

Stage 1: Preliminary assessment.
Establish if the Habitats Regulations apply and agree lead authority

Preliminary assessment by Relevant Authority



Is project/plan in or near to SWMEMS? (refer to **boundary map**)



Is another relevant authority likely to be involved?



Decide/agree lead authority



Seek advice from English Nature (EN), other agencies & National Government if necessary.

Stage 2: Significant effects.
Assess whether plan/project is likely to have a significant effect on European marine site-alone or in combination with other plans/projects.

Consideration of significant effect by Competent Authority



Recommend seek advice from English Nature; test of significance is a coarse filter and identification of significant effects at this stage does not indicate unacceptability.

Competent Authority (CA) must consider if there are other plans/projects that, in combination, should be included in any assessment and discuss these with EN.

CA may proceed with authorisation at this stage if effects of plan/project are confirmed to be trivial and inconsequential.

Undertake initial assessment



Is the activity necessary for management of the site for nature conservation?



Can any effect reasonably be predicted as a consequence of plan/project that may affect conservation objectives (Refer to Regulation 33 advice), excluding trivial or inconsequential effects?



Are there features which are sensitive to the operations which might be associated with the plan/project? (refer to Regulation 33 advice)



Could those features be exposed to those operations? (refer to Regulation 33 advice)



What is the scale/magnitude?



Is fuller assessment necessary?



Consider effects of plan/project alone or in combination



Consultation



Authority may wish to take into account the opinion of the general public, especially expert opinion, both in Stage 2 and Stage 3, if appropriate.

Seek additional information from applicant/proposer

Agree scope of information required with English Nature and others

Stage 3: Appropriate assessment.
Carry out appropriate assessment can it be ascertained that the plan/project will not adversely effect the integrity of the site.

Appropriate assessment by Relevant Authority (RA)

Must seek advice from English Nature as necessary during process; assessment is likely to be an iterative process involving RA, EN and developer/proposer

Identify effects of proposal

Assess each likely impact on each interest feature (refer to Regulation 33 advice)

Determine extent to which impacts can be avoided in order to prevent adverse effects-e.g. Can location or process be changed? Can activity be modified? Can conditions be applied? Can monitoring be included in conditions so that if effects are detected, changes can be made before there is an adverse effect on the integrity of the site?

Are there significant adverse effects remaining?

YES

If no, then Relevant Authority can conclude no adverse effects on site integrity and can authorise subject to conditions/agreements if applicable & inform EN of decision.

Further considerations

Continue to seek advice from EN & if necessary National Government.

Are there alternative solutions?

NO

If YES, do not authorise.

Are there imperative reasons for overriding public interest* to authorise?

YES

If NO, do not authorise.

Inform Secretary of State; seek views of other relevant authorities (if involved)

Secretary of State must secure compensatory measures for European marine site

* Where a 'priority' habitat is involved e.g. lagoon, public interest is limited to health & safety.