



DRAFT MANAGEMENT SCHEME

April 2004

Solent European Marine Sites
Management Scheme

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Solent European Marine Sites

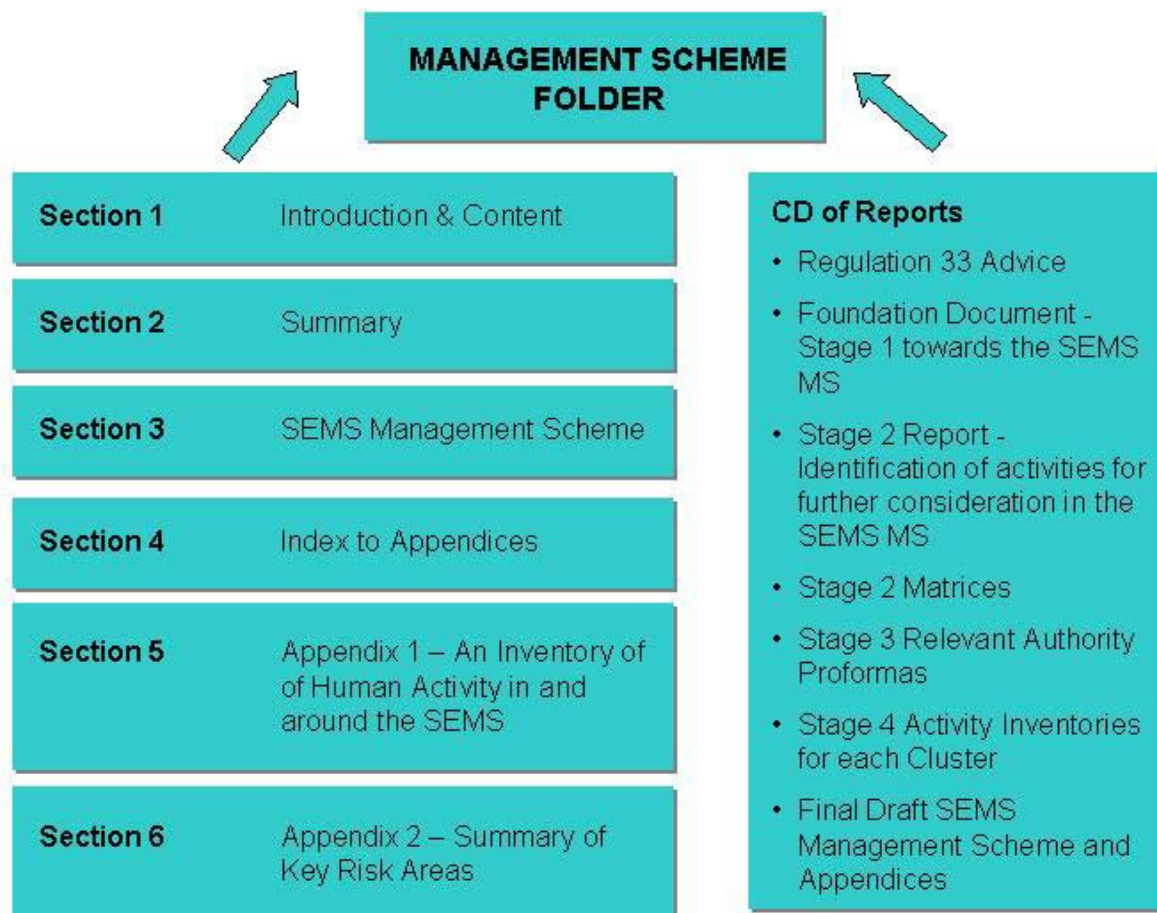
Section 1 - Introduction

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 areas within these designations fall under the requirements of the EU Habitats Directive and the UK Habitats Regulations. The main aim is to promote the maintenance of biodiversity, taking account of economic, social, cultural requirements and regional and local characteristics. The SEMS management scheme has been written to help achieve this aim and to ensure that the Relevant Authorities secure compliance with the requirements of the Habitats Regulations. The aim of the management scheme is to guide the exercise of the Relevant Authorities functions and it contains draft proposals which aim to ensure the future of the key species and habitats in the SEMS. This scheme outlines a framework for the effective management of the SEMS so that the conservation objectives are met. Activities with the potential to affect the site are reviewed, and the effectiveness of current management measures for safeguarding the site is assessed.

This folder contains the various sections that make up the SEMS Management Scheme, the figure below shows how the folder is made up.

SEMS Folder



Solent European Marine Sites

All background reports and forms are included on the CD rom under the following folders:

- Newsletters
- Reports
- Stage 2 – Relevant Authority Matrices
- Stage 3 – Relevant Authority Proformas
- Stage 4 – Activity Inventories by Cluster

The Foundation Document has been amended to take into account factual comments received since its first publication in February 2002. However, 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certain sections of the Foundation Document e.g. section 7.2 on key principles and section 9 on the process have been superseded by events.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 this management scheme document.

Section 3 - SEMS Management Scheme

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Solent European Marine Sites

What is the Solent European Marine Sites?

The Solent European Marine Sites (SEMS) forms one of a number of European marine sites in the UK which are designated as internationally important sites for their habitats and species (European marine sites are defined in box 1). SEMS covers the harbours, estuaries, areas of open coast and inshore water around the Solent. The SEMS stretches from Hurst Spit in the west to Chichester Harbour in the east and includes areas along the north coast of the Isle of Wight from Yarmouth to Bembridge Harbour, as well as the mainland shores.

Box 1 – European marine sites

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.

The Solent contains 7 international nature conservation sites:

- Solent Maritime candidate Special Area of Conservation (cSAC)
- Portsmouth Harbour Special Area of Protection (SPA)/Ramsar
- Chichester and Langstone Harbours Special Area of Protection (SPA)/Ramsar
- Solent and Southampton Water Special Area of Protection (SPA)/Ramsar

The SAC is designated under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive). The SPAs are classified under the Council Directive 79/409/EEC (the Birds Directive) and the Ramsar sites are designated under the convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention, 1971).

The areas within these designations that occur in the intertidal 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 (MLW) (although areas within Chichester & Langstone Harbour and within Bembridge Harbour were designated as SSSIs including areas below MLW), but the Habitats Regulations introduced new legislation which allowed for the designation of the subtidal within SACs or SPAs. The SEMS therefore, covers areas within these designations that lie below Highest Astronomical Tide (HAT) and a defined marine boundary.

The habitats and species for which the sites have been designated are outlined in table one and the designated areas are shown in figure 1. Figure 2 shows the areas over which Relevant Authorities have some form of management or control. Further information on the reasons for designation are included in English Nature's advice given under Regulation 33 (2) of the Conservation (Natural Habits &c) Regulation, October 1994 and the SEMS Foundation Document, (February 2002).

Solent European Marine Sites

The SEMS project was set up in November 2000 with the aim of developing a strategy for managing the marine and coastal resources of the Solent in a more integrated and sustainable way.

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. 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.

Table 1 – Habitats within SEMS

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.

Solent European Marine Sites

Figure 1 – Solent European Marine Sites

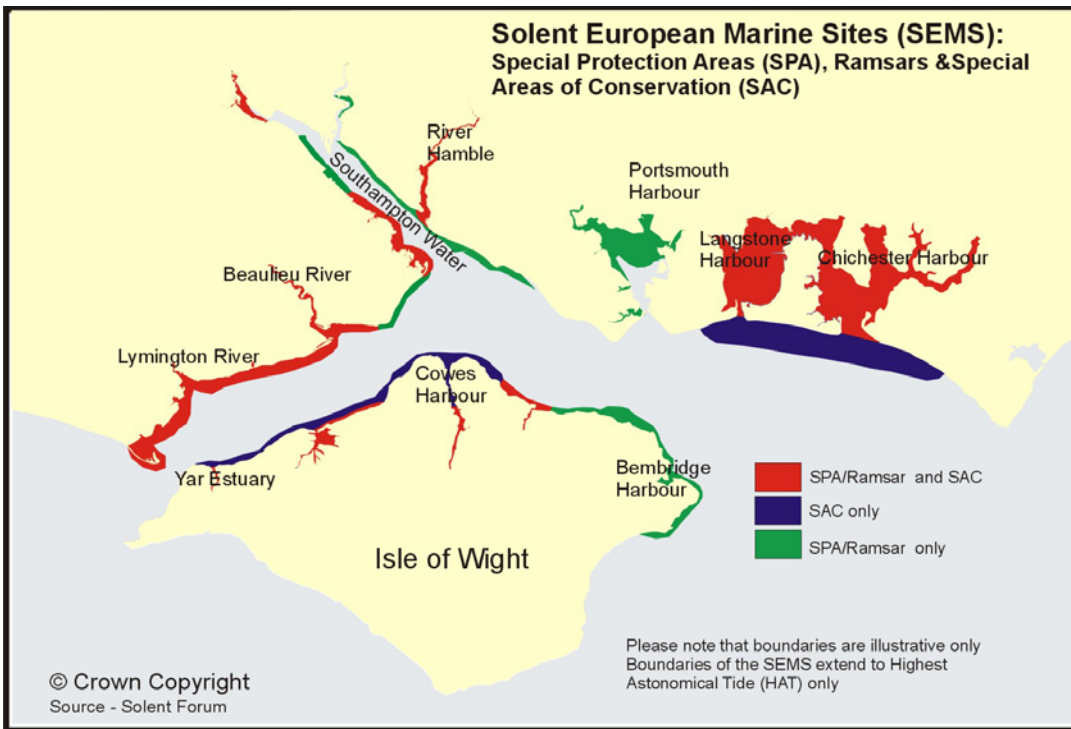


Figure 2 – Relevant Authority Areas of Jurisdiction



Why do we have a Management Scheme?

The aim of the European designations is to provide a stronghold for habitats and species through appropriate management measures. This will be achieved by co-operation between the relevant regulating authorities, landowners, industries and public who use the site and take into account the economic, cultural, social and recreational needs of the local people. The Habitats Regulations require all relevant and competent authorities to exercise their functions so as to avoid damage or deterioration to the nature conservation features for which the site is designated.

Some of the key provisions from the Conservation (Natural Habitats, & c) Regulations 1994 which relate to European marine sites are listed in box 2.

New plans and projects are subject to special provisions in the Habitats Regulations (a description of 'plan and projects' and 'activities' is outlined in box 3). However, these do not deal with ongoing activities that may be occurring in the site. On land, in general ongoing activities within European sites are already managed through the SSSI framework; however, this does not extend into the marine environment and further management measures may be required. The Habitats Regulations provide for this management through the production of a management scheme for each site.

The SEMS management scheme is concerned with promoting the sustainable use of a living, working coast. This is to ensure that the valuable natural resources of the area are there for the enjoyment and prosperity of both present and future generations. European marine sites have been selected with many activities already taking place and it is recognised that these are normally compatible with the conservation interest at their current levels. It is not the aim to exclude human activities from European marine sites, but rather to ensure that they are undertaken in ways that do not threaten the nature conservation interest. Changes in the way that human activities are managed may be required where there is reasonable evidence to indicate that a deterioration in the condition of a particular SEMS feature or species exists or where the cause and effect relationship is uncertain but deterioration in the condition is still significant; the Relevant Authorities should consider any potential changes in management practices in light of the precautionary principle. 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, pressures, circumstances and legal obligations. The purpose of the management scheme is to ensure that the site is managed as one site, rather than a complex jigsaw of areas with un-coordinated management. The management scheme should promote joint working between authorities (where appropriate and subject to the limitations of their statutory powers and duties).

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 establish a mechanism for dealing with issues as they arise and identify which areas are most at risk. Where an individual Relevant Authority recognises that activities under its control are causing damage or deterioration to the features of the site it will exercise its functions in order to avoid such damage or deterioration. Sustainable management is important in order to fulfil the requirements of the Habitats Regulations but also to allow the area to be a resource to industry and recreation for future generations.

Box 2: Relevant Legislation

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 listed here and outlined in the SEMS Foundation Document, however for a complete understanding of the provisions reference should be made to the original text of the Habitats Regulations.

Regulation 3(4) - Competent Authorities Duties

The Habitats Regulations place a responsibility on every competent authority:

“... 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 5 & 6 - 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. Regulation 5 lists the categories of Relevant Authorities.

Regulation 33 - English Nature's Duties

Directs English Nature to advise other Relevant Authorities on:

- Conservation Objectives for the site
- Operations which may cause deterioration of habitats or disturbance to species

Regulation 34 – Management Scheme

States that

“The Relevant Authorities may establish a management scheme to ensure their functions are exercised to ensure compliance with the Habitat Directive”

Regulation 35 – Government Powers of Direction

States that

“There are reserve powers of Ministers to direct the Relevant Authorities. Ministers may consider making directions if it becomes clear that local liaison, co-ordination and consultation is inadequate, if there are undue delays or if the conservation objectives for the site are not being achieved, this can include the requirement to include certain conservation measures in a scheme.”

Regulation 47-85 – Plans and Projects

Defines plans and projects and outlines special procedures to assess their impacts. Also includes requirement of review extant consents and permissions.

For further information regarding the enabling legislation refer to the following documents

- Conservation (Natural Habitats &c) Regulations 1994 Statutory Instrument 2716
- 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

Box 3 - '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 considering the impacts of Plans and Projects.

Example: 'Dumping' of capital dredging 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.

Example: 'Non -physical disturbance such as noise or visual presence' 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.

Example: Many 'recreational pursuits' are considered as 'activities' as no permissions are required to carry them out.

Activities includes those that a Relevant Authority has some statutory role and those which the Relevant Authority has some form of management or control over due to other non statutory functions such as land ownership

- **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.

Example: A recreational 'activity' may cause a noise 'operation'.

SEMS Aims, Principles and Objectives

Aim

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”

Key Principles for Production of the SEMS Management Scheme

To help ensure that all Relevant Authorities are working to the same goal, a number of key principles have been agreed by the Relevant Authorities which underlie the production of the management scheme for the SEMS.

All the principles will be reviewed 2-3 years after the management scheme is submitted to DEFRA.

In addition a position statement has been agreed by most of the SEMS harbour authorities which is included in the SEMS Foundation Document

Box 4 – Key Principles

- **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.

- **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.

- **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.

- **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.

- **Principle 5 – Onus of Proof**

The wording for principle 5 is based on the following three-stage process:

- Stage 1 – Evidence must be established that a site feature is in deterioration. This evidence must be scientific, credible and unambiguous but it need not originate from English Nature itself. It is acknowledged that other Relevant Authorities will be undertaking monitoring regimes and if their programmes flag up something of interest, it would be expected that they would present it to English Nature for further comment and verification
- Stage 2 – English Nature, as the Government's body with responsibility for nature conservation, must believe that a site feature is in deterioration.. If the evidence to support this view has come from their own monitoring – or if it has come from an external, authoritative source – EN should act as a conduit to demonstrate this fact to the Relevant Authority with responsibility for the management of the activity suspected of having detrimental effect.
- Stage 3 – English Nature and the Relevant Authority (ies) involved should work together to establish any cause and effect relationship. From this, changes to management actions may be made.

Consideration of this process has lead to the following definition of onus of proof:

If through their own site condition monitoring programme or that of another Relevant Authority, English Nature can demonstrate that they have reasonable evidence to indicate that a deterioration in the condition of a SEMS feature or species exists, then English Nature and the Relevant Authorities concerned will work together to identify any cause and effect relationship.

- **Principle 6 – Management Actions**

The Relevant Authorities have agreed the following principle for the management actions:

Where reasonable evidence is found to clearly demonstrate the cause and effect relationship the Relevant Authorities involved will instigate changes to the management of the activity, which will be within a Relevant Authorities statutory obligations and will provide a solution that is in accordance with the Regulations and be fair, balanced, proportionate and appropriate to the site and the activity.

Where the cause and effect relationship is uncertain but deterioration in the condition is still significant the Relevant Authorities should consider any potential changes in management practices in light of the precautionary principle* and the cost effectiveness of proposed measures in preventing damage. However, the precautionary principle should not be used to prevent existing management actions continuing where there is no evidence of real risk of deterioration or significant disturbance to site features.

*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 information available is sufficient, to take account of the associated balance of likely costs, including environmental costs, and benefits.” (DETR & the Welsh Office, 1998)

Solent European Marine Sites

Conservation Objectives

The effectiveness of current management measures needs to be considered for those activities which may cause deterioration or significant disturbance to the interest features of the site (as identified in English Nature's Regulation 33 advice). Conservation objectives provide the standard against which the success or failure of the site's management measures can be judged.

All conservation objectives acknowledge the importance of recognising 'natural change'. Natural change is not something that can be changed or altered (e.g. natural coastal dynamics). The conservation objectives allow for these natural processes which are occurring.

The conservation objectives provide guidance to the Relevant Authorities on the management needed to maintain the site's wildlife in favourable condition. Favourable condition is defined as the target condition for an interest feature in terms of abundance, distribution and or quality of that feature within a site. In order to test whether the conservation objectives for the site are being met English Nature, using additional information from other Relevant Authorities where appropriate, will assess the condition of the features of the European Site over a six year cycle.

Box 5 - Solent SAC Conservation Objectives

Subject to natural change the Solent SAC has the following Conservation Objectives:

- Maintain the estuaries in favourable condition*, in particular: Saltmarsh communities; Intertidal mudflat and sandflat communities; Intertidal mixed sediment communities; Subtidal sediment communities.
- Maintain the Annual vegetation of drift lines in favourable condition*.
- Maintain the Atlantic salt meadows in favourable condition*, in particular: low marsh communities; mid marsh communities; upper marsh communities; transitional high marsh communities.
- 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).
- Maintain the Cordgrass swards in favourable condition*, in particular: small cordgrass communities; smooth cordgrass communities; townsend's cordgrass communities.
- 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.
- 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 European Marine Sites

Box 6 - Solent & Southampton Water SPA Conservation Objectives

Subject to natural change the Solent & Southampton Water SPA has the following Conservation Objectives:

- 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.
- 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.
- 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.

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

Box 7 - Solent & Southampton Water Ramsar Conservation Objectives

Subject to natural change the Solent & Southampton Water Ramsar has the following Conservation Objectives:

- Maintain the internationally important wetland characteristic of the Atlantic biogeographical region in favourable condition*, in particular: estuaries, saline lagoons; saltmarsh; intertidal reefs.
- Maintain the wetland hosting an assemblage of rare, vulnerable or endangered species in favourable condition*, in particular: saline lagoons; saltmarsh; cordgrass swards.
- 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.
- Maintain the wetland regularly supporting 1% or 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.

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

Solent European Marine Sites

Box 8 - Chichester & Langstone Harbour SPA Conservation Objectives

Subject to natural change the Chichester & Langstone Harbour SPA has the following Conservation Objectives:

- 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.
- 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.
- 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.

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

Box 9 - Chichester & Langstone Harbour Ramsar

Subject to natural change the Chichester & Langstone Harbour Ramsar has the following Conservation Objectives:

- Maintain the internationally important wetland characteristic of the Atlantic biogeographical region in favourable condition*, in particular: estuaries; saltmarshes; intertidal mudflats and sandflats.
- 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.
- 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.

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

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Box 10 - Portsmouth Harbour SPA Conservation Objectives

Subject to natural change the Portsmouth Harbour SPA has the following Conservation Objective:

- 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.

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

Box 11 - Portsmouth Harbour Ramsar Conservation Objectives

Subject to natural change the Portsmouth Harbour Ramsar has the following Conservation Objectives:

- Maintain the internationally important wetland characteristic of the Atlantic biogeographical region in favourable condition*, in particular: estuaries; saltmarshes; intertidal mudflats and sandflats.
- Maintain the wetland supporting genetically and ecologically diverse flora and fauna in favourable condition*, in particular: saltmarsh; cordgrass swards; intertidal mudflats and sandflats.
- 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

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

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.

Box 12 - 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.

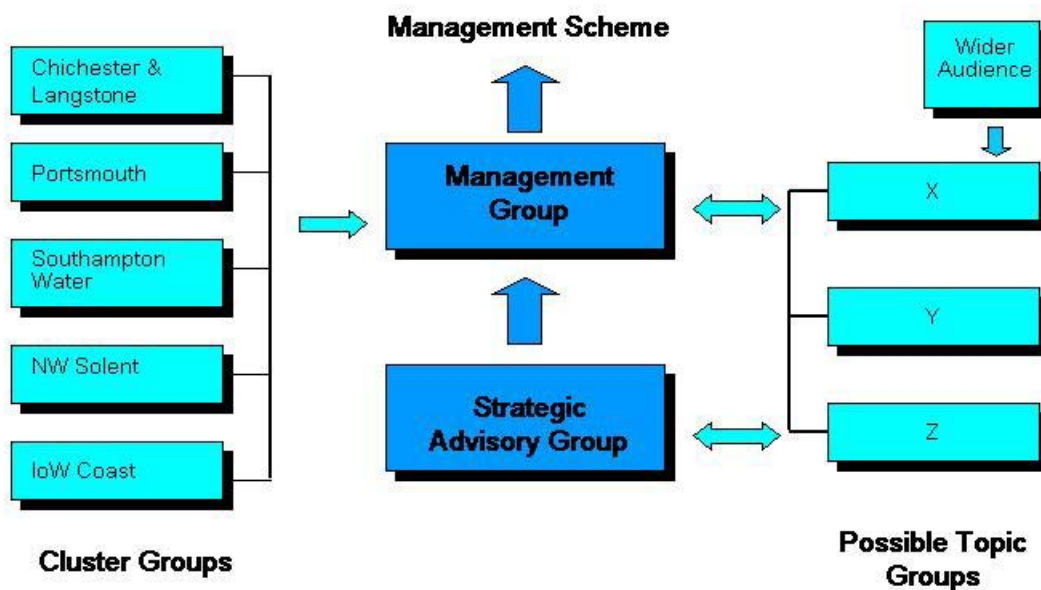
Who has been involved in the production of the Management Scheme?

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. Even though there is only 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 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.

A management structure was developed to oversee the production of the management scheme, this is shown in figure 3 and outlined in more detail below.

Figure 3 - Management Structure



English Nature

The main duties of the conservation body - in this case English Nature - is to provide conservation objectives, and to advise Relevant Authorities on the impacts or likely impacts of operations and activities within their control. There is also a requirement within the Habitats Directive for Member States to report on the conservation status of the habitats and species, 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. In every other respect, English Nature is an equal partner with the other Relevant Authorities.

Solent European Marine Sites

Management Group

The Relevant Authorities formed the Solent European Marine Sites (SEMS) Management Group to facilitate the development and implementation of the management scheme. The members of the group are listed in box 13 and their respective areas of jurisdiction are shown on figure 2.

Box 13 - 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	Southern Water	Sea Fisheries Committees
Environment Agency	Trinity House	

* Beaulieu River Management are not a Relevant Authority under the terms of the Habitats Regulations, however as a major landowner with powers similar to many harbour authorities they have signed up to the Management Scheme.

Strategic Advisory Group (SAG)

An advisory consultation group was set up to provide strategic advise to the Management Group of Relevant Authorities. Members of the Solent Forum who were not Relevant Authorities were invited to sit on the Strategic Advisory Group, and additional members were also invited where gaps in particular interests were identified. The members of the Strategic Advisory Group is shown in box 14.

Solent European Marine Sites

Box 14 Members of the Strategic Advisory Group

British Marine Aggregate Producers Ass	National Trust*
British Marine Federation	National Federation of Sea Anglers
BP Oil UK Ltd	Royal Society for the Protection of Birds
Isle of Wight Estuaries Project	Royal Yachting Association
Countryside Agency	SCOPAC Officers Group
Defence Estates	Southern Marine Industries Association
DEFRA	Solent Area Bait Diggers Association
Esso Petroleum Co. Ltd	Solent Cruising and Racing Association
Hampshire & IOW Wildlife Trust	Solent Forum
Hants & Wight Trust for Maritime	Solent Protection Society
Archaeology	Solent Wildfowlers Forum
Isle of Wight Fishermen	Southampton Institute
Langstone Harbour Advisory Committee	Southampton Oceanography Centre
Lymington Harbour Panel	Sport England South East Region
Marine Conservation Society	The Crown Estate
Maritime and Coastguard Agency	University of Portsmouth
Ministry of Defence Police	West Solent Oystermens Action Group
	Wootton Creek Recreational User Association

*The National Trust have a similar role at Newtown Harbour to Beaulieu River Management i.e. they are a landowner and have certain powers that are similar to a Harbour Authority, however as the National Trust are not a Relevant Authority they did not sit on the Management Group.

Project Officer

A project officer facilitated the preparation of the management scheme.

Cluster Groups

Due to the diverse nature and geographical spread of the SEMS a number of cluster groups were formed to drive and steer the work and to concentrate on local issues. Five groups were set up which included the appropriate Relevant Authorities:

- North West Solent Cluster
- Southampton Water Cluster
- North Coast of the Isle of Wight Cluster
- Portsmouth Harbour Cluster
- Chichester and Langstone Harbour Cluster.

Topic Groups

Topic Groups may be formed when a relevant issue arises. A Topic Group should include all those with an interest in the issue which may include members of the Management Group, Strategic Advisory Group (or its successor) and any other legitimate stakeholders, the Relevant Authorities will decide which additional organisations to invite. One Topic Group was formed during the production of the management scheme to look at the issue of bait collection (see box 15). Further Topic Groups may be formed in the future where there is reasonable evidence to indicate that an activity included in the 'key risk area' category is causing damage, deterioration or disturbance to a feature of interest and where it is relevant to a number of Relevant Authorities (in some instances it may be that a single Relevant Authority can deal with the issue through direct discussions with other Relevant Authorities or English Nature). The need for a Topic Group will be agreed by the

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appropriate Relevant Authorities and reported to the Management Group. Topic Groups will not have any power to enforce other Relevant Authorities to take action.

Additionally some Relevant Authorities may voluntarily form Topic Groups in order to consider whether evidence of impacts / decline in site condition exists or might easily be obtained. Such 'Voluntary Topic Groups' might also consider whether any existing evidence of damage to features is sufficient for them to consider changes to the current management of activities. 'Voluntary Topic Groups' will confine their investigations and recommendations to activities occurring within their own areas of jurisdiction.

There are no plans for any further Topic Groups at present.



Bait digging – (William McKenzie, English Nature 2002)

Box 15 – Bait Collection Topic Group

The Bait Collection Topic Group was set up during the production of the SEMS management scheme due to the public inquiry regarding a ‘Site Nature Conservation Order’ at Fareham Creek. The Inspector requested English Nature to consider a voluntary code of conduct and licensing of bait digging around the Solent. As bait collection is an activity which would be considered in the management scheme it seemed appropriate to progress the issue under the umbrella of the SEMS project, hence the establishment of the Topic Group.

The aim of the Bait collection topic group was:

To consider bait collection in the Solent European Marine Sites (SEMS) and if necessary develop methods to minimise potential impacts.

The Topic Group first met in July 2002 and included Chichester Harbour Conservancy (representing Solent harbour authorities), Fareham Borough Council (representing Solent local authorities), English Nature, the Crown Estate, National Federation of Sea Anglers (NFSA), Solent Area Bait Diggers Association (SABDA), Hampshire Police Marine Unit and 3 representatives of the angling and bait collecting community.

The Topic Group put together a draft code of conduct based on a code in a report produced for English Nature, the NFSA code and other codes from around the UK. The initial draft was agreed by the SEMS Strategic Advisory Group (SAG) members and Management Group (MG). The draft code was then taken to 5 public meetings in order to discuss the main issues with anglers and bait collectors. The meetings were held at various angling clubs around the Solent and were well advertised. The public meetings provided some good feedback and comments on the code. It also helped create a shared sense of responsibility for the problems being faced and allayed fears and rumours that bait collection would be banned across the Solent. All comments were then collated and discussed by the Topic Group to produce the final draft code. A final draft was then circulated for consultation and a final code was produced at the end of March 2003 with funding from English Nature, The Crown Estate and Chichester Harbour Conservancy. The leaflet and accompanying posters were widely distributed to tackle shops, angling clubs and through local angling press.

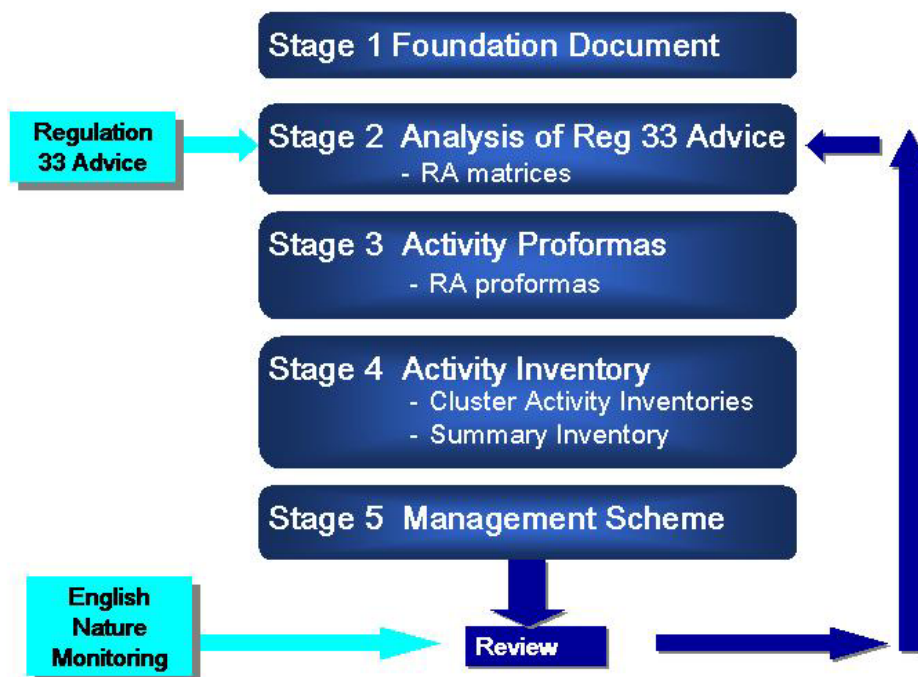
The success of a voluntary code of conduct relies on the goodwill and support of all those involved in the activity. As such the code has been developed in partnership with a number of organisations and has directly involved the commercial bait collectors, recreational bait collectors and other interested parties around the Solent. Discussion and negotiation sought to produce a code that meets the needs of all, and as such the current code represents a balance of the various views expressed.

How has the Management Scheme been produced?

The process for developing the management scheme was fully detailed in the Foundation document (February 2002). An updated summary of the stages to produce the management scheme are shown in figure 4 and explained further below.

In summary, the development of the management scheme was based around five clusters which geographically split the site into more manageable areas. Firstly Relevant Authorities identified which activities they were responsible for in their cluster (stage 1). Advice contained in the Regulation 33 advice on which operations may cause deterioration or damage to the site features was used to link operations to activities that were occurring in the site (stage 2). Relevant Authorities then provided information on the where the activities occurred in relation to the features of interest, the operations they caused and how they were managed (stage 3). This information was assessed to produce activity inventories (stage 4) which identified different categories including those activities which were considered as key risk areas. Finally, all the information was brought together to produce the Management Plan. It should be noted that the assessment was based on information provided by the relevant authorities at the time. The level of information submitted may differ between Relevant Authorities, in some instances the information may have been incomplete and in others no information may have been provided.

Figure 4 – SEMS Management Scheme Process



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Regulation 33 Advice

English Nature are responsible for providing the statutory nature conservation advice i.e. the Regulation 33 Advice. It sets broad conservation objectives for maintaining, subject to natural change, the favourable condition of individual features or sub-features. The advice also identified any operations which may adversely effect (cause deterioration or damage to) the interest features. The standard list of categories of operations which may cause deterioration or damage is as follows:

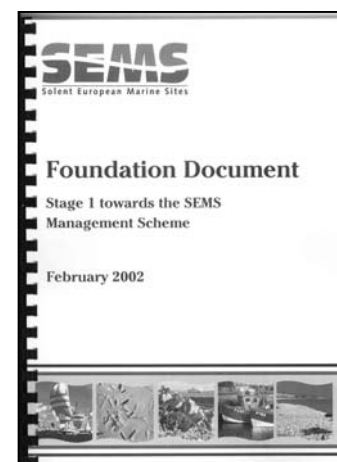
- physical loss through removal and/or smothering;
- physical damage through siltation, selective extraction and/or abrasion;
- non-physical disturbance by noise and/or visual presence;
- toxic contamination through the introduction of synthetic and/or non-synthetic compounds and introduction of radionuclides;
- 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 analyses for each feature its sensitivity to these operations, its exposure to particular categories of operation/activity, and its consequent vulnerability to the range of human activities which occur within the site. It therefore 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 Regulation 33 advice is 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 therefore forms the basis for the production of the management scheme for the SEMS.

Stage One - Foundation Document

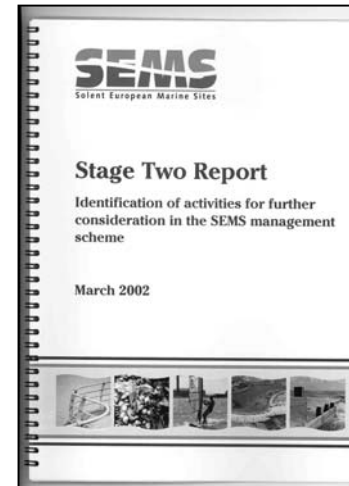
The purpose of the Foundation Document is to provide a stepping stone to the production of the management scheme. It describes the basic information and principles on which the management scheme is to be founded such as legislative background, reasons for designation, responsibilities of the Relevant Authorities and the agreed process for producing the plan. The Foundation Document has been produced in full consultation with the SEMS Management Group and the Strategic Advisory Group. The Foundation Document was originally published in February 2002. However due to changes in process and new information it has been necessary to update the report at suitable points throughout the process. It should be noted that due to subsequent events some aspects of the Foundation Document have now been superseded by the information contained in this Management Scheme. The Foundation Document is included on the CD rom included with the management scheme.



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Stage Two – Analysis of the Regulation 33 Advice

The Management Group agreed that the management scheme should 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. Stage 2 of the process was therefore to identify generic activities which could cause the operations to which the site features are highly vulnerable. This helped to prioritise the initial work. This was achieved through an analysis of the Regulation 33 advice as follows:



- Identification of key operations
The Regulation 33 advice identifies which ‘operations’ are likely to cause deterioration or damage to which sub-features of the site. The advice differentiates between the sub features that are at low, medium, and high vulnerability to the operations. Key operations to be considered in the SEMS management scheme are those to which the site features are highly vulnerable. The Regulation 33 advice was analysed to identify the operations to which the site features are highly vulnerable.
- Identification of key activities
In order to progress the management scheme the key operations information needed to be translated into activities. Activities were identified from a generic list by considering which may cause the operations identified above i.e. types of human use that may cause the type of deterioration or damage to which the sites features are highly vulnerable. The cluster groups identified which activities could cause these operations.
- Identification of responsibilities for activities
The SEMS Foundation Document made an initial analysis of relevant and competent authority responsibilities, this information was used to establish which Relevant Authority has responsibility for the types of human use in each cluster. This also helped identify which types of human use qualify as ‘activities’ rather than ‘plans and projects’ and should, therefore be included in the management scheme. This was informed through the cluster groups.
- Matrices of activities
Combination of the above information resulted in a generic guide (a matrix) for each Relevant Authority in each cluster. The matrix identifies the activities for which each Relevant Authority has a responsibility and which may cause the operations to which the site features are highly vulnerable. These matrices informed stage 3 of the management scheme. It is important to note that the list of activities in the matrix are not those that are damaging but merely lists those which may cause deterioration or damage. Further investigation will need to be carried out to determine whether the activities do actually cause the operations listed in the matrix and also whether the activity does occur in the vicinity of the features of interest.

Stage 2 is based on a review of the operations to which the site features are highly vulnerable from the Regulation 33 advice. The Management Group had agreed that the operations to which the site features have a medium and low vulnerability would be considered at a later date. However it is now felt that this is not necessary at this time because all activities from the generic list had been considered in the management scheme in relation to the operations identified as highly vulnerable. It is stressed, however that this has meant that not all operations have been considered and the

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activities listed may also cause operations to which the site features are at a low or medium vulnerability and that this is not included.

The Stage 2 Report ‘ Identification of activities for further consideration in the SEMS management scheme’ was produced in March 2002 and provides more detail on the analysis of the Regulation 33 advice. A final version of the Stage 2 report and the Relevant Authority matrices are included on the CD rom included with the management scheme.

Stage Three – Activity Proformas

The matrices produced in stage 2 provided a site specific summary of how activities could interact with the interest features of the SEMS. Each Relevant Authority in every cluster completed a proforma for each of the activities listed in their matrix. There are a total of 606 proformas. The proformas include the following information on each activity in the cluster:

- Detail on the Activity
General information on the activity, its intensity and where and when it occurs. This enabled an overview of the activity to be gained.
- Management and Responsibilities
Information on how the Relevant Authority manages the activity, particularly in relation to their statutory functions and other controls that they may have e.g. bye-laws. This also includes information on other measures which may influence the management of the activity such as policies and voluntary plans/initiatives. This enabled an overview of the management of the activity to be gained which will help assess whether the activity is managed in line with the Habitats Regulations.
- Monitoring
This lists any known monitoring that is carried out on the activity and on its impact. It also identifies whether any further monitoring is required. This enabled gaps in information to be identified.
- Impacts
Relevant Authorities indicated which operations they felt the activity can cause and also where the activity occurs in relation to the features of interest that are highly vulnerable to those operations. This enabled generic impacts to be identified and also indicates which features of interest are most at risk.

All the completed proformas are held on the CD rom contained with the management scheme folder.

Stage Four –Activity Inventory

The aim of stage 4 is to identify the current mechanisms in place to manage the activities identified in stage 2. This then helps to identify risks to the site. This has the benefit of providing a clear audit trail to show all activities have been assessed at a similar and appropriate level of detail. Wherever possible the aim firstly is to assess whether the current management is sustainable and secondly, identify which areas are at potential risk. The existing management measures for activities in the site were investigated and assessed against the conservation advice. The assessment indicated which activities may cause the operations to which the site features are highly vulnerable and where these may occur in the vicinity of those interest features. The assessment continued by

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identifying which activities are ‘plans or projects’ and which have ‘systems in place to manage the activity in line with the Habitats Regulations. Where neither of these situations apply then the activity is seen as a ‘key risk area’ in the management scheme i.e. there is a potential that an impact may be caused by the activity but currently no evidence exists to suggest that this is occurring.

The comprehensive information on activities from the proformas has been assessed to create the inventory. Relevant authorities with statutory responsibilities for each of these activities have had the opportunity to comment on whether their current management is effective in preventing harm to the wildlife features. The Inventory gives an overview of the activities in the SEMs and identifies key risk areas. This has been done at two levels of detail:

- **Individual Inventories**

Activity inventories have been produced for each cluster. Each inventory summarises the detail, location, extent, management and monitoring of the activity in each cluster. This enables a general overview of the activity in each cluster to be gained which will help assess whether the activity is managed in line with the requirements of the Habitats Directive. The inventory also summarises which operations the activity can cause and also indicates which features of interest are most at risk by bringing together different responses from all Relevant Authorities responsible for that activity in the cluster. This enables generic impacts to be identified in the cluster.

The following activity inventories have been produced for each of the five clusters.

Access	Grazing
Airborne sports	Holiday camps
Aggregate dredging	Houseboats
Agricultural runoff	Industrial outfall
Anchoring	Land based recreation
Angling	Land reclamation
Bait digging	Maintenance dredging
Barrage/sluice operation	Mariculture
Beach cleaning	MOD and other aircraft
Beneficial disposal of dredging	Moorings (new)
Boat repair/maintenance	Moorings (ongoing management)
Capital dredging	Navigation
Coast protection	Oil & gas exploration
Coastal Development	Oil spill & oil spill clean up
Commercial shipping	Other water sports
Construction/alteration slipways	Outfall maintenance/ replacement
Disposal of dredged spoil	Pipeline construction
Domestic outfall	Recreational boating – power
Educational/scientific study	Recreational boating – sail
Egg harvesting	Shellfish collection
Fishing	Shellfish dredging
Flood defence	Shellfish laying
Foreshore recharge	Slipway cleaning & maintenance
Freshwater abstraction	Wildfowling

These are available on the CD rom contained with the management scheme folder.

- **Summary Activity Inventory**

A summary of all the inventories has been produced to give a comprehensive overview of human activity in and around the SEMS. The Inventory includes information on each activity including the following: summary, introduction, management of the activity, impact/issues and conclusion including management considerations. This is included in Appendix 1.

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Stage 5 - Management Scheme

The information from all the stages has been brought together to produce this management scheme. The management scheme summarises the results of the assessment and this is outlined in the sections on 'How is the SEMS Managed' and 'Management Considerations', further detail is available in the appendices and the background proformas and inventories.

Monitoring and periodic assessment and review

English Nature will regularly monitor the Site to establish whether the conservation objectives are being met. 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. English Nature will report to the Joint Nature Conservation Committee on the condition of each interest feature and the site every six years. Monitoring will therefore be based on a rolling six-year timetable.

In making the condition assessment, English Nature will look to draw upon several important monitoring initiatives which have already been long established within the SEMS, notably National Wetland Bird Survey (WeBS) counts coordinated by the BTO and WWT, the Environment Agency's National Marine Monitoring Programme providing water quality data.

It is envisaged that the condition monitoring programme will evolve over time, and other Relevant Authorities with conservation expertise, such as the Environment Agency and Sea Fisheries Committees may be able to further contribute to the provision of monitoring data.

The coastal Biodiversity Action Plan (BAP) also highlights the importance of monitoring and has an action to establish an agreed monitoring programme for coastal biodiversity (in particular bird numbers) to use as an indicator of the health of coastal systems.

As part of the monitoring process, where they have relevant information to report, each Relevant Authority will be expected to report back to the Management Group on their implementation of the scheme. This will be on an annual basis and may include the following:

- Progress on implementation as and when appropriate.
- Progress on the management considerations.
- Changes in management affecting the 'key risk areas'.
- New Activities that are taking place.
- Additional issues that arise e.g. significant changes in the intensity or geographical extent of current activities.

The Management Group will decide how this information will be reported and reviewed.

The key principles will be reviewed after 2-3 years to check how they have been applied in specific circumstances, this will tie in the English Natures condition monitoring.

The management scheme will be reviewed after 5 years from its submission to DEFRA, where necessary it will be revised so that:

- The conservation objectives are met.
- Changes in site usage are updated on the inventories.
- Improvements in scientific knowledge are incorporated.
- The management scheme can be adapted to consider any changes in the conservation objectives for the site arising as a result of improved scientific knowledge and practical experience.
- Consideration of operations to which the sites features are at a medium and low vulnerability.

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Consultation

Consultation occurred throughout the production of the management scheme. Consultation is important to encourage co-operation and commitment to the protection of the SEMS.

Table 2 Summary Timetable

Production Stage	2001				2002				2003				2004	
	J	A	J	O	J	A	J	O	J	A	J	O	J	A
Stage 1 - Foundation Document	■	■	■	■	■	■								
Stage 2 - Identification of Activities	■	■	■	■	■	■								
Stage 3 – RA Activity Proformas							■	■	■	■				
Stage 4 – Inventory									■	■	■			
Stage 5 – Management Scheme												■	■	
Consultation														■
Submit to DEFRA														●

How is SEMS managed?

Human use of the 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 Foundation Document gives brief details of the nature and location of activities in order to give a general impression of the type and extent of human use occurring across the site.

Table 3 summarises the responsibilities of the relevant and competent authorities operating within the SEMS for a range of different types of human use. The range of human use includes both activities and plans and projects. The distinction between 'plans and projects' and 'activities' is important as only activities have to be considered in the management scheme. Identifying responsibility for activities was therefore an important first step towards 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.

Review of Site Management

A detailed inventory was produced for each activity listed in table 3 for each cluster as part of stage 4. The inventories provide information on the location and frequency of the activity, the potential impacts on the site, an outline of the management of the activity and an assessment to determine whether features of interest are at risk. The individual inventories are held on the CD rom. Appendix 1 summarises the activity inventories and the assessment of management.

The assessment indicated that nearly all activities may cause the operations to which the site features are highly vulnerable and that these can occur in the vicinity of those interest features. This therefore indicates a 'possible risk in parts of the site' but does not necessarily indicate an impact that can cause deterioration or damage to the site features. In some instances this risk is removed because the activity is a 'plan or project' and there are special procedures in place to ensure that the activity does not impact on the site. In other instances the risk is also removed because there are other 'systems in place to ensure that the activity is managed in line with the Habitats Regulations'. If neither of these situations apply then the activity is seen as a 'key risk area' in that Management Scheme.

Table 4 summarises the assessment of each activity and highlights the activities in the 'key risk area' category, further information is contained in the inventory in appendix 1. The Management Considerations section outlines the key actions arising from the assessment of the activities.

Evidence of Damage or Deterioration

At present no evidence has been submitted to suggest that any of the activities are causing damage or deterioration to the site. The 'key risk areas' indicate where the greatest risks are most likely to occur.

Further action beyond simply categorising an activity as a 'key risk areas' will be required in order to investigate any potential link between deterioration or disturbance of a habitat or species and an activity. English Nature will carry out monitoring to determine condition of the features of the site.

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Where there is reasonable evidence to indicate that a deterioration in the condition of a particular SEMS feature or species exists, then further investigation will be required to ascertain the cause of deterioration.

Discussions may take place between the appropriate Relevant Authority (ies) and English Nature to agree cause and effect between the activity and the deterioration of the features of interest and agree the course of action to be taken; alternatively where a number of Relevant Authorities are involved it may be appropriate for them to work co-operatively to address the problem and as such they may set up a group from within a cluster or between clusters which may include other relevant organisations and interested parties by invitation, this would be a Topic Group. Discussions may then take place to determine possible solutions. The appropriate Relevant Authorities will use the 'key risk area' information as a guide to help determine impacts and possible further work (this may include additional survey, data collection or management actions).

Any necessary changes to the management of an activity will be considered in light of the precautionary principle and the cost effectiveness of proposed measures in preventing damage. For example, where there is a significant level of doubt it may be inappropriate to suggest changes in management, in the first instance a voluntary approach will be considered with Relevant Authorities and others working in partnership.

Relevant authorities are only required to act within their existing powers and within their own areas of jurisdiction with regard to the management of activities that are having an effect on the designated site. Relevant Authorities and Topic Groups can not impose decisions on other Relevant Authorities. If activities fall outside of their powers then other means will need to be considered.

The 'key risk areas' identified in the assessment can be grouped into categories as follows:

- Access (access, airborne sports, angling, educational field trips, land based recreation).
- Bait collection.
- Commercial shipping.
- Dredging (beneficial disposal of dredging, capital dredging, disposal of dredged spoil, foreshore recharge, maintenance dredging).
- Fishing (shellfish collection, shellfish dredging, shellfish laying, fishing, mariculture).
- Water Sports (anchoring, boat repair/maintenance, moorings (new), moorings (ongoing), navigation, other water sports, recreational boating – power, recreational boating – sail, slipway cleaning and maintenance).

Further information about these activities and which sub-features are at risk is contained in Appendix 2.

It is stressed that the potential for any of the above activities to have an impact on a feature does not imply that it will have an impact. It will be up to the responsible Relevant Authorities to determine a course of action to determine impacts, solutions and actions as and when appropriate. Therefore until there is a clearer understanding of whether impacts are occurring these are only highlighted as potential risks

Table 3 – Relevant & Competent Authority Responsibilities

(Table is illustrative, where exact responsibilities are required then further guidance should be sought from the appropriate authority)


Activities	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	DfT	Environment Agency ³	English Nature ¹²	Southern Water	Sussex SFC	Southern SFC	Trinity House	No regulatory authority (in certain instances)				
	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	RA	CA	CA	CA	RA	RA	RA	RA	RA	RA	RA	RA	RA			
Access	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF			◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆													0			
Aggregate dredging															◆	◆											◆	☐	☐										0		
Agricultural run-off					◆							◆																											0		
Airborne sports	◆	◆	◆	◆	◆ ⁴	◆	◆	◆	◆	◆	◆	◆ ⁴	◆		◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆														0	
Anchoring							◆	◆	◆	◆	◆			SF	◆	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF											◆		0		
Angling	◆	◆	◆	◆	◆ ⁴	◆	◆	◆	◆	◆	◆	◆ ⁴			◆							◆																		0	
Bait digging	◆	◆	◆	◆	◆ ⁴	◆	◆	◆	◆	◆	◆	◆ ⁴			◆	◆			◆						◆															0	
Barrage/slucice operation	◆			◆	◆			◆							◆												◆	☐	☐	◆	◆									0	
Beach cleaning	SF	SF	SF	SF		SF	SF	SF	SF	SF	SF													◆																0	
Beneficial disposal of dredgings	☐	☐	☐	☐		☐	☐	☐	☐	☐	☐		☐	☐ ³	◆	☐ ³	☐ ⁵	☐ ⁵	☐ ⁵			☐ ⁵	☐ ⁵		☐ ⁵	☐ ⁵														0	
Boat repair/maintenance	☐	☐	☐	☐		☐	☐	☐	☐	☐	☐		☐						◆																					0	
Capital dredging	☐	☐	☐	☐		☐	☐	☐	☐	☐	☐		☐				SF							SF				◆	☐	☐											0
Coastal Development (eg building works, roads etc)	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐					◆					☐																	0
Coastal protection ⁶	SF	SF	SF	SF		SF	SF	SF	SF	SF	SF		SF	☐ ³	◆	☐ ³	☐ ⁵	☐ ⁵	☐ ⁵			☐ ⁵	☐ ⁵	☐ ⁵	☐ ⁵	☐ ⁵		◆	☐	☐	SF	◆								0	
Commercial shipping								◆						SF	◆	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF	SF													0		
Construction/alteration slipways etc	☐	☐	☐	☐		☐	☐	☐	☐	☐	☐	☐	☐	☐ ³	◆	☐ ³	☐ ⁵	☐ ⁵	☐ ⁵			☐ ⁵	☐ ⁵	☐ ⁵	☐ ⁵	☐ ⁵														0	
Disposal of dredge spoil	☐	☐	☐	☐		☐	☐	☐	☐	☐	☐	☐	☐		◆													◆	☐	☐											0
Domestic outfall (operation)															◆													☐	☐	☐											0
Educational field trips					SF		SF		SF	SF		SF			◆		◆		◆					◆		◆														0	
Egg harvesting								◆							◆																									0	
Fishing															◆										◆																0
Flood defence	☐	☐	☐	☐		☐	☐	☐	☐	☐	☐	☐	☐	☐ ³	◆	☐ ³	☐ ⁵	☐ ⁵	☐ ⁵			☐ ⁵	☐ ⁵	☐ ⁵	☐ ⁵	☐ ⁵		◆	☐	☐				SF	◆						0
Foreshore recharge	☐	☐	☐	☐		☐	◆	☐	◆	☐	◆	☐	☐ ³	☐ ³	◆	☐ ³	☐ ⁵	☐ ⁵	☐ ⁵			☐ ⁵	☐ ⁵	☐ ⁵	☐ ⁵	☐ ⁵		◆	☐											0	
Fresh water abstraction																																								0	
Grazing		◆	◆									◆					◆																								0
Holiday camps	☐	☐	☐	☐		☐	☐	☐	☐	☐	☐	☐	☐	☐																											0
Houseboats	☐	☐	☐	☐		☐	☐	☐	☐	☐	☐	☐	☐	☐	◆	◆	SF	☐	◆		◆	◆		SF	☐		◆														0
Industrial outfall (operation)															◆																										0
Land based recreational activities (informal)	◆	◆	◆	◆	SF	◆	SF	◆	SF	SF	◆	SF	◆												◆																0

	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	DfT	Environment Agency ³	English Nature ¹²	Southern Water	Sussex SFC	Southern SFC	Trinity House	No regulatory authority (in certain instances)	
Land reclamation	☒	☒	☒	☒		☒	☒	☒	☒	☒	☒		☒	☒ ⁵		☒ ⁵	☒ ⁵	☒ ⁵									◆	☒	☒	☒	◆							
Maintenance dredging ⁷						☒	☒	☒		☒			☒	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	◆							
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						◆	◆	◆				0	
Outfall maintenance ⁹	◆	◆		◆	SF	◆	◆		◆	◆	◆	SF			◆															☒	☒	◆	◆	◆				
Pipeline construction /alteration ¹⁰	☒	☒	☒	☒		☒		☒	☒	☒	☒		☒	☒ ⁵		☒ 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						◆	◆					0	
Recreation - sailing	SF	SF	SF	SF		SF	SF	SF	SF	SF	SF			SF	SF	SF	SF	SF	SF	SF	◆	◆	SF	SF	SF						◆	◆					0	
Sea water abstraction																														☒	◆						0	
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	SF	SF	0	
Shellfish dredging															◆									◆				☒			◆		SF	☒	SF	SF	0	
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	SF	0	
Slipway cleaning /maintenance	SF	SF	SF	SF		SF	SF	SF	SF	SF	SF				◆			◆	◆					◆						SF	☒	SF	☒				0	
Wildfowling		◆	◆			◆	◆	◆	◆								◆			◆	SF						◆				SF	☒						

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Key to Table 3 – Relevant & Competent Authority Responsibilities

Key

- RA Relevant Authority
CA Competent Authority
 Plan or project (All plans & projects are also statutory functions)
SF Activity that is a statutory function (only those that do not also qualify as a 'plan or project')
◆ Activity over which a Relevant Authority has some control or management (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 Environment Agency.
4. LAs 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 English Nature as the statutory nature conservation advisor.

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Table 4 - Summary of Activity Assessment

Activities & Plans and Projects	Category
Access	★ !
Aggregate dredging	★ ⊗ (P)
Agricultural runoff	★ (P) (i)
Airborne sports	★ ! ⊗
Anchoring	★ !
Angling	★ !
Bait digging	★ ! (i) ¹
Barrage/slucice operation	★ (P) (i)
Beach cleaning	★ (i)
Beneficial disposal of dredging	★ ! (P)
Boat repair/maintenance	★ !
Capital dredging	★ ! (P)
Coast protection	★ (P) (i)
Coastal development	★ (P)
Commercial shipping	★ ! ⊗ (i) ²
Construction/alteration slipways etc	★ (P)
Discharges	★ (P)
Disposal of dredged spoil	★ ! (P)
Educational/scientific study	★ !
Egg harvesting	★ ⊗ (i)
Fishing	★ !
Flood defence	★ (P) (i)
Foreshore recharge	★ ! (P)
Freshwater Abstraction	⊗ (P)
Grazing	★ ⊗ (i)
Holiday camps	★ (P)
Houseboats	★ (P) (i)
Land based recreation	★ !
Land reclamation	⊗ (P)
Maintenance dredging	★ ! (P) ³
MOD aircraft	★ ⊗ (i)
Moorings (new)	★ ! (P)
Moorings (ongoing management)	★ ! (P)
Navigation	★ !

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Activities & Plans and Projects	Category
Oil & Gas exploration	★ (P)
Oil spill & oil spill clean up	★ (i)
Other water sports	★ !
Outfall maintenance/ replacement	★ (P) (i)
Pipeline construction	★ (P)
Recreational boating – power	★ !
Recreational boating – sail	★ !
Sea Water Extraction	★ (P)
Shellfisheries	★ !
Slipway cleaning and maintenance	★ !
Wildfowling	★ (i)

Key

★ Possible risk in parts of the site

! Key Risk Area

(x) Does not occur in parts of the site

(P) Constitutes a Plan or Project

³ There is disagreement between DEFRA and the Ports industry as to the definition of maintenance dredging as a plan or project

(i) Systems in place to manage the activity in line with the Habitats Regulations

¹ A Topic Group has been held which has produced a voluntary code of conduct which helps manage the activity in line with the Habitats Regulations, however this needs to be monitored.

² There is a great deal of legislation in place to manage the activity, however it is also felt that this activity may be a 'key risk area.'

Refer to Appendix 1 and 2 for further information

Management Considerations

The Management Considerations summarises the actions arising from the assessment of current management measures as listed in the inventory in appendix 1. It describes the actions for each activity under the following categories:

- Key Risk Area
- Plan and Project
- Systems in place to ensure the activity is managed in line with the Habitats Regulations.
- Monitoring

Key Risk Area

This includes those activities that have been identified as a key risk to the features of interest.

Table 5 – Key Risk Area

Sector	Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
Access	Land and water access	- LAs monitor visitor numbers at Country Parks and other coastal attractions	Keep a watching brief on the impacts of access in key risk areas ¹	All RA with responsibility for activity	Ongoing
		- Coastal Path Survey	RA to continue to enforce current management measures ²	All RA with responsibility for activity	Ongoing
	Airborne sports	- No known monitoring	Keep a watching brief on the impacts of airborne sports in key risk areas ¹	All RA with responsibility for activity	Ongoing
	Angling	- Statistics available from local angling clubs - NFSA have statistics on the numbers of anglers involved in the activity and in competitions etc.	Keep a watching brief on the impacts of angling in key risk areas ¹	All RA with responsibility for activity	Ongoing

Sector	Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
	Educational/scientific study and research	- Dates/locations/numbers of participants are recorded by some authorities	Keep a watching brief on the impacts of educational and scientific study in key risk areas ¹	All RA with responsibility for activity	Ongoing
	Land-based recreation	- HCC carried out a Recreation study of Hampshire in 1991 - Solent Forum are carrying out a study of recreation in Hampshire in 2004.	Keep a watching brief on the impacts of land-based recreation in key risk areas ¹	All RA with responsibility for activity	Ongoing
			RA to continue to enforce current management measures ² .	All RA with responsibility for activity	Ongoing
Bait Collection		- EN report on bait-collection in the Solent contains current monitoring information.	Voluntary code of conduct leaflet produced and circulated	All RA with responsibility for activity	Ongoing
			Keep a watching brief on the impacts of bait collection in key risk areas ¹	All RA with responsibility for activity	Ongoing
			Monitor success of the code of conduct and review if necessary	All RA with responsibility for activity	Ongoing
Commercial Shipping		- Continual commercial monitoring carried out for port business but some figures are commercially confidential - Ferry movements are monitored by the companies each year - The Medina Estuary Sustainable Use Study is currently underway and will look into commercial and recreational use of the estuary.	Harbour Authorities to continue to enforce current management and safety measures ²	All RA with responsibility for activity	Depends on the outcome of the ports sector meeting
			Keep a watching brief on the impacts of commercial shipping in key risk areas ¹	All RA with responsibility for activity	Ongoing

Sector	Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
Dredging	Disposal (including beneficial & foreshore recharge) capital & maintenance dredging	<ul style="list-style-type: none"> - Marinas and yards undertake their own hydrographic surveys to ascertain the levels of siltation and deposition of sediments. - Monitoring of the impact of the activity is usually made a condition of the consents (Appropriate assessments and Environmental Impact Assessments) if there is concern over the impacts. - Harbour Authorities carry out regular monitoring of the navigable depths of the rivers as part of their statutory function - Portsmouth, Yar, Lymington, the Medina and Hamble Estuary are writing sustainable dredging strategies which will enhance the understanding of the affects of maintenance dredging 	Wait for further guidance before determining whether any further assessment is required in relation to dredging issues.	All RA with responsibility for activity	Dependent on protocol
Fishing	Fishing	<ul style="list-style-type: none"> - DEFRA collate information on fish landings - SFC monitor fishing activity. 	Keep a watching brief on the impacts of fishing in key risk areas ¹	All RA with responsibility for activity	Ongoing
			RA to continue to enforce current management measures ² .	All RA with responsibility for activity	Ongoing

Sector	Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
	Shellfisheries	<ul style="list-style-type: none"> - CEFAS carry out monitoring with respect to Fish Hygiene and stock survey in the Solent - Sea Fisheries Committees compile information on fisheries within their district and hold information on inspections. Committee's also record information on the recorded position of observed fishing activity. Where appropriate Committees will also instigate targeted research projects. 	Keep a watching brief on the impacts of shellfisheries in key risk areas ¹	All RA with responsibility for activity	Ongoing
			RA to continue to enforce current management measures ² .	All RA with responsibility for activity	Ongoing
Water Based Recreation	Anchoring	<ul style="list-style-type: none"> - Monitoring of activity is undertaken for general safety reasons. 	Keep a watching brief on the impacts of anchoring in key risk areas ¹	All RA with responsibility for activity	Ongoing
			RA to continue to enforce current management measures ² .	All RA with responsibility for activity	Ongoing
	Boat repair and maintenance	<ul style="list-style-type: none"> - Monitoring/research of the activity by UK CEED on the Hamble River 	Keep a watching brief on the impacts of boat repair and maintenance in key risk areas ¹	All RA with responsibility for activity	Ongoing
			The EA are in the process of considering setting up a research project in order to monitor the effects of wash down facilities in order to determine the percentage contribution to the background levels of both copper and also Irgarol within the Solent.	EA	Dependent on Funding

Sector	Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
	Moorings (new)	- N/A	Keep a watching brief on the impacts of new moorings in key risk areas ¹	All RA with responsibility for activity	Ongoing
	Moorings (ongoing management)	<ul style="list-style-type: none"> - HAs have figures on the total number of moorings within their areas of jurisdiction - The condition of each mooring is monitored regularly to enable maintenance to take place at appropriate times 	Keep a watching brief on the impacts of new moorings in key risk areas ¹	All RA with responsibility for activity	Ongoing
			Harbour Authorities to continue to enforce current management measures ²	All RA with responsibility for activity	Ongoing
	Navigation	<ul style="list-style-type: none"> - Daily log and reports are kept by some HAs. - Marine risk assessments are carried out by HAs - Navigational markers and channel depth surveyed and monitored by the Harbour Authority and Trinity House as appropriate. 	Keep a watching brief on the impacts of new moorings in key risk areas ¹	All RA with responsibility for activity	Ongoing
			Harbour Authorities to continue enforcement of existing speed limits for boats ²	All RA with responsibility for activity	Ongoing
	Other water sports	- Daily log and incident records are kept by HAs	Keep a watching brief on the impacts of other water sports in key risk areas ¹	All RA with responsibility for activity	Ongoing
			RA to continue to enforce current management measures ² .	All RA with responsibility for activity	Ongoing
	Recreational boating (power)	- Daily log and incident records are made and kept by HAs.	Keep a watching brief on the impacts of recreational power boating in key risk areas ¹	All RA with responsibility for activity	Ongoing

Sector	Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
		<ul style="list-style-type: none"> - The Medina Estuary Sustainable Use Study is currently underway and will look into commercial and recreational use of the estuary. - Vessel movement surveys and vessel owner surveys can be carried out. 	RA to continue to enforce current management measures such as existing speed limits ² .	All RA with responsibility for activity	Ongoing
	Recreational boating (sail)	<ul style="list-style-type: none"> - Daily log and incident records are made and kept by HAs - The Medina Estuary Sustainable Use Study is currently underway and will look into commercial and recreational use of the estuary. - Vessel movement surveys and vessel owner surveys can be carried out. 	Keep a watching brief on the impacts of recreational sailing in key risk areas ¹	All RA with responsibility for activity	Ongoing
		<ul style="list-style-type: none"> - The Medina Estuary Sustainable Use Study is currently underway and will look into commercial and recreational use of the estuary. - Vessel movement surveys and vessel owner surveys can be carried out. 	RA to continue to enforce current management measures such as existing speed limits ² .	All RA with responsibility for activity	Ongoing
	Slipway cleaning and maintenance	<ul style="list-style-type: none"> - Routine maintenance regimes monitor the condition of the slipways 	Keep a watching brief on the impacts of slipway cleaning and maintenance in key risk areas ¹	All RA with responsibility for activity	Ongoing

Key

¹ See appendix 2 for further detail on key areas at risk from the activity.

² This could include enforcement of byelaws and implementation of policies; however these measures may be amended in the light of new information or changes in the activities being managed. Further information on current management measures is listed in the activity inventories for each cluster and a list of relevant plans and reports is listed in an annex to Appendix 1.

Plans and Projects

Specific procedures are in place through the Habitats Regulations for considering the impact of new plans and projects on European marine sites. The purpose of including plans and projects here is to show that all types of human use have been considered in the management scheme by the Management Group. The following types of human use have therefore been categorised as ‘plans and projects’ and are listed here for completeness.

Table 6 – Plans and Projects

Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
Aggregate Dredging	- No known monitoring	- ensure that any proposals for aggregate extraction are properly assessed by the appropriate competent authorities, addressing the potential impacts of both the dredging and associated shipping movements	All RAs and CAs with responsibility for activity	Ongoing
Coastal Development	- LA planning	- ensure that any strategies, initiatives, project and plans are developed and implemented in accordance with the requirements of the Habitats Regulations.	All RAs and CAs with responsibility for activity	Ongoing
		- ensure that the Habitats Regulations are taken fully into account in the preparation of development plans and the assessment of planning applications.	All RAs and CAs with responsibility for activity	Ongoing
Construction/alteration of slipways	- No known monitoring	- ensure that any proposals for new slipways are properly assessed by the appropriate competent authorities, addressing the potential impacts on the features of interest.	All RAs and CAs with responsibility for activity	Ongoing
Discharges (Industrial and Domestic)	- Point sources are mapped of by the EA	- ensure that any proposals for new discharge consent are properly assessed by the appropriate competent authorities.	All RAs and CAs with responsibility for activity	Ongoing

Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
	- EA review of consents	- Ensure that the EA review all current discharge consents with regard to the requirements of the Habitats Regulations.	All RAs and CAs with responsibility for activity	Ongoing
Freshwater abstraction	- EA review consents	- Ensure that any new fresh water abstraction proposals are properly assessed by the appropriate competent authorities.	All RAs and CAs with responsibility for activity	Ongoing
Holiday camps	- No known monitoring	- Ensure that any proposals for new holiday camps are properly assessed by the appropriate competent authorities, addressing the potential impacts on the features of interest.	All RAs and CAs with responsibility for activity	Ongoing
Houseboats	- No known monitoring	- Review any future applications for houseboats in view of the requirements of the Habitats Regulations.	All RAs and CAs with responsibility for activity	Ongoing
Land reclamation	- No known monitoring	- Ensure that any proposals for land reclamation are properly assessed by the appropriate competent authorities, addressing the potential impacts on the features.	All RAs and CAs with responsibility for activity	Ongoing
MOD and other Aircraft	- No known monitoring	- Ensure that the airspace needs of all users are met as equitably as possible and that there is no disturbance to the SEMS	All RAs and CAs with responsibility for activity	Ongoing
Oil and gas exploration	- Does not currently occur	- In the absence of any particular issue at present, there is simply a need to keep a watching brief on future proposals.	All RAs and CAs with responsibility for activity	Ongoing
Pipeline construction	- EA review of consents	- Ensure that any proposals for pipeline construction are properly assessed by the appropriate competent authorities, addressing the potential impacts on the features of interest.	All RAs and CAs with responsibility for activity	Ongoing

Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
Sea water abstraction	- EA review of consents	- Ensure that any new sea water abstraction proposals are properly assessed by the CAs	All RAs and CAs with responsibility for activity	Ongoing

Systems in place to ensure that the activity is managed in line with the Habitats Regulations

This outlines activities that are being managed sustainably or where activities are beneficial to the conservation of the site.

Table 7 - Activities with Systems in place to ensure they are managed in line with the Habitats Regulations

Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
Agricultural run-off	<ul style="list-style-type: none"> - EA has statutory responsibility to monitor water quality in the rivers and streams entering the SEMS, through chemical and biological sampling programmes. This routine sampling programme allows the general water quality to be categorised and use-related targets to be assessed. 	<ul style="list-style-type: none"> - Ensure that EA and EN take account of the requirements of the Habitats Regulations when reviewing consents. 	EA & EN	Ongoing
Barrage/sludge operation	<ul style="list-style-type: none"> - EA monitor water levels - Bill of Quantities outlines activities occurring. These activities are currently being reviewed under the Environment Agency's review of consents program. - WLMPs may provide information on the operation regime for the sluice or barrage. 	<ul style="list-style-type: none"> - All RAs to ensure that they take into account the requirements of the Habitats Regulation in the operation of any barrage/sludges within their control 	All RAs and CAs with responsibility for activity	Ongoing
Beach cleaning	<ul style="list-style-type: none"> - LAs let contracts for beach cleaning in some parts of the site and records are kept - MCAs beach clean records litter on certain beaches - Other voluntary groups carry out litter collections 	<ul style="list-style-type: none"> - Ensure that LAs carry out beach cleaning activities with due regard to the requirements of the Habitats Directive. 	Local authorities	Ongoing

Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
Coastal Protection	<ul style="list-style-type: none"> - Bi-annual inspection by regulating authorities - Aspects of SMPs and coastal strategies incorporate monitoring of coastal protection - Coastal Habitat Management Plans (CHaMPs) and SCOPAC 	<ul style="list-style-type: none"> - Ensure that any proposals for coastal protection and maintenance are properly assessed by the appropriate competent authorities, addressing the potential impacts on the features of interest. 	All RAs and CAs with responsibility for activity	Ongoing
		<ul style="list-style-type: none"> - Ensure that the next round of SMPs take full account of the requirements of the Habitats Regulations. 	All RAs and CAs with responsibility for activity	Ongoing
Egg Harvesting	<ul style="list-style-type: none"> - Egg collectors keep records which they have to send to DEFRA as a condition of their license. - English Nature has placed a bid for the funding of PhD to look into the impacts, however, this is not yet committed 	<ul style="list-style-type: none"> - Ensure that any proposals for new licenses are properly assessed by the appropriate competent authorities, addressing the potential impacts on the features of interests. 	All RAs and CAs with responsibility for activity	Ongoing
Flood Defence	<ul style="list-style-type: none"> - Bill of Quantities outlines activities occurring. These activities are currently being reviewed under the Environment Agency's review of consents program. - The Environment Agency carries out aerial monitoring of all the flood defence structures using LIDAR and Photogrametric methods. 	<ul style="list-style-type: none"> - Ensure that any proposals for flood defence and maintenance are properly assessed by the appropriate competent authorities, addressing the potential impacts on the features of interest. 	All RAs and CAs with responsibility for activity	Ongoing

Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
	<p>using LIDAR and Photogrametric methods. This is known as the strategic coastal monitoring program.</p> <ul style="list-style-type: none"> - National Flood and Coastal Defence Database - The development of the National Flood and Coastal Defence Database (NFCDD) is a requirement under the DEFRA High Level Targets for flood and coastal defence operating authorities. - The Environment Agency and DEFRA operate a joint R&D programme in Flood and Coastal Defence aimed at providing the research user with new information and innovative tools and techniques. - The impact of the activity is carried out using Strategic Coastal Monitoring in association with SCOPAC 	<ul style="list-style-type: none"> - Ensure that the next round of SMPs take full account of the requirements of the Habitats Regulations. 	All RAs and CAs with responsibility for activity	Ongoing
Grazing	<ul style="list-style-type: none"> - No known monitoring 	<ul style="list-style-type: none"> - Ensure that ENs SSSI consenting procedure and Site Management Statements take into account the possible impacts of grazing. 	EA & EN	Ongoing
Oil spill and oil spill clean-up	<ul style="list-style-type: none"> - LA site staff monitor and report oil inshore or onshore - Emergency events will be closely monitored by the OPRC via established procedures. 	<ul style="list-style-type: none"> - EN to provide relevant information about site features to the Standing Environment Group (SEG) to ensure that the contingency plans take into account the Habitats Regulations. 	EN & Standing Environment Group	Ongoing at relevant meetings through Reg 33 Advice

Activity	Current Activity Monitoring	Management Considerations	Responsibility	Timescale
		<ul style="list-style-type: none"> - MCA project to update the Atlas of Nature Conservation Sites in Great Britain Sensitive to Coastal Pollution with information about EMS. 	MCA	In progress, due for completion Dec 2004
Outfall maintenance and replacement	<ul style="list-style-type: none"> - No known monitoring 	<ul style="list-style-type: none"> - Ensure that outfall maintenance and construction takes into account the requirements of the Habitats Regulations. 	All RAs and CAs with responsibility for activity	Ongoing
Wildfowling	<ul style="list-style-type: none"> - Monitoring takes place by local clubs such as bag counts and returns, number of shots fired and number of members in the club. 	<ul style="list-style-type: none"> - Ensure that any future licences for wildfowling are properly assessed by the appropriate competent authorities, addressing the potential impacts on the features 	All RAs and CAs with responsibility for activity	Ongoing

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Monitoring

The favourable condition table is the principle source of information that English Nature will use to assess the condition of an interest feature and as such comprises indicators of condition. Assessment as to whether individual interest features are in favourable condition will be made against these targets, in some instances the targets are based on existing conditions which may need to be established through baseline surveys. The favourable condition tables are available in English Natures Regulation 33 Advice for SEMS which is included in the CD Rom.

Table 8 – English Nature’s Condition Monitoring Programme

Features of Interest	Monitoring	Timetable
General	Solent SPA literature review. Basis for understanding future monitoring requirements	End 2006
Estuaries	Water quality data from National Marine Monitoring Programme – arrangements for data transfer required through management scheme	
Annual vegetation of drift lines	Survey of Solent strandline vegetation – a report to Hampshire County Council	Report presented Feb 2001.
	Flood defence work in relation to shingle banks. Various investigations carried out by local operating authorities.	Ongoing
Atlantic salt meadows	Complete CASI/LIDAR survey of intertidal habitats within SEMS. This data will directly contribute to all ‘extent’ attributes in the Solent EMS. Study being undertaken by the National Centre for Environmental Data Surveillance (NCED) and co-ordinated by EN local team and EA.	Completion end of 2005
	South East strategic regional monitoring scoping study. EN are currently investigating possibilities of obtaining monitoring data from the SE strategic monitoring programme. The programme is driven by the shoreline management plan and is focussed towards physical variables.	Ongoing
<i>Salicornia</i> and other annuals colonising mud and sand	Complete CASI/LIDAR survey of intertidal habitats within SEMS. This data will directly contribute to all ‘extent’ attributes in the Solent EMS. Study being undertaken by the National Centre for Environmental Data Surveillance (NCED) and co-	Completion end of 2005

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Features of Interest	Monitoring	Timetable
	ordinated by EN local team and EA.	
Cordgrass swards	Complete CASI/LIDAR survey of intertidal habitats within SEMS. This data will directly contribute to all 'extent' attributes in the Solent EMS. Study being undertaken by the National Centre for Environmental Data Surveillance (NCED) and co-ordinated by EN local team and EA.	Completion end of 2005
Intertidal mudflats and sandflats	Complete CASI/LIDAR survey of intertidal habitats within SEMS. This data will directly contribute to all 'extent' attributes in the Solent EMS. Study being undertaken by the National Centre for Environmental Data Surveillance (NCED) and co-ordinated by EN local team and EA.	Completion end of 2005
	Solent EMS (SPA) prey availability study. Focused mainly at SPA monitoring, but will also aid intertidal biotope descriptions for SAC area.	
Sandbanks which are slightly covered by seawater all the time		
Intertidal reefs (Solent and Southampton Water Ramsar)	Bembridge ledges intertidal survey – a phase II biotope survey from Bembridge Point to Whitecliff Bay to provide a baseline of 'extent' for intertidal reef features.	

Implementation

Introduction

The aim of the management scheme is to ensure that activities are managed sustainably. The above process has already started to do this by categorising activities as being managed through Regulation 48 or activities that are managed by an existing mechanism that ensures there is no impact on the features of interest.

The management scheme can be seen as a fluid process and the management considerations will be ongoing beyond the production of the management scheme and these may therefore require co-ordination. In these circumstances, it may be that an organised implementation structure to enable all the Relevant Authorities to report collectively and exercise their functions under the scheme, would be a beneficial and cost-effective approach.

The process undertaken by SEMS has helped considerably in raising Relevant Authority awareness of their responsibilities in relation to the Habitats Regulations. There may now be a need to maintain the momentum into an implementation phase to ensure actions are undertaken.

Now the management scheme is complete the existing structure which has been used to guide the production of the report i.e. the Management Group, Strategic Advisory Group, Cluster Groups and Project Officer may be unnecessary in its current format. The implementation of the scheme represents a new phase in the process which needs a structure to suit its particular requirements.

Implementation Requirements

There are 2 areas of work that are required for implementation of SEMS:

- **Compliance with the Habitats Regulations**

As a minimum all Relevant Authorities are required to comply with the Habitats Regulations. This is the responsibility of each individual Relevant Authority and there is no joint responsibility. Each Relevant Authority is responsible for ensuring that this is achieved. There are no additional costs associated with this as it will form part of the Relevant Authorities day to day responsibilities.

- **Secretariat for SEMS**

A secretariat for SEMS will provide a central contact point and co-ordination for the implementation of the Management Scheme.

As a minimum a secretariat will be required to carry out the following functions:

- Secretary for the Management Group i.e. co-ordinate meetings and prepare agendas, papers and minutes as and when required.
- Secretary for a new Strategic Stakeholder Group i.e. co-ordinate meetings and prepare agendas, papers and minutes as and when required.
- Contact point for general enquiries regarding SEMS matters.
- Website hosting and management.
- Co-ordinate the review of the key principles after 2-3 years
- Co-ordinate the review of management scheme after first reporting period (5 years after production).

Other groups may also be required i.e.

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- Cluster groups.
- Topic groups which could co-ordinate and/or implement possible future Solent-wide actions such as codes of conduct, interpretation/educational material, research etc.
- Sector Groups

If these groups are required they could be initiated by the secretariat, however they would have to be co-ordinated and resourced from within the group.

There are administration costs associated with a secretariat. It is anticipated that the above would take 2 days per month. An approx cost within Hampshire County Council for someone at the appropriate scale to undertake this work would be £3552 per annum for 2 days a month. The members of the Management Group will provide ongoing funding towards this cost at an average of £150 each per annum.

It is agreed that the Management Group will contract the role of a secretariat to the Solent Forum, however at time of printing this had yet to be formally agreed by the Solent Forum Steering Group. The exact work programme would be determined by the Management Group and incorporated in the assistant project officers job description once it is agreed by the Solent Forum Steering Group. In terms of responsibilities, the assistant project officer would answer to the SEMS Management Group for SEMS related work. It is important to note that the relationship between SEMS and the Solent Forum will be that the Solent Forum will host the secretariat, however the Solent Forum can not inform Relevant Authorities how to implement the management scheme.

This option has the advantage of maintaining the network and momentum at minimum cost and also helps prevent duplication of effort. SEMS will retain independence, recognising its statutory function but also benefit from the existence of the Solent Forum, its relationships with other related initiatives and the experience and knowledge of its members.

Glossary of Terms

Abrasion	The process of scraping or wearing down by friction
Activity	Something that does not qualify as a 'plan or project' i.e. it is a RAs statutory function, Relevant Authority has some control/management of the activity (includes bye-laws) or something that is carried out on the site without any control or management
Advisory Group	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.
Biodiversity Action Plan (BAP)	BAPS have been developed which set priorities for nationally important and locally important habitats and wildlife, they include Species Action Plans, Habitat Action Plans and Local Biodiversity Action Plans.
Cluster Groups	For logistical reasons the Management Group have identified five clusters within the SEMS i.e. Chichester & Langstone Harbour, Portsmouth harbour, Southampton Water, North West Solent and North Coast of the Isle of Wight.
Competent Authority	Any minister, government department, public or statutory undertaker, public body or person holding a public office that exercises legislative powers.
Compliance monitoring	Monitoring to determine whether the management measures agreed for particular designated sites are in place and operating. (A statement on common standards monitoring. 1998. Joint Nature Conservation Committee. Peterborough).
Condition monitoring	Monitoring to determine the conservation status of interest features on statutory sites and to determine whether the conservation objectives for a particular site are being met. (A statement on common standards monitoring. 1998. Joint Nature Conservation Committee. Peterborough).

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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.
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.
FEPA	Food and Environment Protection Act 1990
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.

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Management Group (MG)	The body of Relevant Authorities formed to manage the European marine site.
Management Scheme (MS)	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.
Monitoring	Surveillance undertaken to ensure that formulated standards are being maintained. The term is also applied to compliance monitoring against accepted standards to ensure that agreed or required measures are being followed. (A statement on common standards monitoring. 1998. Joint Nature Conservation Committee. Peterborough).
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.
Natural Change	Changes in the condition of features that result wholly from natural causes.
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 application for consents, authorisation, licences or permissions.
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.)
Relevant Authority (RA)	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.

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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.
Solent European Marine Sites (SEMS)	Within the Solent and Southampton Water there is a candidate maritime Special Area of Conservation (SAC), 3 classified (i.e. designated) Special Protection Areas and 3 Ramsar sites which have become known collectively as the Solent European Marine Sites (SEMS).
Strategic Advisory Group (SAG)	The body of representatives from local interests, user groups and conservation groups, formed to advise the management group.
Sub-feature	An ecologically important sub-division of an interest features.
Surveillance	A continued programme of (biological) surveys systematically undertaken to provide a series of observations in time. (A statement on common standards monitoring. 1998. Joint Nature Conservation Committee. Peterborough).
Vulnerability	The exposure of a habitat, community or individual of a species to an external factor to which it is sensitive.
Watching brief	A watching brief may include the following: keeping an eye on the activity, continuation of current monitoring measures or new detailed surveillance and monitoring of the activity and its impact. It will be up to each RA to determine which level is necessary given current resources.

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References

ABP Research 1999. Good practice guidelines for ports and harbours operating within or near UK European marine sites. English Nature, (UK Marine SACs Project).

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, CCW, EHS (DoE(NI)), JNCC & SAMS (2001). Guidelines for Developing Conservation Objectives for Marine SACs - Learning from the UK Marine SACs Project 1996-2001. Peterborough, English Nature.

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.

Essex Estuaries Initiative. No date. Essex Estuaries European Marine Site.

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

Flamborough Head European Marine Sites Management Scheme, December 2000.

Fortune, F. & Quigley, M. No date. Managing the Berwickshire and North Northumberland Coast European Marine Site.

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).

Solent European Marine Sites

Fowler, S. L., (March 2003). Coastal Habitats Action Plan. Hampshire Biodiversity Partnership.

Gubbay, S. & Knapman, P.A. 1999. A review of the effects of fishing within UK European marine sites. English Nature (UK Marine SACs Project).

Morecambe Bay European Marine Site. 2 April 2001. Management Scheme.

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.

Thyme Consultants Ltd. April 2002. A draft Joint Response from Solent Wildfowlers Forum to SEMS Foundation Document and Stage 2 Report.

UK CEED 2000. A review of the effects of recreational interactions within UK European marine sites. Countryside Council for Wales (UK Marine SACs Project)