

# Dungeness, Romney Marsh and Rye Bay potential Special Protection Area (pSPA)

## Report of Consultation by Natural England

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## **Version Control**

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## Introduction

The purpose of this Consultation Report is to clearly set out all correspondence received by Natural England and the associated responses during the Dungeness, Romney Marsh and Rye Bay potential Special Protection Area (pSPA) formal consultation which ran from 18<sup>th</sup> October 2016 to 17<sup>th</sup> January 2017.

**Table 1: Summary of responses**

<b>Site Name</b>	<b>Dungeness, Romney Marsh and Rye Bay pSPA (marine extension)</b>
Formal consultation period (25 weeks)	<b>18th October 2016 - 17th January 2017</b>
Total number of stakeholder responses	41
Organisations	9
Individuals/Unsolicited	17
Relevant/competent authorities	15
<b>Number of supporting responses</b>	<b>9</b>
Number of supportive responses that raise scientific concerns/queries	2
Number of supportive responses that raise socio-economic concerns/queries	2
Number of supportive responses that raise socio-economic and scientific concerns/queries	0
<b>Number of general enquiries/neutral responses</b>	<b>25</b>
Number of neutral responses that raise scientific concerns/queries	0
Number of neutral responses that raise socio-economic concerns/queries	17
Number of neutral responses that raise both scientific and socio-economic concerns/queries	0
<b>Number of objections</b>	<b>7</b>
Number of objections which raise scientific concerns/queries	2
Number of objections which raise socio-economic concerns/queries	7
Number of objections which raise both scientific and socio-economic concerns/queries	2
<b>Number of consultees with outstanding objections</b>	<b>7</b>

Details of Natural England's Non-Financial Scheme of Delegation (NFSoD) can be found in Appendix 1.

## Background

Natural England works as the Government's statutory adviser to identify and recommend Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) in England including English inshore waters to 12 nautical miles, to meet the requirements of the European Birds and Habitats Directives.

The Birds and Habitats Directives require the creation of a network of protected areas for important or threatened wildlife habitats across the European Union known as 'Natura 2000' sites. Once sites are identified as proposed SPAs or possible SACs, they are recommended to government for approval to carry out a formal public consultation. When a site is approved by government for formal consultation it becomes a "potential" Special Protection Area (pSPA). Government decides which sites are put forward to the European Commission for inclusion in the Natura 2000 network.

### Dungeness, Romney Marsh and Rye Bay pSPA consultation

The existing Dungeness, Romney Marsh and Rye Bay SPA is a 4,010.29 ha coastal SPA located on the south Kent coast. This existing SPA was classified in March 2016 as it qualifies for the following reasons:

- The site regularly supports more than 1% of the GB populations of 12 species listed in Annex I to the European Commission (EC) Birds Directive (Marsh harrier *Circus aeruginosus*, Avocet *Recurvirostra avosetta*, Mediterranean gull *Larus melanocephalus*, Sandwich tern *Sterna sandvicensis*, Common tern *Sterna hirundo*, Little tern *Sternula albifrons*, Bewick's swan *Cygnus columbianus bewickii*, Bittern *Botaurus stellaris*, Hen harrier *Circus cyaneus*, Golden plover *Pluvialis apricaria*, Ruff *Philomachus pugnax* and Aquatic warbler *Acrocephalus paludicola*). Therefore, the site qualifies for SPA classification in accordance with the UK SPA selection guidelines (stage 1.1, 1.4);
- The site regularly supports more than 1% of the biogeographical population of one regularly occurring migratory species (shoveler *Anas clypeata*). Therefore, the site qualifies for SPA classification in accordance with the UK SPA selection guidelines (stage 1.2); and
- The site regularly supports more than 20,000 waterbirds during the non-breeding season. Therefore, the site qualifies for SPA classification in accordance with the UK SPA selection guidelines (stage 1.3).

An extension to the existing Dungeness, Romney Marsh and Rye Bay SPA is proposed to include important marine foraging areas used by little, common and Sandwich terns from breeding colonies within the existing SPA. The westernmost boundary of the existing SPA includes an extension of 21 km further west to Bexhill, the stretch of foreshore around the point of Dungeness which currently separates the two coastal sections of the existing site, and an extension of 9.6 km further north as far as West Hythe. Between these westernmost and northernmost limits it is proposed that the seaward boundary of the current site is extended to a maximum of approximately 9 km to include subtidal waters used by foraging terns. The revised boundary reflects a composite of the marine areas used by each of the three species of tern originating from each of the principal nesting colonies. The existing SPA covers an area of approximately 40 km<sup>2</sup> which will be extended by 303 km<sup>2</sup> resulting in a total pSPA area of 343 km<sup>2</sup>.

The site includes a diverse range of broadscale habitats within the marine environment which support a variety of prey species for the foraging seabirds, such as sub-tidal sand, sub-tidal coarse sediment, inter-tidal sand and muddy sand, moderate energy infralittoral rock, sub-tidal mud, sub-tidal mixed sediments, sub-tidal biogenic reefs and moderate energy circalittoral rock.

## **The Consultation Process**

### Informal Dialogue

Informal dialogue was carried out with relevant individuals and organisations from 12<sup>th</sup> April 2016 until the start of the formal consultation period in October 2016. During informal dialogue Natural England engaged with stakeholders and local interest groups on the pSPA to allow key stakeholders to input into the process and provide any additional information or data related to the proposal. By doing so, Natural England obtained information on the socio-economics impacts including activities within the site (particularly fishing activities) and discussed the potential requirement for additional management measures as a result of the marine extension.

### Formal Consultation

There was a 13 week formal consultation carried out on the site proposals from 18<sup>th</sup> October 2016 to 17<sup>th</sup> January 2017.

The purpose of this consultation was to seek the views of all interested parties on:

- The scientific case for the classification of the Dungeness, Romney Marsh and Rye Bay pSPA.

The Habitats and Birds Directives<sup>1</sup> do not permit socio-economic considerations to influence the choice of Natura 2000 sites (SPAs and Special Areas of Conservation) or their boundaries.. While socio-economic implications cannot be taken into consideration when deciding to classify an SPA, the consultation included a brief summary of the expected socio-economic implications to help stakeholders understand potential site management issues. A screening assessment of socio-economic impacts for the site was undertaken before the consultation and based on the current understanding of existing and planned activities occurring within the pSPA. As agreed by Defra, the screening assessment concluded that the socio-economic impacts resulting from the pSPA classification were relatively low. Therefore production of a full socio-economic impact assessment for the consultation was considered disproportionate and was not undertaken.

However, to ensure all consultation responses have been considered, all socio-economic representations are reported briefly within this Consultation Report (Table 3) with further detail provided as an addendum to the assessment of socio-economic impacts performed prior to formal consultation. The amended socio-economic assessment will be submitted to government along with this Consultation Report.

## **Raising awareness about the Consultation**

Natural England contacted all major stakeholders with an interest in the area of the proposed SPA marine extension, as well as owner/occupiers and relevant MPs. A total of 1094 stakeholders and owner/occupiers were contacted by email, post, telephone or in person during the formal consultation. To announce the start of formal consultation, approximately 120 stakeholders were contacted by e-mail which included a covering letter and a link to the formal consultation pack, containing a consultation summary document, Departmental Brief and boundary maps of the proposed site extension; 970 owner/occupiers were sent hard copies of the covering letter and formal consultation package by post. Stakeholders were provided with the option to respond directly to the consultation e-mail box, online via an online survey, by post or by

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<sup>1</sup> ECJ judgement of 2 August 1993, *Commission v Spain*, C-355/90 ECJ reports, p.4221, especially points 26-27; judgement of 11 July 1996, *Regina v Secretary of State for the Environment*, ex parte: *Royal Society for the Protection of Birds*, C-44/95, ECJ reports, p.3805, especially point 26)

<sup>1</sup> ECJ judgement of 11 September 2001, *Commission v France*, C-220/99, ECJ reports, p.5831; judgement of 11 September 2001, *Commission v Ireland*, C-67/99, ECJ reports, p.5757; judgement of 11 September 2001, *Commission v Germany*, C-71/99, ECJ reports, p.5811)

calling the pSPA Natural England contact. The consultation questions available via the online survey related to the scientific evidence underpinning the pSPA and can be found in Appendix 2.

In the event that stakeholders were unable to access the internet, hard copies were provided on request. Additional bespoke maps and other documentation were provided to those that requested a higher definition of boundary changes within proximity to their area of interest. Close to the end of the formal consultation (on 4 Jan 2017), a reminder email was sent to those stakeholders that had not yet responded, to remind them of the deadline for responses.

During the informal dialogue and formal consultation stages, Natural England staff led stakeholder engagement, which took the form of responding to electronic and hard-copy letters, telephone and in-person conversations with stakeholders and attendance at meetings (including presentations to provide briefings on site recommendations). Natural England regularly engaged with stakeholders on the pSPA and existing SPAs during partnership and committee meetings, including 6 monthly meetings with the Harbour of Rye Advisory Committee (HoRAC) which includes a range of local stakeholders with interest in the pSPA area, from commercial, recreational and local government sectors.

A press release was distributed to relevant media at the start of formal consultation, which contained details of the proposals and information about the consultation.

A meeting was also held at Rye Harbour Master Office between Natural England and the Rye Harbour Master (of the Environment Agency), spokesperson for Rye Harbour Sailing Club and six fishermen belonging to local fishing fleets (Folkestone, Dungeness and Rye Bay) using the area proposed for inclusion within the pSPA. Natural England used this opportunity to actively engage in person with crucial stakeholders in order to provide further information on the purpose of the pSPA classification, its compatibility with their activities, and to alleviate any concerns with the proposal and its perceived potential for additional management.

## **Consultation Responses**

A total of 41 stakeholders responded to the formal consultation via e-mail, online survey, by letter, in person or by telephone. Of these, 30 of the consultation responses required detailed consideration. Nine stakeholders were supportive of the proposals; two of those supportive responses raised scientific queries, whilst two raised socioeconomic queries. 25 stakeholders submitted neutral responses with 17 raising socioeconomic queries. Seven stakeholders objected to the proposal with all seven raising socioeconomic concerns but only two of these stakeholders also raised scientific concerns. The majority of objections received were from the fishing industry who objected in principle to Marine Protected Areas such as SPAs and Marine Conservation Zones (MCZ's) within this area. Efforts have focussed on reassuring the industry that the pSPA proposals would have little impact on fishing activities.

There were no concerns raised by stakeholders regarding the consultation process. Scientific related concerns raised during the consultation included the scientific modelling used to propose the classification; specifically, a lack of confidence in the model's ability to predict likely foraging areas because avian science is a 'new' science, the shape and size of the proposed extension and that it is not centred around one specific tern colony, and a lack of evidence of tern foraging distances from nests.

Socioeconomic related concerns raised during the consultation were focussed on the lack of detail on the reason that a socio-economic impact assessment was not carried out. Stakeholders raised concerns over potential management implications on: commercial fishing activity within the marine extension; recreational boating activity; navigational safety practices for recreational and commercial vessel activity; shipping; port development and lighthouse operations; incompatibility with safe aerodrome operations and restriction of airport expansion proposals; and power station/energy generation operations.

Natural England was not able to re-contact two stakeholders that responded via the online survey, due to a lack of contact details or incorrect contact details being submitted with their response; both were neutral responses.

Of the seven objecting responses received, seven remain with two scientific points outstanding and require consideration by Defra. Please see details in the 'Issues for consideration by Defra' section below.

Natural England replied in writing to each stakeholder who raised issues during the consultation, addressing each of the points raised; for some responses, follow up calls were held to either clarify points raised or to ensure all points were addressed sufficiently. Stakeholder representations and Natural England's response to issues raised can be found in Table 3 together with Natural England's recommendations to Defra. Where further communications were received, Natural England responded with further written correspondence.

### **Consultation Conclusions and Natural England's advice to Defra**

**Natural England recommends that the site be classified in line with the Departmental Brief and supporting consultation documents with the following alteration:**

- **The final citation is amended to update the total site area as currently detailed in the draft citation of the Departmental Brief (scientific recommendation).** The area figure in the final citation should be updated from 343.74 km<sup>2</sup> (34,374.42 Ha) to 424.17km<sup>2</sup> (424,17.53 Ha). The area figure changes do not materially affect stakeholder's views or alter the scientific basis for the site or the boundary itself. We therefore recommend the citation is amended accordingly should the Secretary of State approve the classification of the site as SPA. See Appendix 3 for further details.

### **Issues for consideration by Defra**

Natural England received seven objecting responses to the proposals to extend the Dungeness, Romney Marsh and Rye Bay SPA that we would like to highlight to Defra as unresolved. Two objections relate to the scientific evidence. Natural England can confirm that the extent of likely foraging habitat was identified using an objective, repeatable and scientific model, supported by a site-specific programme of observations of tern activity in and around Rye Bay which confirmed close alignment between the modelled predictions and the occurrence of terns.

Natural England would like to highlight for Defra's consideration as unresolved objections issues raised by [REDACTED] (representative for the Folkestone Fisherman's Association, page 26); [REDACTED] (representative for the Rye fishing fleet, see page 33) and [REDACTED] (Lydd Town Council and representative for the Rye fishing fleet, see page 34). The consultees raised concerns via a number of communications which included one meeting with Natural England representatives in November 2016, and another with Defra representatives, Damian Collins MP (Member of Parliament for Folkestone and Hythe) and Thérèse Coffey MP in January 2017; contact was also made with the Office of Rt Hon. Amber Rudd MP (Member of Parliament for Hastings and Rye). The consultees **objected in principle to Marine Protected Areas and raised similar concerns regarding how the fishing industry would be affected by the proposals, questioned the threats the SPA is aiming to protect against, and requested information on the purpose of the classification.** Natural England responded in writing to clarify that restrictions on fishing activity would be unlikely as a result of the pSPA classification because terns forage on smaller fish than the fishermen target and terns are highly manoeuvrable in flight and generally undisturbed by fishing activities. Natural England noted that the presence or absence of current pressures or future threats is not a material consideration in the process by which SPAs are identified but rather whether these areas are important supporting habitats for the qualifying features. Additionally, we

noted the purpose of the classification is to identify and formally recognise the importance of marine foraging areas for breeding terns in the area and provide protection from potentially damaging activities in the future.

██████████ (Lydd Town Council and representative for the Rye fishing fleet) additionally raised concerns **highlighting coastal flooding as being a potentially greater risk than fishing activities to foraging terns and raised a scientific query regarding the counterintuitive shape and large size of the proposed marine extension.** ██████████ suggested that a more logical foraging ground associated with the breeding features of the existing SPA would be achieved by adding a six mile radius around the nest, but did not present evidence to support this suggestion. Natural England noted the proposed boundary method would not be scientific whereas the modelling method used to define the boundary for this and other pSPAs is a robust, objective, repeatable and scientific method. Additionally, the site-specific programme of observations of tern activity in and around Rye Bay confirmed close alignment between the modelled predictions and the occurrence of terns. Natural England also noted the potential physical threat from coastal flooding is more relevant to the breeding area and current management of the existing SPA. For a summary of these issues and how Natural England responded to the concerns raised, please refer to page 34 in Table 3 of the Consultation Responses chapter.

Natural England would like to highlight for Defra's consideration as an unresolved objection the issues raised by ██████████ Harbour of Rye Advisory Committee). The stakeholder raised **concerns regarding how the fishing industry would be affected by the proposal, raised a scientific query regarding the size of the proposed marine extension, raised a scientific query regarding the apparent lack of evidence to show maximum foraging distance of terns, and queried the ability to enforce the protection of such a large marine area.** Natural England responded in writing to clarify that restrictions on fishing activity would be unlikely as a result of the pSPA classification because terns forage on smaller fish than the fishermen target and are highly manoeuvrable in flight and generally undisturbed by fishing activities. Natural England also clarified that the extent of likely foraging habitat was identified using an objective, repeatable and scientific model, supported by a site-specific programme of observations of tern activity in and around Rye Bay which confirmed close alignment between the modelled predictions and the occurrence of terns. It was also noted that although additional management is not expected, there is a requirement for future plans and projects to include Habitat Regulation Assessments as a result of the pSPA if classified. For a summary of these issues and how Natural England responded to the concerns raised, please refer to page 37 in Table 3 of the Consultation Responses chapter.

Natural England would like to highlight for Defra's consideration as an unresolved socioeconomic objection the issues raised by **British Ports Association (BPA)** with respect to: the **request to exclude all port statutory limits, shipping channels and marinas from all pSPAs/SPAs; the lack of a model, estimate or projection for what the pSPAs hope to achieve which are much larger than tern feeding habitats; the date of the data being more than a decade ago and where more contemporary data has been used, it is small-scale and ad-hoc; and highlighted that pSPA proposals must be placed in context of wider Government policy (Marine Plans and UK Marine and Ports Policy Statements).** Natural England responded to clarify that the boundary and the modelling method used to define the boundary for this and other pSPAs was robust and demonstrated terns used these areas to forage. Furthermore, the site-specific programme of observations of tern activity in and around Rye Bay confirmed close alignment between the modelled predictions and the occurrence of terns. Clarification was also provided that tern species are consistently scored as being amongst the least sensitive species to disturbance from vessel traffic. Natural England also clarified that UK government is committed to halting, and where possible reversing, the loss of marine biodiversity by creating a coherent network of Marine Protected Areas (MPAs) in the UK which aims to achieve the balance required for sustainable development. With regard the age of data query from BPA, Natural England note the query was a general comment not directed specifically to a particular pSPA or species.



Natural England provided clarification to BPA that all data sets used in the delineation of pSPA site boundaries meet with marine UK SPA selection guidelines and Natural England's and the Joint Nature Conservation Committee's evidence standards. For a summary of these issues and how Natural England responded to the concerns raised, please refer to page 22 in Table 3 of the Consultation Responses chapter.

Natural England would like to highlight for Defra's consideration as an unresolved objection the issues raised by **London Ashford Airport (LAA)**. LAA raised a number of socio-economic based queries regarding: **the pSPA extending closer to the boundary of the airport than the existing SPA; the lack of scope to take into consideration important local socio-economic factors; the perceived lack of transparency in assessments of impacts of the pSPA classification (with regard to socio-economic assessments); the increased risk of bird-strike for aircraft; and the potential conflict between the pSPA and critical human and public safety (that the pSPA classification appears to bypass the requirements of Aerodrome Safeguarding Zones)**. Natural England responded to clarify that socio-economic factors cannot be taken into account when classifying a SPA or defining its boundaries. We also noted that a preliminary socio-economic assessment was completed which did not meet the identified cost threshold to trigger a full Impact Assessment. Natural England clarified there are no proposed changes to the landward boundary of the existing classification and therefore changes to the boundary closest to the airport perimeter are not recommended within the current proposals. We also explained that the airport does not pose a significant threat in terms of bird strikes with aircraft, as evidence suggests that the majority of terns are found at heights below 20 m and below the height at which aircraft would be flying. Natural England also clarified that the pSPA will not directly hinder efforts to safeguard the airport's spatial activities because the SPA's closest boundary is not being altered, and currently LAA operates without conflict with the existing SPA despite it being within the 13 km buffer zone of LAA's activities; Natural England confirmed that the classification of the pSPA will not seek to create a new wildlife attraction because the site already supports several regularly occurring species of national and international importance, regardless of whether the site is classified or not. For a summary of these issues and how Natural England responded to the concerns raised, please refer to page 30 in Table 3 of the Consultation Responses chapter.

Natural England would like to highlight for Defra's consideration as an unresolved objection the issues raised by an individual owner-occupier [REDACTED]. The stakeholder **queried why Natural England is proposing to restrict activities that have created good habitat in the area, as demonstrated by the number of birds it currently supports, and queried whether classifying a pSPA is an efficient use of public money given the ongoing negotiations to leave the European Union**. Natural England responded to clarify that restrictions on any activity are unlikely as a result of the pSPA classification as we do not hold evidence that activities pose a threat to foraging terns in this area. We clarified that whilst EU exit negotiations are ongoing, the UK remains a full member of the European Union and Government will continue to negotiate, implement, apply EU legislation, and continue to engage with day to day EU business, resulting in no immediate changes to the implementation of the Habitats and Birds Directives. For a summary of these issues and how Natural England responded to the concerns raised, please refer to page 13 in Table 3 of the Consultation Responses chapter.

## **Detail of Consultation Responses**

**Table 2: Response categories**

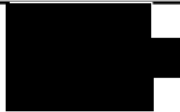

<b>Categories of Responses</b>	
<b>Number</b>	<b>Type</b>
1.	Simple acknowledgement/neutral response
2.	Support
3.	Do not understand the implications/request clarification/general views
4.	Objection in principle to designation
5.	Objection on scientific grounds to the boundary (seaward, landward or east-west)
6.	Objection on scientific grounds regarding species or surveys
7.	Objection on other scientific grounds
8.	Objection on socio-economic grounds
9.	Objection – other

The stakeholder's representation is outlined together with Natural England's response and recommendation to Defra in Table 3 below. Natural England will provide Defra with a full consultation package to include copies of all consultation responses received and Natural England's response to the points raised.

Consultees are categorised as follows:

- A - Owner/Occupiers
- B - Local authorities/other competent authorities
- C - Interested parties/Organisations
- D - Members of the public and unsolicited responses

**Table 3: Detail of Consultation responses**

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
<b>A. Owners and occupiers</b>				
	<p>Neutral response, and made the following comments:</p> <ol style="list-style-type: none"> <li>1. Requested clarification regarding impacts to fishing activities</li> <li>2. Queried why such a large extent of the sea was included</li> </ol>	3	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Clarified that there are no recommended changes to management of any activity within the pSPA including fisheries</li> <li>2. Explained that the identification of tern foraging habitat is based on the use of a statistical model which has been used successfully across the UK for a number of other sites and supported by site-specific programme of observations of tern activity. Demonstrated that foraging range is dependent on the species which can cover large areas for instance - Sandwich terns can forage up to 30 km from their colony.</li> </ol>	None
	<p>Supportive response confirming support of extra protection for wildlife in the area and made the following comments:</p> <ol style="list-style-type: none"> <li>1. Requested clarification regarding the potential impacts on fishing</li> <li>2. Queried why such a large extent of the sea was included</li> </ol>	2 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Explanation that there are not any recommended changes to management of any activity within the pSPA. With reference to fishing, new management not proposed since fish targeted by fishermen were much bigger than that targeted for prey by terns and that we do not have evidence that there is a</li> </ol>	None

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
			<p>significant impact on the terns, due to fishing</p> <p>2. Explained that the identification of tern foraging habitat is based on the use of a statistical model which has been used successfully across the UK for a number of other sites and supported by site-specific programme of observations of tern activity. Demonstrated that foraging range is dependent on the species which can cover large areas for instance - Sandwich terns can forage up to 30 km from their colony.</p>	
	<p>Supportive response during which consultee noted importance of birds in the area specifically:</p> <ol style="list-style-type: none"> <li>1. Queried whether the pSPA proposal can be used in an objection to a current planning application.</li> <li>2. Noted the provided map was not clear in showing which areas are already classified as SPA</li> </ol>	2 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Explained that several designated sites are adjacent to the proposed development and that Natural England is currently in discussion with the developer.</li> <li>2. Acknowledged and noted that the pSPA consultation did not seek comments on already classified areas of SPA.</li> </ol>	None
	<p>Supportive response, and raised following queries:</p> <ol style="list-style-type: none"> <li>1. Requested confirmation that landward boundary wasn't changing.</li> <li>2. Raised concerns regarding an enforcement order on the River Rother</li> </ol>	2 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Confirmed no changes to landward boundary proposed.</li> <li>2. Advised consultee to contact Environment Agency and local planning authority regarding enforcement order for the SSSI in question.</li> </ol>	None
	<p>Neutral response with the following comment:</p>	3	<p>Acknowledgement provided and detailed response as follows:</p>	None

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	- Requested clarification regarding the potential effect on house and land owners		- Confirmed no impact on house and land owners because the pSPA extension does propose changes to the landward boundary.	
	<p>Neutral response and raised the following queries;</p> <ol style="list-style-type: none"> <li>1. Raised concerns in relation to an ongoing historical objection to SSSI legalities (restrictions on development) although noted no specific objection to the proposed SPA boundary extension.</li> <li>2. Noted that provided map was not clear.</li> </ol>	3	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Provided written explanation that consultation documents provide details regarding the consultation on the pSPA only, which is proposed in order to protect the feeding areas for breeding terns that use the extensive marine environment adjacent to the existing SPA.</li> <li>2. Acknowledged and provided high resolution map to show both overlap of SSSI/pSPA boundaries and stakeholder land.</li> </ol> <p>Offered site visit which stakeholder declined</p>	None
	<p>Objecting response, and raised the following concerns:</p> <ol style="list-style-type: none"> <li>1. Requesting clarification on proposals to restrict the activities that have created good habitat in the area, as demonstrated by the number of birds it currently supports.</li> <li>2. Querying whether classifying a pSPA, which is underpinned by EU legislation, is an efficient use of public funds given the ongoing negotiations to leave the EU</li> </ol>	3 / 4	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Explained that restrictions on any activities are unlikely as a result of the pSPA classification as the vulnerability assessment indicates that activities in the area are not significantly impacting tern foraging abundance or distribution. This conclusion is supported as terns are present in regular numbers alongside existing levels of activity.</li> <li>2. Clarified that the UK has a long history of wildlife protection and is a signatory of international wildlife protection conventions,</li> </ol>	Not explicitly stated but consultee may consider their issue to be current.

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
			such as Ramsar and Bern, independent of EU membership. Also that whilst exit negotiations are ongoing, the UK remains a full member of the European Union and Government will continue to negotiate, implement and apply EU legislation, and continue to engage with day to day EU business, resulting in no immediate changes to the implementation of the Habitats and Birds Directives.	
	Supportive response noting observations of nesting and migratory birds in the locality and support for protecting against disturbance.	2	Acknowledgement provided	None
	Neutral response, noting:  - Concerns regarding a planning proposal with Shepway District Council and its potential impact on the pSPA	1	Unable to acknowledge response due to incorrect contact details provided. Any planning proposal would need to take the existing SPA into account.	None
	Neutral response with no further comment.	1	Acknowledgement provided	None
	Neutral response, and made the following comments:  1. Requested clarification of effect on house and land owners 2. Noted that the provided map was not clear and requested better resolution of the Rye area (confluence of the river Rother and Rock Channel)	1 / 3	Acknowledgement provided and detailed response as follows:  1. Clarified there is no effect on house and land owners of the pSPA proposals because the proposal does not alter the existing landward boundary. 2. Provided high resolution map of the area in question. Noted that this area is partially within the existing SPA and as changes to the landward boundary are not proposed, the confluence will continue to only partially fall	None



CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
			within the pSPA if classified.	
Anonymous	Neutral response with no further comment provided	1	Unable to acknowledge response due to lack of contact details provided	None
Anonymous	Neutral response with no further comment provided	1	Acknowledgement provided	None
<b>B. Local authorities/other competent authorities</b>				
Crown Estate	<p>Neutral response and made the following comments:</p> <ol style="list-style-type: none"> <li>1. Provided no comment regarding the scientific justification for the pSPA. Provided information on socioeconomic considerations, specifically on marine cables (proposed, active and inactive)</li> <li>2. Request for clarification on the likely management measures brought into effect by the pSPA</li> <li>3. Queried whether there will be any implications on consents for projects already provided and the potential for future developments within the pSPA area to be impacted by this classification</li> </ol>	1 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Clarified that Natural England will continue to engage with stakeholders that hold interests within the proposed marine extension area. Also noted that socio-economic factors cannot be taken into account by Member States when classifying a SPA or defining its boundaries.</li> <li>2. Clarified that an assessment carried out prior to formal consultation confirmed that additional management is not required for the pSPA.</li> <li>3. Confirmed that existing licences do not need to be reassessed. Clarified that future applications for statutory permissions, consents and authorisations would be subject to the Habitats Regulations process, which will need to consider the extension area.</li> </ol>	None
Maritime and Coastguard Agency (MCA)	<p>Neutral response and made the following comments:</p> <ul style="list-style-type: none"> <li>- Recognised a lack of information</li> </ul>	1 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <ul style="list-style-type: none"> <li>- Acknowledged the lack of detail regarding</li> </ul>	None

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	regarding possible management measures and requested clarification on the likely management measures brought into effect by the pSPA, specifically those affecting vessels, counter pollution response operations, Civil Hydrography Programme operations, search and rescue, safety and navigation.		<p>potential management measures and clarified that the consultation is specifically seeking views on the scientific evidence underpinning the proposals.</p> <p>Confirmed that MCA activities (such as vessel movements) are unlikely to have an effect on the features of the pSPA. This is because terns are highly manoeuvrable in flight and consistently scored as being amongst the least sensitive species to disturbance from vessel and helicopter traffic. Classification of the pSPA would not introduce any requirement for the MCA to seek or obtain the prior consent from Natural England in respect of their statutory duties.</p>	
Trinity House (TH)	<p>Neutral response and made the following comments:</p> <ol style="list-style-type: none"> <li>1. Provided clarification of duties as a relevant authority</li> <li>2. Noted that TH operations cause insignificant harm to the marine environment and requested acknowledgement of their presence and activities in the pSPA.</li> </ol>	1 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Confirmed that the classification would not introduce any requirement for TH to seek or obtain the prior consent of Natural England when carrying out its activities.</li> <li>2. Confirmed that TH, as a competent authority, should have regard to the possibility of such operations having an adverse effect on this pSPA by making a formal prior assessment of any plan or project. If satisfied that a given operation is not likely to have a significant effect on the site, it is entitled to proceed under the Habitats Regulations.</li> </ol>	None



CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
Kent and Essex Inshore Fisheries and Conservation Authority (KEIFCA)	<p>Neutral response and made the following comments:</p> <ol style="list-style-type: none"> <li>1. Noted the lack of management advice in the consultation documents which hinders their efforts to successfully manage the pSPA.</li> <li>2. Requested information on what activities Natural England aims to protect against</li> <li>3. Request for fishing effort maps within the boundary of the pSPA, as provided to local fishermen</li> </ol>	1 / 3	<p>Acknowledgement provided and detailed response including face-to face discussion as follows:</p> <ol style="list-style-type: none"> <li>1. Explanation that the consultation is specifically seeking views on the scientific evidence underpinning the proposal and acknowledgement of the lack of detail regarding potential management measures. Natural England explained that fishing activities are not viewed as significantly impacting tern abundance and distribution since fishermen target larger fish than the terns prey upon. Also terns are present in qualifying numbers despite the level of fishing activity</li> <li>2. Explanation that although no new management is needed for current activities taking place future applications for statutory permissions, consents or authorisations will be subject to the Habitats Regulations Assessment process, which will have to include a consideration of the marine extension</li> <li>3. Provided requested maps</li> </ol>	None raised
Environment Agency	Neutral response	1	Acknowledgement provided	None
Kent County Council (KCC)	<p>Supportive response and raised following requests and queries:</p> <ol style="list-style-type: none"> <li>1. Requested examples of other sites (SPAs) where additional management restrictions on human activities have</li> </ol>	2 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Clarified that currently no other SPA for foraging terns in the UK has required additional management as a direct result of a</li> </ol>	None

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>been introduced as a result of the inclusion of tern marine foraging areas, specifically citing fisheries.</p> <p>2. Queried whether conservation objectives and management measures have yet been advised for other SPAs designated for foraging tern species. Queried whether further consultation on conservation objectives and management for this pSPA will be required?</p>		<p>marine extension and that we do not expect additional management measures to be needed in association with the classification of this pSPA.</p> <p>Noted that fishing and boating activities are not thought to significantly impact on tern abundance and distribution since fishermen target larger fish than terns prey upon and evidence indicates that terns are highly manoeuvrable in flight when foraging, and therefore not disturbed by vessel movements. Confirmed that management information was not included within the consultation documents as views were sought on the scientific rationale for classifying the marine extension. Noted that socio-economic factors cannot be taken into account by Member States when classifying an SPA or defining its boundaries.</p> <p>2. Clarified that other pSPA proposals are currently under consideration by Defra. Confirmed that Natural England will aim to publish Conservation Advice Packages within two years of classification if approved. Explained that the advice on conservation objectives is likely to be consistent with those of the other marine and coastal SPAs in the UK but will not go through a public consultation process.</p>	
New Romney Town Council	Neutral response	1	Acknowledgement provided	None

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
Shepway District Council	<p>Neutral response raising the following queries:</p> <ol style="list-style-type: none"> <li>1. Noting concerns regarding impact on commercial fishing fleets based in Dungeness and Rye Harbour</li> <li>2. Queried whether the designation is now a material consideration, and requested clarification regarding the inclusion of foreshore West Hythe to Greatstone.</li> <li>3. Confirmed that Dungeness C nuclear power station development is a long term (5-10 years) aspiration.</li> </ol>	2 / 3	<p>Acknowledgement provided and detailed response via telephone as follows:</p> <ol style="list-style-type: none"> <li>1. Provided confirmation that new management for fishing activity was not proposed and that Natural England had met with local fishermen during the consultation to discuss the proposals where it was confirmed that new management is unlikely.</li> <li>2. Clarified that the pSPA is now a material consideration and future applications for statutory permissions, consents or authorisations will be subject to the Habitats Regulations process, which will require inclusion of the marine extension. Confirmed that the foreshore at West Hythe to Greatstone is included in the new pSPA boundary.</li> <li>3. Explained that Dungeness C is not on the proposed site list held by the Department for Business, Energy and Industrial Strategy (formally the Department of Environment and Climate Change, DECC), and therefore not considered at this point to be a plan for the future.</li> </ol>	None
Highways England	<p>Neutral response raising the following queries:</p> <ul style="list-style-type: none"> <li>- Requested confirmation that the pSPA will not impact on safe and efficient operation of parts of the A259</li> </ul>	2 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <ul style="list-style-type: none"> <li>- Clarified no likely impact on the road because there are not any proposed changes to the landward boundary of the existing SPA; those land parcels within the existing boundary are</li> </ul>	None

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
			already classified as a SPA and are therefore already subject to the requirements of The Conservation of Habitats and Species Regulations 2010 (as amended).	
Eastbourne Borough Council	Supportive response with the following comment:  - Requested acknowledgment that proposed extension is entirely within the marine environment and changes to the landward boundary are not proposed. Noted that the extension is not within their jurisdiction but aware that Eastbourne is considered to be in close proximity to the pSPA and therefore HRAs for future plans or projects require consideration of the pSPA	2	Acknowledgement provided and detailed response as follows:  - Confirmed that the proposals extend into the marine boundary only although clarified that future applications for statutory permissions, consents or authorisations will be subject to the Habitats Regulations Assessment process, which should consider the marine extension area.	None
Department for Business, Energy and Industrial Strategy (Oil and Gas Environment and Decommissioning) (BEIS O&G)	Neutral response with the following comment: - Noted that no oil and gas activity is foreseeable within the boundary of, or in close proximity to the pSPA but if any activity becomes licenced/permitted in the future, this would be done so, following the Department's existing HRA procedures	1	Acknowledgement provided	None
Marine Management Organisation (MMO)	Neutral response with the following comment:  - Requested clarification whether there was a requirement to update Habitat	1 / 3	Acknowledgment provided and detailed response as follows:  - Clarified that ongoing and pre-consented activities (and licences) do not require re-	None

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	Regulation Assessments associated with ongoing licences specifically for a coastal defence works licence using contemporary tern data.		<p>assessment. Natural England advised that it is not necessary to update the assessment with more recent bird data because;</p> <ul style="list-style-type: none"> <li>the screening assessment carried out by Natural England did not identify any current activities of detriment to the marine extension; the coastal part of this SPA was already classified in 2010 (when the data was collected) and the tern species were already a feature of the existing SPA, therefore they would have been included in the HRA at the time of application;</li> <li>confirmed that contemporary data included only information on wintering birds and did not focus on summer surveys, during which breeding terns would have been recorded;</li> <li>any potential impact of the coastal defence works would be limited to the terrestrial/intertidal part of the SPA not the marine foraging areas.</li> </ul>	
Royal Yachting Association	<p>Neutral response with the following comments:</p> <ol style="list-style-type: none"> <li>Noted that the scientific rationale for the pSPA lies outside the remit of the RYA and that survey questions do not allow for additional input of socioeconomic information which is inconsistent with the consultation questions for Greater Wash pSPA</li> <li>Noted that recreational boating</li> </ol>	1 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>Noted that socio-economic queries cannot be taken into consideration when deciding to classify SPAs or defining their boundaries. Clarified that the socio-economic screening concluded that impacts resulting from the pSPA classification were relatively low and therefore a full Impact Assessment (IA) would be disproportionate. Noted that the Greater</li> </ol>	None



CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>activities do not impact the existing SPA; requested confirmation that since the identified cost of the pSPA was too low to trigger a full socio-economic impact assessment, that no additional management is proposed.</p> <p>3. Requested further information on monitoring that MMO and Natural England are using to assess risk posed by recreational boating</p>		<p>Wash pSPA socio-economic screening assessment exceeded cost thresholds and therefore the requirement for a full IA was triggered.</p> <p>2. Confirmed that a socio-economic assessment for the site was undertaken prior to consultation which was based on the current understanding of existing and planned activities occurring within the site. The evidence indicates that terns are highly manoeuvrable in flight and not disturbed by vessel movements and therefore current recreational boating activities are not thought to be a concern to foraging terns and no new management is recommended.</p> <p>3. Confirmed there are no formal assessments or monitoring processes of boating activities; known risks to particular sites are all site-specific therefore generic assessments across the UK are not in place. However, the MMO is looking into risk-assessing Marine Protected Areas in terms of recreational activities although this work is still under development.</p>	
British Ports Association (BPA)	<p>Objecting response based only the following concerns:</p> <p>1. Queried the compatibility of including port limits within pSPAs/SPAs. Noted there is no model, estimate or projection for what the pSPAs hope to achieve by designating and now</p>	8	<p>Acknowledgment provided and detailed response sent as follows:</p> <p>1. Demonstrated the modelled approach indicates that usage by foraging terns of areas such as port limits and shipping channels exceed the maximum curvature thresholds as outlined in the Departmental</p>	Not explicitly stated but consultee may consider their issue to be current

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>extending these areas, often over areas much larger than the feeding grounds or habitats they are seeking to protect.</p> <ol style="list-style-type: none"> <li>Highlighted the BPAs current "Port Zone" policy suggestion to exclude all statutory harbour limits from marine protected areas.</li> <li>Noted the data in many cases was published more than a decade ago using even older data and that newer data sources which have been quoted seem to be small scale and ad-hoc surveys.</li> <li>Highlighted statutory duties in respect of navigational safety and conservancy, noting that existing activities must be allowed to continue unhindered.</li> <li>Highlighted that BPA feel very strongly that proposals must be placed in a context of wider Government policy – namely Marine Plans and the UK Marine and Ports Policy Statements.</li> </ol>		<p>Brief. The adoption of a model-based approach is justified with a number of precedents. Demonstrated confidence in the robustness of the models' predictions of patterns of tern usage (verified through additional surveys in 2015) and satisfied with the objectivity that the application of the maximum curvature analysis approach has given to the boundary identification process. Clarified that tern species are consistently scored as being amongst the least sensitive species to disturbance from vessel and helicopter traffic, which together with the verification survey findings, demonstrates that tern species forage in areas in which noise and visual disturbance occurs. Also noted that the areas which have been included within site boundaries including port, harbours and marinas is restricted to those areas considered to be of greatest importance to the well-being of the birds whilst deliberately excluding areas of use that are of lesser importance.</p> <ol style="list-style-type: none"> <li>Acknowledged that BPA are in direct contact with Defra regarding the "Port Zone" policy suggestion; we have therefore not commented in detail on these proposals. We do note that decisions for SPAs can only be influenced by the scientific/ornithological criteria, and that socio-economic factors cannot be taken into account.</li> <li>Natural England note that the query was a</li> </ol>	

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
			<p>general comment and did not refer to a particular pSPA or species. However, between 2009 and 2013, JNCC coordinated a programme of survey work to identify important foraging areas for terns at a number of UK tern colonies which was supported in the case of this pSPA by a site-specific programme of observations of tern activity in and around Rye Bay during 2015. Natural England provided clarification that all data sets used in the delineation of pSPA site boundaries meet with marine UK SPA selection guidelines and Natural England's and the Joint Nature Conservation Committee's evidence standards. We explained that we are committed to using the best available data and survey techniques although noted that it is inevitable that an amount of time is required between data collection and consultation on potential sites which is unavoidable as time is required for analysis, reporting, and development of proposals.</p> <ol style="list-style-type: none"> <li>4. Provided clarification regarding statutory harbour duties and demonstrated that additional management for existing activities is not recommended.</li> <li>5. Highlighted that UK government is committed to halting, and where possible reversing, the loss of marine biodiversity by creating a coherent network of Marine Protected Areas (MPAs) in the UK which aims to achieve the</li> </ol>	



CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
			balance required for sustainable development.	
Sussex Inshore Fisheries Conservation Authority (SXIFCA)	<p>Neutral response with the following comments:</p> <ol style="list-style-type: none"> <li>1. Confirmed fishing activity and effort maps as well as small fish survey data for the proposed pSPA, have been provided by SXIFCA during the informal consultation</li> <li>2. Noted a range of fisheries occur within the proposed site, which appear to have not been considered during site selection. A full impact assessment, with a proper socioeconomic assessment of impacts, is required to fully understand the potential fisheries impacts of the proposed site</li> <li>3. Noted that without the formal conservation advice for the site, the SXIFCA are unable to comment on sector impacts or future management.</li> <li>4. Noted the SXIFCA requires advice on thresholds to understand at what level it is considered fishing activity may have an impact and require management.</li> <li>5. Noted there is a link between this pSPA, its fisheries and other environmental drivers, namely the Water Framework Directive.</li> </ol>	1 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Welcomed information provided and noted activities within their jurisdiction and the pSPA.</li> <li>2. Clarified that although socioeconomic factors cannot be taken into account when classifying an SPA or defining its boundaries, a preliminary assessment of the impact of current activities on the integrity of the pSPA was completed which considered fishing activity. The assessment concluded that fishing activity does not pose a risk to foraging terns because fishermen target larger fish than terns prey upon and terns are highly manoeuvrable in flight and not disturbed by vessel movements. Furthermore, the assessment did not identify any additional costs to fishermen or regulatory authorities, as a result of the extension. Therefore, a full Impact Assessment (IA) would be disproportionate.</li> <li>3. Clarified that information on site features and their conservation objectives will be available in a Conservation Advice Package (CAP) which Natural England aim to produce within two years of classification. However, the preliminary assessment, as discussed, did not identify the need for management</li> </ol>	None

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
			<p>4. Clarified that Natural England provide advice on how activities may impact upon features i.e. by looking at the pressures exerted by those activities and the thresholds or benchmarks which determine whether management needs to be considered. It was noted that this information will be included within conservation advice packages.</p> <p>5. Natural England agreed that there is a link between this pSPA, its fisheries and the Water Framework Directive (WFD) and there are common objectives between them. Explained that monitoring under WFD only extends up to 1 nautical mile offshore. Therefore, whilst this is a driver that influences some of the SPA it does not cover the entirety of the foraging grounds.</p>	
<b>C. Interested Parties/Organisations</b>				
Historic England	Neutral response with no specific advice or other comment to submit	1	Acknowledgement provided	None raised
Folkestone Fisherman's Association	<p>Objecting response including the following comments:</p> <ol style="list-style-type: none"> <li>1. Requested clarification on how fishing would be affected by the pSPA proposal and whether fishing would be prohibited</li> <li>2. Requested further information on threat the pSPA aims to protect against</li> </ol>	4 / 8	<p>Acknowledgement provided and detail response as follows:</p> <ol style="list-style-type: none"> <li>1. Explanation that no new management is recommended for fishing activities because evidence suggests that fishing activities are not significantly and negatively impacting tern foraging distribution (fishermen target larger fish than the birds feed upon; tern species are highly manoeuvrable in flight which means</li> </ol>	Not explicitly stated but consultee may consider their issue to be current

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>3. Confirmed their view that fishing does not impact foraging terns due to fishermen targeting larger fish than the terns prey upon</p> <p>4. During a meeting between Natural England and fishermen of Folkestone and Rye, Rye Harbour Sailing Club, Environment Agency and a local councillor in Nov 2016, stakeholders raised the following:</p> <ul style="list-style-type: none"> <li>a. Queried why the pSPA needs to extend so far out to sea</li> <li>b. believes that marine protected areas are not needed and their purpose is to diminish fishing activity in the area</li> <li>c. noted that extreme weather conditions have a more significant impact on tern abundance and distribution than fishing activities</li> </ul> <p>The consultee also attended a meeting in Jan 2017 with [REDACTED] (Councillor Lydd Town Council), Defra representatives, Damian Collins MP (Member of Parliament for Folkestone and Hythe) and Thérèse Coffey MP. The discussions focused on fishermen's views that fishing activities caused no damage to benthic biodiversity. Stakeholders present also noted they were not reassured through Natural England's advice of unlikely impacts to fishing</p>		<p>that they have low vulnerability to the impact of fishing activity as well as vessel activity, at current levels; and, the terns are currently present in qualifying numbers despite existing levels of fishing).</p> <ul style="list-style-type: none"> <li>2. Explanation that although no new management is needed for current activities taking place future applications for statutory permissions, consents or authorisations will be subject to the Habitats Regulations Assessment process, which will have to include a consideration of the marine extension</li> <li>3. Re-confirmed current fishing activity is not thought to impact upon the tern species, and that Natural England are aware of their already close working partnership with the MMO and relevant IFCAs, sharing information on fishing frequency and target species/landings</li> <li>4. Meeting organised to actively engage with concerned stakeholders regarding concerns around fisheries management and costs as a result of the pSPA classification: <ul style="list-style-type: none"> <li>a. Clarified that the largest species of tern present within the existing SPA (Sandwich tern) has an average (maximum) recorded foraging range of 32km (from their known nesting location)</li> <li>b. Explanation provided via letter following the meeting to clarify that SPAs are classified under EC Directive on the conservation of</li> </ul> </li> </ul>	

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	activities as a result of the pSPA.		wild birds [79/409/EEC]) and that the pSPA classification does not aim to stop or restrict activities occurring within a site, nor does it aim to protect against a specific activity from the outset c. Comments acknowledged	
Rye Harbour Sailing Club	Neutral response and made the following comments:  Request for more information on the impact of the pSPA on activities that Rye Harbour Sailing Club's members take part in (sailing, anchoring, fishing)	1 / 3	Acknowledgement provided and detailed response as follows:  Confirmed that Natural England do not expect the classification of the pSPA to affect any of their members' activities since the preliminary assessment of the activities occurring within the proposed marine extension showed that foraging terns are not impact by these activities.  Noted that although no new management is needed for current activities taking place future applications for statutory permissions, consents or authorisations will be subject to the Habitats Regulations Assessment process, which will have to include a consideration of the marine extension	None
Kent Wildlife Trust	Supportive response with the following comments:  1. Confirmed the geographic location of marine extension; likely interest of other wildlife organisations within vicinity; and requested confirmation of	2	Acknowledgement provided and detailed response as follows:  1. Confirmed Natural England liaised directly with the Reserve Warden for Rye Harbour Nature Reserve (where all three species of tern nest) as well as using the results of tern	None



CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>Natural England liaison specifically with Sussex Wildlife Trust regarding their detailed knowledge of foraging birds in Rye Bay</p> <p>2. Noted that research into seabird foraging areas is a recent area of avian science, therefore cannot offer their expert opinion on whether the pSPA sufficiently reflects the actual foraging areas of listed species of the SPA</p>		<p>surveys around Rye Bay in 2014, in order to verify predictions of tern foraging areas</p> <p>2. Described the model-based approach which has been used to identify other marine SPAs and that it is recognised as providing an objective, repeatable and scientific method to site identification. Clarified that a site-specific programme of observations of tern activity in and around Rye Bay between Hastings and Hythe confirmed close alignment between the modelled predictions of the occurrence of terns (particularly of Sandwich terns) along the coastline between Fairlight-on-Sea and Greatstone-on-Sea.</p>	
Haute-Normandie and Nord-Pas de Calais/Picardie Regional Fisheries Committees	<p>Neutral response and made the following comments:</p> <p>1. Requested further information regarding the pSPA boundary</p> <p>2. Noted the proximity of the pSPA boundary with France and activities of French fishing vessels, and expressed concern regarding the potential for fishing displacement as a result of additional management measures associated with the pSPA.</p>	1 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <p>1. Provided link to downloadable GI data</p> <p>2. Clarified that fishing activity is unlikely to impact on tern species because the terns forage on smaller-sized fish than targeted by the fishing fleets. Also noted that evidence indicates that terns are highly manoeuvrable in flight and are not disturbed by vessel movements, and that terns are currently present in numbers sufficient to qualify the area for classification, despite existing levels of activity.</p>	None
Royal Society for the Protection of Birds)	<p>Supportive response with the following comments:</p> <p>- Noted that the foraging area for little</p>	2	Acknowledgement provided	None

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	tern has only been modelled from the existing colony location at Rye Harbour, and does not take into account historical colony locations within the site. However, RSPB also noted they are content this would not impact the effectiveness of the protection afforded to little tern since the outer boundary of the pSPA is determined by larger foraging ranges of other SPA qualifying species (i.e. Sandwich tern) and therefore the proposed boundary includes foraging areas of little tern.			
Sussex Wildlife Trust	Supportive response	2	Acknowledgement provided	None
Indigo Planning Ltd on behalf of London Ashford Airport (LAA))	<p>Objecting response and made the following comments:</p> <ol style="list-style-type: none"> <li>1. Acknowledged that the extension area does not impinge on the boundary of LAA but concerned that further controls may place pressure on future commercial operations and ability to operate.</li> <li>2. Requested further information on scientific evidence that underpins the pSPA</li> <li>3. Requested acknowledgement of LAA's efforts to manage hazard management, particularly bird-strike and confirmation that the proposals</li> </ol>	3 / 5 / 8	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Clarified that changes to any part of the inland site are not proposed and therefore changes to the boundary closest to LAA's perimeter are not proposed. The Secretary of State has previously advised the LAA that <i>bird control should be at the highest possible level already</i>, and Natural England confirmed that the pSPA should not affect LAA's consideration of rare, vulnerable and migratory birds that are already within the vicinity since all three species of terns that are breeding within the existing SPA are protected, whether they occur inside or</li> </ol>	Not explicitly stated but consultee may consider their issue to be current

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>will not increase the risk of birdstrike or jeopardise LAA's efforts in taking action to prevent against a source which may attract wildlife to the aerodrome, or its vicinity.</p> <p>4. Noted their concerns regarding the lack of full socio-economic impact assessment and potential for conflict between LAA activities and the pSPA; acknowledged preliminary socio-economic assessment but requested that details of the assessment process is provided via the consultation documents in order to ensure transparency and provide opportunity for stakeholders to comment.</p> <p>5. Concerned regarding conflict between human and public safety with pSPA; considers that the pSPA places aviation legislation into direct conflict due to the requirements of Convention on International Civil Aviation, Chicago 1944 which necessitates the establishment of Aerodrome Safeguarding Zones (believing that further encroachment towards LAA's boundaries breaches the obligation of compliance with relevant legislation)</p>		<p>outside of the boundary of the SPA/pSPA. Natural England has not identified the need for changes in management for any of LAA's activities within, or in close proximity to, the pSPA boundary.</p> <p>2. Outlined the model-based approach which has been used to identify other marine SPAs which is an objective, repeatable and scientific method to site identification. Clarified that the model's predicted patterns of tern distribution have been confirmed in a cross-validation exercise and through a site-specific programme of observations of tern activity in and around Rye Bay which demonstrated close alignment between the modelled predictions of the occurrence of terns (particularly of Sandwich terns) along the coastline between Fairlight-on-Sea and Greatstone-on-Sea.).</p> <p>3. Confirmed that the pSPA will not cause an elevated risk of bird-strike. Direct (collision) interactions between foraging terns and aircraft is unlikely due to the low flight height of tern species. The Secretary of State has previously confirmed that the airport is already operating scheduled flights, and bird control should be at the highest possible level already. Explained that classifying the pSPA will not hinder LAA's obligations since a new attraction of wildlife to the area is not being created. The site already regularly supports qualifying numbers of several species of</p>	

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
			<p>birds.</p> <p>4. Clarified that socio-economic factors cannot be taken into account by Member States when classifying a SPA or defining its boundaries. Note that a screening assessment was carried out which assessed the likely impact of current on foraging terns and did not identify any concerns to foraging terns. This conclusion was reached because the terns are present in qualifying numbers, despite existing levels of activity, as well as the evidence available on tern flight heights, as discussed above.</p> <p>5. Provided confirmation that the pSPA will not directly conflict with the aims of the Convention on International Civil Aviation (Chicago 1944), and specifically not with those of Aerodrome Safeguarding Zones. Confirmed that the landward boundary of the existing SPA is closer to the airport than the marine extension and that no risks have been identified.</p>	
EDF Energy	<p>Neutral response and made following comments:</p> <p>1. Confirmed activities carried out at Dungeness Power Station (Dungeness B) and that its operations do not have significant impact on terns that forage in the bay or around Dungeness headland. Requested confirmation Natural England agrees</p>	1 / 3	<p>Acknowledgement provided and detailed response as follows:</p> <p>1. Acknowledged routine operations currently within pSPA and confirmed that these are very low risk activities with little to no potential to impact upon the foraging terns in the vicinity, therefore new management measures are not recommended</p> <p>2. Explained that a screening assessment was</p>	None



CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>and that no new management is recommended</p> <p>2. Concerned by the lack of mention of Dungeness B in consultation documents and requested further information on the preliminary assessment of socioeconomic impacts completed prior to public consultation since the assessment laid out in the consultation document appears to be very short</p>		<p>carried out, which looked at the impact of ongoing activities on foraging terns; the assessment did not reconsider the entire site since the existing SPA is already fully classified. The assessment did not identify any current activities of concern to foraging terns therefore a full Impact Assessment (IA) was not required. The details of the screening assessment do not form part of the consultation documents, but its conclusion is used to inform the summary of potential economic impacts in the consultation documents; therefore, this section does not include an explicit reference to Dungeness B as no impact as a result of its operations were identified</p>	
<b>D. Members of the public and unsolicited responses</b>				
<p>██████████ (representative for Rye fishing fleet)</p>	<p>Objecting response. The following comments were made during a meeting between Natural England and fishermen of Folkestone and Rye, Rye Harbour Sailing Club, Environment Agency and a local councillor in Nov 2016:</p> <p>1. Concerns that Natural England appears to be applying a 'layer protection' and that although this classification does not mean additional management or restrictions to fishing, it is paving the way for future</p>	3 / 5 / 8	<p>Acknowledgement provided in person (during a face to face meeting) and detailed responses provided as follows:</p> <p>1. Confirmed that no new management is recommended for fishing activities because evidence suggests that fishing activities are not significantly and negatively impacting tern foraging distribution i.e. fishermen target larger fish than the birds feed upon; evidence indicates tern species are highly manoeuvrable in flight which means that they have low vulnerability to the impact of fishing</p>	<p>Not explicitly stated but consultee may consider their issue to be current</p>

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>designations which will include restrictions (e.g. no take zones).</p> <p>2. Raised concern that the pSPA will make it easier for Natural England to bring in new management in the future</p> <p>3. Noted that all fishermen would agree that fish stocks (tern prey) in this area are increasing, and proof that their activities are not detrimental to the birds.</p>		<p>activity as well as vessel activity, at current levels; and, the terns are currently present in qualifying numbers despite existing levels of fishing activities).Acknowledged comments and reiterated Point 1 above</p> <p>2. Agreed that there is no evidence that fishing activities are detrimental to foraging terns, as outlined above.</p>	
<p>██████████ (Councillor Lydd Town Council)</p>	<p>Objecting response and made the following comments:</p> <p>1. Noted that it is not clear what activity the pSPA aims to protect against and concerned that the proposals are a threat to the local fishing community</p> <p>2. Noted not aware of any activities or proposals that may impact foraging terns</p> <p>Further comment received during a meeting between Natural England and fishermen of Folkestone and Rye, Rye Harbour Sailing Club, Environment Agency and a local councillor in Nov 2016:</p> <p>3. Requested list of assessments (activities) that could affect the health of terns</p> <p>4. Advised the birds tend to 'pluck' small fry off the surface of the water column,</p>	4 / 5 / 8	<p>Acknowledgement provided and detailed response as follows:</p> <p>1. Clarified that the purpose of the pSPA is to afford legal protection against any activity in the future that is proven to have a negative impact on the distribution/feeding success of the terns and that the proposals do not aim to protect against a specific activity from the outset. Noted that a screening assessment was carried out which did not identify any current activities of concern to foraging terns. Also clarified that although no new management is recommended for current fishing activities, future applications for statutory permissions, consents or authorisations will be subject to the Habitats Regulations Assessment process and will need to consider the marine extension areas.</p> <p>2. Clarified that it is impossible to predict future proposals that may have the potential to impact the site, confirmed that the screening</p>	<p>Not explicitly stated but consultee may consider their issue to be current</p>

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>and therefore pressures such as water quality are unlikely to affect their feeding success</p> <p>5. Commented that because Natural England do not know what they are protecting against the group felt that NE had not put forward a coherent case for classification</p> <p>6. Commented that people may think that Natural England is rushing to get this classification formalised before EU exit negotiations are complete</p> <p>7. Requested a map showing the known nesting locations of terns. Noted that the more pertinent physical threat to tern breeding areas at Denge marsh is from flooding and erosion and stressed importance of securing appropriate sea defences at Dengemarsh and Lydd ranges</p> <p>8. Concerned that Natural England haven't made a decent case for classification because we haven't carried out a full impact assessment and this shows a lack of understanding regarding impacts to fishermen</p> <p>9. Suggested that a six mile radius around a known breeding location would be more logical choice of boundary. Noted the inclusion of thirty miles of coastline proposed from West</p>		<p>assessment concluded there are no currently known projects that may impact tern species.</p> <p>3. Explained that although we do not have a list of activities that we know are impacting the birds in this area, we have a good understanding of the 'pressures' (i.e. reduced water quality) that may affect the birds.</p> <p>4. Acknowledged comments and confirmed that if activities stay at current levels then no additional management is recommended for e.g. water quality</p> <p>5. Noted comments and discussed the meaning of 'protection', and confirmed that it does not necessarily mean that Natural England aim to protect against an activity from the outset. Clarified this would not automatically mean restrictions will be put in place</p> <p>6. Confirmed that the work for this pSPA started prior to the referendum vote, and formal consultation was delayed for 4 months following the result on the 23<sup>rd</sup> June 2016. Additionally, explained that whilst EU exit negotiations are ongoing, the UK remains a full member of the European Union and Government will continue to negotiate, implement, apply EU legislation, and continue to engage with day to day EU business, resulting in no immediate changes to the implementation of the Habitats and Birds Directives.</p> <p>7. Map provided. Confirmed close working with Environment Agency (EA) and Ministry of</p>	

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>Hythe to past Bexhill is counter intuitive as the shape goes not coincide with the breeding areas and requested that Natural England reconsider the size and shape of the proposed extension</p> <p>The consultee also attended a meeting in Jan 2017 with [REDACTED] (Councillor Lydd Town Council), Defra representatives, Damian Collins MP (Member of Parliament for Folkestone and Hythe) and Thérèse Coffey MP. The discussions focused on fishermen's views that fishing activities caused no damage to benthic biodiversity. Stakeholders present also noted they were not reassured by Natural England's advice of unlikely impacts to fishing activities as a result of the pSPA.</p>		<p>Defence (MOD) on the Folkestone to Cliff End Coastal Strategy which includes the frontage referred to at Lydd ranges and Denge marsh. The potential physical threat to the breeding area is more relevant to the current management of the existing SPA.</p> <p>8. Clarified that socioeconomic factors cannot be taken into account by Member States when classifying a SPA or defining its boundaries. Confirmed that a preliminary assessment was carried out that concluded socioeconomic impacts resulting from the pSPA classification were relatively low and therefore production of a full Impact Assessment would be disproportionate.</p> <p>9. Clarified that designating a 6-mile radius around one (or all) of the five known nesting locations within the existing SPA would duplicate layers of designation on the coastal/terrestrial parts which would restrict protection to nesting grounds only. Clarified that the generic model-based approach to predict likely foraging areas and a site-specific programme of observations of tern activity between Hastings and Hythe confirmed close alignment between the modelled predictions and the occurrence of foraging terns; the modelling method used for this and other pSPAs is a robust, objective, repeatable and scientific method.</p>	
[REDACTED]	Neutral response and made the following	1	Acknowledgement provided and detailed	None



CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
	<p>comments:</p> <ol style="list-style-type: none"> <li>1. Noted that fishing would not be impacted by the pSPA - believes that tern target whitebait and not aware of any fishermen that target this species in the area</li> <li>2. Recognises need to protect the marine foraging areas, and that no new management is required</li> </ol>		<p>conversation as follows:</p> <ol style="list-style-type: none"> <li>1. Clarified that current fishing activity is not considered a concern to foraging terns because terns forage on smaller-sized fish than targeted by the fishing fleets. Additionally, evidence indicates terns are highly manoeuvrable in flight and generally undisturbed by fishing activities.</li> <li>2. Explanation that new management of any activity (including fishing activity) has not been recommended for this pSPA;</li> </ol>	
	<p>Objecting response and made the following comments:</p> <ol style="list-style-type: none"> <li>1. Confirmed support of protection of terns in the area, but overall objection to the size of the pSPA</li> <li>2. Noted the apparent lack of evidence of tern foraging ranges from nesting sites</li> <li>3. Noted the difficulty in enforcing sea users and compliance with the requirements of the legislation that underpins the pSPA</li> </ol>	5 / 8	<p>Acknowledgement provided and detailed response as follows:</p> <ol style="list-style-type: none"> <li>1. Clarified that Sandwich terns are the largest tern present within the existing SPA with a wide foraging range. Outlined that predictions of relative usage of foraging areas were identified by the use of a generic model and confirmed via a site-specific programme of observations of tern activity between Hastings and Hythe.</li> <li>2. Confirmed that Natural England have evidence regarding foraging ranges that were used to inform the model.</li> <li>3. Noted that new management is not recommended for current activities. Future applications for statutory permissions, consents or authorisations will be subject to the Habitats Regulations Assessment process, and required to consider the marine</li> </ol>	<p>Not explicitly stated but consultee may consider their issue to be current</p>

CONSULTEE	REPRESENTATION	TYPE *	NATURAL ENGLAND RESPONSE	OUTSTANDING SCIENTIFIC ISSUES FOR CONSIDERATION BY DEFRA
			extension.	

## **Appendix 1: Non-Financial Scheme of Delegation**

The Non-Financial Scheme of Delegation currently states the following for international site designation cases:

	<b>Function</b>	<b>Delegation</b>
<b>A</b>	Approval to submit formal advice (Departmental Brief <sup>1</sup> or Selection Assessment Document <sup>2</sup> ) to Secretary of State on the selection of a pSAC, pSPA or pRamsar site or proposed amendments to an existing cSAC, SCI, SAC, SPA or Ramsar site.	Chief Executive
<b>B</b>	Following the consultation, approval of final advice, with or without modifications, and report on the consultation, where:	
	a) objections or representations are unresolved	Board or Chairman on behalf of the Board
	b) there are no outstanding objections or representations (i.e. where no objections or representations were made, or where representations or objections were withdrawn or resolved)	Appropriate Director

<sup>1</sup>Departmental Briefs (for Special Protection Areas and Ramsar sites)

<sup>2</sup>Selection Assessment Documents (for Special Conservation Areas)

Part A – In the first instance the scientific case is developed and presented to the Chief Executive (and the Senior Leadership Team<sup>2</sup>) who discuss the case and approve sign off as Natural England's formal scientific advice to Defra. Defra then seek Ministerial approval for Natural England to consult on these proposals on behalf of Government.

Part B – Once the formal consultation process has completed, Natural England considers any scientific objections to the proposals and endeavours to resolve any issues or concerns raised by stakeholders during the consultation. If, after a reasonable process of liaison with stakeholders, there are outstanding issues that cannot be resolved Natural England finalises the report on the consultation for Defra and sets out its final advice on the case in the report. There may be changes proposed as a result of the consultation and outstanding issues for Defra's consideration.

- i) Where there are no outstanding objections, representations or issues with respect to the proposals the relevant Director can approve the consultation report for submission to Defra.
- ii) Where there are outstanding issues which it has not been possible to resolve the responsibility for approval of the consultation report falls to Board, or Chairman on behalf of the Board.

<sup>2</sup>For this marine pSPA, the Natural England Senior Leadership Team (SLT) has delegated the responsibility for approval of Natural England's formal scientific advice to the Chief Officer for Strategy & Reform. The Chief Officer for Strategy and Reform informs SLT when approval for Natural England's formal scientific advice has been provided.

## **Appendix 2: Consultation Questions**

### **Introduction**

What is your name?

What is your email address?

What is your organisation?

Would you like your response to be confidential?

Please explain why you need to keep details confidential:

### **Scientific rationale for the site**

Do you accept the scientific rationale for the site proposal?

If no, please explain why:

Do you have any additional information that's not included in the departmental brief about the Dungeness, Romney Marsh and Rye Bay populations of Sandwich tern, little tern and common tern?

Please tell us about any additional scientific information you hold that may be relevant. Or, if you would rather, upload relevant files here:

Do you have any further comments on the scientific rationale behind the site proposal? If yes, please add any further comments below:



### **Appendix 3: Area amendment to final citation**

We note an error in the Dungeness, Romney Marsh and Rye Bay pSPA Departmental Brief<sup>3</sup> (scientific basis) which currently reports the area of the existing SPA as 40.10 km<sup>2</sup> (4,010.29 Ha) and the new extension area as 303.64 km<sup>2</sup> (30,364.13 Ha), giving a total site area of 343.74 km<sup>2</sup> (34,374.42 Ha). The correct area figure for the existing site is 51.29 km<sup>2</sup> (5,129.53 Ha) and the extension area is 372.88km<sup>2</sup> (37,288 Ha) giving a total site area of 424.17km<sup>2</sup> (424,17.53 Ha). The revised figures were correctly communicated via the site map<sup>4</sup> which was provided during formal consultation. Justification for the deviation in area figures can be found below:

#### **Existing site:**

- The original SPA citation reported that the seaward boundary was drawn to the Lowest Astronomical Tide (LAT). In reality the seaward boundary was set to MLW as LAT was not available at the time. As we now hold UK Hydrographic Office (UKHO) data for LAT, a positional accuracy improvement was applied which resulted in an increase in the existing Dungeness terrestrial SPA seaward extent and area.

#### **Marine extension:**

- Original evidence indicated the presence of one nesting site and it was this colony that the seaward extent was modelled from initially. It is the area figures based on this initial area extent that are reported in the Departmental Brief citation.
- In 2014, an independent report was submitted which indicated the presence of two additional nesting sites, which although used less frequently, expert opinion indicated the birds moved between these sites. Further analysis was commissioned to future proof the site which led to a revised seaward boundary. This is the correct boundary and area as reported in the site maps.

The revised area figures were incorrectly reported in the Departmental Brief citation at the time of formal consultation due to a handling error rather than a scientific issue. The area figure changes do not materially affect stakeholder's views or alter the scientific basis for the site or the boundary itself. We therefore recommend the citation is amended accordingly should the Secretary of State approve the classification of the site as SPA.

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<sup>3</sup> <https://consult.defra.gov.uk/natural-england-marine/dungeness-consultation/>

<sup>4</sup> [https://consult.defra.gov.uk/natural-england-marine/dungeness-consultation/supporting\\_documents/Dungeness\\_Location\\_Map.pdf](https://consult.defra.gov.uk/natural-england-marine/dungeness-consultation/supporting_documents/Dungeness_Location_Map.pdf)