

## Non-technical summary of the Review of Consents Site Action Plan for Dungeness Special Area of Conservation

This is a summary of the Stage four Site Action Plan (SAP), which is the final stage of a process called the Review of Consents (RoC). It sets out the action we propose to take on the permissions that we regulate, to make sure that they do not have an impact on Dungeness Special Area of Conservation (SAC).

### Overview of the process

The Review of Consents was started because the Environment Agency has an obligation to do so under Regulation 50 of The Conservation (Natural Habitats, &c.) Regulations 1994. The work complies with our *Habitats Directive Handbook for Agency Permissions and Activities*.

We carried out the Review of Consents in four stages, in order to comply with regulation 50.

Stage one began in 1999 and involved the identification of all 'relevant' permissions: abstraction licences, discharge consents, integrated pollution control (IPC) permits, radioactive substances (RSR) authorisations and waste management licences.

In Stage two, all relevant permissions identified in Stage one were subject to further assessment to identify 'likely significant effect'. Stage two was completed in Spring 2002. All those that were likely to have a significant effect on the designated site were looked at in Stage three. Permission types put through to Stage 3 were:- abstraction licences, discharge consents, waste management licences, IPC permits and RSR authorisations.

Stage three consisted of an assessment to see whether the Environment Agency permissions are having an adverse effect upon the integrity of the site. Each permission was assessed both alone and in combination with one another and with other plans, projects and background conditions.

There were two possible conclusions to this assessment, as follows:-

- The permission **can** be shown to have no adverse effect on the integrity of the site;
- The permission **cannot** be shown to have no adverse effect on the integrity of the site.

The Stage three assessment was based on the conservation objectives for Dungeness SAC (drawn up by English Nature, now part of Natural England). It is a scientific assessment, using the best available information to reach decisions and taking into account risk. The official name for this is the '*appropriate assessment*'.

The *appropriate assessment* is an Environment Agency document and the decisions it contains are the Environment Agency's alone, having had regard to English Nature's (now Natural England) advice. Stage three for this site was completed in 2007.

## Stage four Site Action Plan

In Stage four of the Review of Consents, we considered options for action on permissions assessed in Stage three. In accordance with the Habitats Regulations, we have determined whether to affirm, modify or revoke each permission.

We developed a set of principles to use in Stage four and all of the preferred options, that is, decisions on whether to affirm, modify or revoke, must fully comply with these. The principles are that the final decision must be fair and reasonable, consistent with other similar decisions being taken within the Environment Agency, it must be compliant with the Habitats Regulations, and it must ensure that the permissions will not have an adverse effect on site integrity.

The preferred options all meet the environmental outcomes established in collaboration with Natural England. Those outcomes represent the environmental requirements of the site that will protect the site against specific impact types. They also consider the need to restore the SAC to favourable condition where necessary.

The options appraisal and the resulting final preferred option for each permission is reported in the Stage four Site Action Plan. This comprises sections outlining the environmental outcomes, the appraisal of each permission type alone and in combination with each other, a consideration of whether our decisions might result in an impact on the site in combination with each other, and whether they are appropriate to other Natura 2000 sites that are close to Dungeness SAC.

Through the Review of Consents process, we have determined that carrying out certain actions enables us to conclude that Environment Agency permissions will not have an impact on the integrity of Dungeness SAC.

The record of our decisions, for all those permissions in the process for this Natura 2000 site, are presented in a document known as 'Appendix 19', which is included as an appendix to the Site Action Plan. The changes that result from these decisions are outlined below.

## Stage four conclusions

We assessed 196 permissions at Stage 3 for this site. We will affirm all but one of these as a result of Stage 4. The remaining 1 will be modified as described below. We do not propose to revoke any permissions as a result of this process for Dungeness SAC, as this is not necessary.

### Abstraction licences

One abstraction licence could not be shown not to have an adverse effect on the site. This licence permits the abstraction of groundwater from the Denge Gravels within the

designated area, and is held by Folkestone and Dover Water Supply company to be used for public water supply.

The licence is to be modified by the addition of a special condition that requires abstraction to cease when groundwater levels reach a predetermined level of 1.26 meters above ordnance datum. This level equates to the minimum groundwater level required to support the indicator species of the wetland communities present within the designated area.

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**The proposed modification enables us to conclude that no Environment Agency permissions assessed in the Review of Consents are having an adverse effect on the integrity of Dungeness SAC. We will affirm all other permissions in the RoC process for this Natura 2000 site.**

Please contact Jo Simmons ([jo.simmons@environment-agency.gov.uk](mailto:jo.simmons@environment-agency.gov.uk)) for further details on this work.

Other information can be found at:

<http://www.environment-agency.gov.uk/business/regulation>

Guidance can be requested from [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)