

North East Lincolnshire Council

Local Flood Risk Management Strategy

Habitats Regulations Assessment

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1 Introduction

1.1 Context and Legislation

1.1.1 North East Lincolnshire Council is producing the Local Flood Risk Management Strategy (known as the Local Strategy) as required by section 9 of the Flood and Water Management Act 2010.

1.1.2 Article 6(3) of the EC Habitats Directive requires that any plan (such as the Local Flood Risk Management Strategy) which is not directly connected with or necessary to the management of a European site, but would be likely to have a significant effect on such a site, either individually or in combination with other plans or projects, shall be subject to an 'appropriate assessment'. This is to assess the implications for the European site in view of its conservation objectives. Only then can the Local Strategy be adopted by the council having found that it will not adversely affect the integrity of the site.

1.1.3 The Directive has been transposed into UK law by the Conservation of Habitats and Species Regulations (Habitats Regulations 2010) with Regulation 61 providing this requirement:

61. (1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site,

must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

1.1.4 European sites are also referred to as Natura 2000 sites and consist of Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Offshore Marine Sites (OMSs). In the UK sites designated under the Ramsar Convention 1976 have the same level of protection as the SACs and SPAs even though they are not formally classed as European sites.

1.1.5 There are European sites located around the Humber Estuary within and immediately surrounding the North East Lincolnshire Council boundary. Therefore the likely significant effects of the Local Strategy will need to be assessed. In their response to the Scoping Report for the Strategic Environmental Assessment (SEA) Natural England also advised that a Habitats Regulations Assessment (HRA) would be required.

1.1.6 This HRA was undertaken on draft v3 of the Local Strategy after the public consultation exercise. Draft v4 was therefore produced using feedback from the public consultation, this HRA and also the SEA.

1.1.7 The following sources of guidance have been used in creating this report:

- European Commission (2001) – Assessment of plans and projects significantly affecting Natura 2000 sites.
- Department for Communities and Local Government (2006) - Planning for the protection of European sites: appropriate assessment.
- Scottish Natural Heritage (2012) – Habitats Regulations Appraisal of Plans.

1.1.8 To undertake this HRA the following information was used:

- Conservation Objectives for both European sites (SPA and SAC) – Natural England.
- Citations for the Humber Estuary SPA and SAC – Natural England
- Joint Nature Conservation Committee (JNCC) website for information on Saltfleetby-Theddlethorpe Dunes and Gibraltar Point.
- Natural 2000 Standard Data Form for Saltfleetby-Theddlethorpe Dunes and Gibraltar Point – JNCC.

2 Method

2.1.1 The guidance produced by the European Commission outlines a 4 stage methodology for carrying out the HRA:

- 1) **Screening** – examines the likely significant effects of a project or plan, either alone or in combination and considers whether it can objectively be concluded that these effects will not be significant. Information on the sites and the plan is required.
- 2) **Appropriate assessment** – the impact of the project or plan (either alone or in combination with other projects or plans) on the integrity of the site is considered with respect to the conservation objectives of the site and to its structure and function.
- 3) **Assessment of alternative solutions** – examine alternative ways of implementing the project or plan that, where possible, avoid any adverse impacts on the integrity of the site.
- 4) **Assessment where no alternatives exist and where adverse impacts remain** – if there are no alternative measures are there imperative reasons of overriding public interest (IROPI)? If IROPI exist an assessment of whether compensatory measures will or will not offset the damage will be necessary before the project can proceed.

2.1.2 These stages are collectively referred to as an appropriate assessment which is not to be confused with the term ‘appropriate assessment’ referred to in Step 2. It simply means an assessment that is appropriate to its purpose under the Habitats Regulations which do not specify how the stages should be undertaken.

2.1.3 The precautionary principle is embedded throughout the Habitats Regulations and requires that the conservation objectives for a European site should prevail where there is uncertainty. Full scientific certainty shall not be used as a reason for postponing measures to prevent environmental degradation.

2.1.4 For a strategic plan such as the Local Strategy it is recognised that in the absence of detailed proposals that will follow the adoption of the plan the actual effects of implementing them can be uncertain. Projects which do come out of the Local Strategy will be subject to detailed assessment for their effects on European sites as well as complying with other relevant statutory requirements to ensure they enhance the environment in the borough (see section 6 of the Local Strategy).

3 Identification of the European Sites

3.1.1 Two European sites have been identified as being within 10km of the North East Lincolnshire Council boundary. They are shown in Maps 3.1 and 3.2:

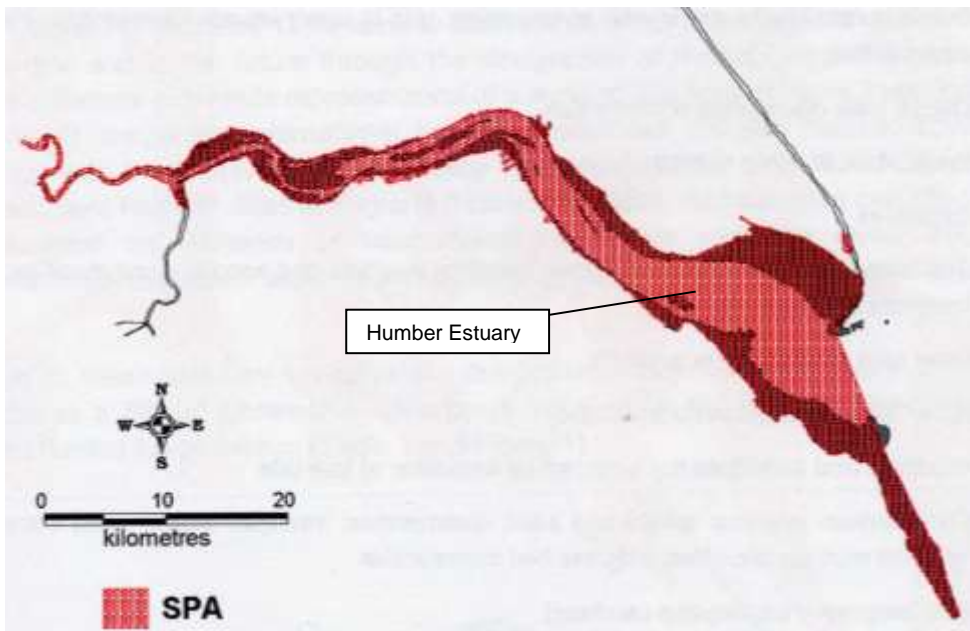
- The Humber Estuary SAC, SPA and Ramsar site.
- Saltfleetby-Theddlethorpe Dunes and Gibraltar Point SAC.

3.2 The Humber Estuary

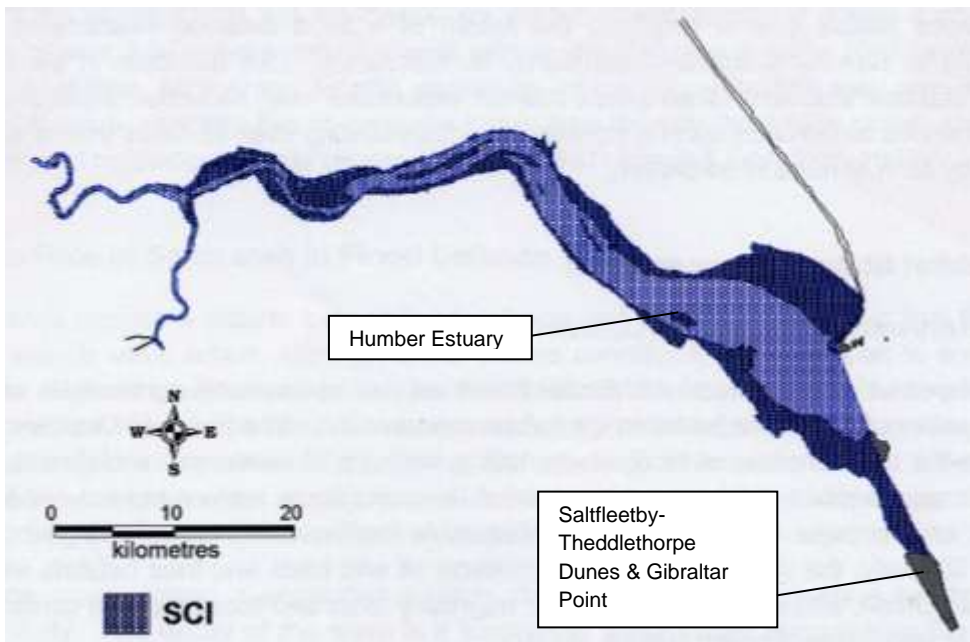
3.2.1 The Humber Estuary is the largest coastal plain estuary on the east coast of Britain. It is a muddy, macro-tidal estuary, fed by a number of rivers including the Rivers Ouse, Trent and Hull. There are high suspended sediment concentrations which are sourced from marine sediments and eroding boulder clay from the Holderness coast. The mud and sand flats support a range of benthic communities, which are an important feeding resource for birds and fish. In the outer/open coast areas there are wave-exposed sandy shores. Moving up the Humber these change to more moderately exposed sandy shores and then sheltered muddy shores.

3.3 Saltfleetby-Theddlethorpe Dunes and Gibraltar Point

3.3.1 The Saltfleetby-Theddlethorpe dunes stretch for 8km along the north east coast of Lincolnshire. The sand dunes first began to form in the thirteenth century in a process that continues to this day creating new shingle ridges, dunes and saltmarsh. Freshwater marshes have been created by rain water falling between the dune ridges. The sand, mud and saltmarsh provide food and refuge for many birds over winter.



Map 3.1. Location of Special Protection Areas.



Map 3.2. Location of Special Areas of Conservation.

4 Screening

4.1 Introduction

4.1.1 Screening is Stage 1 in the guidance produced by the European Commission to examine the likely effects of a project or plan, either alone or in combination with other projects or plans, on the European sites and whether these can objectively be concluded as not significant. There are four steps to follow as described in the following sections.

4.2 Step 1 – Management of the Site

4.2.1 Reference needs to be made to the conservation objectives for the European sites and designations so that these can be referred to later in the screening process.

The Humber Estuary

4.2.2 SAC Conservation objectives:

- Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.

4.2.3 Subject to natural change, to maintain or restore:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species;
- The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species;
- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely;
- The populations of qualifying species;
- The distribution of qualifying species within the site.

4.2.4 SPA Conservation objectives

- Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

4.2.5 Subject to natural change, to maintain or restore:

- The extent and distribution of the habitats of the qualifying features;
- The structure and function of the habitats of the qualifying features;

-
- The supporting processes on which the habitats of the qualifying features rely;
 - The populations of the qualifying features;
 - The distribution of the qualifying features within the site.

Saltfleetby-Theddlethorpe Dunes & Gibraltar Point

4.2.6 SAC Conservation objectives:

- Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.

4.2.7 Subject to natural change, to maintain or restore:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species;
- The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species;
- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely;
- The populations of qualifying species;
- The distribution of qualifying species within the site.

4.3 Step 2 – Description of the Project or Plan

4.3.1 North East Lincolnshire Council is preparing the Local Flood Risk Management Strategy under section 9 of the Flood and Water Management Act 2010.

4.3.2 The Act requires the strategy to contain the following information:

- The Risk Management Authorities (RMAs) operating in the borough.
- The flood and coastal erosion risk management functions that these authorities have.
- The objectives for managing local flood risk.
- The measures proposed to achieve these objectives.
- How and when the measures are expected to be implemented.
- The costs and benefits of the measures and how they are to be paid for.
- An assessment of local flood risk.
- How and when the strategy is to be reviewed.
- How the strategy contributes to the achievement of wider environmental objectives.

4.3.3 The Local Flood Risk Management Strategy is a high level strategic document which sets the direction of how flood risk will be managed across the whole borough of North East Lincolnshire. The following Objectives have been identified for this purpose:

- 1) All stakeholders (including members of the public) will have an improved understanding of their responsibilities for flood risk management
- 2) Improve our understanding of local flood risk
- 3) Reduce the risks to those most vulnerable to local flooding
- 4) Increase the amount of flood risk management work undertaken, ensuring there is a contribution to wider social, economic and environmental outcomes and sustainable development
- 5) Create a strong collaborative approach across stakeholders to address risks from all sources of flooding
- 6) Ensure that local communities are prepared to manage the risks of flooding
- 7) Ensure that new development does not increase local flood risk and contributes to a reduction where possible
- 8) Ensure effective emergency flood response plans are in place

4.3.4 The Local Strategy covers all sources of flooding including flooding from main rivers and the sea which the council was not given responsibility for under the FWMA. They are included as the council believe that a holistic approach to flood risk management which covers all sources will lead to more effective working between authorities and better management of overall flood risk.

4.3.5 An Action Plan of proposed projects which will deliver on the objectives within the Local Strategy will be published at the same time as required by measure M3.2.

4.3.6 The strategy will be reviewed two years from the date of adoption by the council.

4.4 Step 3 – Characteristics of the Site

4.4.1 The characteristics and vulnerabilities of the European sites need to be identified in order for the impacts of the Local Strategy to be properly assessed.

Humber Estuary

4.4.2 The SSSI condition of the site as of March 2011 is 21% unfavourable declining, 50% favourable, 6% unfavourable no change and 23% unfavourable recovering.

4.4.3 Factors currently influencing the site:

- The estuary is influenced by the constant processes of accretion and deposition forming mudflats, salt marsh, saline lagoons, sand flats and sand dunes which support large numbers of overwintering birds, grey seals and lampreys.

4.4.4 Vulnerabilities:

- Agricultural impacts from expanding food production which will impact on water availability with possible saline intrusion into groundwater. New crops such as maize can impact on the use of land by estuary birds for roosting, feeding and loafing.
- Vulnerable to inputs from urban and industrial areas and agriculture which flow into it from upstream.
- Operation and management of port infrastructure.
- Climate change may cause sea level rise which will impact on the habitats available. Extra sediment may be required to maintain these.
- Rising sea levels will continue coastal squeeze which will require the managed realignment of flood defences to enable intertidal habitats to shift and expand. New fresh and brackish water habitats will be needed to replace those lost by managed realignment.
- Developments in close proximity resulting in disturbance.

SAC and SSSI Designation:

4.4.5 The Humber Estuary SAC and SSSI is a large macro-tidal coastal plain estuary with high suspended sediment loads, which feed a dynamic and rapidly changing system of accreting and eroding intertidal and subtidal mudflats, sandflats, saltmarsh and reedbeds. The estuary supports a full range of saline conditions from the open coast to the limit of saline intrusion on the tidal rivers of the Ouse and Trent. The range of salinity, substrate and exposure to wave action influences the estuarine habitats and the range of species that utilise them. These include a breeding bird assemblage, winter and passage waterfowl, river and sea lamprey, grey seals, vascular plants and invertebrates.

4.4.6 The extensive mud and sand flats support a range of benthic communities, which in turn are an important feeding resource for birds and fish. Wave exposed sandy shores are found in the outer/open coast areas of the estuary. These change to the more moderately exposed sandy shores and then to sheltered muddy shores within the main body of the estuary and up into the tidal rivers.

4.4.7 The lower saltmarsh of the Humber is dominated by common cordgrass *Spartina anglica* and annual glasswort *Salicornia* communities. Low to mid marsh communities are mostly represented by sea aster *Aster tripolium*, common saltmarsh grass *Puccinellia maritima* and sea purslane *Atriplex portulacoides* communities. The upper portion of the saltmarsh community is atypical, dominated by sea couch *Elytrigia atherica* (*Elymus pycnanthus*) saltmarsh community. In the upper reaches of the estuary, the tidal marsh community is dominated by the common reed *Phragmites australis* fen and sea club rush *Bolboschoenus maritimus* swamp with the couch grass *Elytrigia repens* (*Elymus repens*) saltmarsh community. On the southern coastal fringe of the estuary on the north Lincolnshire coast, a wide range of saltmarsh communities are present. Good height zonations are found, with levee development along creeks creating extensive depressions holding waterlogged saltmarsh types. Upper saltmarsh is common here. These saltmarsh communities are an integral part of the functioning dynamic estuarine system. They provide nutrients for the mudflats and sandflats, and feeding and roosting areas for nationally important numbers of ducks, geese and waterfowl.

4.4.8 The Humber Estuary was designated under article 4(4) of the Habitats Directive (92/43/EEC) as an SAC in December 2009 and covers an area of 36,657.15 ha.

4.4.9 The site is designated as it hosts the following habitats listed in Annex I:

- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- Coastal lagoons*
- Dunes with *Hippophae rhamnoides*
- Embryonic shifting dunes
- Estuaries
- Mudflats and sandflats not covered by seawater at low tide
- Fixed dunes with herbaceous vegetation ('grey dunes')*
- *Salicornia* and other annuals colonising mud and sand
- Sandbanks which are slightly covered by sea water all the time
- Shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes')

Annex I priority habitats are denoted by an asterisk (*)

4.4.10 It hosts the following species listed in Annex II:

- Grey seal *Halichoerus grypus*
- River lamprey *Lampetra fluviatilis*
- Sea lamprey *Petromyzon marinus*

4.4.11 Qualifying features:

- H1110. Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks
- H1130. Estuaries
- H1140. Mudflats and sandflats not covered by seawater at low tide; Intertidal mudflats and sandflats
- H1150. Coastal lagoons*
- H1310. *Salicornia* and other annuals colonising mud and sand; Glasswort and other annuals colonising mud and sand
- H1330. Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- H2110. Embryonic shifting dunes
- H2120. Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes"); Shifting dunes with marram
- H2130. Fixed dunes with herbaceous vegetation ("grey dunes"); Dune grassland*
- H2160. Dunes with *Hippophae rhamnoides*; Dunes with sea-buckthorn
- S1095. *Petromyzon marinus*; Sea lamprey
- S1099. *Lampetra fluviatilis*; River lamprey
- S1364. *Halichoerus grypus*; Grey seal

*denotes a priority natural habitat or species

SPA Classification

4.4.12 The Humber Estuary SPA comprises extensive wetland and coastal habitats. The inner estuary supports extensive areas of reedbed, with areas of mature and developing saltmarsh backed by grazing marsh in the middle and outer estuary. On the north Lincolnshire coast, the saltmarsh is backed by low sand dunes with marshy slacks and brackish pools. Parts of the estuary are owned and managed by conservation organisations. The estuary supports important numbers of waterbirds (especially geese, ducks and waders) during the migration periods and in winter. In summer, it supports important breeding populations of bittern *Botaurus stellaris*, marsh harrier *Circus aeruginosus*, avocet *Recurvirostra avosetta* and little tern *Sterna albifrons*.

4.4.13 The Humber Flats, Marshes and Coast (Phase 1) SPA was classified on 28 July 1994 and the extended and renamed Humber Estuary SPA was classified on 31 August 2007. It covers an area 37,630.24 ha.

4.4.14 The site qualifies under article 4.1 of the Birds Directive (79/409/EEC) as it is used regularly by 1% or more of the Great Britain populations of the following species listed in Annex I in any season:

Annex I species	Count and Season	Period	% of GB Population
Avocet <i>Recurvirostra avosetta</i>	59 individuals – wintering	5 year peak mean 1996/97 – 2000/01	1.7%
Bittern <i>Botaurus stellaris</i>	4 individuals – wintering	5 year peak mean 1998/99 – 2002/03	4.0%
Hen harrier <i>Circus cyaneus</i>	8 individuals – wintering	5 year peak mean 1997/98 – 2001/02	1.1%
Golden plover <i>Pluvialis apricaria</i>	30,709 individuals – wintering	5 year peak mean 1996/97 – 2000/01	12.3%
Bar-tailed godwit <i>Limosa lapponica</i>	2,752 individuals – wintering	5 year peak mean 1996/97 – 2000/01	4.4%
Ruff <i>Philomachus pugnax</i>	128 individuals – passage	5 year peak mean 1996-2000	1.4%
Bittern <i>Botaurus stellaris</i>	2 booming males – breeding	3 year mean 2000-2002	10.5%
Marsh harrier <i>Circus aeruginosus</i>	10 females – breeding	5 year mean 1998-2002	6.3%
Avocet <i>Recurvirostra avosetta</i>	64 pairs – breeding	5 year mean 1998 – 2002	8.6%
Little tern <i>Sterna albigrons</i>	51 pairs – breeding	5 year mean 1998-2002	2.1%

4.4.15 The site qualifies under article 4.2 of the Birds Directive (79/409/EEC) as it is used regularly by 1% or more of the biogeographical populations of the following regularly occurring migratory species (other than those listed in Annex I) in any season:

Migratory species	Count and season	Period	% of subspecies/ population
Shelduck <i>Tadorna tadorna</i>	4,464 individuals – wintering	5 year peak mean 1996/97 – 2000/01	1.5% Northwestern Europe (breeding)
Knot <i>Calidris canutus</i>	28,165 individuals – wintering	5 year peak mean 1996/97 – 2000/01	6.3% <i>islandica</i>
Dunlin <i>Calidris alpina</i>	22,222 individuals – wintering	5 year peak mean 1996/97 – 2000/01	1.7% <i>alpina</i> , Western Europe (non- breeding)
Black-tailed godwit <i>Limosa limosa</i>	1,113 individuals – wintering	5 year peak mean 1996/97 – 2000/01	3.2% <i>islandica</i>
Redshank <i>Tringa totanus</i>	4,632 individuals – wintering	5 year peak mean 1996/97 – 2000/01	3.6% <i>britannica</i>
Knot <i>Calidris canutus</i>	18,500 individuals – passage	5 year peak mean 1996 – 2000	4.1% <i>islandica</i>
Dunlin <i>Calidris alpina</i>	20,269 individuals – passage	5 year peak mean 1996 – 2000	1.5% <i>alpina</i> , Western Europe (non- breeding)
Black-tailed godwit <i>Limosa limosa</i>	915 individuals – passage	5 year peak mean 1996 – 2000	2.6% <i>islandica</i>
Redshank <i>Tringa totanus</i>	7,462 individuals – passage	5 year peak mean 1996 – 2000	5.7% <i>britannica</i>

4.4.16 **Assemblage qualification** – The site qualifies under article 4.2 of the Directive (79/409/EEC) as it is used regularly by over 20,000 waterbirds (waterbirds as defined by the Ramsar Convention) in any season:

4.4.17 In the non-breeding season, the area regularly supports 153,934 individual waterbirds (five year peak mean 1996/97 – 2000/01), including dark-bellied brent goose *Branta bernicla bernicla*, shelduck *Tadorna tadorna*, wigeon *Anas penelope*, teal *Anas crecca*, mallard *Anas platyrhynchos*, pochard *Aythya ferina*, scaup *Aythya marila*, goldeneye *Bucephala clangula*, bittern *Botaurus stellaris*, oystercatcher *Haematopus ostralegus*, avocet *Recurvirostra avosetta*, ringed plover *Charadrius hiaticula*, golden plover *Pluvialis apricaria*, grey plover *P. squatarola*, lapwing *Vanellus vanellus*, knot *Calidris canutus*, sanderling *C. alba*, dunlin *C. alpina*, ruff *Philomachus pugnax*, black-tailed godwit *Limosa limosa*, bar-tailed godwit *L. lapponica*, whimbrel *Numenius phaeopus*, curlew *N. arquata*, redshank *Tringa totanus*, greenshank *T. nebularia* and turnstone *Arenaria interpres*.

4.4.18 **Non-qualifying species of interest** – The SPA is used by non-breeding merlin *Falco columbarius*, peregrine *F. peregrinus* and short-eared owl *Asio flammeus*, and breeding common tern *Sterna hirundo* and kingfisher *Alcedo atthis* (all species listed in Annex I to the EC Birds Directive) in numbers of less than European importance (less than 1% of the GB population).

Saltfleetby-Theddlethorpe Dunes and Gibraltar Point SAC

4.4.19 The dunes are stabilised by marram grass, allowing other plants like mouse-eared hawkweed, bird's foot-trefoil, pyramidal orchid and viper's bugloss to become established. These in turn support an array of bees and butterflies. The smaller insects are hunted by dragonflies and robber-flies that patrol the dunes.

4.4.20 Prickly sea buckthorn, hawthorn and elder cover much of the dunes and is an important habitat on this coastline. It provides safe cover and a nesting site for birds, including dunnocks and wrens, as well as summer visitors, including whitethroats and willow warblers. Throughout the autumn and winter, its berries, along with hawthorn and elder berries feed the fieldfare and redwing which visit from Scandinavia.

4.4.21 The low areas between the dune ridges hold rain water creating a marshy habitat. The more established freshwater marshes that have developed here are home to water-loving plants including yellow iris, greater water parsnip, marsh pea, meadow sweet and cuckoo flower. It is here that the dragonflies and damselflies breed, and it is also an important habitat for the increasingly scarce water vole. Some of the pools support a small population of the rare natterjack toad.

4.4.22 On the saltmarsh and foreshore a variety of specialised plants provide food, shelter and nesting cover for a range of birds, including meadow pipit, skylark, redshank, oystercatcher, ringed plover and sometimes little tern. In the winter months, the sand, mud and saltmarsh at Saltfleetby provide food and refuge for the many birds that visit our shores from the arctic including flocks of Brent geese, shelduck, teal, wigeon, curlew, twite, linnets and many waders. At this time of year the huge open aspect of the area attracts the occasional merlin, peregrine falcon and Hen Harrier.

4.4.23 Saltfleetby-Theddlethorpe Dunes and Gibraltar Point was designated under article 4(4) of the Habitats Directive (92/43/EEC) as an SAC in April 2005 and covers an area of 960.2 ha.

4.4.24 Quality and importance:

- Embryonic shifting dunes. These are considered to be rare in the UK with less than 1000 ha but the SAC supports a significant presence.
- Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes"). Considered to be one of the best areas in the UK.
- Fixed dunes with herbaceous vegetation ("grey dunes"). Considered to be one of the best areas in the UK.
- Dunes with *Hippophae rhamnoides*. This is the only known outstanding locality in the UK with the total national extent estimated to be less than 1000 ha.
- Humid dune slacks. Considered to be one of the best areas in the UK.

4.4.25 Vulnerabilities:

- The site contains habitats ranging from dry 'grey' dunes to saltmarsh. These are vulnerable to changes in sedimentation rates along the coast caused by coastal protection schemes further north.
- Large numbers of tourists can cause disturbance and damage from inappropriate access.

4.4.26 Annex I habitats that are a primary reason for selecting the site:

- Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)
- Fixed coastal dunes with herbaceous vegetation (grey dunes)
- Dunes with *Hippophae rhamnoides*
- Humid dune slacks

4.4.27 Annex I habitats present as a qualifying feature, but not a primary reason for selecting the site:

- Embryonic shifting dunes

4.4.28 Qualifying Features:

- H2110. Embryonic shifting dunes
- H2120. Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes"); Shifting dunes with marram
- H2130. Fixed dunes with herbaceous vegetation ("grey dunes"); Dune grassland*
- H2160. Dunes with *Hippophae rhamnoides*; Dunes with sea-buckthorn
- H2190. Humid dune slacks

*denotes a priority natural habitat or species

4.5 Step 4 – Assessment of Significance

4.5.1 The guidance from the European Commission identifies the following indicators of significance which will be used throughout this section:

- Loss of habitat area.
- Fragmentation.
- Disturbance.
- Population density.
- Water resource.
- Water quality.

Screening of the Local Flood Risk Management Strategy

4.5.2 Screening is undertaken in order to:

- Identify all aspects of the plan which have no effect on a European site so they can be eliminated from further consideration.
- Identify all aspects of the plan which would not be likely to have a significant effect on a European site (i.e. would have some effect, but minor residual), either alone or in combination with other aspects of the same plan or other plans or projects, which therefore do not require 'appropriate assessment'.
- Identify those aspects of the plan where it is not possible to rule out the risk of significant effects on a European site, either alone or in combination with other plans or projects.

4.5.3 Likely effects are those which cannot be ruled out using the objective information that is available. There does not have to be a certainty of the effects.

4.5.4 The objectives and measures in the Local Strategy have been screened for their likely significant impacts on the European sites. The full table showing the results of the screening exercise is in Appendix A.

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- 4.5.5 The test of significance relates to whether the plan will undermine the conservation objectives for the European site. Therefore the specific characteristics and environmental features of the site have been taken into consideration.
- 4.5.6 It is standard practice to consider the potential impact pathways where the objectives and measures in the Local Strategy could have an effect on a European site. As the strategy does not refer to geographical locations or specific actions it was not possible to identify any specific impact pathways and how these could be used to affect a European site.
- 4.5.7 The objectives and measures were considered for the type of actions that may result and how these could impact on the conservation objectives, whilst bearing in mind that no specific actions are identified in the Local Strategy itself.
- 4.5.8 As can be seen from the Appendix A measures 3.2, 4.1, 4.4 and 6.1 were found to have uncertain effects on the European sites. This is because whilst the measures will lead to some actions being undertaken these are not specified in the strategy and are not known at this time. More detail will become available as specific actions are developed, these will then become projects which are subject to their own assessment and HRA if required.
- 4.5.9 The identification of these uncertain effects has led to straightforward mitigation in the form of amendments to the wording of the objectives to ensure that negative effects will be unlikely. The recommendation for this is shown in the table. These relate the measures back to section 6 of the Local Strategy which sets the requirements and guidelines for how all work and actions undertaken should protect and enhance the environment and comply with relevant European legislation to ensure no likely significant effects on European sites will result. This mitigation has enabled the measures which previously had an uncertain effect to be screened out of further assessment. The wording of section 6 of the Local Strategy has also been altered to achieve this.
- 4.5.10 Measure M4.2 was also reworded to provide greater emphasis on the protection European sites and now reads as follows:

Any projects, plans or policies which result as actions from this strategy will be undertaken in a manner that is compliant with section 6 of this strategy including protecting species and enhancing biodiversity. Where necessary, under the Habitats Regulations, they will need to be screened and if a likely significant effect on a European site cannot be ruled out an Appropriate Assessment will be undertaken. Measures to avoid, mitigate or compensate

for adverse effects will be carried out as identified within the Appropriate Assessment.

4.5.11 All objectives and measures have therefore been screened out of the need for an 'appropriate assessment', which forms Stage 2 of the guidance from the European Commission.

Cumulative Impacts with Other Projects or Plans

4.5.12 The screening exercise and recommended mitigation measures have now shown that the objectives and measures in the Local Strategy will have no likely significant effect on the European sites due to their general and high level nature. It would therefore not normally be necessary to carry out an in-combination test.

4.5.13 However, for completeness and in order to provide guidance to projects that will result from the strategy the other policies, plans or projects that could have in-combination effects have been reviewed in Appendix B. This includes all that could affect the European sites that are within 10km of the North East Lincolnshire boundary.

4.5.14 The table has reviewed the HRAs carried out (where available) for the likely significant effects from each of the policies, plans or projects listed. Those with identified impacts have also proposed mitigation measures to compensate.

4.5.15 No in-combination effects are expected from the objectives and measures in the Local Strategy. This is mainly due to the objectives being at a high level and not specifying projects which can be fully assessed for their in combination effects.

Screening of the European Designated Sites

4.5.16 The vulnerabilities and conservation objectives for both of the European sites have been assessed to see if there are any impacts from the Local Strategy.

4.5.17 Considering the screening exercise and the proposed mitigation recommended there should be no impacts on the conservation objectives for the European sites.

4.5.18 With regards to the vulnerabilities the Local Strategy commits to enhancing the environment where possible which could have a positive impact on the European sites.

Results

4.5.19 From the assessments carried out it is not considered that the objectives and measures in the Local Strategy will have a significant effect when considering the significance indicators listed in paragraph 4.5.1.

4.5.20 As previously discussed any actions that arise from the Local Strategy will need to comply with the Habitats Regulations including assessing the likely significant effects where necessary with careful consideration of the significance indicators. Adverse effects will be avoided in the first instance but if unavoidable they will be mitigated or compensated.

5 Conclusions

- 5.1.1 The Objectives and measures for the Local Strategy have been screened for their likely significant effects, either alone or in combination with other plans, policies and projects. For the majority of the measures no likely significant impact was found. For four of the measures there was uncertainty over whether or not there would be any effects as it could not be predicted what actions would result from the measures. It would not be possible to fully assess these measures without the detail which presently remains unknown. As a means of mitigation the wording of these measures was altered to strengthen the requirement for any actions to comply with the Habitats Regulations.
- 5.1.2 As the objectives and measures for the Local Strategy have been screened out of further assessment there is no need to undertake Steps 2, 3 and 4 of the European Commission guidance which cover appropriate assessment, assessment of alternative solutions and assessment where no alternative solutions exist and where adverse impacts remain.
- 5.1.3 The Local Strategy contains objectives which are strategic aspirations for how flood risk will be managed across North East Lincolnshire. Whilst the measures which aim to achieve these objectives will require schemes or projects these are not and cannot be specified in the Local Strategy as full details are not currently known. When these are developed in more detail they will be subject to the required approval processes and HRA where this is required. This can ensure that the likely significant effects either alone or in combination can be assessed and mitigated based on detailed proposals or that an 'appropriate assessment' is carried out. This applies to some schemes or projects on the Action Plan and those which may be added in the future.

Appendix A – Screening Table for Objectives and Measures

Measure	Likely Significant Effect	Recommended Mitigation
<p>OBJECTIVE 1 – All stakeholders (including members of the public) will have an improved understanding of their responsibilities for flood risk management</p> <p>This objective relates to increasing the knowledge held by local residents and authorities of who holds which responsibilities for flood risk management in the borough. The measures to be implemented to fulfil this objective will not result in any physical works.</p>		
<p>M1.1 Section 2 describes the roles of all the stakeholders to inform people on those best to talk to about particular flooding issues. If there is still doubt North East Lincolnshire Council as the LLFA can be contacted to establish who is responsible.</p>	<p>This measure serves only to make people aware of who has the relevant roles and powers in flood risk management. Therefore there is no likely significant effect.</p>	<p>-</p>
<p>M1.2 We will actively engage with communities to provide them with further information about the responsibilities of stakeholders, particularly for the riparian owners and those who own structures, who are not always aware of how important their role in local flood risk management can be.</p>	<p>This measure serves only to make people aware of who has the relevant roles and powers in flood risk management. This includes making riparian owners aware of their responsibilities but does not cover giving them advice on what works to carry out. Therefore there is no likely significant effect.</p>	<p>-</p>
<p>M1.3 The council website will be expanded to provide access to contact details for the authorities in the borough and general flooding advice.</p>	<p>This measure serves only to make people aware of who has the relevant roles and powers in flood risk management. Therefore there is no likely significant effect.</p>	<p>-</p>
<p>OBJECTIVE 2 – Improve our understanding of local flood risk</p> <p>This objective relates to increasing the knowledge of the locations and causes of flood risk across the borough. The measures to implement this objective relate to collecting and recording data, new modelling work and investigate floods which happen.</p>		
<p>M2.1 Carry out investigations into flooding under Section 19 of the FWMA 2010 (known as Section 19 investigations). During and soon after a flood event the council will collect data to understand the cause of the flooding. The investigation will be published and will identify the risk management authority (see section 2) with the powers to exercise their functions in response to the flood.</p>	<p>This sets out the council commitment to comply with the Flood and Water Management Act 2010 to improve our understanding of flood events that happen. Therefore there is no likely significant effect.</p>	<p>-</p>

Measure	Likely Significant Effect	Recommended Mitigation
M2.2 A register/database of any flooding reported is currently kept which will be added to with any future flooding. This will help to build up a picture of areas affected and the causes to enable more catchment based solutions. All risk management authorities will be asked to contribute to this.	This measure sets out the council commitment to properly record flood events to help with our understanding of how they happen. Therefore there is no likely significant effect.	-
M2.3 Section 21 of the FWMA 2010 requires the council to keep a register of the structures and features that can have a significant effect on flood risk in the borough. This will include all assets not just those owned and operated by the council. The register will have a record of who owns the structure and its state of repair. This will help to identify who is responsible for carrying out any repairs and during a flood event this will enable quick identification of who is responsible for the operation of the asset.	This sets out the council commitment to gain more knowledge on the ownership and operation of all flood risk management assets in the borough and make it publicly available. Therefore there is no likely significant effect.	-
M2.4 The council will use the most up to date information on flood risk in the borough in order to make decisions and mitigate risks. This information includes the suite of flood risk maps provided by the Environment Agency and investigations and additional mapping and modelling undertaken by the council.	This only requires the use of the most up to date information available for when decisions are being made. Therefore there is no likely significant effect.	-
M2.5 The council will carry out a programme of investigating and modelling the areas at risk of flooding.	This sets out the council commitment to find out further information by carrying out modelling work only. Therefore there is no likely significant effect.	-
OBJECTIVE 3 – Reduce the risks to those most vulnerable to local flooding This objective aims to reduce the risks to those who are vulnerable to flooding. This is defined in the Local Strategy as those located in areas at a more frequent flood risk and those who are on low incomes and are unable to implement their own protection measures. Many of the measures are aimed to proactively prepare for flooding and prevent it happening by carrying out inspections.		
M3.1 Support residents in obtaining flood insurance under the government's new scheme due to be implemented in 2015.	This will not result in any physical works being carried out. Therefore there is no likely significant effect.	-

Measure	Likely Significant Effect	Recommended Mitigation
<p>M3.2 Develop an action plan of flood risk management works, including building physical defences and maintenance, to be undertaken. A method will be developed to ensure that works are prioritised for where they are needed most.</p>	<p>It is currently unknown what actions will be on the final version of the Action Plan. This measure requires the production of the Action Plan which will be published alongside the Local Strategy but will remain as a separate document. No specific works are proposed by the Local Strategy.</p> <p>All works that get proposed on the Action Plan will need to comply with the guidance and requirements of section 6 of the Local Strategy which requires the protection and enhancement of the environment including European designated sites, protected species and biodiversity enhancement.</p> <p>Mitigation has been proposed to remove the uncertainty. Therefore there is now no likely significant effect.</p>	<p>The wording of this measure should be changed to include reference to section 6.</p> <p><i>Develop an action plan of flood risk management works, including building physical defences and maintenance, to be undertaken. A method will be developed to ensure that works are prioritised for where they are needed most. The actions will comply with the advice and guidance in section 6 of this strategy.</i></p>
<p>M3.3 A wide range of funding sources will be considered to contribute to flood mitigation schemes.</p>	<p>This will not result in any physical works being carried out. Therefore there is no likely significant effect.</p>	<p>-</p>
<p>M3.4 The council will continue to carry out monthly inspections at all known local flood risk locations with additional inspections carried out on receipt of severe weather warnings. Appropriate actions can then be instigated.</p>	<p>The inspections will not require any physical works to be undertaken. The actions that may result from the inspections are more likely to be removing debris from screens or blockages in the channel. Therefore there is no likely significant effect.</p>	<p>-</p>

Measure	Likely Significant Effect	Recommended Mitigation
<p>OBJECTIVE 4 – Increase the amount of flood risk management work undertaken, ensuring there is a contribution to wider social, economic and environmental outcomes and sustainable development</p> <p>This objective relates to works other than building flood defences which can be carried out to reduce the risk and so that generally the amount of work undertaken can be increased. This can be achieved by campaign work, community engagement and coordination of work between the risk management authorities to make resources go further.</p>		
<p>M4.1 Support the campaigns of other authorities in reducing flood risk.</p>	<p>It is currently unknown what the specific campaigns might be and these have not been referred to in the strategy.</p> <p>The council will only promote those campaigns which comply with section 6 of the Local Strategy.</p> <p>Mitigation has been proposed to remove the uncertainty. Therefore there is now no likely significant effect.</p>	<p>The wording of this measure be changed to include reference to section 6:</p> <p><i>Support the campaigns of other authorities in reducing flood risk. All campaigns would have to be compliant with the environmental requirements outlined in Section 6 of this strategy.</i></p>
<p>M4.2 Where possible, works that are undertaken will be done in a way that enhances the environment and is compliant with the requirements in Section 6. Section 61B of the Land Drainage Act 1991 requires land drainage work to be carried out in a way that conserves and enhances the environment and Section 27 of the FWMA 2010 requires authorities to contribute to achieving sustainable development when undertaking flood risk management work.</p>	<p>None expected as this measure reaffirms the commitment to comply with all environmental legislation and the requirements in section 6 of the Local Strategy.</p> <p>Works carried out resulting from other measures will need to comply with this measure so greater emphasis will need to be applied to the Habitats Regulations.</p> <p>Mitigation has been proposed to achieve this. Therefore there is now no likely significant effect.</p>	<p>The wording of this objective should be changed to make reference to the Habitats Regulations:</p> <p><i>Any projects, plans or policies which result as actions from this strategy will be undertaken in a manner that is compliant with section 6 of this strategy including protecting species and enhancing biodiversity. Where necessary, under the Habitats Regulations, they will need to be screened and if a likely significant effect on a European site cannot be ruled out an Appropriate Assessment will be undertaken. Measures to avoid, mitigate or compensate for adverse effects will be carried out as identified within the Appropriate Assessment.</i></p>

Measure	Likely Significant Effect	Recommended Mitigation
<p>M4.3 Work with other flood risk management authorities to coordinate works across the borough so that resources can be shared and overall costs can be reduced. This will be adaptive and evolve in response to real life events and new technical information. This will allow a greater amount of work to be undertaken.</p>	<p>It refers generally to improving working arrangements to so that better use is made of the resources of all the risk management authorities. It does not refer to specific works or projects where resources can be shared. These will be subject to their own assessments as they are developed and possibly added to the Action Plan. Therefore there is no likely significant effect within this plan.</p>	<p>-</p>
<p>M4.4 We will actively engage with local communities to inform them about how they can implement their own measures to protect their property.</p>	<p>It is currently unknown what measures may be implemented for property level protection. The Local Strategy aims to guide people on how they are able to protect themselves. This can range from property level protection (e.g. door barriers) which are unlikely to have a significant effect to property/land owners building their own flood defences.</p> <p>The council will only promote those measures which comply with section 6 of the Local Strategy. Until specific proposals are considered by landowners the effects are unknown. Mitigation has been proposed to remove the uncertainty. Therefore there is no likely significant effect within this plan.</p>	<p>The wording of this measure be changed to include reference to section 6.</p> <p><i>We will actively engage with local communities to inform them about how they can implement their own measures to protect their property. The advice and measures will comply with the advice and guidance in section 6 of this strategy.</i></p>
<p>OBJECTIVE 5 – Create a strong collaborative approach across stakeholders to address risks from all sources of flooding This objective involves working with the other risk management authorities to share knowledge so that projects or schemes to reduce the risk of flooding are done on a catchment-based approach and all sources of flood risk can be looked at.</p>		

Measure	Likely Significant Effect	Recommended Mitigation
M5.1 Continued attendance of the Local Flood Risk Management Group by all risk management authorities where all flood risk issues can be discussed including recent flooding, mitigation works and effects of new development on flood risk.	This provides a commitment for all risk management authorities to meet to discuss issues and share expertise. Physical construction works are not proposed by this measure. Therefore there is no likely significant effect within this plan.	-
M5.2 Work with other relevant authorities where there are links with different drainage infrastructure and maintenance activities to take account of all sources of flood risk when implementing flood mitigation measures.	This measure is to ensure communication with other authorities which operate over the same catchment so that there are no adverse or significant effects when considering and developing flood mitigation measures. This measure does not specify any works as these are covered by other measures – it only aims to improve working arrangements. Therefore there is no likely significant effect within this plan.	-
OBJECTIVE 6 – Ensure that local communities are prepared to manage the risks of flooding This objective specifically aims to increase the preparedness of local communities against flooding. This will involve community engagement and building awareness.		

Measure	Likely Significant Effect	Recommended Mitigation
<p>M6.1 We will actively engage with communities to inform them of what their risk is and how they can take measures to protect themselves including property level protection measures. This will be prioritised to those communities who have recently flooded or who are at greatest risk.</p>	<p>Engaging with the community will not have any effect but it is uncertain what actions residents may undertake and the impacts that these will have.</p> <p>The council will only promote those measures which comply with section 6 of the Local Strategy. Until specific proposals are considered by landowners the effects are unknown.</p> <p>Mitigation has been proposed to remove the uncertainty. Therefore there is now no likely significant effect.</p>	<p>The wording of this measure be changed to include reference to section 6.</p> <p><i>We will actively engage with communities to inform them of what their risk is and how they can take measures to protect themselves including property level protection measures. This will be prioritised to those communities who have recently flooded or who are at greatest risk. The advice will comply with the advice and guidance in section 6 of this strategy.</i></p>
<p>M6.2 The council will produce guidance on the use of sand bags during a flood event to provide clarity to residents and businesses.</p>	<p>This does not result in physical works. It will provide guidance to local residents on the level of help that the council will be able to give with regards to providing sandbags. Therefore there is no likely significant effect within this plan.</p>	<p>-</p>
<p>OBJECTIVE 7 – Ensure that new development does not increase local flood risk and contributes to a reduction where possible This objective involves working with the planning system to ensure that new development does not increase flood risk. This objective does support the use of SuDS features (required by the FWMA) which should have a positive impact on local environments.</p>		
<p>M7.1 Ensure that new development is appropriately located and safe with residual flood risks mitigated whilst taking climate change into account. New development should not increase flood risk elsewhere and should contribute to a reduction in the risk where possible. For example, this can include: reducing flows to combined and surface water sewers or providing floodplain compensatory storage.</p>	<p>This measure does not result in physical works. It aims to influence the planning process which is subject to its own approvals regimes including the assessment of the impacts on European designated sites where required. Therefore there is no likely significant effect within this plan.</p>	<p>-</p>

Measure	Likely Significant Effect	Recommended Mitigation
<p>M7.2 The council is due to become the SuDS Approving Body (SAB) when Schedule 3 of the FWMA 2010 is enacted – the date for this is unknown at the time of publication for this strategy. Development which meets the criteria for SAB approval will be assessed for compliance with the National Standards.</p>	<p>SuDS aim to achieve an improvement to amenity and biodiversity. Water quality standards will potentially have a positive impact on the European site. Therefore there is no likely significant effect within this plan.</p>	-
<p>M7.3 For those developments which do not meet the criteria for needing SAB approval the council's Drainage and Coastal Defence team will continue to provide consultations to ensure that drainage arrangements follow the principles that are set out in the National Standards.</p>	<p>As this ensures that flood risk is appropriately managed on new developments through adequately designed drainage systems. This will have a positive impact on land surrounding the site and also potentially on the European site. Therefore there is no likely significant effect within this plan.</p>	-
<p>M7.4 The council will use its ordinary watercourse consenting powers under Section 23 of the Land Drainage Act 1991 to ensure that works proposed on these watercourses do not increase flood risk. The council will also be pro-active with enforcement of unconsented works where this is deemed necessary.</p>	<p>This measure ensures that flood risk is not increased.</p> <p>This measure does not propose any specific works on watercourses but outlines how the council will assess these applications when they are received so that they do not increase flood risk. Any impacts on designated sites from the applications will need to be assessed as part of the Ordinary Watercourse consenting process. Therefore there is no likely significant effect within this plan.</p>	-
<p>OBJECTIVE 8 – Ensure effective emergency flood response plans are in place This objective ensure that there are suitable emergency procedures in place to be implemented before and during a flood event. These do not contain any works which would physically alter the environment.</p>		
<p>M8.1 Maintain and update the Multi Agency Flood Plan in line with new information on flood risk and lessons learned from flood events in our borough and other areas.</p>	<p>This plan details how the risk management authorities and emergency services will work together during a flood event. No physical works are proposed. Therefore there is no likely significant effect within this plan.</p>	-

Measure	Likely Significant Effect	Recommended Mitigation
M8.2 Finalise the Local Extreme Flood Event plan (LEFE) which outlines the council's response to localised flood events which do not trigger a response from the Multi Agency Flood Plan.	This plan details how the council will react to a flood event. No physical works are proposed. Therefore there is no likely significant effect within this plan.	-
M8.3 Engage with local communities to ensure that they are familiar with both plans and the role that they can play in responding to flooding. This will include promoting the use of Flood Wardens in communities at risk of flooding.	This measure provides for making people more aware of what happens during a flood event and how they should respond. Therefore there is no likely significant effect within this plan.	-
M8.4 Support the production of community emergency plans by providing information held on local flood risks.	This measure will help local communities be better prepared to react during a flood event if a clear plan is in place. Therefore there is no likely significant effect within this plan.	-

Appendix B – Other Plans, Policies or Projects for Potential In-combination Effects

Project, Plan or Policy	Description	Area Affected	Impact Identification
NELC Preliminary Flood Risk Assessment	Provides a summary of local flood risk for the present day and the future. Does not contain objectives or measures for resolving flooding.	The whole of the borough of North East Lincolnshire. Flood risk areas are identified using 1 km grid squares.	No works are proposed. Local flood risk does also not include works on sea defences where the sites are located. Therefore there is no likely significant effect within this plan.
Grimsby and Ancholme Catchment Flood Management Plan	Covers all forms of inland flooding and established flood risk management policies to deliver long term sustainable flood risk management.	The Grimsby and Ancholme catchment covers the whole of the borough.	<p>The policy units that affect the borough are at a strategic level. There are some actions but these do not propose specific physical works which could affect the designated site. Actions are identified for each policy unit but these are general and ensure greater community involvement, having emergency plans in place for key infrastructure and carrying out further studies. Some of the studies or reviews may lead to recommendations that could have an impact on a European site but these will be subject to their own HRA.</p> <p>The wording of the actions is currently being reviewed ready to be incorporated into the Flood Risk Management Plan.</p>
Flamborough Head to Gibraltar Point Shoreline Management Plan	Aspirational broad-scale plan for managing flood and erosion risk for our particular stretch of shoreline.	From Flamborough Head to Gibraltar Point which covers the entire NELC coastline.	<p>Policy Units F, G and H covering Owthorne to Easington Gas Terminals</p> <p>The HRA has identified the potential for adverse impacts on internationally designated sites due to coastal squeeze and sediment budget issues. There are no internationally designated sites within this policy unit, however the HRA has identified the potential for management actions undertaken within this policy unit to have an impact on internationally designated sites in other policy units due to impacts on sediment transport.</p> <p>Requirements for monitoring and possible mitigation are addressed within the policies and will be taken forward within the SMP Action Plan.</p> <p>Policy Unit I – Easington to Kilnsea:</p> <p>The HRA has identified the potential for adverse impacts on internationally designated sites due to coastal squeeze and sediment budget issues. Within this policy unit, there is the potential for the Humber Estuary Special Protection Area and Humber Estuary Ramsar site to be adversely affected.</p>

Project, Plan or Policy	Description	Area Affected	Impact Identification
			<p>Requirements for monitoring and possible mitigation are addressed within the policies and will be taken forward within the SMP Action Plan.</p> <p>Policy Units J, K, L and M covering Kilnsea to Humberston Fitties The HRA has identified the potential for adverse impacts on internationally designated sites due to coastal squeeze and sediment budget issues. Within this policy unit, there is the potential for the Humber Estuary Special Area of Conservation, Humber Estuary Special Protection Area and Humber Estuary Ramsar site to be adversely affected.</p> <p>Requirements for monitoring and possible mitigation are addressed within the policies and will be taken forward within the SMP Action Plan.</p> <p>Policy Unit N – South of Humberston Fitties to Theddlethorpe St Helen: The HRA has identified the potential for adverse impacts on internationally designated sites due to coastal squeeze and sediment budget issues. Within this policy unit, there is the potential for the Humber Estuary Special Area of Conservation, Saltfleetby – Theddlethorpe Dunes & Gibraltar Point Special Area of Conservation, Humber Estuary Special Protection Area and Humber Estuary Ramsar site to be adversely affected.</p> <p>Requirements for monitoring and possible mitigation are addressed within the policies and will be taken forward within the SMP Action Plan.</p> <p>Policy Unit O – Viking Gas Terminal (Mablethorpe) to Southern End of Skegness: The HRA has identified the potential for adverse impacts on internationally designated sites due to coastal squeeze and sediment budget issues. There are no internationally designated</p>

Project, Plan or Policy	Description	Area Affected	Impact Identification
			<p>sites within this policy unit, however the HRA has identified the potential for management actions undertaken within this policy unit to have an impact on internationally designated sites in other policy units due to impacts on sediment transport.</p> <p>Requirements for monitoring and possible mitigation are addressed within the policies and will be taken forward within the SMP Action Plan.</p>
Humber Flood Risk Management Strategy 2008	The plan for managing flood risk in the Humber Estuary looking at different ways this can be achieved. Currently being reviewed.	The whole of the Humber Estuary.	<p>The strategy was produced to consider the management of flood risk across the whole of the estuary including the impacts on habitats from new defences and the effect of coastal squeeze.</p> <p>The impacts on the European sites have been identified and mitigation in the form of habitat creation has been proposed.</p> <p>An HRA will be undertaken for the reviewed strategy.</p>
Flood Risk Management Plans	Required by the Flood Risk Regulations 2009 to cover flooding from main rivers, the sea and reservoirs. These will use information from CFMPS and SMPs to propose measures for managing flood risk from 2015 to 2021 and beyond. NELC will be contributing information on local flood risk from the Local Strategy.	The whole of the Humber River Basin District which includes all of North East Lincolnshire.	<p>These plans will be incorporating existing policies and actions from the CFMPS and SMPs so these rows in the table should be referred to.</p> <p>The inclusion of local flood risk information will come from the Local Strategy and actions to further investigate the flood risk across the borough.</p>
Humber River Basin Management Plan 2009	Prepared under the Water Framework Directive it focusses on the protection, improvement and sustainable use of water.	The whole of the Humber River Basin District which includes all of North East Lincolnshire.	A HRA was carried out for the plan which determined that it is unlikely to have any significant negative effects on a European site and no further assessment is required. This conclusion relies on the fact that before any measures in the plan are implemented they will be subject to the requirements of the Habitats Regulations.

Project, Plan or Policy	Description	Area Affected	Impact Identification
NELC Strategic Flood Risk Assessment	Assessment of flood risk from all sources for the present day and the future. Provides information for the council to use in the planning process.	The whole of the borough of North East Lincolnshire.	Guides decision making with regards to planning but does not allocate development. It informs the Local Plan which is subject to its own approval process.
NELC Local Plan 2003 (saved policies)	<p>Plan providing clear guidance and policies to be taken account of by the planning authority in protecting, providing or promoting land uses.</p> <p>In 2007 the Secretary of State determined that some policies could be saved before they would have expired.</p>	North East Lincolnshire Council area.	<p>Contains policy NH1 where proposals that are likely to adversely affect the European site will only be permitted in exceptional circumstances where the need for the development outweighs the special interest of the site. If development is permitted planning conditions or obligations are there to ensure the protection of the sites nature conservation interests.</p> <p>Projects will therefore be subject to their own HRA to consider the likely significant effects either alone or in combination.</p>
Emerging NELC Local Plan	Currently updating the evidence base after which there will be further consultation.	North East Lincolnshire Council area.	A Sustainability Appraisal scoping report has been carried out but it is currently too early for a HRA to have been completed. The council continues to have a dialogue with Natural England over suitable mitigation measures associated with impacts on the Humber Estuary.
The Grimsby, Ancholme and Louth Catchment Abstraction Management Strategy 2013	Sets out how water abstraction will be managed in the catchment. Describes where water is available for abstraction and the implications for new abstractions.	The Grimsby, Ancholme and Louth catchments.	Any new abstraction licences which affect a European site will be assessed under the Habitats Regulations. Existing licences have also been reviewed under this legislation and found not to have an adverse effect on the integrity of the site.

Project, Plan or Policy	Description	Area Affected	Impact Identification
Landscape Character Assessment 2010	A tool that helps to understand and articulate the character of the landscape and identify a 'sense of place'. Contains guidelines to be taken account of in planning decisions.	The whole of the borough of North East Lincolnshire.	<p>The document provides guidance on the mechanisms that various parties can use to influence decisions which affect the landscape character.</p> <p>These involve influencing existing processes and assessments and so cannot on their own have an effect on a European designated site.</p>
Biodiversity Action Plan 2011 – 2020 (3 rd edition)	Identifies priority habitats in Lincolnshire and conservation action that can take place at a local level which will also contribute to national and international conservation commitments.	Covers the historic county of Lincolnshire for the administrative areas of Lincolnshire, North Lincolnshire and North East Lincolnshire.	The BAP exists to protect and enhance habitats and species and therefore negative impacts on European sites are not expected.
North East Lincolnshire Local Transport Plan 3	Sets out the vision, policies, strategies and priorities for the improvement of highways, access and connectivity of the local transport system.	The whole of the borough of North East Lincolnshire.	<p>The plan contains a series of challenges aimed at delivering sustainable growth and improving the access to transport.</p> <p>The challenges are to be addressed by the delivery plan. The current published delivery plan goes up to March 2014.</p>
National Flood and Coastal Erosion Risk Management Strategy	Produced by the Environment Agency to set out the national framework for flood risk management. Sets the context for and informs the production of the Local Strategy.	Applies to England.	<p>Sets out a framework for managing flood and coastal erosion risk and does not propose specific schemes.</p> <p>Part of this framework explains how FRCM works will need to comply with the Habitats, Birds and Water Framework Directives.</p>

Project, Plan or Policy	Description	Area Affected	Impact Identification
Kingston upon Hull City Council – Local Plan adopted 2000	Some policies were saved in 2007. Work is currently on-going on the replacement Local Plan.	Kingston upon Hull City Council area.	Contains policy NE17 which provides for the protection European sites only allowing development which could have an adverse effect if there are imperative reasons of overriding public interest or required for reasons of human health or public safety.
East Riding of Yorkshire Council	There are currently four Local Plans that cover the East Riding area, three of which cover the Humber Estuary European site.	East Riding of Yorkshire Council area.	<p>Boothferry Borough Local Plan 1999: Policies EN27 and EN27A provide for the protection of European sites. Proposals found to have a significant effect will only be allowed if there is no alternative and there are imperative reasons of overriding public interest.</p> <p>Beverly Borough Local Plan 1996: Policies E14, E15, E16 and E17 provide for the protection of European sites. Proposals found to have a significant effect will only be allowed if there is no alternative and there are imperative reasons of overriding public interest. Any harm identified will need to be minimised.</p> <p>Holderness District Wide Local Plan 1999: Policy Env12 requires rigorous examination of development proposals which affect a European site and will only be permitted if there are overriding reasons in the national interest and no alternative. Adverse effects will need to be minimised and efforts should be made to provide compensation.</p>
East Lindsey District Council – Local Plan adopted 1995	Originally adopted in 1995, some of the policies were saved in 2007. Work is currently on-going on the replacement Local Plan.	East Lindsey District Council area.	Contains policy ENV20 which would not normally permit development that would harm habitats.

Project, Plan or Policy	Description	Area Affected	Impact Identification
North Lincolnshire Council Core Strategy 2011	High level strategic document setting out the long term spatial planning framework.	North Lincolnshire Council area.	<p>The HRA screening found that there would be likely significant effects on the Humber Estuary, therefore an Appropriate Assessment was carried out.</p> <p>Adverse effects from habitat loss, physical damage and disturbance were found. Mitigation was proposed.</p> <p>The HRA process will be applied to lower tier plans.</p>
Grimsby Docks Flood Alleviation Scheme	On-going project currently under construction to improve the standard of defences around the Grimsby Docks to protect 14,000 properties.	The Grimsby Docks.	The HRA found that there was a likely significant effect from the scheme due to habitat loss due to coastal squeeze. This is compensated for by the Donna Nook managed realignment site.
Able Marine Energy Park	<p>Development of a marine energy park on the south bank of the Humber Estuary, east of North Killingholme.</p> <p>A Development Consent Order needs to go through Parliament for permission to be granted.</p>	The development is located in North Lincolnshire.	<p>Findings of HRA were that AMEP will have an adverse effect on the European site. Mitigation measures have therefore been proposed and agreed with Natural England.</p> <p>No adverse effects from the AMEP were predicted in-combination with other proposed developments.</p>
Green Port Hull	Construction of a facility for the manufacture, testing and shipment of wind turbines.	Alexandra Dock in Hull	HRA concluded that there is likely to be a significant effect on the European site due to habitat loss and the disturbance and displacement of birds.
Able Logistics Park	Planning permission for port related uses and activities.	South Humber Bank in North Lincolnshire Council area.	HRA screening found there was likely to be a significant effect on the Humber Estuary European site. An Appropriate Assessment concluded that there would be no adverse effects