



Marine
Management
Organisation

Record of Likely Significant Effect

Regulation 61 of the Conservation of Habitats and Species Regulations 2010, Statutory Instrument 2010/490

Title: Lymington (Works) Harbour Revision Order

Applicant: Lymington Harbour Commissioners
Reference No: DC9798
Address of applicant: Lymington Harbour Commissioners,
Harbour Office,
Bath Road,
Lymington,
SO41 3SE

Date: 06 December 2013

Location

The proposed works are located in Lymington Harbour.

European marine sites (EMS) and Ramsar in vicinity of proposed works

The following EMS are located in the vicinity of the proposed works:

- Solent Maritime SAC
- Solent and Southampton Water SPA
- Solent and Southampton Water Ramsar

Further information regarding these sites and their protected features can be found at:

- <http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030059>
- <http://jncc.defra.gov.uk/pdf/SPA/UK9011061.pdf>
- <http://jncc.defra.gov.uk/pdf/RIS/UK11063.pdf>

The conservation objectives of Solent Maritime SAC are:

Conservation Objective 1 - Annual vegetation of drift lines

Subject to natural change, maintain the annual vegetation of drift lines in favourable condition.

Conservation Objective 2 - Atlantic salt meadows (*Glauco-Puccinellietalia*)

Subject to natural change, maintain the Atlantic salt meadows (*Glauco-Puccinellietalia*) in favourable condition, in particular:

- Low marsh communities
- Mid marsh communities
- Upper marsh communities
- Transitional high marsh communities

Conservation Objective 3 – *Salicornia* and other annuals colonising mud and sand

Subject to natural change, maintain the *Salicornia* and other annuals colonising mud and sand in favourable condition, in particular:

- Small cordgrass communities
- Smooth cordgrass communities
- Townsend's cordgrass communities

Conservation Objectives 4 - Mudflats and sand flats not covered by water at low tide

Subject to natural change, maintain the mudflats and sandflats not covered by water at low tide in favourable condition, in particular:

- Intertidal mud communities
- Intertidal Muddy sand communities
- Intertidal sand communities
- Intertidal mixed sediment communities

The conservation objectives of Solent and Southampton Water SPA are:

Conservation Objective 1 – Annex 1 Species

Subject to natural change, maintain in favourable condition the habitats for the internationally important populations of the regularly occurring Annex 1 species in particular:

- Sand and shingle
- Saltmarsh
- Intertidal mudflats and sandflats
- Shallow coastal waters

Conservation Objective 2 – **Migratory Species**

Subject to natural change, maintain in favourable condition the habitats for the internationally important populations of the regularly occurring migratory species, in particular:

- Saltmarsh
- Intertidal mudflats and sandflats
- Boulder and cobble shores
- Mixed sediment shores

Conservation Objective 3 – **Waterfowl**

Subject to natural change, maintain in favourable condition the habitats for the internationally important assemblage of waterfowl, in particular:

- Saltmarsh
- Intertidal mudflats and sandflats
- Boulder and cobble shores
- Mixed sediment shores

The conservation objectives of Solent and Southampton Water Ramsar are:

Conservation Objective 1 – **Criterion 1a**

Subject to natural change, maintain the internationally important wetland characteristics of the Atlantic biogeographical region in favourable condition, in particular:

- Estuaries
- Saline lagoons
- Saltmarsh
- Intertidal reefs

Conservation Objective 2 – **Criterion 2a**

Subject to natural change, maintain the wetland hosting an assemblage of rare, vulnerable or endangered species in favourable condition, in particular:

- Saline lagoons
- Saltmarsh
- Cordgrass swards

Conservation objective 2 – **Criterion 3a**

Subject to natural change, maintain the wetland regularly supporting 20,000 waterfowl species in favourable condition, in particular:

- Saltmarsh

- Intertidal mudflats and sandflats
- Boulder and cobble shores
- Mixed sediment shores

Is the proposal directly connected with or necessary to the management of the site for nature conservation?

No

Is the proposal likely to have a significant effect 'alone and/or in combination' on a European or Ramsar site?

No. It is noted that the Marine and Fisheries (MFA) concluded that there would be a likely significant effect when they considered an application for a Food and Protection Act licence from the Applicant in respect of phase 1 of the project in 200x.

The MFA went on to undertake an appropriate assessment (AA). The AA concluded that the project would not adversely affect the integrity of the site when considered in the context of natural trends and the proposed mitigation. The proposed mitigation consisted of a saltmarsh recharge in a protected area of the harbour using maintenance dredge material. The mitigation is now in place.

In response to the MMO's consultation in respect the application made under section 14 of the Harbours Act 1964, and with sight of the above information and updated material, Natural England (NE) advised that in their view, either alone or in combination with other plans or projects, would not be likely to have a significant effect on a EMS.

In conclusion I am satisfied and in agreement with the advice of NE that the proposal either alone or in combination with other plans or projects, would not be likely to have a significant effect on a EMS.