

Date: 18<sup>th</sup> October 2016



Natural England  
1st Floor  
Temple Quay House  
Bristol  
BS1 6EB

Dear Sir/Madam,

**RE-LAUNCH OF THE FORMAL CONSULTATION ON THE POTENTIAL SOLENT & DORSET COAST SPECIAL PROTECTION AREA (pSPA) – COMMENCING 18<sup>th</sup> October 2016**

This letter is to inform you that Natural England is re-launching the formal consultation on the Solent & Dorset Coast potential Special Protection Area (pSPA).

A brief explanation of Special Protection Areas (SPA) is provided below in the background section. The site is recommended to protect important foraging areas at sea for breeding common, sandwich and little terns. The pSPA includes the marine area used by breeding terns from the Solent & Southampton Water SPA, Chichester & Langstone Harbours SPA, Poole Harbour SPA and Pagham Harbour SPA.

The original consultation ran between 21<sup>st</sup> January and 21<sup>st</sup> April 2016. The reason we are re-launching the consultation is due to the omission of areas within Portsmouth Harbour and the entirety of Pagham Harbour in the original consultation map. There was also a mapping anomaly in the River Avon where the boundary was not drawn to Mean High Water as described within the scientific case presented to Defra (i.e. the Departmental Brief). The proposed boundary map has now been amended accordingly.

We apologise for these mistakes. To ensure that all interested parties have an opportunity to respond to the corrected proposals, we will run a further 13 week consultation between 18<sup>th</sup> October and 17<sup>th</sup> January 2017. We will take into account all previous representations that you and other consultees made during the original consultation so there is no need to repeat these unless you specifically wish to. These previous representations, along with any additional representations received during the re-consultation, will be considered as valid responses and submitted to Department for the Environment Food and Rural Affairs (Defra).

For details on how to respond to the proposal, the formal consultation pack may be accessed via the Natural England website (<https://www.gov.uk/government/consultations/solent-and-dorset-coast-potential-special-protection-area-comment-on-proposals>).

It includes a:

- Consultation Summary Document which provides full guidance on the consultation, including important information about confidentiality and how to respond;
- Departmental Brief which provides a description of site status, site boundary (including maps), assessment of ornithological interest including an assessment against the UK criteria for selection of SPA's and comparison with other sites in the UK.

If you are unable to access the consultation page, please use the contact details provided at the end of this letter and we will send hard copies of the consultation documents.

**The consultation deadline is 5pm on 17<sup>th</sup> January 2017**

**Background**

Natural England works as the Government's statutory adviser to identify and recommend potential Special Protection Areas in terrestrial and marine areas of England, in order to meet the requirements of the European Birds Directive.

Together with the Habitats Directive, the Birds Directive requires the creation of a network of protected areas for important or threatened wildlife, habitats and species across the European Union known as 'Natura 2000' sites. Once sites are proposed as SPAs they are recommended to government for approval to carry out a formal public consultation. When approval is given to consult, the site becomes a potential Special Protection Area (pSPA) and treated as a fully designated European site subject to protection under the EU Habitats Directive<sup>1</sup>. The formal consultation period runs for three months. This letter sets out the process of how you can respond to the consultation.

**Solent & Dorset Coast pSPA**

The Joint Nature Conservation Committee (JNCC) identified a number of Areas of Search (AoS) around the UK that were suspected to support important breeding and foraging areas for seabirds, including terns, that might warrant protection within SPAs. One of these AoS was on the south coast where there are already a number of terrestrial SPAs designated to protect terns during the breeding season.

Based on this evidence, we have identified the marine area which is particularly important to the terns. Much of the sea around their breeding colonies is the ideal habitat for their foraging which they do primarily by plunge diving for fish. The site qualifies under Stage 1.1 of JNCCs SPA site selection guidance as well as several of the Stage 2 criteria indicating the high value of the site.

**The purpose of the formal consultation**

The purpose of this consultation is to seek the views of all interested parties on the scientific case for classification of the pSPA.

Under an EU ruling, the Habitats and Birds Directives do not permit socio-economic considerations to influence the choice of Natura 2000 sites (SPAs and Special Areas of Conservation) or their boundaries. Member states, including the UK, must identify the sites and boundaries based only on the scientific evidence.

Government guidance requires Natural England to assess the potential costs of decisions such as classifying the Solent and Dorset Coast pSPA. Whilst the information gathered in this assessment cannot influence the decision to classify the site, it will allow those with an interest in the site to

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<sup>1</sup> <http://ec.europa.eu/environment/nature/legislation/habitatsdirective/>

understand the socio-economic impacts that could come from it.

Where the costs of the pSPA's classification are considered to be significant, a socio-economic impact assessment would be produced and published for comment as part of this formal consultation. In relation to the Solent and Dorset Coast pSPA, a preliminary assessment concluded that the costs were relatively low and below the threshold that would trigger that requirement.

#### Following the consultation


After the consultation, Natural England will report to the Department for the Environment Food and Rural Affairs (Defra) on stakeholder responses to the formal consultation and submit final site recommendations. Following consideration of these final recommendations, the Government will decide whether to classify the pSPA or not and inform the European Commission.

If you have any queries regarding the SPA consultation, please email them to [Solent.MarineSPA@naturalengland.org.uk](mailto:Solent.MarineSPA@naturalengland.org.uk) or post to:

FAO: The Solent & Dorset Coast SPA Team  
Natural England  
1st Floor  
Temple Quay House  
Bristol, BS1 6EB

If you do not think you are the most appropriate person in your organisation to receive this letter, please forward it on to the relevant colleague. In the event of this happening we would appreciate it if you could let us know so we can maintain the register of interest.

Yours faithfully,



Stephen Treby,  
Marine Adviser,  
Natural England

# Annex A

## Map displaying the potential Solent & Dorset Coast Special Protection Area (pSPA).

