Dear Sir/Madam

Re. Marine Conservation Zones: Consultation on proposals for designation in 2013

1. The British Marine Aggregate Producers Association (BMAPA) is the representative trade organisation for the British marine aggregate sector and a constituent body of the wider Mineral Products Association. The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of Reinforcement (BAR), it has a growing membership of 450 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production, 95% of asphalt and ready-mixed concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors. BMAPA represents 11 member companies of the MPA who collectively produce around 90% of the 20 million tonnes of marine sand and gravel dredged from licensed areas in the waters around England and Wales each year.

   Background

2. Marine dredged sand and gravel is principally used by the construction industry, and the marine contribution provides 20% of overall sand and gravel demand in England, 90% of fine aggregate demand in South Wales, 35% of total construction aggregate demand in South East England and over 50% of construction aggregate demand in London. In this respect, marine aggregate supplies play a key role in supporting the delivery of various Government policies, including Sustainable Communities and the regeneration of Thames Gateway.
3. Marine dredged sand and gravel also provide a strategic role in supplying large scale coast defence and beach replenishment projects – over 25 million tonnes being used for this purpose since the mid 1990's. With the growing threats posed by sea level rise and increased storminess, the use of marine sand and gravel for coast protection purposes will become increasingly important.

4. In the near future, marine sand and gravel resources can be expected to play a key role in supporting the successful delivery of major infrastructure projects associated with Government policies related to energy security and climate change, such as nuclear new builds, gas storage facilities, tidal power developments, port developments and offshore wind farms. The coastal location of many of these developments means that the sector is ideally placed to supply the large volumes of construction aggregate and fill material that will be required.

5. In all cases, the marine aggregate sector is dependant upon identifying and licensing economically viable sand and gravel deposits to secure sufficient reserves to maintain long term supply to existing and well established markets. The location of such deposits is extremely localised around the waters of England and Wales, restricted to their geological distribution and their geographical position related to the markets location.

6. At present 1274km$^2$ of seabed is licensed for marine aggregate extraction (as of the end of 2011), of which around 114km$^2$ is dredged in a typical year. This represents around 0.15% and 0.014% of the total UK continental shelf area (867,000km$^2$) respectively. A further 1931 km$^2$ of seabed is currently under application or covered by prospecting licence. In this respect, the marine aggregate sector is responsible for managing a significant area of the UK seabed.

Overview of consultation issues

7. The marine aggregate sector very much welcome the opportunity to comment on the proposals for designation of Marine Conservation Zones (MCZ's) in English inshore, and English and Welsh offshore waters. An overview of our comments to this consultation is presented within this letter, with more specific issues outlined in the accompanying annexes.

8. The provision of new controls to allow a network of sites of national nature conservation interest to be designated and protected was supported by the sector during the evolution of the Marine and Coastal Access Act 2009 (MACAA), as was the fact that the designations would have to take into account socio-economic interests. The rationale behind this position was that if marine industries know where marine sites of nature conservation significance are located in advance they can make more informed business decisions when planning their developments. This would encourage a more proactive approach to assessing impact, significance and risk as opposed to the rather more reactive approach that currently exists.

9. Representatives from the marine aggregate industry played a full and constructive part in all four of the regional stakeholder projects that developed the wider network of proposed sites – including the provision of high resolution data to help refine site features and their associated boundaries (although we note that in some cases this data has either been overlooked or ignored in the process of subsequently reviewing individual sites). This approach, while time consuming, helped to develop a good level of understanding and ‘buy-in’ from the majority of stakeholders to both the wider process and the sites being identified. As a consequence, the regional projects went a long way to help build relationships between different stakeholder groups, which in turn began to break down some of the historic misconceptions and barriers that exist between different interests.
10. During both the evolution of the MACAA and the regional projects themselves, a key constraint flagged by the marine aggregate sector was the extent and resolution of baseline environmental data available to identify potential sites and the features they contain with a high degree of certainty. It would be reasonable to expect that proposals for designation should be bound by the same evidence-led approach required for marine development licensing. In this respect, the designation process has to be evidence led and underpinned by sound science - not only relating to the site specific information, but also the justification as to how that site fits into the regional/national context, in terms of significance, sensitivity and risk. We therefore note the references contained within the consultation document relating to the provisions within the MACAA for Designation Orders for MCZs to specify not only the location of the area to be designated, but also the features to be protected and the conservation objectives for the site.

11. Similar challenges apply to how existing or proposed development activities within or adjacent to individual MCZ sites are viewed within the site management process. This is particularly the case for those activities that have already been consented through EIA regulations and which may have significant sunk investment associated with them.

12. Clarity over the implications of individual site designations, and indeed the wider network, to both consented and proposed development activities (including the renewal of existing licensed interests) represents a key outcome for industry operators with interests adjacent to proposed MCZ sites. In many cases, the ongoing uncertainties associated with this will explain why operators and sectoral interests have had to adopt less positive, precautionary positions with respect to site specific designation proposals. This position is further reinforced by the fact that the ‘real world’ implications of each individual MCZ will only become apparent after the Designation Order has been made, after which the management measures will be developed by the appropriate public authority to deliver the conservation objectives defined. As a consequence, the validity of the business costs identified through the Impact Assessment that accompanies this consultation are potentially open to question, given the outputs are currently based on assumptions of management response rather than the actual measures imposed.

13. Given the caveats outlined above, the marine aggregate sector cautiously welcome the staged approach that is being proposed by the consultation – with a first tranche of 31 sites proposed for designation during 2013 which are underpinned by more robust levels of evidence.

14. There remain considerable uncertainties over the ‘real world’ implications of site designations to existing licensed activities (including activities where existing licences are shortly to be renewed). However, we would expect the staged process of designation to enable a more flexible, adaptive management approach to practical delivery as all parties ‘learn by doing’. This process of reflection, evolution and adaptation will be a key mechanism to ensuring that MCZ designations are able to be delivered that not only support the marine environment, but also recognise and support the wider socio-economic interests that exist within and around them.

15. We would also note that until the wider ecologically coherent MPA network is in place, significant uncertainties and risks will remain for marine developers in terms of their potential exposure to nature conservation issues. This is particularly the case given the status of the proposed MCZ sites that remain outside of the first tranche, together with the potential for additional sites, over and above those identified by the regional projects, to also be required (including reference areas).
16. As a consequence of these uncertainties, the approach to assessing impact, significance and risk through the development process will, by necessity, continue to be undertaken on a reactive basis – something that reduces developer certainty and confidence, and increases development risk and cost. For this reason, it is essential that a clear timeline and process for determining the status of the remaining MCZ site proposals and completing the wider MPA network is defined by Government as soon as possible.

17. Finally, given the level of knowledge, expertise and data held by the marine aggregate sector and the proximity of many MCZ sites to existing licensed interests, we are surprised that there has been no attempt made to engage or interact with individual operators to help refine the features and/or site boundaries during the review process that has informed this consultation. In some cases, the site descriptions and recommendations presented in this consultation have chosen to disregard high quality, high resolution evidence that was previously provided to and used by the regional projects. We also understand that in other cases additional survey data was commissioned and acquired over sites where high resolution data was already held by industry. Given the focus on robust evidence to help inform designation decisions, coupled with the inevitable pressure to minimise expenditure and make best use of existing sources of evidence, we have found the lack of engagement and interaction post-regional project process disappointing. Looking forwards, we would hope that a more inclusive way of working can be developed that draws upon the considerable contribution that industry partners can make to the process of successful MPA site designation.

18. As members of the Seabed User and Developer Group, BMAPA would also support and endorse the wider issues outlined in their response to this consultation. We trust that you find these comments of use, and look forward to continuing to contribute and work with Defra and its statutory agencies as the MCZ process develops.

Yours faithfully

Mark Russell
Director, Marine Aggregates
Annex I

Specific BMAPA comments on issues contained within Marine Conservation Zones: Consultation on proposals for designation in 2013, December 2012

1. Designation Orders, Conservation Objectives and Management Measures

1.1 We note that the Marine and Coast Access Act 2009 (MACAA) requires the Designation Order for an MCZ to include the location of the area to be designated together with the features to be protected and their conservation objectives. This requires a very different level of evidence to be provided up front, and is a subtlety that was never made clear throughout the regional MCZ project process. Indeed the evidence provided to the regional projects to identify both sites and the features they contain (referred to in section 3.1.13 of the consultation) was never likely to be able to provide the robust levels of site evidence that now appear to be required.

1.2 That being said, the levels of evidence now being required to support designation appear to be more aligned with the requirements placed upon developers, albeit with the fall back to the precautionary principle to allow sites with less evidence to be protected where there are threats to irreversible damage.

1.3 However, the levels of evidence now required to support designation remain distinctly at odds with the level of confidence industry operators can have over the consequences of designation – with management measures only being developed once the Designation Order is in place. Many of the assumptions for the management measures required to deliver conservation objectives are based on the original extent of site features and their relationship to pressures arising from activities – both directly and indirectly. This is a simple spatial relationship, therefore if the location of the site feature relative to the pressures in place significantly change, the level of exposure and resultant management action may alter. If this is the case, the ‘real world’ business impact on an operator could be very different to that determined through the assumptions – yet this will only become clear once the site is in place.

1.4 In addition, there also appears to be considerable uncertainty among the SNCB’s over the condition assessments for site features – with there being low confidence in all bar 19 of the features. This could result in a change in the conservation objective (from ‘maintain’ to ‘recover’) with an associated shift in the management measures required. Any such changes would potentially alter the practical consequences of designation to industry, but would fall outside of those identified through the Impact Assessment process. As such, the business impact associated with a site being designated could end up being considerably underplayed.

1.5 We also note that section 4.1.13 of the consultation makes reference to the potential for site features and conservation objectives to be amended prior to a final decision on designation based on new data that may be provided without further consultation being undertaken. Given the potential consequences of these changes could result in significant impacts to industry operators that were not previously considered (as outlined in the two paragraphs above), it seems inappropriate not to directly consult any parties that may be affected by such changes to ensure that they are aware. This should include a requirement to revisit the IA process for that site to properly understand the actual consequences and business impact prior to decision.
1.6 The rather open ended nature of the site specific designation process therefore has the potential to further undermine operators’ confidence, as their potential exposure could change at any time without them even being aware. As a minimum, there should be a commitment that any operator with a licensed activity or interests that may be directly affected by a change to a site post-consultation to be directly notified prior to designation, and be provided with a right to comment further.

1.7 We understand that the management measures are to be developed by the appropriate public authority. In each case, there is the requirement for a clear process to consider existing licensed activities (although we note there is no explicit Review of Consent process), the renewal of existing licensed activities (particularly important for marine aggregate interests) and newly proposed licensed activities. Associated with this, there is the need for a clearly defined timeframe for such considerations to be delivered at an individual site scale.

1.8 In terms of the management measures for the renewal of existing licensed activities, it would be helpful to have some kind of presumption in favour of historic activities that form part of the baseline conditions of a site, where it has been previously demonstrated that their activities do not significantly impact on the conservation objectives of a designated site. It is important to avoid a situation where the renewal of an existing licensed activity gets inadvertently compromised because of the cumulative/in-combination impacts from other more recent licensed activities that may have been permitted elsewhere in the vicinity.

2. Ecologically Coherent Network

2.1 We note the change in emphasis towards considering the MPA network at a bio-geographic regional scale, rather than across administrative regions. While this approach would appear to make sense ecologically, it would suggest that the timeframe required to deliver the ‘Ecologically Coherent Network’ will be rather more protracted given the need to link with the networks being delivered by other national administrations in adjacent regional seas to determine the role that sites in the Defra network are expected to play. In turn, this could increase the uncertainties associated with delivering cumulative & in-combination assessments (particularly the information developers will be required to provide to inform this process), and also increase the period of uncertainty during which further sites may be required.

2.2 It would therefore help to have a clear timeline and delivery programme to demonstrate how this wider requirement for network consideration will be delivered in practice.

3. Evidence

3.1 We note that the consultation refers to guidance that states network design should be based on the ‘...best information currently available...’, and that there have been various reviews of the evidence used to define site proposals including ‘...further engagement with the private sector to obtain access to data sources that were not available to the Regional MCZ projects or SNCBs’. However, in several cases the site proposals presented in the consultation package do not fully reflect the high quality evidence already provided to the regional projects by the marine aggregate sector. Nor has there been any direct engagement with industry to determine what additional evidence may be available once the regional MCZ projects reported their final recommendations. This is disappointing, given the considerable time and effort expended by operators providing this evidence in the first instance. Furthermore, we are aware that new data has been acquired across proposed sites where there was already high quality evidence available held by the marine aggregate sector.
3.2 Going forwards, it is essential that the designation processes look to engage more closely with industry interests that may be in or around proposed MCZ sites to maximise the value of existing evidence, and in turn minimise duplicated cost, time and effort. This will require more proactive and focussed direct engagement with industry operators, rather than simply relying upon passive, open calls for evidence. This approach has already been successfully used to help refine the understanding of SAC features (specifically sub tidal sand banks and biogenic reef features) in advance of designation, and there is no reason why it should not work equally well through this process.

4. Reference Areas

4.1 We welcome the approach being taken with respect to potential reference areas, which we understand would be subject to higher levels of protection. Pushing the requirement to nominate sites to the Regional MCZ projects was unlikely to deliver appropriate outcomes – given the levels of evidence available to help inform site selection and the way that such sites polarise stakeholder opinion because of the restrictions on activity that they bring.

4.2 Given the on-going uncertainty for developers until such time as the full network is in place, it will be important to have some clarity over the proposed review processes for reference areas described in the consultation (section 2.10). Once again, it will be important to have a clear timeframe for the delivery of any recommendations arising from this review, given that a likely outcome will be the need for new reference areas to be identified for designation.

5. Impact Assessment

5.1 We understand the Impact Assessment that has been undertaken is based on the current understanding of site boundaries, the features within them and their status. These are then applied against a series of assumptions relating to individual sectors exposure to the conservation objectives and the resulting management measures that could apply. In both cases, we consider the assumptions used to be optimistic (rather than conservative) and as such likely to underplay the ‘real world’ impacts that will result.

5.2 Building on this, for the sites that are being proposed for designation in the first tranche, it is clear that many have been subject to further survey effort to refine the location and status of the features they contain. What is less clear is whether this additional evidence has been used to refine the assumptions tested in the Impact Assessment – in terms of changes to the conservation objectives that are to be applied, changes to the spatial location of features relative to potential pressures, and any resulting alterations to the management measures that could be required. If these amendments have not been taken into account, it is hard to see how the costs identified in the IA remain valid.

5.3 For many of the original 127 sites being considered, the consultation makes it clear that the confidence associated with the features and their current status is considered to be low and will need to be refined in advance of any decision on designation. Similar to the points raised in 5.2 above, these changes will need to be factored into a refined version of the IA process for the predicted economic consequences of designation to remain valid.

5.4 Depending on the timing of the subsequent tranches, it would appear sensible to validate the impacts predicted through the IA process with the real world costs actually incurred during the implementation of tranche 1 sites. This would determine whether the original methodologies and assumptions tested were accurate, and would also allow subsequent IA processes to be refined.
5.5 Reflecting on the comments made in the consultation with respect to data certainty, there are obvious parallels over the confidence and certainty over the social and economic impacts of site designation. This is in terms of both how these are determined in the first instance and how they are then used alongside the parallel processes for determining environmental impact. Given the additional time being allocated to refine the subsequent tranches of MCZ site proposals on environmental evidence grounds, it would appear sensible to use the additional time to address some of the uncertainties associated with socio-economic impacts.

6. Sites for possible designation and the wider Network

6.1 Given the large number of MCZ sites that will remain undetermined following the first tranche, it is essential that there is a clear process with defined timescales for their status to be resolved. Although welcome guidance is provided in the consultation as to how such sites should be considered through licensing and planning decisions (paragraphs 4.1.19 to 4.1.20), until their status is fully resolved they represent an ongoing uncertainty to marine developer interests. In turn, this has the potential to increase development risk and cost despite the fact that individual sites may never actually be designated. It will therefore be important for regulators and statutory advisors to adhere to the guidance presented for treatment of these areas throughout the licensing process, to avoid any potential for inadvertent planning blight.

6.2 It is also essential for a clear process and defined timescale to be developed for the delivery of the wider MPA network, and the role to be played by the network of MCZ sites within this – including timeframes within which new MCZ sites and also new reference areas may be identified. By clearly defining the periods of ongoing uncertainty associated with the MPA network and particularly the potential for new sites, developers can better understand the risks and uncertainties associated with operational and development decisions and endeavour to manage their exposure accordingly. The key factor here is that for business to effectively manage the risks they face, they need some clarity and understanding of where and when such risks may arise.
Annex II

BMAPA comments on site proposals contained within Marine Conservation Zones: Consultation on proposals for designation in 2013, December 2012

It is the responsibility of individual marine aggregate operators to respond to those site proposals where their interests are potentially affected. The comments presented below are intended to support any such representations that have been made in response to this consultation, rather than replace them.

Sites proposed for designation in 2013

Balanced Sea - Site 43 (Kingmere)

Given the degree of exposure to marine aggregate interests this site has and the degree of interaction with the operators concerned throughout the regional project process (Tarmac Marine Dredging and CEMEX UK Marine), we find the lack of reference to the sector in both the consultation document and in the supporting SNCB advice somewhat surprising.

Despite the high resolution surface habitat and sub-surface geology mapping data provided through the Regional Steering Group process and directly cited in the final site recommendation submitted to Defra, this has not been used in the site proposal issued for consultation. Instead, the definition of site features has instead appeared to defer back to the flawed modelled broadscale habitat data. This fails to accurately differentiate between the areas of thin veneer and bedrock which represent the features intended to be protected, and the thick palaeovalley deposits (associated with the marine aggregate interest) which were not.

The proposal as currently outlined is inconsistent with the assumptions tested in the Impact Assessment, and if designated as currently defined would result in a significant economic impact to the operators concerned.

High quality, high resolution survey data is available from the marine aggregate industry and has previously been used to help define a more accurate set of feature boundaries. Given the time and effort expended in developing the site proposal with other stakeholders through the regional project (including the SNCB’s), it is therefore disappointing to see that this has not been accurately reflected in the consultation proposal.

It is also disappointing that no effort has been made to further engage with the operators in question who provided the data, and who have further data that may be of value in helping to characterise the wider site.

We would endorse the site specific representations made by Tarmac Marine Dredging Limited and CEMEX UK Marine Limited on this site proposal.

Going forwards, we would expect the operators to be involved in further discussions as this site is considered further.
**Sites for possible designation in future tranches**

**Net Gain – Site 10 (Holderness Inshore)**

We note reference to aggregate industry concerns that have been expressed for this site, and would comment that this represents a standing objection pending clarification of any management measures on adjacent marine aggregate licence areas.

We note that there are currently no additional direct costs identified for marine aggregate interests through the IA resulting from this site proposal. However, given the proximity of marine aggregate interests to this site and the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.

**Net Gain – Site 11 (Holderness Offshore)**

We note that there are currently no additional direct costs identified for marine aggregate interests through the IA resulting from this site proposal. However, given the proximity of marine aggregate interests to this site and the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.

**Net Gain – Site 13 (Lincs Belt)**

We note that there is no reference to potential impacts to ongoing beach replenishment works along this section of coast, which appears a strange omission given the scale and historic nature of this activity.

We note that there are currently no additional direct costs identified for marine aggregate interests through the IA resulting from this site proposal. However, given the proximity of marine aggregate interests to this site and the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.
Net Gain – Site 14 (Silver Pit)

It is not clear what the Conservation Objective should be for the *Sabellaria spinulosa* FOCI feature? The consultation proposal states ‘recover’, and implies that this has been changed. However reference to the SNCB advice (p.625) and the final recommendation from the regional project shows that both state a conservation objective of ‘maintain’. It is therefore not clear where the justification for any change has come from. It is also not clear which conservation objective has been tested by the IA.

We note reference to aggregate industry concerns that have been expressed for this site, and would comment that this represents a standing objection pending clarification of any management measures on adjacent marine aggregate licence areas.

We note that the additional cost impact identified through the IA process for marine aggregate interests in the vicinity of this site proposal appears moderate (£3,000 pa). However, given the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.

Net Gain – Site 15 (Wash Approach)

We note reference to aggregate industry concerns that have been expressed for this site, and would comment that this represents a standing objection pending clarification of any management measures on adjacent marine aggregate licence areas.

We note that the additional cost impact identified through the IA process for marine aggregate interests in the vicinity of this site proposal appears moderate (£4,000 pa). However, given the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.

Net Gain – Site 18 (Orford Inshore)

We note that there are currently no additional direct costs identified for marine aggregate interests through the IA resulting from this site proposal. However, given the proximity of marine aggregate interests to this site and the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.
Balanced Sea – Site 20 (Kentish Knock East)

We note that there are currently no additional direct costs identified for marine aggregate interests through the IA resulting from this site proposal. However, given the proximity of marine aggregate interests to this site and the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.

Balanced Sea – Site 32 (Inner Bank)

We note that there are currently no additional direct costs identified for marine aggregate interests through the IA resulting from this site proposal. However, given the proximity of marine aggregate interests to this site and the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.

Balanced Sea – Site 35 (East Meridian)

We note that the additional cost impact identified through the IA process for marine aggregate interests in the vicinity of this site proposal appear moderate (£3,000 pa). However, given the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.

Balanced Sea – Site 38 (Offshore Overfalls)

We note that the additional cost impact identified through the IA process for marine aggregate interests in the vicinity of this site proposal appears moderate (£10,000 pa). However, given the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.
**Balanced Sea – Site 43 (Utopia)**

We note that the Conservation Objective proposed for this site by the Regional project recommendation was altered by the SNCB’s, and would like confirmation this was tested through the IA process.

We also note the references to the potential impacts on the adjacent aggregate licence (Area 395 operated by Tarmac Marine Dredging Limited and Kendall Bros. (Portsmouth) Limited). Given that the features within this site were largely defined by the survey data held by the dredging operators, it is somewhat disingenuous for the consultation document to suggest that the site is prevented from being any larger because of the adjacent licence area. The proposed site is the size and shape that it is because this corresponds to the extent of the discrete rocky reef feature that supports the feature being protected (fragile sponge/anthozoans). This needs to be corrected.

We would endorse the site specific representations made by Tarmac Marine Dredging Limited and Kendall Bros. (Portsmouth) Limited on this site proposal.

In terms of adjacent pressures, we note that there is no reference to the proximity of the nearby Nab Tower dredge spoil disposal ground to this proposed site. Given the volumes of fine sediment disposed at this dispersive site located down stream of the MCZ, this appears to be a significant omission in terms of both pressure and consequences described in the Impact Assessment.

We note that the additional cost impact identified through the IA process for marine aggregate interests in the vicinity of this site proposal appears moderate (£7,000 pa). However, given the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.

**Irish Sea – Site 104 (West of Walney)**

We note that there are currently no additional direct costs identified for marine aggregate interests through the IA resulting from the current site proposal. However, given the proximity of marine aggregate interests to this site and the potential for new data to change the spatial location of features relative to potential pressures, the conservation objectives that may have to be applied, and any resulting management measures that could be required, we would expect the operators concerned to be given the opportunity to be involved in further discussions as this site is considered further.