relevant authorities are working to the same goal, a number of key principles have been established which will underlie the production of the management scheme for the SEMS. Key principles have been established for the following:

- Favourable condition
- Sustainable development
- Regulatory use of bye-laws
- Links to existing management and other plans/initiatives
- Onus of proof
- Management actions

The Management Group have agreed four of these principles, however further guidance is awaited from DEFRA before the final 2 principles can be agreed, as neither statement is currently supported by all the management group members.

In addition a position statement has been agreed by most of the SEMS harbour authorities² which is shown in Appendix 5.

7.2.1 Favourable Condition

The SEMS has qualified for designation against the background of its current use. It follows therefore that such use at current level should be broadly compatible with the maintenance of the conservation interest. English Nature's view is that there is a working assumption that the features for which the site is designated are in favourable condition from the time of designation. However an essential step in developing a management scheme will be the evaluation of the effect of existing regulatory systems, voluntary agreements and unregulated patterns of use against the conservation objectives of the site. It will be English Nature's role to test this assumption within the condition monitoring scheme over the next 6 years as part of the 2000-2006 reporting period.

This is required for the following reasons.

- We do not have a thorough understanding of all activities affecting the site, and it may be that the effects of certain activities may take some time to manifest themselves.
- The overall site may be in favourable condition, however specific local areas within the site may need specific attention.
- Favourable condition at the time of designation does not necessarily imply whether it will still be in favourable condition in a number of years time i.e. it does not indicate that the site is at a 'stable' level of favourable condition.

² except River Hamble Harbour Authority

Principle 1 – Favourable Condition

The SEMS has qualified for designation against the background of current use and there is a working assumption that the features for which the site is designated are in favourable condition from the time of designation. The management scheme and the monitoring to be carried out by 2006 will test this assumption.

7.2.2 Sustainable Development

The main aim of the Habitats Directive is to promote the maintenance of biodiversity, taking account of economic, social, cultural requirements and regional and local characteristics. Sustainable development is therefore one of the key principles of the Habitats Directive (DETR, 1998). The maintenance of biodiversity may, in certain cases, require the maintenance, or indeed the encouragement of human activities.

Principle 2 – Sustainable Development

The aim of the management scheme is not to exclude human activities from SEMS, but rather to ensure that they are undertaken in ways which do not threaten the nature conservation interest, and wherever possible, in ways that support it. The management scheme should ensure a balance of social, economic and environmental objectives when considering the management of activities within the Solent.

7.2.3 Regulatory Use of Bye-laws

Where a need for a change in management is identified various options can apply. Generally voluntary measures such as codes of practice will be considered, however if suitable voluntary means cannot be found then changes in management practice or policies may be considered or new bye-laws introduced. Where a relevant authority, such as a local authority or harbour authority does not have suitable powers English Nature is able to introduce bye-laws so long as they do not interfere with the functions of any other relevant authority. It is likely that this would only happen in extreme circumstances and generally where no powers exist. The relevant authorities will work together to determine the appropriate action required to prevent deterioration to the site. Wherever possible any new management measures that are required will be introduced after consultation with interested parties.

Principle 3 – Regulatory Use of Bye-laws

New bye-laws may be used as a regulatory mechanism for the SEMS. These should only be introduced into the management scheme when all other options have been considered and it is the only effective solution.

7.2.4 Links to Existing Management and Other Plans/Initiatives

The SEMS is used and managed by a wide range of organisations and user groups. Many different types of management currently exist and there are many existing initiatives in place. Appendix 6 summarises the main plans to date. Many of the issues and actions in the final management scheme will also be the subject of other plans and initiatives. DETR guidance on European marine sites advocates the use of existing plans to help construct management schemes for European marine sites. As such, where appropriate the SEMS management scheme will directly utilise management actions from other existing management plans. The management measures identified in other plans will remain the mechanism through which these are to be implemented. The actions identified in the management scheme will therefore serve to inform and support existing management effects rather than duplicate them.

This will ensure the efficient use of existing management structures, ensure compatibility and will minimise bureaucracy. In this way the management scheme will allow for integration with the work of other authorities and sectors involved in coastal management in the Solent.

Principle 4 – Links to Existing Management and Other Plans/Initiatives

Where appropriate the SEMS management scheme will directly utilise management actions from other existing management plans. The actions identified in the management scheme will therefore serve to inform and support existing management effects rather than duplicate them. The management measures identified in other plans will remain the mechanism through which these are to be implemented.

7.2.5 Onus of Proof

It is Government policy that the onus of proof with regard to the impact of a new plan or project lies with the developer (i.e. the relevant authority who carries out the Appropriate Assessment can ask the developer to provide information that is reasonably required to carry out the Appropriate Assessment). Where ongoing activities are considered the situation is less clear.

It is clear that English Nature is responsible for ‘condition monitoring’ of the SEMS i.e. monitoring the condition of the habitats and species for which the site has been designated and that the relevant authorities are responsible for ‘compliance monitoring’ i.e. monitoring the activities for which they are responsible. However is not clear who is responsible for identifying the cause/effect relationships.

The management scheme will help identify where potential cause/effect relationships may exist and therefore will help to prioritise future condition and compliance monitoring. It is likely that this will lead to a partnership approach and it may be necessary for English Nature and the relevant authorities to agree the factors which may be affected by the activity and work together to identify cause/effect relationships by sharing information, knowledge and resources where appropriate. However a definitive principle needs to be agreed by the

Management Group so that the responsibilities of the various relevant authorities are clearly understood.

Principle 5 – Onus of Proof

The SEMS Management Group will recommend one of the following statements, however further guidance is awaited from DEFRA before a final principle can be agreed as neither statement is currently supported by all the Management Group members.

In the event that English Nature can show a deterioration in the condition of the SEMS, and if they suspect that such deterioration is linked to a particular activity, the onus will be on English Nature to demonstrate the deterioration and to show that there is a link between such deterioration and a particular activity.

Where English Nature or a relevant authority suspect that deterioration in the condition of the SEMS is linked to a particular activity, the onus will be on English Nature and the relevant authorities to agree the factors which may be affected by the activity and work together to identify cause/effect relationships.

7.2.6 Management Actions

Experience from other European marine sites in the UK shows the type of management actions that can arise from the management scheme. Box 11 gives examples of management actions from some other management schemes.

The following statement was made at a Marine SACs LIFE conference which was considering progress made by management schemes in the UK:

‘Most schemes are fairly limited in terms of actions, not substantially altering the existing use and management of the site. This could be because the sites are already being used and managed in ways that are compatible with the objectives of the Habitats Directive, or rather that there is insufficient evidence to justify the implementation of new management measures. This is as much a question of what is the required level of certainty, as of the quality of the available information per se. It is interesting to compare how the management schemes address the question of burden of proof, with the Directive consideration of ‘plans and projects’ under Article 6.3, where new development have to be able to demonstrate that they will not have adverse effects. In management schemes, which deal with on-going activities rather than new developments, the reverse appears to be the case. As a result, many actions are about improving the information base for future decision-making.’ Edinburgh Marine LIFE SACs conference by Dr Adam Cole- King (CCW) (15-16th November 2000).

Management actions arising from the management scheme will ensure that activities taking place in the SEMS are carried out without detriment to the features of interest for which the site has been designated. These may take different forms depending on the level of information available.

Box 11 - Examples of management actions

Issue

Dog walking is a particular problem along Grune Point, Southernness and Burgh March and to a lesser extent elsewhere. This is a popular past-time but causes disturbance to birds.

Management Solution

- Quantify impacts occurring as a result of this activity by monitoring bird numbers and distribution associated with disturbance.
- Increase awareness and voluntary control through the provision of information boards, etc publicising the dangers to wildlife from users of these sites. Need interpretation and information readily available to users. This issue should be dealt with locally. If other methods fail to consider introduction and enforcement of byelaws where main problems identified. Consider provision of other areas for dog exercising.

Solway Firth EMS – Management Scheme, December 2000

Issue

Motorised water craft e.g. personal water craft at various named locations may cause possible disturbance to seals and SPA features of interest.

Action

Through liaison with all interested parties establish which areas are most sensitive to this activity and if necessary designate areas where the activities may take place and restrict access to areas where it would be inappropriate. Ensure these areas are relevant to the site and possibly develop a zoned approach for all water-based activities. This will therefore ensure that motorised sea-based activities do not take place in sensitive areas which would lead to the damage, disturbance or destruction of interest features

Civil light aircraft normally fly at 2000 ft or above but may cause disturbance to breeding gulls, terns, waders and feeding and roosting waders and wildfowl if flying at lower altitudes

- Develop dialogue with Civil Aviation Authority (CAA) and flying clubs to assess problems to possibly designate certain areas as restricted fly zones.
- Establish a mechanism for enforcing minimum flight heights and CAA restrictions.
- Existing records of low flying incidents need to be used and new records kept to provide evidence of low flying incidents so as to help achieve the above.
- Establish a method for estimating height and range of aircraft for use in the field by conservation site managers

The Wash & North Norfolk Coast EMS draft management scheme June 2001.

- Where no current information exists but a need for it is identified by English Nature, research into and monitoring of relevant activities will be the management action as part of the management scheme. This will then determine the precise nature of any impacts.
- If a damaging activity is identified a management action will be formulated to prevent further damage and where reasonable or practical reverse damage already carried out.

Within their existing powers relevant authorities are statutorily required to act in accordance with the final management scheme actions. This may mean taking action within their powers to prevent deterioration of the site occurring.

English Nature will use the precautionary principle to help determine whether a change in management is required. However, when damage to the site is both potentially significant and uncertain, it will be appropriate to act on the basis of the precautionary principle.

Precautionary Principle

All forms of environmental risk should be tested against the precautionary principle which means that where there are real risks to the site, lack of full scientific certainty should not be used as a reason for postponing measures that are likely to be cost effective in preventing such damage. It does not however imply that the suggested cause of such damage must be eradicated unless proved to be harmless and it cannot be used as a licence to invent hypothetical consequences. Moreover, it is important, when considering whether the information available is sufficient, to take account of the associated balance of likely costs, including environmental costs and benefits.

DETR & the Welsh Office 1998.

Principle 6 – Management Actions

The SEMS Management Group will recommend one of the following statements, however further guidance is awaited from DEFRA before a final principle can be agreed as neither statement is currently supported by all the management group members.

Changes to management of an activity may form part of the management scheme where a probable cause and effect relationship between the activity and the effect it is having on the feature of interest can be demonstrated.

Changes to management of an activity will only form part of the management scheme where sufficient information on the activity and the effect it is having on the feature of interest (i.e. cause/effect relationships) can clearly be demonstrated by English Nature.

8.0 SEMS Management Scheme Aims and Objectives

8.1 Aim of the Management Scheme

The **aim** for the SEMS management scheme is:

“subject to natural change maintain the favourable condition of the site through the sustainable management of activities”

8.2 Conservation Objectives

To measure the ‘favourable condition’ the **conservation objectives** of the site will be monitored by English Nature. These are outlined in the Regulation 33 advice as follows:

Solent SAC Conservation Objectives

1. Subject to natural change, maintain the estuaries in favourable condition*, in particular:
 - Saltmarsh communities
 - Intertidal mudflat and sandflat communities
 - Intertidal mixed sediment communities
 - Subtidal sediment communities
2. Subject to natural change, maintain the Annual vegetation of drift lines in favourable condition*.
3. Subject to natural change, maintain the Atlantic salt meadows in favourable condition*, in particular:
 - Low marsh communities
 - Mid marsh communities
 - Upper marsh communities
 - Transitional high marsh communities
4. Subject to natural change, maintain the *Salicornia* and other annuals colonising mud and sand in favourable condition*, in particular:
 - Annual *Salicornia* saltmarsh communities (SM8)
 - *Suaeda maritima* saltmarsh communities (SM9)
5. Subject to natural change, maintain the Cordgrass swards in favourable condition*, in particular:
 - Small cordgrass communities
 - Smooth cordgrass communities
 - Townsend’s cordgrass communities

Cont.

6. Subject to natural change, maintain the mudflats and sandflats not covered by seawater at low tide in favourable condition*, in particular:
 - Intertidal mud communities
 - Intertidal muddy sand communities
 - Intertidal sand communities
 - Intertidal mixed sediment communities
7. Subject to natural change, maintain the sandbanks slightly covered by seawater all the time in favourable condition*, in particular:
 - Subtidal gravel and sands
 - Subtidal muddy sand
 - Subtidal eelgrass *Zostera maritima* beds

* for a detailed definition of how to recognise favourable condition see table 2 in English Nature's Regulation 33 Advice Package

Solent & Southampton Water SPA Conservation Objectives

1. Subject to natural change, maintain in favourable condition* the habitats for the internationally important population of the regularly occurring Annex 1 species in particular:
 - Sand & shingle
 - Saltmarsh
 - Intertidal mudflats and sandflats
 - Shallow coastal waters

Numbers of bird species using these habitats are given in table 3a in English Nature's Regulation 33 Advice Package.

2. Subject to natural change, maintain in favourable condition* the habitats for the internationally important population of the regularly occurring migratory species in particular:
 - Saltmarsh
 - Intertidal mudflats and sandflats
 - Boulder and cobble shores
 - Mixed sediment shores

Numbers of bird species using these habitats are given in table 3a in English Nature's Regulation 33 Advice Package.

3. Subject to natural change, maintain in favourable condition* the habitats for the internationally important assemblage of waterfowl in particular:
 - Saltmarsh
 - Intertidal mudflats and sandflats
 - Boulder and cobble shores
 - Mixed sediment shores

Numbers of bird species using these habitats are given in table 3a in English Nature's Regulation 33 Advice Package.

* for a detailed definition of how to recognise favourable condition see table 4 in English Nature's Regulation 33 Advice Package

Solent & Southampton Water Ramsar Conservation Objectives

1. Subject to natural change, maintain the internationally important wetland characteristic of the Atlantic biogeographical region in favourable condition*, in particular:
 - Estuaries
 - Saline lagoons
 - Saltmarsh
 - Intertidal reefs
2. Subject to natural change, maintain the wetland hosting an assemblage of rare, vulnerable or endangered species in favourable condition*, in particular:
 - Saline lagoons
 - Saltmarsh
 - Cordgrass swards

Numbers of bird species using these habitats are given in table 3b in English Nature's Regulation 33 Advice Package.

3. Subject to natural change, maintain the wetland regularly supporting 20 000 waterfowl species in favourable condition*, in particular:
 - Saltmarsh
 - Intertidal mudflats and sandflats
 - Boulder and cobble shores
 - Mixed sediment shores

Numbers of bird species using these habitats are given in table 3b in English Nature's Regulation 33 Advice Package.

4. Subject to natural change, maintain the wetland regularly supporting 1% more of the individuals in a population of waterfowl species in favourable condition*, in particular:
 - Saltmarshes
 - Sand and shingle
 - Shallow coastal waters
 - Intertidal mudflats and sandflats
 - Boulder and cobble shores
 - Mixed sediment shores

Numbers of bird species using these habitats are given in table 3b in English Nature's Regulation 33 Advice Package.

* for a detailed definition of how to recognise favourable condition see table 5 in English Nature's Regulation 33 Advice Package

Chichester & Langstone Harbour SPA Conservation Objectives

1. Subject to natural change, maintain in favourable condition* the habitats for the internationally important populations of the regularly occurring Annex 1 species in particular:
 - Sand & shingle
 - Shallow coastal waters

Numbers of bird species using these habitats are given in table 6a in English Nature's Regulation 33 Advice Package.

2. Subject to natural change, maintain in favourable condition* the habitats for the internationally important population of the regularly occurring migratory species in particular:
 - Shingle
 - Saltmarsh
 - Intertidal mudflats and sandflats
 - Mixed sediment shores

Numbers of bird species using these habitats are given in table 6a in English Nature's Regulation 33 Advice Package.

3. Subject to natural change, maintain in favourable condition* the habitats for the internationally important assemblage of waterfowl in particular:
 - Shingle
 - Saltmarsh
 - Intertidal mudflats and sandflats
 - Mixed sediment shores
 - Shallow coastal water

Numbers of bird species using these habitats are given in table 6a in English Nature's Regulation 33 Advice Package.

4. Subject to natural change, maintain in favourable condition* the habitats for the internationally important assemblage of waterfowl in particular:
 - Shingle
 - Saltmarsh
 - Intertidal mudflats and sandflats
 - Mixed sediment shores
 - Shallow coastal water

Numbers of bird species using these habitats are given in table 6a in English Nature's Regulation 33 Advice Package.

* for a detailed definition of how to recognise favourable condition see table 7 in English Nature's Regulation 33 Advice Package

Chichester & Langstone Harbour Ramsar

1. Subject to natural change, maintain the internationally important wetland characteristic of the Atlantic biogeographical region in favourable condition*, in particular:
 - Estuaries
 - Saltmarshes
 - Intertidal mudflats and sandflats

2. Subject to natural change, maintain the wetland regularly supporting 20 000 waterfowl species in favourable condition*, in particular:
 - Shingle
 - Saltmarsh
 - Intertidal mudflats and sandflats
 - Mixed sediment shores
 - Shallow coastal waters

Numbers of bird species using these habitats are given in table 6b in English Nature's Regulation 33 Advice Package.

3. Subject to natural change, maintain the wetland supporting 1% or more of the individuals in a population of waterfowl species in favourable condition*, in particular:
 - Saltmarsh
 - Intertidal mudflats and sandflats
 - Mixed sediment shores
 - Shingle
 - Sand and shingle
 - Shallow coastal waters

Numbers of bird species using these habitats are given in table 6b in English Nature's Regulation 33 Advice Package.

* for a detailed definition of how to recognise favourable condition see table 8 in English Nature's Regulation 33 Advice Package

Portsmouth Harbour SPA Conservation Objectives

1. Subject to natural change, maintain in favourable condition* the habitats for the internationally important population of the regularly occurring migratory species in particular:
 - Saltmarsh
 - Intertidal mudflats and sandflats
 - Shallow coastal waters

Numbers of bird species using these habitats are given in table 9b in English Nature's Regulation 33 Advice Package.

* for a detailed definition of how to recognise favourable condition see tables 10 in English Nature's Regulation 33 Advice Package

Portsmouth Harbour Ramsar Conservation Objectives

1. Subject to natural change, maintain the internationally important wetland characteristic of the Atlantic biogeographical region in favourable condition*, in particular:
 - Estuaries
 - Saltmarshes
 - Intertidal mudflats and sandflats
2. Subject to natural change, maintain the wetland supporting genetically and ecologically diverse flora and fauna in favourable condition*, in particular:
 - Saltmarsh
 - Cordgrass swards
 - Intertidal mudflats and sandflats

Examples are given in table 9b in English Nature's Regulation 33 Advice Package.

3. Subject to natural change, maintain the wetland supporting 1% or more of the individuals in a population of waterfowl species in favourable condition*, in particular:
 - Saltmarsh
 - Shallow coastal waters
 - Intertidal mudflats and sandflats

Examples are given in table 9b in English Nature's Regulation 33 Advice Package.

* for a detailed definition of how to recognise favourable condition see table 11 in English Nature's Regulation 33 Advice Package

8.3 Management Scheme Objectives

To achieve ‘sustainable management’ of activities the management scheme will provide the principle mechanism through which the relevant authorities and other organisations can exercise their functions taking into account the environmental, economic, cultural, social and recreational needs of the local area.

Management objectives are required to fulfil the conservation objectives in the Regulation 33 advice within the framework of the management scheme. These will help the relevant authorities fulfil their statutory responsibilities under the Habitats Regulations. The objectives aim to take a pragmatic approach to the production of the management scheme and are outlined below.

SEMS Management Scheme Objectives

- Audit ongoing activities and their management.
- Identify activities which may cause deterioration or damage to the site.
- For activities which are shown to be damaging address those measures which fall within the responsibility of the relevant authorities.
- For activities which are shown to be damaging address additional measures needed which are not the direct responsibility of relevant authorities.
- Ongoing research and monitoring requirements in order to assess the site’s condition and status in the future.
- Integrate the sustainable management of the site wherever possible with both existing and future plans and initiatives (statutory and non-statutory) to avoid duplication of effort.

9.0 Management Scheme Process

A process needs to be defined, which clearly outlines responsibilities and expected outputs within a defined timescale for the production of the management scheme.

The management scheme will include the following:

- Regulation 33 advice on conservation objectives and operations;
- Foundation Document outlining the legislative background, the importance of the site, the management framework and the process for producing the management scheme;
- identification of activities to be considered further in the management scheme process, matrices will provide site specific summaries of how current local activities could interact with the interest features of the SEMS.
- inventory of key activities which may have an impact on highly vulnerable features of interest;
- analysis of inventory to determine categories of activities;
- assessment of activities within categories identifying further work where required. The assessment will lead to the production of an Action Plan detailing: precise action to be taken to implement the scheme; organisation responsible for each action; timetable for implementation of each action;
- framework for monitoring and periodic assessment and review;
- management scheme production and;
- review.

These are explained in more detail in stages one to seven below, and the overall process is shown in figure 1. In order to ensure the successful production of the management scheme the process will be kept flexible and open and if appropriate can be adapted to suit local circumstances and other unforeseen changes that may occur. The Management Group will play a key role in the production of the management scheme and although there is no joint responsibility the management group will work together or through the cluster groups to reach agreed management actions.

The timescale for the production of the management scheme is outlined in table 3, and the first management scheme will be produced by December 2002.

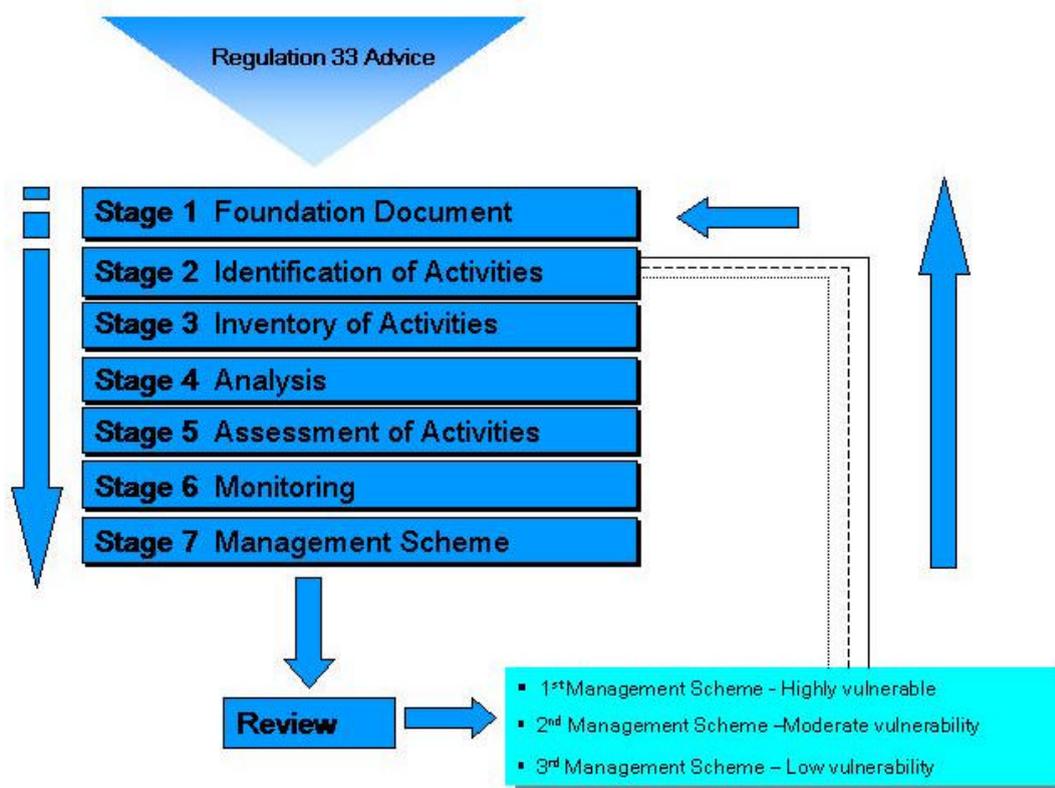
The implementation stage is not discussed in this document and it will be the responsibility of the Management Group to determine its future role once the management scheme has been produced. This will be considered further in the final management scheme document.

9.1 Stage One - Foundation Document

The purpose of this Foundation Document is to provide a stepping stone to the production of the management scheme. It describes the basic information and principles on which the management scheme is to be founded such as legislative background, reasons for designation, responsibilities of the relevant authorities and the agreed process for producing the plan.

This Foundation Document has been produced in full consultation with the SEMS Management Group and the Strategic Advisory Group. A summary version of the Foundation Document will be produced as a newsletter for wider circulation.

Figure 1 – SEMS Management Scheme Process



9.2 Stage Two – Identification of Key Activities

The Regulation 33 advice identifies which ‘operations’ are likely to cause deterioration or damage to which sub features of the site. In order to progress the management scheme the operations information needs to be translated into activities.

The Management Group decided to concentrate on those activities which may cause the operations to which the site features are ‘highly vulnerable’ (see Regulation 33 advice) in respect to each particular cluster within the SEMS. This helped to prioritise the initial work by concentrating effort on activities which are most likely to cause the most damage to the site.

The aim of stage 2 is to produce a matrix which identifies which activities may cause deterioration or damage to sub features of the site. A matrix will be produced for each relevant authority within each cluster. The matrix will identify the activities for which the

relevant authority is responsible and relates the activity to the type of operations it can cause in relation to the sub-features of the site.

Additional activities may also occur which are not the responsibility of any of the relevant authorities, these will also be highlighted in stage 2.

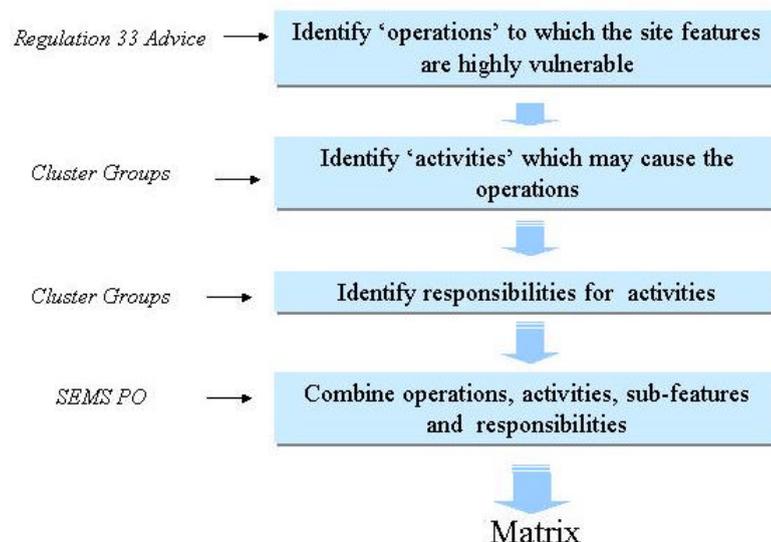
The matrices provide a site specific summary of how current local activities could interact with the interest features of the SEMS and allows for certain activities to be discounted. Each matrix will outline the following:

1. key activities which may cause deterioration or damage for which the relevant authority are responsible for in their cluster. Only these activities will be considered further in the management scheme process;
2. type of impacts (operations) which should be considered in relation to the key activities and;
3. the sub features which need to be considered (i.e. have been identified as highly vulnerable) in relation to the activities and operations. This provides information on the sensitivity of the interest features of the site to activities occurring within it.

The process which has been undertaken to produce the matrices is shown in figure 2 and is explained further in the Stage 2 report.

The activities listed in the matrices will then be considered further in stage 3 and each relevant authority will produce an inventory of activities which may cause deterioration or damage. This will form the basis of the management scheme.

Figure 2 – Identification of Key Activities in Stage 2



9.3 Stage Three - Inventory of Activities that May Cause Deterioration or Damage

Relevant authorities will carry out a scoping exercise of activities considered most likely to cause deterioration or damage for which they are responsible i.e. those activities identified in stage 2 and outlined in their individual matrices.

This will be based on a simple proforma (see appendix 7). The proforma is merely a tool for each relevant authority to help them complete the scoping exercise. In addition to minimising effort it will also help provide a consistent approach to stage 3, this will be vital to later analysis. This is an important stage and it is essential that correct information is obtained from all relevant authorities to prevent misunderstandings later. Through the proformas information will be received in a consistent manner which will be easy for all relevant authorities to provide. The proforma will be in an electronic format so that copies can be made and additional information included as necessary.

The proforma will include information on the following.

- Description of the Activity - This will include a description of the activity and where it takes place. A standardised description of the categories of human use and activities is included in Appendix 8, however the proforma requests further information on the activity specific to the relevant authority and the location. It is hoped that this information can also be held in a GIS (see section 10) some point in the future.
- Management - Present management and management objectives of the activity and any management aimed at safeguarding nature conservation interests are described. Where other plans or initiatives have policies related to the management of the activity these are referenced or explained.
- Current Information - Current information sources and/or research and monitoring undertaken by the relevant authority are listed. Information known to be collated by other organisations can also be listed. The type of information source should also be stated such as whether it is in a paper format or held as a spatial dataset on a GIS.
- Known Impacts - Tick boxes will identify if the activity is actually co-incident with the features of interest, this will then help determine if there is any likelihood of a problem occurring. Tick boxes will also identify whether the activity can cause the type of operation (s) that may effect the sub-features of interest. Any known impacts are listed i.e. where impacts have been proven through research and survey work. If impacts are unknown then this is stated.

Each proforma will be tailored to the individual relevant authority. The SEMS project officer will add the information collated in the stage 2 analysis to the proforma to ensure minimal effort is required for completion of the forms. This will include information as follows:

- key activities to be considered;
- the type of impacts (operations) which should be considered in relation to the key activities and;

- the sub-features which need to be considered (i.e have been identified as highly vulnerable in relation to the activities and operations.

The relevant authorities will then be required to complete the proforma in order to provide basic information (where it exists) on each activity.

The SEMS project officer will produce an inventory of key activities in the SEMS based on the information contained in the proformas. The inventory of key activities will be sent out to SEMS Strategic Advisory Group for consultation.

9.4 Stage Four - Analysis

The cluster groups will analyse the activities in the inventory to determine whether further assessments are required. This will lead to activities grouped into the following categories:

Category	Detail
A	Activity is known to have no effect
B	Activity is having a known effect* and a single relevant authority is responsible or has power for that activity
C	Activity is having a known effect* and a number of relevant authorities have powers or are responsible for that activity
D	Activity is having a known effect* and no one has responsibility for the activity
E	Activity is having an unknown effect

*Effect of some activities may be essential to the successful management of the site and the analysis will differentiate between positive and negative effects.

The analysis will also consider where there are activities that are common throughout the Solent SEMS which would benefit from a holistic approach, in these instances the Management Group will consider the activities and determine the way forward.

9.5 Stage Five - Assessment of Activities

Stage 5 will be an assessment of the activities identified in the categories in stage 4 as outlined below.

Category	Detail	Assessment Process
A	Activity is known to have no effect	None
B	Activity is having a known deleterious effect and a single relevant authority is responsible or has power for that activity	The relevant authority to address the problem
C	Activity is having a known deleterious effect and a number of relevant authorities have powers or are responsible for that activity	The appropriate relevant authorities work co-operatively to address the problem. They may set up a working group from within the cluster or between clusters if appropriate and other relevant organisations and interested parties will be invited. Discussions may then take place to determine possible solutions.

Category	Detail	Assessment Process
D	Activity is having a known deleterious effect and no one has responsibility for the activity	Relevant authorities will call a working group of relevant organisations to consider action. Discussions may then take place to determine possible solutions.
E	Activity is having an unknown effect	Relevant authorities may initiate a working group which will involve relevant organisations and user groups to determine cause and effect and any possible actions that can be undertaken either by the relevant authority where appropriate or other organisations/initiatives through voluntary means.

Where activities are being managed sustainably or where activities are beneficial to the conservation of the site then no further assessment is required.

Where a need is identified and information is available discussions may take place with the appropriate authorities to determine cause/effect relationships between activities and features of interest in the categories above. Where working groups are formed they will carry out further assessments of activities identified through the analysis in order to determine possible further work (this may include additional survey, data collection or management actions). Groups will work in partnership to identify where there are issues which need further consideration within the management scheme. It should be noted, however that relevant authorities are only required to act within their existing powers with regard to the controlling of activities that are having an effect on the designated site, if activities fall outside of their powers then other means will need to be considered.

These discussions may take place at different periods in the management scheme production and implementation depending on when a need is identified and information available.

In an attempt to minimise effort and duplication, existing mechanisms such as estuary management plans or CHaMPS should be used wherever appropriate. This will be determined in consultation with all relevant parties.

The output of the assessment will include the following information:

- **Activity**
 - type
 - location
 - intensity (low/medium/high)
- **Current Management**
 - responsible authority
 - existing management

- **Assessment**
 - generic operation (i.e. the type of operation listed in the Regulation 33 advice (e.g. disturbance) that is relevant to the impact of the activity)
 - effects (yes/no/unknown) on SAC and SPA sub-features
 - effects (detail of possible effect (where known) of activity on features and sub-features)

- **Action**
 - management option (generic types of management options which could be considered may include, no action, survey & research, monitor and review, information provision and training, liaison or enforcement.)
 - action (details of the precise action to be undertaken. The actions listed may be from either existing management plans, discussed at meetings locally or supplied/written by the relevant authorities and these will be highlighted.)
 - resources
 - responsibility
 - timescale/priority (short/medium/long or low/medium/high)

9.6 Stage Six - Framework for monitoring and periodic assessment and review

In order to establish whether the conservation objectives are being met, a monitoring programme of the condition of all the interest features is required. As outlined in section 2.5 this is the responsibility of English Nature. The favourable condition table derived from the conservation objectives (included in the Regulation 33 package) outlines the condition in which the site should be maintained. By measuring various aspects of the favourable condition table it is hoped that there will be sufficient information available to report on the conservation status of the site. English Nature will report to the Secretary of State via the Joint Nature Conservation Committee on the condition of each interest feature and the site every six years.

In addition other relevant authorities will be responsible for monitoring the activities as identified within the management scheme.

A detailed monitoring programme will, therefore be developed in parallel to the management scheme, actions arising through the management scheme process will help prioritise future monitoring requirements within the programme.

Many other management schemes/plans/initiatives include elements of research, survey and monitoring. The SEMS monitoring programme will build on and add to any current and ongoing monitoring currently carried out including the following initiatives:

- WEBs counts;
- SSSI monitoring;
- regional monitoring programmes;
- habitat mapping carried out by other organisations;
- BAP habitat and species monitoring and research;
- ChaMPs and;
- SCOPAC research.

As part of the monitoring process each relevant authority will be expected to report back to the Management Group on their implementation of the scheme on an annual basis. The annual report will be a concise description as to how the plan is being implemented, progress being made on the actions and any additional issues that arise. The Management Group will decide how this information will be reported.

9.7 Stage Seven - Management Scheme Production and Consultation

The final management scheme will combine stages 1-6 outlined above. The detailed and timetabled scheme will include other delivery mechanisms such as promotional and educational work within the action plan for the scheme. The management scheme will summarise actions and will contain the following information.

Proposed Management Action	Relevant Authority	Details of Action	Priority	Timetable
For Example: Maintain a watching brief on areas where there is a risk of harm from x identify & implement management measures if needed	A, B, C	For Example: Monitor sites at risk and determine disturbance	Medium	Ongoing

Public consultation will be carried out to produce the final scheme.

Note: Stages 1 – 7 only take into account those operations in the Regulation 33 advice identified as highly vulnerable. Further stages may be required in the future to consider those operations considered as moderate or low vulnerability in relation to the various features of interest and those that currently cause a moderate/low vulnerability, but then become highly vulnerable.

The management scheme will also need to be reviewed on a regular basis to take account of new issues and information as they occur.

9.8 Newsletters

A series of newsletters will be produced for circulation to all interested parties at various stages of the SEMS project as follows

- First Newsletter (February/March 2002) -Summary of the Foundation Document
- Second Newsletter (January 2003) -Summary Management Scheme (Edition 1)
- Third Newsletter (August 2003) -Progress
- Forth Newsletter (December 2003) -Summary Management Scheme (Edition 2)

9.9 Consultation

Consultation will occur throughout the production of the management scheme. Consultation is important to encourage co-operation and commitment to the protection of the SEMS. Any issues and comments received during the consultation process will be considered by the Management Group before the final management scheme is produced.

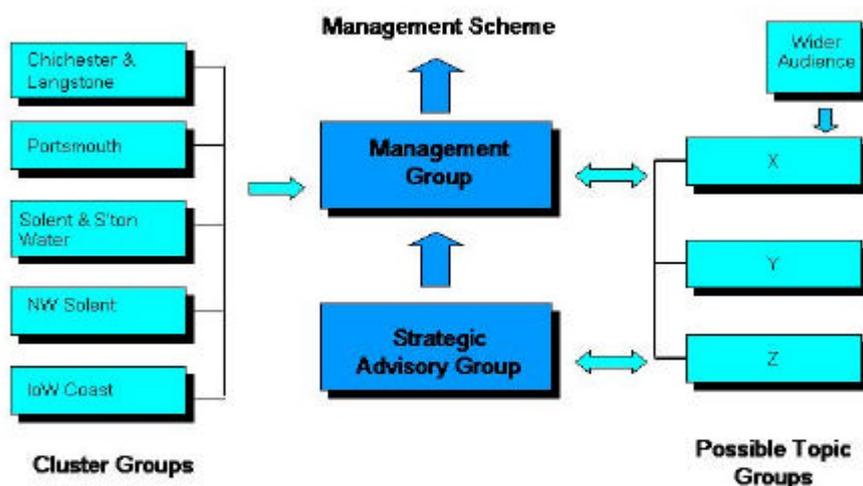
The following groups, as shown in figure 3 will input into the process at various stages:

- Management Group (MG) including all relevant authorities;
- Strategic Advisory Group (SAG) including representative of other organisations and users groups;
- Cluster Groups;
- working groups including appropriate representatives from MG, SAG and from the wider coastal community as necessary to discuss relevant issues/activities;
- project officer to co-ordinate the work programme and;
- wider audience including all stakeholders who need to be kept informed and given the opportunity to comment in public consultation exercises.

These groups will be involved in the following stages:

	Management Group	Strategic Advisory Group	Cluster groups	Working Groups	Project officer	Wider audience
Stage 1	🏰	🏰	🏰		🏰	
Stage 2	🏰		🏰		🏰	
Stage 3	🏰	🏰	🏰		🏰	
Stage 4	🏰		🏰		🏰	
Stage 5	🏰	🏰 (as required)	🏰	🏰 (as required)	🏰	🏰 (as required)
Stage 6	🏰	🏰	🏰		🏰	🏰
Stage 7	🏰	🏰	🏰		🏰	🏰

Figure 3 - Structure



Solent European Marine Sites

Table 3 Summary Timetable

Timetable for ‘Highly Vulnerable’ Activities (determined from analysis of Regulation 33 advice i.e. operations to which the sites features are considered to be highly vulnerable)

Timescale - Management Scheme (Edition 1)	2001												2002											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Stage 1 - Foundation Document	■	■	■	■	■	■	■	■	■	■	■	■	■	■										
Stage 2 - Identification of Activities				■	■	■	■	■	■	■	■	■	■	■										
Stage 3 - Inventory of Activities															■	■	■	■						
Stage 4 - Analysis																	■	■	■	■	■			
Stage 5 - Assessment of Activities																				■	■	■	■	■
Stage 6 - Monitoring Framework													■	■	■	■	■	■	■	■	■	■	■	■
Stage 7 - Management Scheme																							■	■

Repeat Process for ‘Moderate and Low Vulnerable’ Activities (determined from analysis of Regulation 33 advice i.e. operations to which the sites features are considered to be at moderate or low vulnerability)

Timescale - Management Scheme (Edition 2)	2003											
	J	F	M	A	M	J	J	A	S	O	N	D
Stage 2 - Identification of Activities	■	■										
Stage 3 - Inventory of Activities			■	■	■							
Stage 4 - Analysis						■	■					
Stage 5 - Assessment of Activities	■	■	■	■	■	■	■	■	■	■	■	■
Stage 6 - Monitoring Framework	■	■	■	■	■	■	■	■	■	■	■	■
Stage 7 - Management Scheme											■	■

The management group agree that there will be a degree of flexibility within this overall timetable.

10.0 Other Activities

A number of other activities will also be undertaken in parallel with the management scheme:

10.1 Web Site & Closed User Discussion Group

The SEMS website aims to raise awareness, communicate information to the wider audience and help facilitate discussion and production of the management scheme. The website has been set up as follows:

- **Public Website**
These pages are accessible to the public and they include basic information regarding the SEMS which will be updated at various key stages in the development of the plan.
- **Closed User Group**
The closed user group includes restricted access pages open to the Management Group members by password. The restricted access pages are used to i) circulate agendas, minutes, papers etc. ii) post reports/papers for comments iii) build the management scheme iv) inform all members automatically of new developments v) provide a contact list of all members of the MG and SAG. Paper copies are available for those without internet access.

The website can be found at www.solentems.org.uk

10.2 Plans and Projects Database

The combined effect of activities and plans and projects has to be considered, at present this is being carried out on a case-by-case basis. Information on all combined activities will need to be amalgamated to produce a fair and objective overview of the disturbance impact. In combination effects are considered across the European marine site. Where a European marine site contains a number of SACs and/or SPAs 'in combination' should be considered on individual features across the whole European marine site and not within the individual SAC and SPA designations.

In order to consider 'in combination' effects a database of recent plans and project has been set up for Portsmouth Harbour. This will be used to assess 'in combination' effects across Portsmouth Harbour. If successful the project can be widened to the whole Solent site. In addition the Management Group may wish to be informed of permitted plans and projects on an annual basis through reports from individual competent authorities.

10.3 Information System

Various types of information will be required in order to inform the production and implementation of the SEMS management scheme.

Condition monitoring, which is the responsibility of English Nature, will include information on the extent of habitats and species. Information on the extent and location of activities will also be required, in the first instance key activities identified in stage one will be the priority. Ideally we would hope that all this information could be held on a GIS so that future analysis, comparisons and assessments can be easily carried out.

Solent European Marine Sites

A draft development pathway for the production of an information system/GIS for the SEMS is initially suggested as follows:

- applicability of an Information System for the SEMS;
- identification of management issues and information required to resolve issues/management of the site;
- audit of data, information, hardware and software:
 - availability and format of GIS datasets held by organisations;
 - other relevant datasets which are not available on GIS;
 - gaps in information to identify future research needs;
 - lessons learned from other European marine sites projects;
- write and agree information system project proposal;
- construction of information system;
- information system used to i) resolve issues and management ii) provide information to relevant organisation iii) report to JNCC/EU on SEMS and;
- maintenance of an information system.

The Solent Forum are currently undertaking a feasibility study for a meta-database of GIS datasets for the Solent. In order to help prioritise the work the Forum are concentrating on aspects in relation to the SEMS management scheme and other current plan preparation needs. As information collation is central to both the Solent Forum project and the SEMS management scheme production there is a potential for joint working to avoid duplication.

The current work of the Solent Forum will provide SEMS with some of the information required above such as:

- types of GIS used by organisations;
- inventory of GIS datasets ;
- identification of required spatial datasets and;
- applicability of other meta-data systems used elsewhere.

The SEMS project will collect information during the Stage 3 Inventory of Activities (i.e completion of the proformas), this will include the following:

- identification of information sources held on key activities;
- format of information (GIS, paper) and;
- gaps in information.

In addition English Nature will also be considering their monitoring requirements and how these link to the SEMS management scheme, this work is ongoing.

Solent European Marine Sites

Once this work is complete we will have a clearer understanding of the following:

- available GIS datasets (Solent Forum project);
- other information not currently held on GIS (SEMS Stage 2);
- required spatial datasets (Solent Forum project) and;
- other research needs (SEMS Stage 2).

The SEMS project will then be able to consider in detail the type of project that we need to initiate including the feasibility and scale of the project and determine the level of expertise required.

Solent European Marine Sites

11.0 Human Use

11.1 Human Use in SEMS

In common with most other coastal and marine areas the Solent has a long history of human use ranging from industrial ports adjacent to large urban populations to recreational pursuits on quiet unspoilt stretches of the coast. The range of human use is summarised in appendix 8 which includes both activities and plans and projects (see box 10 for definition of these terms). The appendix gives brief details of the nature and location in order to give a general impression of the type and extent of human use occurring across the site. The appendix also identifies the types of 'operations' (as defined in the Regulation 33 advice) which might result from the list of human uses.

One of the initial aims of the management scheme will be to collect information relating to the activities and their impacts. Further detail on where the activities take place and their management will be generated through stage three of the management scheme process.

11.2 Management of Human Use in SEMS

Table 4 summarises the responsibilities of the relevant and competent authorities operating within the SEMS. The table distinguishes between plans and projects, activities which are a statutory function and activities over which the authority has some other form of control or management.

The distinction between 'plans and projects' and 'activities' is important as only activities will be considered in the management scheme. Identifying responsibility for activities is therefore an important first step towards stage 2 of the management scheme. The table has been completed with the best available knowledge. The table is illustrative of authorities responsibilities across the site and the Management Group stress that where exact responsibilities are required then further guidance should be sought from the appropriate authority.

The table identifies 'plans and projects' and 'activities':

- **Responsibility for plans and projects**

A 'plan or project' for which the relevant authority is responsible for issuing a licence or permission is identified as a book. Plans and Projects which a relevant authority may carry out but which require a permission from others are not indicated e.g a Harbour Authority may carry out disposal of dredge spoil, however this requires a FEPA licence from DEFRA and therefore is highlighted in the DEFRA column as a Plan and Project for which they are responsible for and not highlighted in the Harbour Authority column.

- **Responsibility for activities**

'Activities' which are not 'plan or projects' have been further subdivided into the following:

- activities over which the relevant authority has some statutory role are indicated by a SF. All plans and project above would also be SF, however there may be other statutory functions which are not plans and projects.
- activities which the relevant authority has some form of management or control over due to other non statutory functions are indicated by a diamond.

Solent European Marine Sites

- other activities which fall outside of any relevant authorities jurisdiction are identified with a O. It may be that this is only relevant in certain areas of the site and that in other areas there may be a relevant authority that does have some form of responsibility over the activity.

Stage 2 of the management scheme will only consider those forms of human use that are classified as activities.

Some forms of human use may qualify as an ‘activity’ and a ‘plan or project’ e.g. coastal protection may require planning permission i.e. is a ‘plan or project’ but can also qualify as an ‘activity’ under certain circumstances where emergency works are required by a local authority.

Relevant authorities may have different responsibilities in different parts of the site. Where an authority is identified with a particular responsibility this may not apply uniformly across the site or across their areas of jurisdiction and may be due, for instance to particular harbour authority powers for a particular stretch of the coast.

Solent European Marine Sites

Key to Table 4 – Relevant & Competent Authority Responsibilities

Table 4 showing relevant & competent authority's responsibilities is shown over the page. The key and notes outlined below should be read in conjunction with the table.

Key

RA Relevant Authority
CA Competent Authority



plan or project (All plans & projects are also statutory functions)

Activities:

SF statutory function (only those that do not also qualify as a 'plan or project')
◆ RA has some control/management of the activity (includes bye-laws)
O activities carried out on the site without any control or management

Notes

1. Winchester City Council has fewer responsibilities than the other LAs as they only cover a very small part of the site at the top of the Hamble Estuary which is privately owned.
2. The Crown Estate and Beaulieu River Management have control over a number of activities due to their role as landowner.
3. The Environment Agency will only have responsibility for some of these activities under certain circumstances for instance any pollution incident arising from the operation of any of these activities would be the responsibility of the EA.
4. A County Council can make byelaws in areas that are LNR under their ownership eg Warsash
5. These activities require a works licence required from the HA
6. Coastal Protection is defined as a plan and project as the LA has to give planning permission. It is also a statutory function as LAs also licence others as they are the Coast Protection Authority under the Coast Protection Act
7. Maintenance dredging may need planning permissions from the LA, however this is only relevant in certain circumstances
8. Harbour Authorities have a statutory function for the safety of navigation within their areas of jurisdiction and, therefore, have control over any vessels using the water, and other activities that may influence this safety aspect (e.g. construction of new structures that may present a hazard). These are included in the 'navigation' category and are not highlighted for all other individual categories.
9. Outfall maintenance may be controlled by an authority where the drainage pipes are in their ownership or control
10. In certain instances there are permitted development rights to construct or alter pipelines
11. Regulatory role through environmental health
12. English Nature has a management role over a number of the activities listed as these are listed in PDO lists and would therefore need permission from EN as the statutory nature conservation advisor.

Solent European Marine Sites

	Chichester DC	Eastleigh BC	Fareham BC	Gosport BC	Hampshire CC	Havant BC	Isle of Wight Council	New Forest DC	Portsmouth CC	Southampton CC	Test Valley BC	West Sussex CC	Winchester CC ¹	ABP	Beaulieu River Management ²	Bembridge HB	Chichester HC	Cowes HC	Langstone HB	Lymington HC	Dockyard Port of Portsmouth	Portsmouth Commercial Port	Newport Harbour	River Hamble Harbour	Wightlink	Yarmouth HC	Civil Aviation Authority	Crown Estate ²	DEFRA	DTLR	Environment Agency ³	English Nature ²	Southern Water	Sussex SFC	Southern SFC	Trinity House	No regulatory authority (in certain instances)		
Land reclamation	☒	☒	☒	☒		☒	☒	☒	☒	☒	☒		☒	☒ ⁵		☒ ⁵	☒ ⁵	☒ ⁵		☒ ⁵	☒ ⁵		☒ ⁵		☒ ⁵		◆	☒	☒	☒	◆								
Maintenance dredging/				◆		☒	☒	☒		☒			☒	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF		◆	☒	☒		◆				SF	SF			
Mariculture	☒	☒	☒	☒		☒	☒	☒	☒	☒	☒				◆												SF	◆	☒	☒		◆				SF	SF		
MOD and other aircraft																											SF												
Moorings (ongoing management)	☒	☒	☒	☒		☒	☒	☒	◆	☒	☒			◆	◆	◆	◆	◆	◆	SF	◆	◆	◆	◆	◆			◆	☒	☒		◆							
Moorings (new piled)	☒	☒	☒	☒		☒	◆	◆	◆	◆	☒	☒		☒	◆	◆	☒	☒	◆	SF	◆	◆	◆	☒	◆	◆						◆						SF	
Navigation ⁸														SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF												SF		
Oil & gas exploration					☒		☒		☒	☒		☒																◆											
Oil spills/clean up	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF			☒		SF	◆							O	
Other water sports	SF	SF	SF	SF		SF	SF	SF	SF	SF	SF			SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF							◆							O
Outfall maintenance ⁹	◆	◆		◆	SF	◆	◆		◆	◆	◆	SF			◆																◆	☒	◆	◆					
Pipeline construction /alteration ¹⁰	☒	☒	☒	☒		☒		☒	☒	☒	☒		☒	☒ ⁵		☒ ⁵	☒ ⁵	☒ ⁵			☒ ⁵	☒ ⁵		☒ ⁵		☒ ⁵	◆	☒	☒	SF	☒	◆							
Recreation -power boating	SF	SF	SF	SF		SF	SF	SF	SF	SF	SF			SF	SF	SF	SF	SF	SF	SF	◆	◆	SF	SF	SF						◆							O	
Recreation - sailing	SF	SF	SF	SF		SF	SF	SF	SF	SF	SF			SF	SF	SF	SF	SF	SF	SF	◆	◆	SF	SF	SF						◆							O	
Sea water abstraction																																						O	
Shellfish collection	SF ¹¹	SF ¹¹	SF ¹¹	SF ¹¹		SF ¹¹	SF ¹¹	SF ¹¹	SF ¹¹	SF ¹¹	SF ¹¹				◆								SF					☒			SF	☒		SF	SF			O	
Shellfish dredging															◆									◆				☒			◆			SF	☒	SF	☒		O
Shellfish laying	SF ¹¹	SF ¹¹	SF ¹¹	SF ¹¹		SF ¹¹	SF ¹¹		SF ¹¹	SF ¹¹	SF ¹¹				◆			◆	◆				SF				◆	☒			SF	☒	SF	☒		SF	SF		O
Slipway cleaning /maintenance	SF	SF	SF	SF		SF	SF	SF	SF	SF	SF				◆			◆	◆					◆							SF	☒	SF	☒					O
Wildfowling		◆	◆			◆	◆	◆	◆								◆			◆	SF						◆				SF	☒							

Solent European Marine Sites

Solent European Marine Sites

Glossary of Terms

Abrasion	The process of scraping or wearing down by friction
Advisory Group	The body of representatives from local interests, user groups and conservation groups, formed to advise the management group.
Annex 1 birds	Bird species listed on Annex 1 of the Birds Directive. These are in danger of extinction, are rare, or are considered vulnerable within the European Union. Those that regularly occur at levels over 1% of the national population meet the SPA qualifying criteria.
Annex I habitats types	A natural habitat listed in Annex I of the Habitats Directive for which Special Areas of Conservation can be selected.
Annex II species	A species in Annex II of the Habitats Directive for which Special Areas of Conservation can be selected.
Competent Authority	Any minister, government department, public or statutory undertaker, public body or person holding a public office that exercises legislative powers.
Conservation Objective	A statement of the nature conservation aspirations for the site, expressed in terms of the favourable condition that we wish to see the species and/or habitats for which the site has been selected to attain. Conservation objectives for European marine sites relate to the aims of the Habitats Directive.
European marine site	Those parts of a European site (SAC or SPA) which consists of marine areas ie any land covered (continuously or intermittently) by tidal water, or any part of the sea, in or adjacent to Great Britain, up to the seaward limit of territorial waters.
Exposure (to operations)	The relative extent and intensity of the effects of broad categories of human activities currently occurring on the site to which the interest features or their component sub-features on the site are subject.
Favourable conservation status	A range of conditions for a natural habitat or species at which the sum of the influences acting upon that habitat or species are not adversely affecting its distribution, abundance, structure or function throughout the biogeographical region in the long term. The condition in which the habitat or species is capable of sustaining itself on a long-term basis.

Solent European Marine Sites

Favourable condition	A range of conditions for a natural habitat or species at which the sum of the influences acting upon that habitat or species are not adversely affecting its distribution, abundance, structure or function within an individual Natura 2000 site in the long term. The condition in which the habitat or species is capable of sustaining itself on a long-term basis.
Habitat	The place in which a plant or animal lives.
Habitats Directive	The abbreviated term of <i>Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora</i> . It is the aim of this Directive to promote the conservation of certain habitats and species within the European Union.
Highest Astronomical Tide (HAT)	The highest tidal level which can be predicted to occur under average meteorological conditions and in any combination of astronomical conditions.
Interest features	A natural or semi-natural feature for which a European site has been selected. This includes any Habitats Directive Annex I habitat, or any Annex II species and any population of a birds species for which an SPA has been designated under the Birds Directive.
Management Group	The body of relevant authorities formed to manage the European marine site.
Management Scheme	The framework established by the relevant authorities at a European marine site under which their functions are exercised to secure, in relation to that site, compliance with the requirements of the Habitats Directive.
Nationally scarce/rare	For marine purposes, these are regarded as species of limited national occurrence.
Natura 2000	The European network of protected sites established under the Birds Directive and the Habitat Directive.
Operations which may cause deterioration or damage	Any activity or operation taking place within, adjacent to, or remote from a European marine site that has the potentials to cause deterioration to the natural habitats for which the site was designated, or disturbance to the species and its habitats for which the site was designated.
Plan or project	Any proposed development that is within a relevant authority's function to control, or over which a competent authority has a statutory function to decide on

Solent European Marine Sites

application for consents, authorisation, licences or permissions.

Relevant authority

The specific competent authority which has the powers or functions which have, or could have, an impact on the marine environment, or adjacent to, a European marine site.

Restore

The action required for an interest feature when it is not considered to be in a favourable condition.

Sensitivity

The intolerance of a habitat, community or individual species to damage, or death, from an external force.

Sub-feature

An ecologically important sub-division of an interest features.

Vulnerability

The exposure of a habitat, community or individual of a species to an external factor to which it is sensitive.

Solent European Marine Sites

Solent European Marine Sites

References

DETR 1998. European marine sites in England and Wales. A guide to the Conservation Regulations 1994 and to the preparation and application of management schemes.

English Nature. October 2001 Solent European Marine Site advice given under Regulation 33(2) of the Conservation (Natural Habitats &c.) Regulations 1994.

EN, SNH, EHS (DOE (NI)), CCW, JNCC & SAMS 1998. Natura 2000: European marine sites: Guidance relating to statutory conservation objectives and operations which may cause deterioration or disturbance.

EN, SNH, EHS (DOE (NI)), CCW, JNCC & SAMS 2001. Natura 2000. UK Marine SAC Project: Partnership in Action. Proceedings of a conference held in Edinburgh 15-16 November 2000.

EN, SNH, EHS (DOE (NI)), CCW, JNCC & SAMS 2001. Natura 2000. UK Marine SACs project. Indication of good practice for establishing management schemes on European marine sites – Learning from the UK Marine SACs project 1996-2001.

English Nature. 1997. Habitat Regulations Guidance Note 1, The Appropriate Assessment Regulations.

English Nature. May 1997. Habitats Regulations Guidance Note 2. Review of existing planning permissions and other consents.

English Nature. May 2000. European Marine Sites Guidance Note (EMSGN1). English Nature's criteria for commenting on European marine sites management schemes.

Fal & Helford Marine Special Area of Conservation. (no date). Draft Management Scheme.

Fowler, S.L. (1999) Natura 2000: Guidelines for managing the collection of bait and other shoreline animals within UK European marine sites. English Nature (UK Marine SACs Project).

Morecambe Bay European Marine Site. Public consultation draft Version 4 issued 14 July 2000. Draft Scheme of Management.

SNH, EN, EHS (DOE(NI)), CCW and JNCC. 1997. *Natura 2000*. European marine sites: an introduction to management.

Solent Forum, December 1997. Strategic Guidance for the Solent

Solway LIFE project. Consultation draft March 2000. Solway European Marine Site Scheme of Management.

Solent European Marine Sites

Solent European Marine Sites

Appendix 1 Responsibilities of SEMS Relevant & Competent Authorities in SEMS

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Associated British Ports	R A	<p>Ownership and management of ABP, Southampton</p> <p>Statutory Harbour Authority</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> - regulation of navigation within the Statutory Harbour limits - provision of pilotage to certain vessels in the area of jurisdiction of the competent harbour authority - licensing of mooring areas in the Statutory Harbour Area (SHA) - local Lighthouse Authority to establish and maintain lights and marks 2. Moorings & Dues <ul style="list-style-type: none"> - regulation of mooring areas - issue of licences for mooring areas - levy dues on all vessels using the harbour 3. Patrols & Enforcement <ul style="list-style-type: none"> - to make and enforce byelaws relating to the conduct of vessels and issue local notice to mariners as required to ensure all harbour users are aware of the requirement for safe navigation in the harbour area - to undertake regular patrols throughout the harbour area to ensure compliance with byelaws 4. Pollution <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998 - Provision of Port Waste Management Plans as required by Merchant Shipping (port waste reception facilities) Regulations 1997. 5. Environmental Management <ul style="list-style-type: none"> - Duties under the Habitats Directive to review consents (Reg 48-50) 6. Other <ul style="list-style-type: none"> - dock authority for the land within Southampton Docks - landowner within Docks estate 	<p>Statutory Harbour Area:</p> <ul style="list-style-type: none"> - Hill Head to Castle Point (IoW) seaward eastern limit; - Cowes Harbour (Northern Limit) southern seaward limit; - Egypt Point to Stansore Point seaward western limit; - Southampton Water less River Hamble; - River Itchen to Woodmill; and - River Test to Redbridge Causeway. <p>The above areas to the line of mean high water spring tides.</p> <p>Competent Harbour Authority Areas limit: In addition to the above areas the East Solent less the entrance to Portsmouth Harbour to a line from Selsey Bill - Nab Tower - Culver Cliff (IoW) outer eastern limit.</p>					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Beaulieu River Management	R A	<p>Private company. Control and management (as a land owner) of Beaulieu River</p> <ol style="list-style-type: none"> 1. Landowner and river bed owner of Beaulieu River 2. Safety & Navigation <ul style="list-style-type: none"> - Maintenance of lights and navigation markers, notices to Mariners 3. Moorings & Dues <ul style="list-style-type: none"> - Collection of harbour dues 4. Patrols & Enforcement 5. Pollution <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998. - Provision of Port Waste Management Plans as required by Merchant Shipping (port waste reception facilities) Regulations 1997. 6. Environmental Management <ul style="list-style-type: none"> - Duty to review consents (Reg 48-50) 	Beaulieu River from Beaulieu Village to the Solent					
Bembridge Harbour Improvements Company	R A	<p>Ownership and management of Bembridge Harbour Improvements Company Private Company & Statutory Harbour Authority</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> - Maintenance of lights and navigation markers, notices to Mariners - Pilotage 2. Moorings & Dues <ul style="list-style-type: none"> - Collection of harbour dues 3. Patrols & Enforcement 4. Pollution <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998. - Provision of Port Waste Management Plans as required by Merchant Shipping (port waste reception facilities) Regulations 1997. 5. Environmental Management <ul style="list-style-type: none"> - Duty to review consents (Reg 48-50) 5. Lease the mouth of the harbour from Crown Estates 	Bembridge Harbour					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Chichester District Council	R A	<p>Elected Local Authority</p> <ol style="list-style-type: none"> 1. Production and implementation of local plan for Chichester District 2. Development Control: Planning applications, advice and enforcement 3. Responsibilities under Wildlife & Countryside Act, CroW Act and Habitat Regulations including determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Emergency planning 5. Environmental Health Authority for shell fisheries under food legislation 6. Water Quality 7. Coastal protection works under Coast Protection Act 1949 8. Tourism promotion 9. Pollution: oil, chemical 10. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 11. Creation of Local Nature Reserves 12. Landowner 13. Bye law making powers 	Chichester District includes the coastline from Pagham harbour up to and including part of Chichester Harbour parts of of which are included in SEMS					
Chichester Harbour Conservancy	R A	<p>Statutory Harbour Authority with the additional powers of a County Council for nature conservation, recreation, landscape etc., in a designated amenity area.</p> <p>The Conservancy is an independent statutory (public) body created by the <i>Chichester Harbour Conservancy Act, 1971</i> for the management of Chichester Harbour and an amenity area of land surrounding, broadly co-terminus with the Chichester Harbour Area of Outstanding Natural Beauty.</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> - Maintenance of lights and navigation markers, notices to Mariners 2. Moorings & Dues <ul style="list-style-type: none"> - Licence moorings and levy harbour dues on all vessels using the harbour 3. Patrols & Enforcement 4. Pollution <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998. - Provision of Port Waste Management Plans as required by Merchant Shipping (port waste reception facilities) Regulations 1997. 5. Environmental Management <ul style="list-style-type: none"> - Duty to review consents (Reg 48-50) - Powers to manage land under the National Parks and Access Act 1949. - Consider both nature conservation and landscape issues when exercising statutory powers (under the 1971 Chichester Harbour Conservancy Act) - Consultee to the planning process as JAC for the Chichester Harbour AONB 6. Lease parts of the harbour from Crown Estates 	The defined limits of the harbour and amenity area include the eastern side of Hayling Island from Eastoke Point to Langstone ruined rail bridge, western shores of Chichester Channel from East Head to Fishbourne Mill on the Sussex side of the harbour plus all waters contained therein.					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Cowes Harbour Commissioners	R A	<p>Harbour Authority</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> – Maintenance of lights and navigation markers, notices to Mariners 2. Moorings & Dues <ul style="list-style-type: none"> – Collection of harbour dues – Pilotage 3. Patrols & Enforcement 4. Pollution <ul style="list-style-type: none"> – Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998. – Provision of Port Waste Management Plans as required by Merchant Shipping (port waste reception facilities) Regulations 1997. 5. Environmental Management <ul style="list-style-type: none"> – Duty to review consents (Reg 48-50) 6. Lease parts of the Medina from the Crown Estates 	Cowes Harbour					
Crown Estate	C A	<ol style="list-style-type: none"> 1. The seabed is vested in the Crown. The Crown Estates Commissioners manage the foreshore and seabed on behalf of the Crown. 2. The Crown Estate's primary role in the Solent is that of a major landowner regulating activities on both the foreshore and riverbed. 3. The Commissioners have a duty to maintain and enhance the capital value of the estate and the income obtained from it. This is done by leasing land or granting easements, or issuing licences. 4. Users of the seabed for activities such as moorings and maintenance dredging must apply for a lease from the Crown Estates 5. Potential extractors of aggregates seabed must apply for a license from the Crown Estates. CEC licences take two forms 'prospecting' and 'production' and are non-statutory, and are a form of civil licensing quite unlike normal planning permission. 6. Under the Habitats Regulation the Crown Estates has a duty to review consents (Reg 48-50) 7. Lease parts of the river Bed and estuaries to harbour and local authorities. 	Substantial areas of the Solent are owned by the Crown Estate.					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Department for the Environment, Food and Rural Affairs (DEFRA)		<p>This new Department is responsible for agriculture, the food industry and fisheries (taken over from the former Ministry of Agriculture, Fisheries and Food (MAFF)), the environment, rural development, countryside, wildlife and sustainable development (taken over from the former Ministry of the Environment, Transport and the Regions (DETR)) and animal welfare and hunting. It is also the sponsor for the Environment Agency, Countryside Agency, English Nature (see under separate entries for their responsibilities).</p> <ol style="list-style-type: none"> 1. Flood and coastal defence (Coast Protection Act) 2. Agriculture policy and management 3. Fisheries policy and management e.g.licensing of fishing boats, restrictions on time spent at sea, penalties for offences, quotas (TAC), restriction of fishing in specified areas, confirmation of bylaws, limiting the number of days at sea, setting of size limits of fish for sale or fishing, size of nets etc. 4. Pollution 5. Waste disposal 6. Granting Licences under Food and Environment Protection Act 1991 <ul style="list-style-type: none"> – Deposition of substances in UK waters from vehicles, vessels, aircraft, marine structures and other constructions for marine deposition. License are also required: for deposits anywhere from British vessels, for incinerating substances on vessels or marine structure – The controls apply both to the deposit of substances for the purpose of their disposal and the placement of materials during construction. 7. Funding and providing guidance on the review and preparation of next generation of SMPs 8. Wildlife & Countryside Act 9. Duty to review consents (Reg 48-50) 	English and Welsh waters to limit of territorial waters					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Department of Transport, Local Government and the Regions (DTLGR)	C A	<p>Formerly the DETR, the Department for Transport, Local Government and the Regions keeps its responsibility for transport, local government, housing, planning, regeneration and urban and regional policy. It is now also responsible for the fire service and electoral law. Its former environmental responsibilities have been passed to the DEFRA. Of particular relevance to the SEMS are DTLGRs responsibilities for protection of navigation and duties of harbours:</p> <ol style="list-style-type: none"> 1. Consents under the Section 14 of Harbours Act 1964 2. Consents under Section 34 of the Coast Protection Act 1949 for marine construction works – the objective is primarily the safety of navigation* 3. Consents under the Transport and Works Act 4. Duty to review consents (Reg 48-50) <p>* DTLGR and DEFRA have set up the Joint Marine Consents Unit as a central point for applications under FEPA and the Coast Protection Act. This is a one stop shop which will introduce a common form for all applications and the information will be held on a common database, thereby providing greater level of integration than the previous system. The Marine Consents Unit will then co-ordinate consultation with all external agencies and other regulators for consent.</p>	England & Wales					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Dockyard Port of Portsmouth (Queens Harbour Master)	R A	<p>Statutory Harbour Authority for the Eastern Solent and Portsmouth Harbour Main task is to manage Portsmouth Harbour and Eastern Solent. To protect Ministry of Defence interests within Dockyard Port area.</p> <p>Harbour Authority for Dockyard of Portsmouth</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> - Prohibit or restrict the having of gunpowder, and discharging loaded guns - Restrict the use of fire or light and the having of combustible substances on board a vessel - Prohibits the discharge of guns without QHMs permission - Prohibits the interference with navigation marks - Regulation of shipping movements, including imposing temporary restrictions - Pilotage 2. Moorings & Dues <ul style="list-style-type: none"> - Prohibits moorings and anchoring that obstructs navigation - Designate moorings areas specifically for warships - Regulates areas for anchoring and mooring - Delineates the Man-of-War anchorage at Spithead - Joint licensing for mooring with the Crown Estate 3. Patrols & Enforcement <ul style="list-style-type: none"> - Enforce a speed limit - Regulate the breaming of vessels - Establishes regulation for fishing, underwater swimming, diving, water skiing, dumping of rubbish - Prohibits dredging for lost objects 4. Pollution <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998 - Provision of Port Waste Management Plans as required by Merchant Shipping (port waste reception facilities) Regulations 1997. 5. Environmental Management <ul style="list-style-type: none"> - Duties under the Habitats Directive to review consents (Reg 48-50) 6. Other <ul style="list-style-type: none"> - Enables QHM to reserve areas for special purposes 	<p>Whole eastern Solent with the exception of Bembridge Harbour but including Wootton Creek.</p>					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Eastleigh Borough Council	R A	<p>Elected Local Authority</p> <ol style="list-style-type: none"> 1. Production and implementation of local plan for Eastliegh 2. Development Control: Planning applications, advice and enforcement 3. Responsibilities under Wildlife & Countryside Act, CroW Act and Habitat Regulations including determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Emergency planning 5. Environmental Health Authority for shell fisheries under food legislation 6. Water Quality 7. Coastal protection works under Coast Protection Act 1949 8. Tourism promotion 9. Pollution: oil, chemical 10. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 11. Creation of Local Nature Reserves 12. Landowner 13. Bye law making powers 	The coastal boundary of the district comprises the length of Southampton Water from Weston Sailing Club to the River Hamble and the western bank of the Hamble from Hamble Point to Bursledon railway bridge. Parts of this area are included in the SEMS					
English Nature	R A	<p>Statutory body, established through the Environmental Protection Act 1990, inheriting many duties and powers formerly vested in its predecessor organisations the Nature Conservancy (from 1949) and Nature Conservancy Council (from 1973). Statutory advisor to government and others about management and use of the Natural Heritage and also carries out executive functions on behalf of the Government.</p> <ol style="list-style-type: none"> 1. Identify/notify/designate SSSIs, SPAs, SACs NNRs 2. Consultee on development of local plans and planning applications 3. Statutory consultee for permissions granted within the European marine site, for example, licence applications under the Food and Environmental Protection Act 1991. 4. Management agreements under the 1982 Wildlife & countryside Act 5. Set conservation objectives and advise on damaging operations for European marine site 6. Powers to create bye-laws to assist development of management within sites where no other relevant authority has the power to create a suitable bye-law 7. Provide advice to relevant authorities regarding the scope of appropriate assessment needed for proposed plans and projects ,when appropriate assessment is required under the Habitats Regulations 8. Responsibilities under the Countryside and Rights of Way Act 2001 (CRoW) which is a amendment to the Wildlife and Countryside Act 1981. 	England, local office covering Hampshire and the Isle of Wight					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Environment Agency	R A	<p>Non-departmental public body established by the Environment Act 1995 . Guiding legislation is the Environment Act 1995 and other associated legislation. Seven main functions:</p> <ol style="list-style-type: none"> 1. Regulate industrial processes and discharges to the environment 2. Prevent and control water pollution 3. Protect people and property from flooding 4. Maintain and improve salmon, trout, coarse and eel fisheries 5. Promote use of waters and associated land for recreational purposes 6. General duty to promote conservation in respect of the aquatic environment and associated land 7. Specific duty to further conservation of the water environment and to have regard to conservation of the wider environment in relation to its activities 8. Duty to review consent under Reg 48-50. A duty to consider the Habitats Directive when authorising discharges or emissions under the Water Resources Act 1991, the Environment Protection Act as part of EA statutory duties. 	English Waters to 6 mile offshore for fishing matters and 3 miles offshore for all others matters					
Fareham Borough Council	R A	<p>Elected Local Authority</p> <ol style="list-style-type: none"> 1. Production and implementation of local plan for Fareham District 2. Development Control: Planning applications, advice and enforcement 3. Responsibilities under Wildlife & Countryside Act, CroW Act and Habitat Regulations including determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Emergency planning 5. Environmental Health Authority for shell fisheries under food legislation 6. Water Quality 7. Coastal protection works under Coast Protection Act 1949 8. Tourism promotion 9. Pollution: oil, chemical 10. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 11. Creation of Local Nature Reserves 12. Landowner 13. Bye law making powers 	Whole of Fareham Borough Administrative area, including coastline from eastern side of the Hamble Estuary to Hill Head, and Fareham to Portchester. Parts of this area are included in the SEMS					
Gosport Borough Council	R A	<p>Elected Local Authority</p> <ol style="list-style-type: none"> 1. Production and implementation of local plan for Gosport District 2. Development Control: Planning applications, advice and enforcement 3. Responsibilities under Wildlife & Countryside Act, CroW Act and Habitat Regulations including determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Emergency planning 5. Environmental Health Authority for shell fisheries under food legislation 6. Water Quality 7. Coastal protection works under Coast Protection Act 1949 8. Tourism promotion 9. Pollution: oil, chemical 10. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 11. Creation of Local Nature Reserves 12. Landowner 13. Bye law making powers 	Borough of Gosport, including coastline from Lee-on-the-Solent to Fareham Lake. Part of this area are included in the SEMS					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Hampshire County Council	R A	<p>Elected Local Authority</p> <ol style="list-style-type: none"> 1. Strategic Planning authority for Hampshire via the County Structure Plan 2. Minerals and waste disposal planning 3. Highway and rights of way authority 4. Education authority 5. Emergency planning and public protection 6. Powers under the Countryside Act including <ul style="list-style-type: none"> - Creation and management of country parks - Development of local management agreements - Negotiation of access agreements - Management of local nature reserves 7. Bye-law making powers 8. Landowner 	Hampshire (excluding Portsmouth and Southampton Cities) Including the coastline from Highcliff to Emsworth parts of which are included in the SEMS.					
Havant Borough Council	R A	<p>Elected Local Authority</p> <ol style="list-style-type: none"> 1. Production and implementation of local plan for Havant District 2. Development Control: Planning applications, advice and enforcement 3. Responsibilities under Wildlife & Countryside Act, CroW Act and Habitat Regulations including determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Emergency planning 5. Environmental Health Authority for shell fisheries under food legislation 6. Water Quality 7. Coastal protection works under Coast Protection Act 1949 8. Tourism promotion 9. Pollution: oil, chemical 10. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 11. Creation of Local Nature Reserves 12. Landowner 13. Bye law making powers 	Borough of Havant, including Hayling Island and coastline from Farlington to Emsworth. Parts of this area are included in the SEMS					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Isle of Wight Council	R A	<p>Elected Local Authority (Unitary)</p> <ol style="list-style-type: none"> 1. Strategic and local Planning authority 2. Development Control: Planning applications, advice and enforcement 3. Determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Minerals and waste disposal planning 5. Highway authority 6. Education authority 7. Emergency planning and public protection 8. Environmental Health Authority for shell fisheries under food legislation 9. Water Quality 10. Coastal protection works under Coast Protection Act 1949 14. Tourism promotion 15. Pollution: oil, chemical 16. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 17. Creation of Local Nature Reserves 18. Landowner 19. Bye-law making powers 20. Powers under the Countryside Act including <ul style="list-style-type: none"> – Creation and management of country parks – Development of local management agreements – Negotiation of access agreements – Management of local nature reserves 	<p>Isle of Wight – including the whole coastline, parts of which are included in the SEMS</p>					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North to W
Langstone Harbour Board	R A	<p>Harbour Authority</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> - Provision and maintenance of navigation marks in the harbour and at the harbour entrance - Notices to Mariners. - Wreck clearance - Provision of pilotage service 2. Moorings & Dues <ul style="list-style-type: none"> - Provision and maintenance of Board owner deep water moorings for rent - Licensing and supervision of private moorings - Collection of harbour dues 3. Patrols & Enforcement <ul style="list-style-type: none"> - Enforcement of harbour bye-laws and maintenance of harbour discipline - Routine patrols for purpose of record keeping and income collection 4. Pollution <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998 - Provision of Port Waste Management Plans as required by Merchant Shipping (port waste reception facilities) Regulations 1997. 5. Environmental Management <ul style="list-style-type: none"> - Management of Langstone Harbour in accordance with local, national and international conservation regulations - Duties under the Habitats Directive to review consents (Reg 48-50) 6. Lease parts of the harbour from the Crown Estates 7. Other <ul style="list-style-type: none"> - Administration of leasing arrangement for harbour bed and foreshore - Consultee on planning issues 	The harbour comprises some 4,800 acres with 15 miles of coastline between Portsea and Hayling Islands.					
Lymington Harbour Commissioners	R A	<p>Harbour Authority</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> - Maintenance of lights and navigation markers, notices to Mariners 2. Moorings & Dues <ul style="list-style-type: none"> - Collection of harbour dues - Laying moorings 3. Patrols & Enforcement 4. Pollution <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998. - Preparation and implementation of Waste Management Plans 5. Environmental Management <ul style="list-style-type: none"> - Duty to review consents (Reg 48-50) 6. Lease the river bed from the Crown Estates 7. Landowner 	Lymington Harbour extending to Jack in the Basket in the Western Solent					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Maritime & Coastguard Agency	C A	<ol style="list-style-type: none"> 1. Developing, promote and enforce high standards of marine safety 2. Minimise loss of life amongst seafarers and coastal users 3. Respond to maritime emergencies 24 hours a day 4. Minimise the risk of pollution of the marine environment from ships and where pollution occurs, minimising the impact on UK interests 	UK territorial water					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S'ton Water	NW Solent	North IoW
New Forest District Council	R A	<p>Elected Local Authority</p> <ol style="list-style-type: none"> 1. Production and implementation of local plan for New Forest District 2. Development Control: Planning applications, advice and enforcement 3. Responsibilities under Wildlife & Countryside Act, CroW Act and Habitat Regulations including determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Emergency planning 5. Environmental Health Authority for shell fisheries under food legislation 6. Water Quality 7. Coastal protection works under Coast Protection Act 1949 8. Tourism promotion 9. Pollution: oil, chemical 10. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 11. Creation of Local Nature Reserves 12. Landowner 13. Bye law making powers <p>Management of Keyhaven</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> - Maintenance dredging - Control of commercial shipping - Control of recreational boating - Navigation lights - Rallies and regattas 2. Moorings & Dues <ul style="list-style-type: none"> - Control and laying or moorings and anchoring Patrols & Enforcement - Bye-laws of bathing beaches 3. Pollution <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998 - Provision of Port Waste Management Plans. - Solspill 4. Environmental Management <ul style="list-style-type: none"> - Duties under the Habitats Directive to review consents (Reg 48-50) 5. Other 	<p>New Forest District, including extensive coastline from Barton-on-Sea to Calshot, and the west side of Southampton Water from Calshot to Totton. Parts of this area are included in the SEMS</p> <p>Keyhaven Harbour by way of lease of the river bed</p>					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Newport Harbour Authority	R A	<p>Harbour Authority for Newport Harbour</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> - Maintenance dredging - Control of commercial shipping - Control of recreational boating - Navigation lights - Rallies and regattas 2. Moorings & Dues <ul style="list-style-type: none"> - Control and laying or moorings and anchoring Patrols & Enforcement - Bye-laws of bathing beaches 3. Pollution <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998 - Provision of Port Waste Management Plans. - Solspill 4. Environmental Management <ul style="list-style-type: none"> - Duties under the Habitats Directive to review consents (Reg 48-50) 5. Other 	Upper Medina Estuary i.e. from Folly Reach to Newport					
Portsmouth City Council	R A	<p>Elected Unitary Authority</p> <ol style="list-style-type: none"> 1. Strategic and local Planning authority 2. Development Control: Planning applications, advice and enforcement 3. Determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Minerals and waste disposal planning 5. Highway authority 6. Education authority 7. Emergency planning and public protection 8. Environmental Health Authority for shell fisheries under food legislation 9. Water Quality 10. Coastal protection works under Coast Protection Act 1949 11. Tourism promotion 12. Pollution: oil, chemical 13. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 14. Creation of Local Nature Reserves 15. Landowner 16. Bye-law making powers 17. Powers under the Countryside Act including <ul style="list-style-type: none"> - Creation and management of country parks - Development of local management agreements - Negotiation of access agreements - Management of local nature reserves 	The administrative boundary takes in Portsmouth Harbour and the western shores of Langstone Harbour. Parts of this area are included in the SEMS.					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S'ton Water	NW Solent	North IoW
Portsmouth Commercial Port		Harbour Authority for Portsmouth Commercial Port 1. Safety & Navigation 2. Moorings & Dues 3. Patrols & Enforcement 4. Pollution 5. Environmental Management 6. Other <ul style="list-style-type: none"> - Licensing Authority for Boats and Boatmen under Public Health Acts. - Management of Council harbours 	Harbour authority covers commercial berths on east side of Portsmouth Harbour					
River Hamble Harbour Authority	R A	"Planning" Authority under Section 48, Southampton Harbour Act below Mean High Water Allocation of moorings on the part of the River where Hampshire County Council holds a lease from Crown Estate Commissioners. Harbour Authority <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> - Control and safety of navigation - Maintenance of lights and navigation markers - Notices to Mariners. - Pilotage - Control and removal of wrecks - Prohibition of dangerous vessels from entering the harbour 2. Moorings & Dues <ul style="list-style-type: none"> - Collection of harbour dues/levies - Licensing and control of moorings 3. Patrols & Enforcement <ul style="list-style-type: none"> - Making and enforcement of byelaws relating to the navigation of vessels 4. Pollution <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998 - Control and detention of vessels discharging oil or a mixture containing oil into the waters of the harbour. - Reception of waste from ships - Provision of Port Waste Management Plans as required by Merchant Shipping (port waste reception facilities) Regulations 1997. - Prohibition of dangerous substances from entering the harbour 5. Environmental Management <ul style="list-style-type: none"> - Duties under the Habitats Directive to review consents (Reg 48-50) - General duty to exercise their functions with regard to nature conservation and other related environmental considerations. 6. Lease the estuary from the Crown Estates 7. Other <ul style="list-style-type: none"> - Maintenance of hydraulic data concerning the regime of the river. - Power to decide planning applications below mean high water within the harbour area 	River Hamble from tidal limit to Southampton Water					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Southampton City Council	R A	<p>Elected Unitary Authority</p> <ol style="list-style-type: none"> 1. Strategic and local Planning authority 2. Development Control: Planning applications, advice and enforcement 3. Determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Minerals and waste disposal planning 5. Highway authority 6. Education authority 7. Emergency planning and public protection 8. Environmental Health Authority for shell fisheries under food legislation 9. Water Quality 10. Coastal protection works under Coast Protection Act 1949 11. Tourism promotion 12. Pollution: oil, chemical 13. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 14. Creation of Local Nature Reserves 15. Bye-law making powers 16. Landowner 17. Powers under the Countryside Act including <ul style="list-style-type: none"> - Creation and management of country parks - Development of local management agreements - Negotiation of access agreements - Management of local nature reserves 	City of Southampton, including extensive docks fronting Test and Itchen estuaries. Parts of this area are included in the SEMS					
Southern Sea Fisheries District	R A	<p>Fisheries Management and Enforcement</p> <ol style="list-style-type: none"> 1. Enforcement of UK and EU fisheries legislation to the 6 mile fishery limit (Sea Fish (Conservation) act 1967, Environment Act 1995, Sea Fisheries (Shellfish) Act 1967. 2. Power to create its own fisheries bye-laws for fisheries conservation or environmental purposes, i.e. to restrict or prohibit the taking of fish, to impose gear restrictions, to regulate and protect shellfisheries and to protect the marine environment. These are subject to confirmation by MAFF 3. Manage and police Regulated Fishery for oysters in the Solent. 4. Duty to review consents (Reg 48-50) 	Solent wide. The Committee is responsible for coastal waters (out to the 6 mile fisheries limit) from Hayling Island to Lyme Regis including the Isle of Wight					
Southern Water	R A	<p>Water Authority</p> <ol style="list-style-type: none"> 1. Provide water supply to domestic and industrial users 2. Treatment and discharge of domestic sewage 3. Upgrade of sewage treatment works 	South East England, parts of which are in the SEMS.					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North to W
Sussex Sea Fisheries District	R A	<p>Fisheries Management and Enforcement</p> <ol style="list-style-type: none"> 1. Enforcement of UK and EU fisheries legislation to the 6 mile fishery limit (Sea Fish (Conservation) act 1967, Environment Act 1995, Sea Fisheries (Shellfish) Act 1967. 2. Power to create its own fisheries bye-laws for fisheries conservation or environmental purposes, i.e. to restrict or prohibit the taking of fish, to impose gear restrictions, to regulate and protect shellfisheries and to protect the marine environment. These are subject to confirmation by MAFF 3. Duty to review consents (Reg 48-50) 	Extends 6 nautical mile to the fisheries limit. Eastern extent of Sussex SFC is Dungeness point and the western extent is the coastguard station on Hayling Island.					
Test Valley Borough Council	R A	<p>Elected Local Authority</p> <ol style="list-style-type: none"> 1. Production and implementation of local plan for Test Valley District 2. Development Control: Planning applications, advice and enforcement 3. Responsibilities under Wildlife & Countryside Act, CroW Act and Habitat Regulations including determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Emergency planning 5. Environmental Health Authority for shell fisheries under food legislation 6. Water Quality 7. Coastal protection works under Coast Protection Act 1949 8. Tourism promotion 9. Pollution: oil, chemical 10. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 11. Creation of Local Nature Reserves 12. Landowner 13. Bye law making powers 	Test Borough - including the lower upper reaches of the River Test, part of which is included in the SEMS					
Trinity House	R A	<p>Under part part VIII of the Merchant Shipping Act of 1995, the Corporation of Trinity House is the General Lighthouse Authority (GLA) for England, Wales and the Channel Island. Trinity House is responsible for the superintendence and management of all lighthouses, buoys and beacons within and beyond territorial waters.</p> <p>Trinity House has the following powers and responsibility which are of potential relevance to the management of the European marine site</p> <ol style="list-style-type: none"> 1. Buoy laying 2. Superintendence and consent of local lights 3. Wreck marking and/or disposal 4. Trinity House has the power to take possession of wrecks which are both a danger to navigation and where there is no harbour authority 5. Helicopter operations – to transport technicians and the movement of an air-portable wreck marking buoy <p>Maintenance of lighthouses, light vessels and buoys</p>	English – Territorial waters					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
West Sussex County Council	R A	<p>Elected Local Authority</p> <ol style="list-style-type: none"> 1. Strategic Planning authority for Hampshire via the County Structure Plan 2. Minerals and waste disposal planning 3. Highway and rights of way authority 4. Education authority 5. Emergency planning and public protection 6. Powers under the Countryside Act including <ul style="list-style-type: none"> - Creation and management of country parks - Development of local management agreements - Negotiation of access agreements - Management of local nature reserves 7. Bye-law making powers 8. Landowner 	West Sussex - including the coastline from Emsworth to Worthing, Chichester Harbour is included in the SEMS					
Wightlink Ltd		<p>Statutory Harbour Authority</p> <p>Wightlink Ltd is the harbour authority at various locations where they operate commercial ferries. Wightlink's statutory powers are contained in various pieces of legislation and were vested in Wightlink by the Sealink (Transfer of Fishbourne Terminal) Harbour Revision Order 1991. Wightlink has limited responsibility for the regulation of navigation and full responsibility for the operation of its harbour as set out in the legislation.</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> - Maintenance of lights and navigation markers - Control and removal of wrecks 2. Other <ul style="list-style-type: none"> - Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998. - Provision of Port Waste Management Plans as required by Merchant Shipping (port waste reception facilities) Regulations 1997. Environmental Management - Duty to review consents (Reg 48-50) 	Fishbourne terminal (Isle of Wight), Ryde Pier (Isle of Wight), Lymington and Portsmouth. Their jurisdiction in these locations only covers the areas immediately around the commercial berths. Wightlink are a RA for Lymington and Fishbourne terminals which are within the SEMS, the other terminals are outside of the SEMS					

Solent European Marine Sites

Organisations	RA/CA	Responsibilities	Area of Jurisdiction	Clusters				
				Chic & Lang	Portsmouth	S' ton Water	NW Solent	North IoW
Winchester City Council	R A	<p>Elected Local Authority</p> <ol style="list-style-type: none"> 1. Production and implementation of local plan for Winchester City District 2. Development Control: Planning applications, advice and enforcement 3. Responsibilities under Wildlife & Countryside Act, CroW Act and Habitat Regulations including determine Appropriate Assessment under Reg 54 and review planning permissions under Reg 48-50 4. Emergency planning 5. Environmental Health Authority for shell fisheries under food legislation 6. Water Quality 7. Coastal protection works under Coast Protection Act 1949 8. Tourism promotion 9. Pollution: oil, chemical 10. Foreshore Patrol: collection of litter from the foreshore, bye-law enforcement, overall management 11. Creation of Local Nature Reserves 12. Landowner 13. Bye law making powers 	Winchester – including the upper reaches of the River Itchen part of which is included in the SEMS					
Yarmouth Harbour Commissioners	R A	<p>Harbour Authority</p> <ol style="list-style-type: none"> 1. Safety & Navigation <ul style="list-style-type: none"> – Maintenance of lights and navigation markers, notices to Mariners 2. Moorings & Dues <ul style="list-style-type: none"> – Collection of harbour dues 3. Patrols & Enforcement 4. Pollution <ul style="list-style-type: none"> – Development of harbour oil spill contingency plans as required by the 'Merchant Shipping (oil pollution preparedness response and cop-operation convention) Regulation of 1998. – Provision of Port Waste Management Plans as required by Merchant Shipping (port waste reception facilities) Regulations 1997. 5. Environmental Management <ul style="list-style-type: none"> – Duty to review consents (Reg 48-50) 6. Lease the estuary from the Crown Estates 7. Other 	This area includes the harbour and the River Yar to the Causeway at Freshwater					

Appendix 2

Solent European Marine Sites Management Group - Terms Of Reference

The Solent European Marine Sites management group (the management group) is issued in accordance with the draft guidance issued by the DETR.

“The Solent European Marine Sites (the “sites”) comprises the Solent Maritime Special Area of conservation; the Solent and Southampton Water Special Protection Area; the Portsmouth Harbour Special Protection Area and Chichester and Langstone Harbour Special Protection Areas. It is the intention that one management scheme should be developed to cover all of the Sites.

The terms “Habitats Directive”, “relevant authorities” and “management scheme” will have the same meaning as in the Conservation (Natural Habitats & C) Regulations, 1994.

The management group will facilitate the development and implementation of a management scheme for the Solent European Marine Sites. This will guide the way in which relevant authorities will exercise their functions so as to secure compliance with the requirements of the Habitats Directive (92/43/EEC).

The management group will not take over any function of a relevant authority, other than to develop a management scheme for the relevant authorities to approve.

In the course of developing the management scheme, the management group will:

- Discuss the conservation objectives proposed by English Nature and establish the conservation objectives for the site;
- Discuss and agree the types of operations which may cause deterioration of habitats or the disturbance of species for which the site has been designated;
- Evaluate the effects of existing regulatory systems, voluntary agreements and unregulated patterns of use against the conservation objectives so as to establish whether additional measures will be required to meet those conservation objectives;
- Establish a strategy for meeting the conservation objectives and measures necessary to fulfil the strategy; and
- Seek to ensure that the management scheme builds on existing good practice and dovetails with management plans which are already successfully in operation throughout or adjacent to the Sites.

The management group will ensure that there is wide participation in developing and ownership of the management scheme through:

- Ensuring that all competent authorities, which have a significant role in the management scheme, are consulted;

Solent European Marine Sites

- Delegating to groups of relevant authorities the development of proposals specific to various parts of the Sites. All such proposals from such groups shall be submitted to the Management Group for approval;
- Consulting with local interests, owners and occupiers, user groups and conservation groups using the existing structure of the Solent Forum and other existing advisory fora (a full list of which is attached herewith and which may be updated by the management group as appropriate);
- Establishing, where appropriate, working parties consisting of representatives of relevant authorities and of appropriate outside bodies so as to consider and prepare recommendations upon specific identified issues; and
- Promoting a wide understanding of the measures for managing the site and reasons for those measures through publication of a management scheme and other information appropriate to its development and implementation.

Membership of the management group will comprise all the relevant authorities as defined in the Habitats Regulations. A chairperson will be agreed by the management group, but no relevant authority shall have precedence or powers over any others.

A secretary shall be appointed by the management group, (in the first instance to be Hampshire County Council unless or until the management group makes alternative arrangements) who shall be responsible for preparing agendas, arranging meetings, and taking minutes at meetings of the management group.

May 2000

-end-

Solent European Marine Sites

Membership

Associated British Ports
Beaulieu River Management
Bembridge Harbour Improvements Co.
Ltd
Chair SEMS Strategic Advisory Group
(observer status)
Chichester District Council
Chichester Harbour Conservancy
Cowes Harbour Commissioners
Dockyard Port of Portsmouth (QHM)
Eastleigh Borough Council
English Nature
Environment Agency
Fareham Borough Council
Gosport Borough Council
Hampshire County Council
Havant Borough Council
Isle of Wight Council

Langstone Harbour Board
Lymington Harbour Commissioners
Newport Harbour Authority (Isle of Wight
Council)
New Forest District Council
Portsmouth City Council
Portsmouth Commercial Port (Portsmouth
City Council)
River Hamble Harbour Authority
Solent Forum (observer status)
Southampton City Council
Southern Sea Fisheries Committee
Southern Water Services Ltd
Sussex Sea Fisheries committee
Test Valley Borough Council
Trinity House Lighthouse Service
West Sussex County Council
Wightlink
Winchester City Council
Yarmouth Harbour Commissioners

Solent European Marine Sites

Appendix 3 **Strategic Advisory Group (SAG) Terms of Reference**

Membership and Representation

The initial member organisations of the strategic advisory group were all organisations that belong to the Solent Forum except those which are relevant authorities. Additional organisations may join the strategic advisory group provided that a clear majority of members agree. Consideration should be given to involving those ‘competent authorities’ which are not relevant authorities but which are not members of the Solent Forum, e.g. MAFF.

Each member organisation has nominated a main representative and a deputy.

The current membership of the SAG is as follows:

British International Freight Association (BIFA)	Solent Protection Society
British Marine Aggregate Producers Association (BMAPA)	Solent Wildfowlers Forum
British Marine Industries Federation (BMIF)	Southampton Institute
BP Oil UK Ltd	Southampton Oceanography Centre
Isle of Wight Estuaries Officer	Southampton Shipowners Association
Isle of Wight Oystermans Association	Sport England South East Region
Marchwood & Hythe MOD Sites	The Crown Estate
Department for the Environment, Food and Rural Affairs (DEFRA)	The Manor of Cadland
English Nature	University of Portsmouth
Esso Petroleum Co. Ltd	West Solent Oystermans Action Group
Hampshire & IOW Wildlife Trust	Wootton Creek Recreational Users Association
Hants & Wight Trust for Maritime Archaeology	
Langstone Harbour Advisory Board	
Lymington Harbour Panel	
Marine Conservation Society	
Maritime and Coastguard Agency	
MOD (Low Flying Section)	
National Trust	
National Federation of Sea Anglers	
Royal Society for the Protection of Birds (RSPB)	
Royal Yachting Society (RYA) Southern Committee	
SCOPAC Officers Group	
Southern Marine Industries Association (SMIA)	
Solent Area Bait diggers Association	
Solent Cruising and Racing Association	
Solent Forum	

Solent European Marine Sites

Purposes

The primary purpose of the strategic advisory group is to advise the SEMS management group. The strategic advisory group will help to ensure that member organisations are fully briefed on the management scheme as it evolves; to encourage the provision of relevant information for the scheme; and to encourage feedback to the management group on key issues and aspects of the scheme as it is prepared and implemented.

Representatives will be responsible for cascading information within their organisations and, where necessary, within their sector of interest, using existing organisational structures as far as possible. Member organisations may decide to form their own sector or topic sub-groups for this purpose. Groups of organisations may decide to nominate a single representative on the strategic advisory group, where there is common interest, rather than for each organisation to have its own representative.

Chairman

The strategic advisory group will elect its own chairman every year. It will also elect its own secretariat.

Administration

The SEMS Project Officer will convene strategic advisory group meetings, and prepare and circulate agendas and minutes, together with any papers prepared for the management group. However, as a rule, papers required specially for the strategic advisory group must be prepared by its member organisations.

Frequency of Meetings

The strategic advisory group would meet at key stages in the process – e.g., during consultation on the Regulation 33 Advice and on the draft management scheme – and at such other times considered necessary by the majority of members.

Public Record

Minutes of strategic advisory group meetings must be considered at the next management group meeting and must be available to the general public, e.g. by putting them on the SEMS website (once set up).

6 December 2000
(Updated July 2001)

Appendix 4

Contents of English Natures Draft Regulation 33 Advice (July 2001)

1. Introduction
 - Natura 2000
 - English Natures role
 - The role of relevant authorities
 - Activity outside of the control of relevant authorities
 - Responsibilities under the conservation designations
 - Role of conservation objectives
 - Role of advice on operations
 - European marine sites
 - Precautionary principle
2. Identification of interest features under the EU Habitats and Birds Directive and the Convention on Wetlands of International Importance
 - Introduction
 - Other qualifying features or features of interest within the SAC, SPA, Ramsar designations outside of the European marine site
 - SAC
 - SPAs
 - Ramsars
3. SAC Interest Features
 - Estuaries
 - Annual vegetation of drift lines
 - Atlantic salt meadow
 - *Salicornia* and other annuals colonising mud and sand
 - Cordgrass swards
 - Mudflats and sandflats not covered by seawater at low tide
 - Sandbanks which are slightly covered by seawater all the time
4. Solent maritime SAC Conservation objectives & Favourable Condition Table
5. Background to favourable condition table
6. SPA and Ramsar interest features
 - SPA background and context
 - Ramsar background and context
 - Reduction in organic inputs
 - SPA and Ramsar sub-features
7. Solent and Southampton Water SPA and Ramsar Convention objectives and favourable condition table
 - Solent and Southampton Water SPA conservation objectives
 - Solent and Southampton Water Ramsar conservation objectives

Solent European Marine Sites

8. Chichester and Langstone Harbours SPA and Ramsar Conservation objectives and favourable condition tables
 - Chichester and Langstone Harbours SPA conservation objectives
 - Chichester and Langstone Harbours Ramsar conservation objectives
9. Portsmouth Harbour SPA and Ramsar Conservation objectives and favourable condition tables
 - Portsmouth Harbour SPA conservation objectives
 - Portsmouth Harbour Ramsar conservation objectives
10. Advice on operations
 - Purpose of advice
 - Methods of assessment
 - Format of advice
 - Update and review of advice
 - Summary of advice on operations for all SAC, SPA and Ramsar interest features
 - Plans & Projects
 - Review of consents
11. Detailed operations advice for the Solent SAC interest features
12. Detailed operations advice for Solent and Southampton Water SPA and Ramsar interest features
13. Detailed operations advice for Chichester & Langstone Harbour SPA and Ramsar interest features
14. Detailed operations advice for Portsmouth Harbour SPA and Ramsar interest features
15. Bibliography
16. Glossary

Appendices:
Maps & Tables

Appendix 5

SEMS Harbour Authorities - Joint Position Statement

The Harbour Authorities listed below qualify as Relevant authorities for the Solent European Marine Sites under the terms of the Conservation (Natural Habitats &c.) Regulations 1994. Although there are many geographical, social, economic and operational differences between the Solent harbours they share, in most cases, a common legislative framework, with their responsibilities set out clearly in a succession of Parliamentary Acts. Policy and management approaches may differ but their individual responsibility towards the Solent European Marine Sites is the same. It is understood that all Relevant authorities, including Harbour Authorities, must use their powers to ensure that operations and activities under their control do not detract from the favourable condition of the site. It is within this context that this position statement has been prepared.

The Harbour Authorities recognise and value the unique natural assets represented within the Solent. They are confident that these site features are, as indicated in the citation, in a favourable state and that the existing management within the Solent harbours and levels of activity are not detrimental to the features for which the site has been designated.

Whilst Harbour Authorities accept that they must, with other Relevant authorities, act co-operatively to preserve and protect the special features of the SEMS and in producing the single management scheme, they are not jointly liable for the single management scheme.

Harbour Authorities are not required under the Regulations to do more than act within their existing powers. Consequently it is an individual responsibility to deliver their own plans for the management of operations and activities within their areas of jurisdiction. However, consultation on the delivery of management functions may take place between the Harbour Authorities, other Relevant authorities and organisations with an interest in the site and the general public at their discretion.

Because of the special nature of Harbour Authorities' legal responsibilities, they will retain editorial control of any statements made through the Management Group so far as it impacts on harbour operations and activities

Monitoring of the special features of the site should be the accepted method of identifying any deterioration or change. The Harbour Authorities believe it is for conservation bodies to assess and demonstrate with credible science that a cause/effect relationship exists between the operations and activities taking place within an area and an adverse impact on the features concerned. In this event the Harbour Authorities will co-operate with others to investigate and reduce the impact. By this approach we can avoid using the precautionary principle in an arbitrary way.

During the development of the management scheme there may be inconsistencies or omissions in the management of activities or operations. Where this occurs, Harbour Authorities will seek consultations with conservation bodies to either address its own management measures or seek, in co-operation with other Relevant authorities, to identify how best to deal with issues that fall outside any powers available to existing Relevant authorities.

Solent Harbour Authorities

(River Hamble Harbour Authority have not signed up to this statement as they are a municipal port through Hampshire County Council)

April 2000

Solent European Marine Sites

Solent European Marine Sites

Appendix 6 Initiatives and Plans in the Solent

Plan Title	Date Published	Lead Body
A Strategy for Hampshire's Coast	June 1991	Hampshire County Council
Arun and Western Streams LEAP	October 1999	Environment Agency
Bembridge Harbour Plan	In preparation	Bembridge Harbour Improvements Company
Biodiversity Action Plan for the Hampshire Coast	In preparation	English Nature
Brent Goose Strategy: SE Hampshire Coast - Consultation Draft	December 2000	Hants Wildlife Trust
Chichester Coastal Management Plan	In preparation	Chichester District Council
Chichester District Local Biodiversity Action Plan	Est July 2000	Chichester District Council
Chichester District Local Plan		Chichester District
Chichester Harbour Management Plan	1999	Chichester Harbour Conservancy
City of Southampton Local Plan to 2001		Southampton City Council
Coastal Habitat Management Plan (Hants & West Sussex Coast)	Initial consultation	English Nature/Environment Agency
Cowes Harbour Plan	1994	Cowes Harbour Commissioners
East Hampshire LEAP	Est. June 2000	Environment Agency
East Solent Shoreline Management Plan	June 1997	Havant Borough Council
Eastleigh Borough Local Plan to 2001	Adopted 1997	Eastleigh Borough Council
Fareham Local Plan to 2006	Adopted March 2000	Fareham Borough Council
Gosport Borough Local Plan to 2001	Adopted 1995	Gosport Borough Council
Hampshire County Structure Plan to 2011	Adopted 2000	Hampshire County Council
Havant Borough Local Plan to 2001		Havant Borough Council
Hayling Island Coastal Defence Strategy	April 1998	Environment Agency/Havant BC
Isle of Wight AONB Management Plan	1994	Isle of Wight Council
Isle of Wight Biodiversity Action Plan	In preparation	Isle of Wight Council
Isle of Wight LEAP	2000	Environment Agency
Isle of Wight Local Agenda 21 Strategy	In preparation	Isle of Wight Council
Isle of Wight Shoreline Management Plan	1997	Isle of Wight Council
Isle of Wight UDP to 2011		Isle of Wight Council
Keyhaven River Management Strategy		New Forest District Council
Langstone Harbour Management Plan	February 1997	Langstone Harbour Board
Medina Estuary Management Plan	May 1997	Cowes Harbour Commissioners
New Forest District Coastal Management Plan	1996	New Forest District Council
New Forest District Local Plan to 2001	Adopted 1999	New Forest District Council
New Forest LEAP	March 1999	Environment Agency
North East Coastal Defence Strategy Study	Autumn 2000	Isle of Wight Council
Portsea Island Coastal Strategy Study	Scoping study	Portsmouth City

Solent European Marine Sites

Portsmouth City Local Plan to 2001	Adopted 1995	Council/Halcrow
Portsmouth Harbour Plan Review	April 2000	Portsmouth City Council
River Hamble Management Plan	In preparation	Portsmouth City Council River Hamble Harbour Authority
Solent Emergency Plan	Consultation 6/00	Environment Agency
Southsea Management Plan	1999	Portsmouth City Council
Strategic Guidance for the Solent	December 1997	Solent Forum
Test and Itchen LEAP	Est June 2000	Environment Agency
The Beachlands Plan	May 1990	Havant Borough Council
West Sussex Structure Plan to 2006	Adopted 1993	West Sussex County Council
Western Solent Shoreline Management Plan	July 1998	New Forest District Council
Western Yar Estuary Management Plan	December 1998	Yarmouth Harbour Commissioners
Source: Solent Forum 2001		

Appendix 7

Solent European Marine Sites - Inventory of Activities Proforma

Each relevant authority will complete a proforma for each activity identified in Stage 2. Proformas will be tailored to each relevant authority and the SEMS Project Officer will add known information on activities, operations and features gathered in stage 2. Fields that will be completed by SEMS Project officer are indicated. The relevant authorities will then be responsible for adding the remaining details where information is available.

Relevant Authority

To be completed by SEMS PO

Description

1. **Type of activity (if necessary the activity can be subdivided).**

To be completed by SEMS PO

2. **Describe the activity e.g. details, intensity, seasonal/temporal.**

3. **Where does the activity occur (provide map if possible)?**

Management

4. **Describe your direct regulatory role of the activity (include any landownership details).**

5. **Outline any other known management of the activity.**

6. **Do any other plans/initiatives have policies in relation to management of the activity?
If yes please give details or references of relevant reports.**

7. **What other factors can effect the activity (natural processes or indirect effects from other management measures)?**

Solent European Marine Sites

Current Information

8. Is there any monitoring/research of the activity? If yes please indicate the following: i) who carries out the monitoring? ii) why is the monitoring carried out ? iii) and list any research/monitoring reports and their format i.e paper, GIS.
9. Is there any monitoring of the impact of the activity? If yes give details.
10. What further monitoring/research is required?

Impacts

11. Does the activity contribute to the favourable condition of the site, is describe how.
12. Indicate whether the activity can cause the operations listed (*delete those not applicable).

Operation	Yes/No/Unknown*	Additional Information
<i>To be completed by SEMS PO</i>	Yes/No/Unknown	
<i>To be completed by SEMS PO</i>	Yes/No/Unknown	
<i>To be completed by SEMS PO</i>	Yes/No/Unknown	

12. Where does the activity occur in relation to the area where the sub-features are located? (*tick the box that applies)

Sub-features	Inside*	Adjacent*	Outside*	Additional Information
<i>To be completed by SEMS PO</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>To be completed by SEMS PO</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>To be completed by SEMS PO</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>To be completed by SEMS PO</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>To be completed by SEMS PO</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>To be completed by SEMS PO</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

13. Where known provide any further information regarding the impact of the activity on the sub-features including any measures taken to avoid impacts such as management policies.

Name of Relevant Authority Officer _____
 Date _____

Solent European Marine Sites

Appendix 8 Human Use of the SEMS

Note: Some activities may also have a beneficial effect on habitats and species for which the site is designated.

Human Use	Possible Operations	Location & Details
Access	<ul style="list-style-type: none"> – Abrasion – Noise – Visual – Introduction of synthetic compounds – Introduction of non-synthetic compounds 	The Rights of Way Network, although extensive is under-utilised and public access to and along this coastline is poor in some parts. The Solent Way goes from Hurst Castle Spit to Emsworth, but at various places does not actually follow the coast due to poor access. There are 79 public launch points (slipways, hards and beach launching points) in Hampshire and Chichester Harbour and 59 public launch points on the whole of the Isle of Wight plus many other private slipways etc at various locations along the coast (Solent Forum 2002).
Aggregate dredging	<ul style="list-style-type: none"> – Removal – Siltation – Abrasion – Selective Extraction – Introduction of synthetic compounds – Changes in turbidity 	<p>No aggregate dredging takes place within the SEMS, however a number of licensed dredging areas exist adjacent to the site e.g. off the south-east coast of the Isle of Wight. A further area at Sinah Sands in Langstone Harbour is licensed for extraction but currently not used due to the environmental sensitivity of the area.</p> <p>Aggregates are landed at a number of wharves on the River Itchen and Test, and at Portsmouth and Langstone Harbours</p>
Agricultural runoff	<ul style="list-style-type: none"> – Introduction of synthetic compounds – Introduction of non-synthetic compounds – Changes in nutrient loading – Changes in organic loading – Changes in turbidity – Introduction of microbial pathogens 	Agricultural land surrounds the rivers and tributaries that drain into the SEMS, this inevitably results in agricultural run off into the site which may result in increased nutrient loads.
Airborne sports	<ul style="list-style-type: none"> – Noise – Visual 	<p>Gliding occurs from Daedalus Airfield.</p> <p>Flying of kite and remote controlled planes etc occurs in certain open spaces around the coast.</p>
Anchoring	<ul style="list-style-type: none"> – Abrasion – Visual 	Anchoring occurs throughout the SEMS. Safe anchoring areas are shown on admiralty charts, outside of these areas and within a jurisdiction of a Harbour Authority anchoring normally requires the permission of the authority and would only otherwise occur in emergencies.
Angling	<ul style="list-style-type: none"> – Abrasion – Visual – Selective extraction of species 	Angling occurs throughout the SEMS, both from the shore and from boats. There are an estimated 40 000 active sea anglers in the region who carry out their activity at least once a week. The activity takes place in many places around the coast, throughout the year, with seasonal variations according to fish life cycles. It is predominantly informal and shore based, although there are significant numbers who use their own boats, or make use of organised trips. Some angling clubs maintain a boat pound, and sometimes a clubhouse. (Solent Forum, 1997). The economic value of angling in the area has been estimated at £2 billion a year (Labour Party charter for anglers and various surveys)
Bait digging	<ul style="list-style-type: none"> – Siltation – Abrasion 	Bait digging for individual and commercial use occurs throughout the accessible intertidal sand and mud flat areas

Solent European Marine Sites

Human Use	Possible Operations	Location & Details
	<ul style="list-style-type: none"> - Visual - Introduction of synthetic compounds - Introduction of non-synthetic compounds - Introduction of radionuclides - Changes in turbidity - Selective extraction of species 	<p>of the SEMS, peak periods are during the Autumn.</p>
Barrage/sluice construction/operation	<ul style="list-style-type: none"> - Removal - Abrasion - Visual - Changes in salinity 	<p>A number of barrage and sluices operate at various locations within the site, eg along Bunny Meadows on the Hamble. Various tide mills are also present for instance at Eling and Beaulieu.</p>
Beach cleaning	<ul style="list-style-type: none"> - Abrasion - Noise - Visual 	<p>Local authorities are responsible for cleaning beaches within their areas of jurisdiction.</p> <p>In addition litter is also collected from the coastline by various groups e.g. Friends of Chichester Harbour, Friends of Langstone Harbour, Coastwatch UK and the Marine Conservation Society.</p>
Beneficial disposal of dredgings	<ul style="list-style-type: none"> - Smothering - Siltation - Noise - Visual - Introduction of synthetic compounds - Introduction of non-synthetic compounds - Introduction of radionuclides - Changes in turbidity 	<p>For many years dredged material was considered as a waste material requiring disposal, recently there has been a change in perception and dredged material is considered as a resource which could be used for potential benefit, especially where the material is uncontaminated. Section 13 of FEPA now requires a review of alternatives to disposal. Categories of beneficial use include constructions, coast protection, agriculture, horticulture and forestry, amenity, habitats and capping</p>
Boat repair/maintenance	<ul style="list-style-type: none"> - Introduction of synthetic compounds - Introduction of non-synthetic compounds - Changes in turbidity 	<p>Boatyard activities occur throughout the SEMS with main concentrations on the Rivers Itchen, Hamble and Medina and in Portsmouth and Chichester Harbours. Smaller boatyards also occur elsewhere within the site. Scrubbing off antifouling, general maintenance, often on slips, scrubbing piles or intertidal shores also occur throughout the site. Many Harbour Authorities and marinas have repair facilities and reception facilities for contaminants such as waste oil.</p>
Coastal Development	<ul style="list-style-type: none"> - Removal - Smothering - Abrasion - Noise - Visual - Introduction of non-synthetic compounds - Introduction of radionuclides - Changes in nutrient loading - Changes in organic loading - Changes in thermal regime - Changes in turbidity - Changes in salinity - Introduction of microbial pathogens 	<p>All coastal areas bordering the SEMS may have development work either associated with residential, industrial, recreational use or transport needs</p> <p>Large areas bordering the SEMS are highly urbanised. Major industrial and port development is concentrated in Southampton Water and Portsmouth Harbour. Many port developments do not require planning permission, however, as relevant authorities all ports and harbour authorities are subject to the Habitat Regulations and new developments as subject to assessment under the Regulation 48 relating to new plans and projects.</p> <p>Smaller harbours and other urban areas with associated developments of housing, development associated with recreation and tourism are situated around Lyminster, Beaulieu, Test Valley, Itchen, Hamble, Langstone Harbour, small areas of Chichester Harbour, Bembridge, Ryde,</p>

Solent European Marine Sites

Human Use	Possible Operations	Location & Details
		<p>Wootton Creek, Newport and Cowes and Yarmouth.</p> <p>Coastal development includes all building works (other than those mentioned as individual activities) waste disposal sites, transport routes etc.</p>
Capital dredging	<ul style="list-style-type: none"> – Removal – Smothering – Siltation – Abrasion – Selective Extraction – Introduction of synthetic compounds – Introduction of non-synthetic compounds – Introduction of radionuclides – Changes in turbidity 	Capital dredging involves one –off removal of spoil for a specific plan or project, and requires rigorous assessment and monitoring. The most recent capital dredge was the main channel deepening in Southampton Water.
Coastal Protection	<ul style="list-style-type: none"> – Removal – Smothering – Abrasion – Noise – Visual 	<p>The Solent coastline is defended along most of its length, reflecting the substantial urban population living within the coastal zone, together with the number of commercial and other properties. The historical trend in coastal defence has been for the progressive construction of walls, groynes, beach management and other works to prevent erosion. Various areas have small patches of DIY defences carried out by landowners without permission.</p>
Commercial shipping activity (includes cars & passenger ferries)	<ul style="list-style-type: none"> – Abrasion – Noise – Visual – Introduction of synthetic compounds – Introduction of non-synthetic compounds – Changes in turbidity – Introduction of non-native species 	<p>Commercial shipping, both for cargo and freight takes place throughout the SEMS, with the most heavily used areas being the western approaches, Southampton Water and Portsmouth Harbour. This includes container ships and oil.</p> <p>Langstone Harbour has commercial shipping associated with the 2 private aggregate wharves (300 per year). Smaller scale commercial use particularly in relation to passenger ferries and pleasure trips is common elsewhere in the site.</p> <p>Cowes and Newport on the Medina have a large number of cargo ships: grain and wind turbines are exported and island commodities imported.</p> <p>All pilotage of commercial ships is undertaken by pilots licensed by the competent Harbour Authorities (ABP, Portsmouth Commercial Port and Cowes Harbour Commissioners. There are close liaison arrangements between all three and QHM. The smaller harbours carry out similar responsibilities for ensuring navigational safety</p> <p>The provision of ferry services is generally undertaken within the private sector, although some services are financially supported by the local authorities. There are 4 cross – channel routes to France and 2 to Spain from Portsmouth, 3 major vehicle crossing to the Isle of Wight and the regular passenger crossings. In addition local services go from various location around the Solent.</p>
Construction/alteration of slipways, jetties, marinas	<ul style="list-style-type: none"> – Removal – Smothering – Abrasion 	Numerous small pontoons, jetties and slipways associated with yacht clubs, private dwellings and businesses occur throughout the SEMS. Application for new slipways etc are

Solent European Marine Sites

Human Use	Possible Operations	Location & Details
	<ul style="list-style-type: none"> - Noise - Visual - Introduction of synthetic compounds - Introduction of non-synthetic compounds 	common throughout the site and require permission, therefore would be considered in light of the Habitat Regulations.
Disposal of dredge spoil	<ul style="list-style-type: none"> - Smothering - Siltation - Introduction of synthetic compounds - Introduction of non-synthetic compounds - Changes in turbidity 	Disposal of dredge spoil at sea is subject to granting of a licence by MAFF. MAFFs policy is to permit disposal at sea only where there are no suitable option for disposal on land. The majority of dredgings are currently dumped at sea, at the Nab disposal ground to the east of the Isle of Wight, and Hurst narrows, both outside of the SEMS boundary.
Domestic outfall	<ul style="list-style-type: none"> - Introduction of synthetic compounds - Introduction of non-synthetic compounds - Changes in nutrient loading - Changes in organic loading - Changes in thermal regime - Changes in turbidity - Changes in salinity - Introduction of microbial pathogens 	Following the transfer of continuous discharges from the catchments on the north coast of the Isle of Wight to Sandown waste water treatments works in April 2001, there are now 14 continuous discharges to the Solent and its tidal tributaries. The outfalls on the north coast of the Isle of Wight will be retained for the discharge of stormwater. Improvements are planned at a number of works discharging to the Solent during the current AMP3 National Environment Programme, in order to meet the requirements of the Shellfish Waters Directive.
Educational field trips	<ul style="list-style-type: none"> - Abrasion - Noise - Visual 	The natural (physical, geological and biological) and historical assets of both the coastal and marine environment are an important educational resource. The site is regularly used by a variety of educational establishments from schools to universities as well as educational events on an ad hoc basis.
Egg harvesting	<ul style="list-style-type: none"> - Abrasion - Visual - Selective extraction of species 	Black Headed gull egg harvesting takes place under licence from DETR between April and May within the Beaulieu Estuary (max 4000 per year) and at Lymington/Keyhaven marshes (max 85000 per year).
Fishing (commercial)	<ul style="list-style-type: none"> - Abrasion - Visual - Selective extraction of species 	The Solent is a mixed sea fishery, with fishing effort which varies between a number of different commercial species throughout the year. The inshore waters have an important role as a nursery area for bass, with specific areas identified for protection, and for a range of other fin-fish.
Flood Defence	<ul style="list-style-type: none"> - Removal - Smothering - Abrasion - Noise - Visual 	The Solent coastline is defended along most of its length, reflecting the substantial urban population living within the coastal zone, together with the number of commercial and other properties. The historical trend in coastal defence has been for the progressive construction of walls, groynes and other works to prevent flooding
Foreshore recharge	<ul style="list-style-type: none"> - Smothering - Siltation - Noise - Visual - Introduction of synthetic compounds - Introduction of non-synthetic compounds - Introduction of radionuclides - Changes in turbidity 	There are two main types of recharge material ie sediment and aggregate these can be used in various beneficial ways to recharge the foreshore including i) recharge of marshes to raise elevations ii) sub-tidal placement of sediment to reduce the tendency for erosion of adjacent intertidal margins; iii) foreshore placement in order to increase the dissipation of wave energy, iv) or trickle-feed sediment back into the wider estuarine system. Foreshore recharge has been used in various locations in the SEMS, particular in relation to reuse of dredging. Areas where sediment has been used for foreshore recharge include the foreshore between Langstone

Solent European Marine Sites

Human Use	Possible Operations	Location & Details
		and Chichester Harbour, Hythe, north coast of the Isle of Wight and Hill Head.
Fresh water abstraction	<ul style="list-style-type: none"> – Selective Extraction – Changes in salinity 	
Grazing	<ul style="list-style-type: none"> – Abrasion – Visual – Selective extraction of species 	Grazing within the SEMS occurs on a number of saltmarsh areas particularly around the New Forest Coastline. Grazing on surrounding terrestrial land is common throughout the site.
Holiday camps	<ul style="list-style-type: none"> – Removal – Smothering – Noise – Visual – Introduction of synthetic compounds – Introduction of non-synthetic compounds 	Holiday camps are popular during the summer months and may include waterbourne activities such as sailing and swimming. Camps are present in Langstone Harbour, along the frontage of Hayling Island, and at Solent Breezes and Meon Shore.
Houseboats	<ul style="list-style-type: none"> – Noise – Visual – Introduction of synthetic compounds – Introduction of non-synthetic compounds – Changes in nutrient loading – Changes in thermal regime – Changes in turbidity – Changes in salinity – Introduction of microbial pathogens 	House boats occur on a number of estuaries i.e. Itchen, Langstone Harbour, Chichester Harbour, Hamble, Portsmouth Harbour.
Industrial outfalls	<ul style="list-style-type: none"> – Introduction of synthetic compounds – Introduction of non-synthetic compounds – Introduction of radionuclides – Changes in nutrient loading – Changes in organic loading – Changes in thermal regime – Changes in turbidity – Changes in salinity 	There are currently 8 industrial discharges into the Solent (Solent Forum, 1997). Compliance with discharge consents is regarded by the EA as good and the levels of toxic substances in the water column are generally within the required limits (Solent Forum, 1997)
Land based recreation	<ul style="list-style-type: none"> – Abrasion – Noise – Visual 	<p>Many different forms of land-based recreation occur throughout the site. Recreational activity based on land includes beach visits, coastal walks, cycling, horse riding, bird watching, kite flying and visitor attractions. Locations that are of particular importance include the country parks, public open spaces, beaches, the rights of way network and a range of visitor attractions and facilities. However the activity is not confined to any particular areas.</p> <p>In good weather, large numbers of people enjoy beach visits which include sunbathing, sitting, playing and swimming. These occur at all the areas bathing beaches. Although undocumented the number of people involved in these activities form a large sector of people involved in land based recreation.</p> <p>Surveys show that walking is the most regular and extensive recreational activity taking place around the Solent. Coastal sites are well used ranging from active rambling, through to</p>

Solent European Marine Sites

Human Use	Possible Operations	Location & Details
		<p>dog walking and short strolls. Long distance footpaths – the Solent Way and the Isle of Wight Coast Path – exist on both sides of the Solent, running along the coastline for much of their length.</p> <p>There are limited opportunities for cycling and horse riding at the coast, mainly due to lack of suitable access, An exception is the 4 mile long Hayling Billy line which follows an old railway line along Langstone Harbour. There are also plans for the provision of a number of coastal cycle routes including, elements of the National Cycle Network by the cycling charity Sustrans, and a Portsmouth Harbour Cycle Route.</p> <p>The ornithological interest of the Solent attracts birdwatchers from throughout the region. There is nature interest to study throughout the year, although greatest numbers of birds are present over the winter.</p> <p>The highest profile visitor attraction of the Hampshire coast are within Portsmouth, principally the Historic dockyard.</p>
Land reclamation	<ul style="list-style-type: none"> – Removal – Noise – Visual 	<p>There has been a history of land use and reclamation of intertidal areas for landfill waste disposal, principally on the Hampshire Coast at Pennington (Western Solent), Paulsgrove (Portsmouth Harbour) and Broadmarsh (Langstone Harbour). Other areas have been reclaimed for industrial, port or residential use. Further opportunities for reclamation are now limited in the SEMS.</p>
Maintenance dredging	<ul style="list-style-type: none"> – Removal – Smothering – Siltation – Abrasion – Selective Extraction – Introduction of synthetic compounds – Introduction of non-synthetic compounds – Changes in turbidity 	<p>Maintenance dredging involves the regular removal of recently accumulated material within channels to facilitate the efficient and safe operation of a harbour and navigation of the channel. Maintenance dredging occurs in most main navigation channels and marinas approx. every 3-5 years.</p>
Mariculture	<ul style="list-style-type: none"> – Smothering – Selective extraction of species 	
MOD and other aircraft	<ul style="list-style-type: none"> – Noise – Visual 	<p>Low flying aircraft occasionally use the Solent area for training</p>
Mooring (ongoing and new proposals)	<ul style="list-style-type: none"> – Removal – Smothering – Abrasion – Noise – Visual 	<p>Mooring areas are located throughout the SEMS, and are found in nearly all the sheltered estuarine areas and particularly in harbour areas. Mooring are subject to control by Harbour Authorities and in some cases by Local Planning authorities. The restrictive nature of planning has concentrated the most recent proposals for new moorings on the built up coast. There is a general upward trend in mooring numbers i.e. 27% within the last 25 years with a doubling in the number of marine berth during that time as well (Solent Forum, 1997). It is generally considered that parts of the Solent are at carrying capacity and rather than creating new mooring area most harbours are considering</p>

Solent European Marine Sites

Human Use	Possible Operations	Location & Details
		<p>streamlining of existing areas to improve facilities and access, exceptions to this include Chichester and Langstone Harbour which are below capacity.</p> <p>Types of moorings include deep water swinging moorings and drying mooring.</p>
Navigation	<ul style="list-style-type: none"> – Abrasion – Visual – Noise – Introduction of synthetic compounds – Introduction of non-synthetic compounds – Changes in turbidity – Introduction of non-native species 	<p>This includes the movement of all craft on the water. Within their areas of jurisdiction the harbour authorities have responsibilities for all aspects of navigation, the western Solent is the only area to fall outside of any area of jurisdiction.</p> <p>Infrastructure and maintenance associated with safe navigation occurs throughout the site. This includes lighthouses, buoys and other navigational markers and the use of helicopters to maintain services. Also includes the marking of new hazards to shipping such as ship wrecks, where they are a danger to navigation.</p>
Oil and gas exploration	<ul style="list-style-type: none"> – Abrasion – Selective Extraction – Visual 	<p>It is known that oil exists in the rocks beneath the Solent. In 1984 Shell UK Ltd were awarded a licence to search for oil and gas in the Solent but the reserves are understood not to be commercially viable at the present time.</p> <p>Two further licences have been issued, one in the western Solent and one to the west of the Isle of Wight, but no progress has been made beyond seismic exploration and test drilling</p>
Oil spill and oil spill cleanup	<ul style="list-style-type: none"> – Abrasion – Introduction of synthetic compounds – Introduction of non-synthetic compounds – Changes in organic loading 	<p>Risk of oil spill is present throughout the SEMS. Shipping either passing through or close to the SEMS represents a risk. In addition land based spillage could potentially damage the SEMS either directly or through spillage into a watercourse.</p> <p>The arrangement for oil spill contingency planning include <u>County oil spill contingency plan and harbour oil spill plans</u></p>
Other water sports	<ul style="list-style-type: none"> – Visual 	<p>Other water sports occur throughout the SEMS including canoeing, rowing, windsurfing, and diving. However the activity is not confined to any particular areas, but is often concentrated around access points e.g. public slipways.</p> <p>An estimated 10 000 canoeists live in Hampshire and the Isle of Wight and many more visit the area (Solent Forum, 1997). There are a number of popular sea-canoeing routes within the Solent, and around 15 active clubs. The Hampshire Outdoor centres are important foci for the activity and Calshot in particular has a national reputation for sea canoeing.</p> <p>The River Itchen is a focus for rowing in the Solent, with five clubs –each with a club house and boat storage. There are also rowing clubs in Lymington, Southsea, Ryde, Shanklin and Newport. The clubs hold a regatta programme.</p>

Solent European Marine Sites

Human Use	Possible Operations	Location & Details
		<p>There are a number of important sites for Windsurfing, some of which are of national importance. There are few clubs, but high levels of informal use.</p> <p>The limited visibility in the Solent reduces its attraction to divers. Nevertheless there are over 50 active diving clubs in the region. There are some sites which are preferred for beginners diving and the Solent forts and some wrecks are also used.</p>
Outfall maintenance/ replacement	<ul style="list-style-type: none"> – Removal – Smothering – Abrasion – Noise – Visual 	A number of domestic outfalls, industrial outfalls and storm overflows occurs around the coast. Maintenance and replacement of these occurs throughout the site.
Pipeline Construction	<ul style="list-style-type: none"> – Removal – Smothering – Abrasion – Noise – Visual 	Pipelines required for water, sewage or gas etc are present across the site both above and below MLW. Permissions are required from various authorities depending on the location of the pipeline. Pipelines currently under construction or recently constructed include the underground sewage discharge pipe between Budds Farm and Kendells Wharf and onto Fort Cumberland, and Transco pipeline on the Medina and Sewage pipeline at Fairlee for SeaClean Wight.
Recreational Boating - sailing	<ul style="list-style-type: none"> – Noise – Visual – Changes in nutrient loading – Changes in organic loading – Introduction of microbial pathogens 	<p>Recreational sailing is an extremely popular activity throughout the SEMS. The activity is not confined to any particular areas, although specific concentrations of activity are often associated with local sailing clubs and marinas.</p> <p>There are some 60 dinghy clubs in the Solent each with its own racing programme, and organising over 100 open events including national and international championships annually. An estimated 10 000 boats are based in parks around the Solent. Public and private sector outdoor centres and sailing schools provide training and support for the activity.</p> <p>Yachting is the Solent's premier activity, with well over 100 active clubs and at least 100 000 participants. There are over 25 000 yachts berthed in harbour moorings and 24 marinas. (Solent Forum, 197) An active race programme is co-ordinated by the clubs through the Solent Cruising and Racing Association. Cruising is very popular, in particular to harbours in the Western Solent. The Solent regularly hosts yachting events of international importance, such as Cowes week and the Whitbread Round the World Race.</p> <p>A further activity related to recreational sailing is boat based species watching.</p>
Recreational Boating- power	<ul style="list-style-type: none"> – Abrasion – Noise – Visual – Changes in nutrient loading – Changes in organic loading – Introduction of microbial pathogens 	Recreational power boating occurs throughout the SEMS and mainly within the Western and Eastern channels and in Southampton Water. The activity is not confined to any particular areas, although specific concentration of activity are often associated with local sailing clubs and marinas. There has been a noticeable trend towards the increased use of powered craft, with a growing range of products on the market, such as personal water craft. Activities are restricted

Solent European Marine Sites

Human Use	Possible Operations	Location & Details
		<p>in certain areas by speed limits, bye-laws and voluntary agreements for zoned areas.</p> <p>Power boat racing takes place as a specialist activity and the Solent hosts national and international level competitions.</p> <p>There are a number of sites within the Solent which are a focus for personal watercraft, including Eastney, HMS Daedalus, Calshot and Colwell Bay, the only restriction being public access through slipways. There are no inland alternatives in the region</p> <p>Water-skiing is focused around a number of areas which have been designated for this activity. They include Redbridge, Wootton, Lee-on-Solent, Calshot, Thorness Bay and Langstone Harbour.</p> <p>There are a number of clubs based on the Solent involved in water sports. The land-based facilities include boat parking and storage, club houses, events and parking and slipway access to the water. There are 60 dinghy clubs, 100 yacht clubs, 15 canoeing and 9 rowing clubs (Solent Forum, 1997)</p>
Sea water abstraction	<ul style="list-style-type: none"> – Selective Extraction – Changes in salinity 	This takes place for cooling water at Fawley Power Station
Shellfish Collection (intertidal)	<ul style="list-style-type: none"> – Abrasion – Visual – Selective extraction of species 	Shellfish collection for cockles, mussels, oysters and winkles occurs at various locations around the coast
Shellfish dredging	<ul style="list-style-type: none"> – Siltation – Abrasion – Visual – Selective extraction of species – Introduction of synthetic compounds – Introduction of non-synthetic compounds 	The most significant shellfishery is for the native oyster which represents the largest self-sustaining stock in Europe and is of international conservation importance. There is a non-native fishery for hard-shelled clam in Southampton Water which is greatly reduced from previous levels.
Shellfish Laying	<ul style="list-style-type: none"> – Abrasion 	Limited oyster laying in Medina Estuary and in Chichester Harbour
Slipway cleaning/maintenance	<ul style="list-style-type: none"> – Noise – Visual – Introduction of synthetic compounds – Introduction of non-synthetic compounds – Changes in turbidity 	<p>A large number of privately and publicly owned slipways occurs throughout the site.</p> <p>These are cleaned fairly infrequently (once or twice a year) often involving high pressure hoses.</p>
Wildfowling	<ul style="list-style-type: none"> – Abrasion – Noise – Visual – Selective extraction of species 	Regulated wildfowling is carried out by 5 wildfowling clubs affiliated to the British Association for Shooting and Conservation in Langstone Harbour, Chichester Harbour, Newtown Harbour, Lymington/Keyhaven, Boldre, Beaulieu, Yar . The Solent Wildfowlers Forum also meet occasionally.

Solent European Marine Sites

The Solent European Marine Sites (SEMS) project has been set up to produce the SEMS Management Scheme. A Management Group of Relevant Authorities has been set up to oversee the production of the Management Scheme. This report represents stage one towards the final scheme and sets out the basic information and principles on which the management scheme is to be founded such as legislative background, reasons for designation, responsibilities of the relevant authorities and the agreed process for producing the plan.

SEMS Management Group Members

Associated British Ports

Beaulieu River Management

Burtonbridge Harbour Improvements Co. Ltd

Chair SEMS Strategic Advisory Group (Chairman status)

Chichester District Council

Chichester Harbour Conservancy

Cowes Harbour Commissioners

Dockyard Port of Portsmouth (QHM)

Eastleigh Borough Council

English Nature

Environment Agency

Farnham Borough Council

Gosport Borough Council

Hamshire County Council

Hayat Borough Council

Isle of Wight Council

Lymington Harbour Board

Lymington Harbour Commissioners

Needport Harbour Authority (Isle of Wight Council)

New Forest District Council

Portsmouth City Council

Portsmouth Commercial Port (Portsmouth City Council)

River Hamble Harbour Authority

Solent Forum (Chairman status)

Southampton City Council

Southern Sea Fisheries Committee

Southern Water Services Ltd

Sussex Sea Fisheries committee

Test Valley Borough Council

Trinity House Lighthouse Services

West Sussex County Council

Wightlink

Wichester City Council

Yarmouth Harbour Commissioners

For further information about SEMS contact the SEMS Project Officer:

SEMS

Hamshire County Council
Planning Dept, Strategy Group
The Castle, Wichester
SO24 8DE

Tel: 01424 84025

Email: SEMS@hants.gov.uk



Website: www.solentsems.org.uk