



Marine Plan for Northern Ireland Habitats Regulations Assessment

Screening Report

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Summary

ABPmer has been commissioned by AECOM to undertake a Habitats Regulations Assessment (HRA) on behalf of the Department of Agriculture, Environment & Rural Affairs (DAERA) for the Marine Plan for Northern Ireland (hereafter referred to as the Marine Plan). HRA is the process by which the effects of a plan or project on Natura 2000 sites (also known as European/Ramsar sites) are evaluated.

This plan-level HRA has been undertaken in accordance with available guidance for plan-level HRAs (David Tyldesley and Associates, 2015) and by taking account of the lessons learned from, and approaches taken during, past plan-level HRA projects. This past work has included the HRAs that have been undertaken for the English East marine plans (MMO, 2013) and English South marine plans (MMO, 2015), and other ‘case example’ HRAs for sectoral plans, including The Crown Estate’s Wave and Tidal Further Leasing (W&TL) plan (ABPmer, 2014) which is the first plan-level HRA to have a national scope and involve all the UK administrations.

In line with this available guidance and precedents, it is recognised that the HRA needs to be clear, iterative and auditable. This is to ensure there is full clarity in the assessment findings and that issues of uncertainty are fully recognised and addressed. It also needs to follow a precautionary approach to meet the requirements of the Habitats Regulations. To follow these principles, the HRA is divided into the following four sequential phases (with a report produced after each element as necessary):

1. **Pre-Screening:** identifying an initial list of potentially relevant European/Ramsar sites for consideration and setting out the HRA methods;
2. **Screening Report (this report):** identifying (i.e. ‘screening in’ to the next assessment stage) the plan policies that need to be assessed and, if required, ecological screening of European/Ramsar sites for which there is a ‘likely significant effect’ (LSE) from the Plan (or where a LSE cannot be excluded);
3. **Appropriate Assessment Information Report (AAIR):** assessing the effects of the relevant plan policies on the integrity of the ‘screened in’ European/Ramsar sites; and,
4. **Appropriate Assessment (AA):** preparing the formal assessments and HRA record on the basis of the AAIR findings.

The Draft HRA Pre-screening Report was prepared in September 2014 (ABPmer and AECOM, 2014) and updated in March 2016 following consultation with key stakeholders (ABPmer and AECOM, 2016). The Final HRA Pre-screening Report presented the results of the initial pre-screening stage which was undertaken in advance of the development of draft Marine Plan policies. It also set out the methods for the subsequent screening and assessment stages of the HRA. For this initial pre-screening phase, a 100km 'buffer zone' was defined around the Marine Plan area and all the European/Ramsar sites within that zone were identified.

Following the preparation of the draft Marine Plan for Northern Ireland, the draft Marine Plan policies have been reviewed to identify any policies that could result in a material change to existing activities and which could result in a LSE on European/Ramsar sites. The results of this process are presented in this HRA Screening Report.

In summary, the policies are either general in nature, do not direct activities to a particular location, have previously been subject to HRA and/or are consistent with the conservation objectives of European sites. In consequence, none of the policies will result in a LSE on European/Ramsar sites and have therefore all been screened out of the HRA.

There is therefore no need to undertake the next stages of the HRA (i.e. ecological screening or assessment of the policies) and an AA will not be required to be produced by the Competent Authority (DAERA).

1 Introduction

ABPmer has been commissioned by AECOM to undertake a Habitats Regulations Assessment (HRA¹) for the Department of Agriculture, Environment & Rural Affairs' (DAERA) Marine Plan for Northern Ireland (hereafter referred to as the Marine Plan). The Marine Plan is made up of two plans, one for the inshore region² under the Marine Act (Northern Ireland) 2013 (the Marine Act) and one for the offshore region³ under the Marine and Coastal Access Act 2009 (MCAA). The Marine Plan, therefore, combines the plans for both the inshore and offshore regions into one document and this HRA covers both these plans.

HRA is the process by which the effects of a plan or project on Natura 2000 sites (also known as European/Ramsar sites) are evaluated. The HRA is divided into the following four sequential phases (with a report produced after each element as necessary):

1. **Pre-Screening:** identifying an initial list of potentially relevant European/Ramsar sites for consideration and setting out the HRA methods;
2. **Screening Report (this report):** identifying (i.e. 'screening in' to the next assessment stage) the plan policies that need to be assessed and, if required, ecological screening of European/Ramsar sites for which there is a 'likely significant effect' (LSE) from the Plan (or where a LSE cannot be excluded);
3. **Appropriate Assessment Information Report (AAIR):** assessing the effects of the relevant plan policies on the integrity of the 'screened in' European/Ramsar sites; and,
4. **Appropriate Assessment (AA):** preparing the formal assessments and HRA record on the basis of the AAIR findings.

The Draft HRA Pre-screening Report was prepared in September 2014 (ABPmer and AECOM, 2014) and updated in March 2016 following consultation with key stakeholders (ABPmer and AECOM, 2016). The Final HRA Pre-screening Report presented the results of the initial pre-screening stage which was undertaken in advance of the development of draft Marine Plan policies. It also set out the methods for the subsequent screening and assessment stages of the HRA. The HRA Pre-screening Report was issued to relevant

¹ The acronym HRA has been used in the past as either a 'Habitats Regulations Assessment' or a 'Habitats Regulations Appraisal'. For clarity, it here defines the whole 'appraisal process' by which the plans are evaluated (from pre-screening to final assessment). There is, therefore, a distinction between this process and the final Appropriate Assessment (AA) (if needed to evaluate a plan's effects where it is deemed to have a 'Likely Significant Effect' (LSE) on European/Ramsar site(s)).

² <http://www.legislation.gov.uk/ni/2013/10/section/2/enacted>

³ <http://www.legislation.gov.uk/ukpga/2009/23/section/322>

Statutory Nature Conservation Bodies (SNCBs) for consultation⁴. For this initial pre-screening phase, a 100km ‘buffer zone’⁵ was defined around the Marine Plan area and all the European/Ramsar sites within that zone were identified.

Following the preparation of the draft Marine Plan for Northern Ireland, the draft Marine Plan policies have been screened for LSE. The results of this process are presented in this HRA Screening Report. The report has been structured as follows:

- Section 1:** Background to the need for an HRA, together with details of report structure and content;
- Section 2:** Information about the Marine Plan for Northern Ireland;
- Section 3:** Legal context and rationale for the HRA, including key underpinning guidance and an outline of the HRA approach;
- Section 4:** Screening results of the HRA;
- Section 5:** Review of in-combination effects; and,
- Section 6:** A summary of the results and overall conclusions of the HRA.

⁴ HRA Pre-screening Report only issued to SNCBs and not others.

⁵ Past plan-level HRAs commonly use a 100km buffer at the pre-screening phase because it is deemed to be a quantified and objective area that is likely to encompass many of the mobile species interest features (fish, seabirds and marine mammals) within designated sites that could be indirectly affected.

2 Marine Plan for Northern Ireland

Northern Ireland's vision for the marine environment is for 'A healthy marine area which is managed sustainably for the economic, environmental and social prosperity of present and future generations'⁶.

The Marine and Coastal Access Act 2009⁷ (MCAA) and the Marine Act (Northern Ireland) 2013⁸ (The Marine Act), require DAERA as the Marine Plan Authority (MPA), to prepare Marine Plans for the better management of the Northern Ireland marine area, which will facilitate its sustainable development. A map of the Northern Ireland marine area is included in Image 1.

Marine Plans contribute to the UK implementation of the Maritime Spatial Planning Directive 2014/89/EU⁹ (the MSP Directive) which establishes a framework for Maritime Spatial Planning across the EU. This Directive requires marine plans to be prepared by 31 March 2021.

The Marine Plan is in conformity with the Marine Policy Statement¹⁰ (MPS). The Marine Plan for Northern Ireland and other marine policy documents¹¹ will inform and guide the regulation, management, use and protection of the Northern Ireland marine area. It will support and complement other existing legislation, policies, plans and strategies, including the Northern Ireland Executive's Programme for Government¹², Regional Development Strategy¹³, Going for Growth¹⁴, the Strategic Energy Framework¹⁵ and the Common Fisheries Policy¹⁶. It also takes account of the Floods Directive, Flood Risk Management Plans, existing River Basin Management Plans that implement the Water Framework Directive, and will complement the Marine Strategy Framework Directive's (MSFD) Programme of Measures. Consequently, it will contribute to the achievement of Good Ecological Status and Good Environmental Status respectively. It will also contribute to implementation of the Integrated Coastal Zone Management Strategy¹⁷. All reasonable

⁶ This vision sits within the wider context of the UK Vision for the marine area which is set out in the Marine Policy Statement as "clean, healthy, safe, productive and biologically diverse oceans and seas".

⁷ <http://www.legislation.gov.uk/ukpga/2009/23/contents>

⁸ <http://www.legislation.gov.uk/nia/2013/10/contents>

⁹ <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0089&from=EN>

¹⁰ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69322/pb3654-marine-policy-statement-110316.pdf

¹¹ Marine policy documents include the MPS and any Marine Plan produced by a Marine Plan Authority.

¹² <http://www.northernireland.gov.uk/pfg>

¹³ The RDS provides an overarching spatial framework to influence the future distribution of activities throughout the Region to 2035. The document examines the factors which are impacting on us and are driving change. It sets out aims for the Region and provides guidance on how these aims can be achieved.

¹⁴ Going for Growth is a strategic action plan in support of the Northern Ireland agri-food industry

¹⁵ The Strategic Energy Framework details Northern Ireland's energy goals and objectives to 2020.

¹⁶ The Common Fisheries Policy provides the framework for the management of the EC fisheries and aquaculture sector, including all marine fisheries within 200 miles of Member States' baselines.

¹⁷ http://www.doeni.gov.uk/iczm_document-2.pdf

steps have been taken to ensure the Marine Plan is compatible with Local Development Plans¹⁸.

The Marine Plan reflects the unique character of the Northern Ireland marine area and the needs of its users and will contribute to the delivery of national and regional policy objectives. It is a living document that will continue to evolve as the effectiveness of its policies are monitored and reviewed and the evidence base develops.

The Northern Ireland marine area comprises both an inshore and an offshore region. The Marine Plan combines the plans for both the inshore and offshore regions into one document. The marine area comprises all marine waters including sea bed, subsoil, tidal rivers and sea loughs so far as the tide flows at mean high water spring tide. The inshore region extends from the Mean High Water Spring Tide mark out to 12 nautical miles (nm) and includes tidal rivers. The offshore region is the area that extends south-eastwardly from the 12nm territorial limit to the outer boundary of the Northern Ireland marine area (31nm at the farthest point). The Northern Ireland marine area abuts the marine areas of Scotland, Wales, the Isle of Man and the Republic of Ireland.

¹⁸ <http://www.planningni.gov.uk>

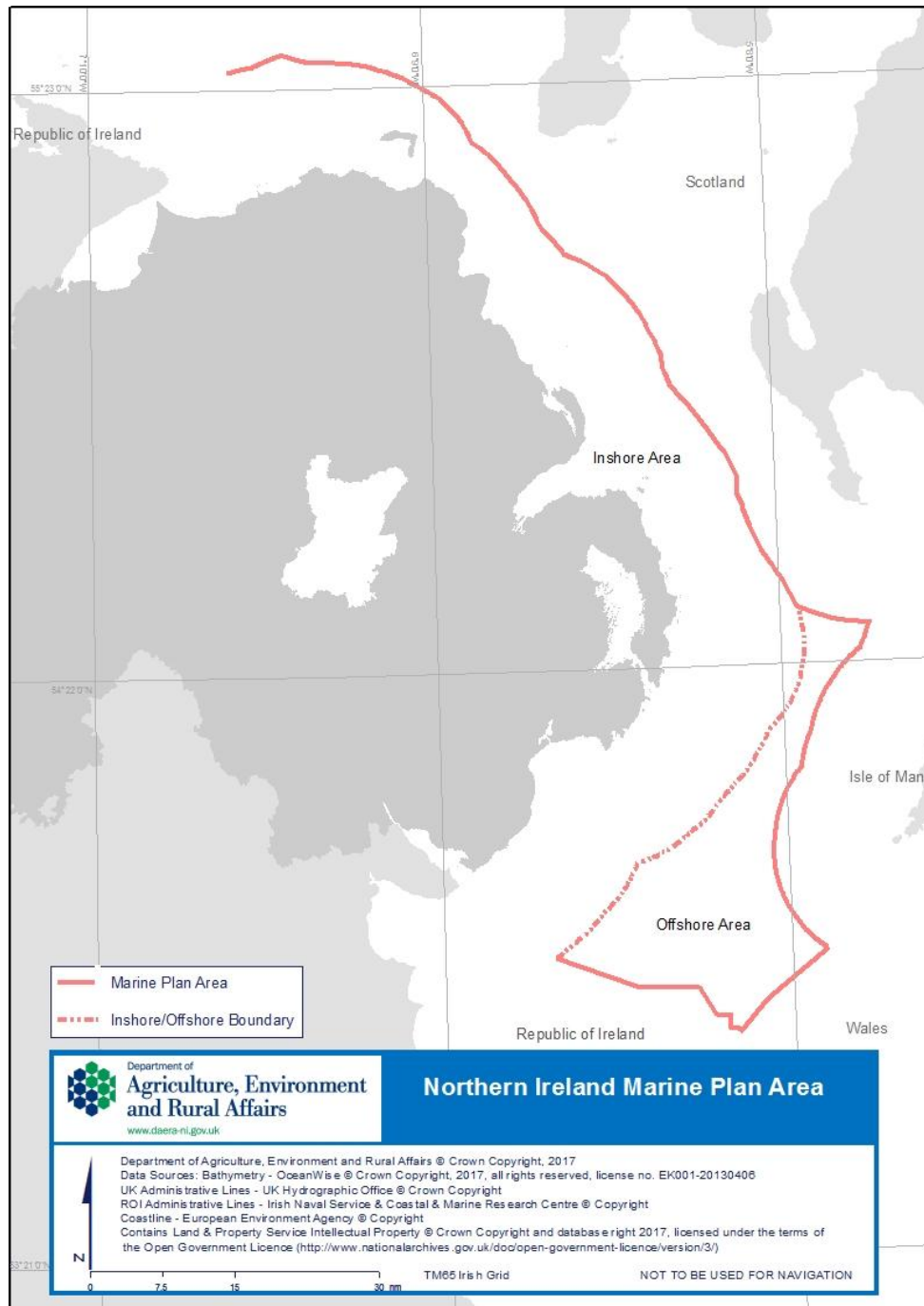


Image 1 – The Northern Ireland Marine Area¹⁹ (Source: DAERA)

¹⁹ The boundary of the Northern Ireland Marine Area is defined by the Adjacent Waters Boundaries (Northern Ireland) Order 2002 (<http://www.legislation.gov.uk/uksi/2002/791/contents/made>) and the Exclusive Economic Zone Order 2013 (<http://www.legislation.gov.uk/uksi/2013/3161/contents/made>).

3 HRA Process

3.1 Legal Context

Under the Habitats Regulations, where a plan or project is not directly connected with or necessary for the management of Natura 2000 site (also known as a ‘European Site’), and where the possibility of a ‘Likely Significant Effect’ (LSE) on these sites cannot be excluded, either alone or in-combination with other plans or projects, an Appropriate Assessment (AA) should be undertaken.

Natura 2000 is a network of areas designated to conserve natural habitats that are in danger of disappearance in their natural range, have a small natural range, or present outstanding examples of typical characteristics of the biogeographic region and species that are rare, endangered, vulnerable or endemic within the European Community. These European sites are defined in the Habitats Regulations as including the following:

- Special Areas of Conservation (SACs) designated under the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Habitats Directive) for their habitats and/or species of European importance;
- Sites of Community Importance (SCIs) that have been adopted by the European Commission but not yet formally designated by the government of each country;
- Candidate SACs (cSACs) that have been submitted to the European Commission, but not yet formally adopted; and,
- Special Protection Areas (SPAs) classified under the EC Directive on the Conservation of Wild Birds (the Birds Directive) for rare, vulnerable and regularly occurring migratory bird species and internationally important wetlands.

In the UK, the requirements of the Habitat Regulations also extend to the consideration of effects on:

- Potential SPAs (pSPAs) and possible SACs (pSACs); and,
- Listed or proposed Ramsar sites under the 1971 Ramsar Convention on Wetlands of International Importance²⁰. These sites are collectively referred to throughout this report as European/Ramsar sites.

In recognition of this, sites protected either by law under the Habitats Regulations, or by UK Government policy, are referred to throughout the HRA as European/Ramsar sites.

²⁰ pSPAs, pSACs and proposed Ramsar sites are sites on which Government has initiated public consultation on the scientific case for designation as a SPA, cSAC or Ramsar site.

An AA is made against the European/Ramsar sites' Conservation Objectives by the Competent Authority in compliance with the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the EC Habitats Directive). This Directive is transposed in Northern Ireland through the following, which are collectively referred to in this document as the 'Habitats Regulations':

- The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) transpose the Habitats Directive in relation to Northern Ireland; and,
- The Offshore Marine Conservation (Natural Habitats) Regulations 2007 (SI 2007 No. 1842) (as amended) (the Offshore Habitats Regulations)²¹.

The Competent Authority can adopt the plan only after having ascertained that it will not adversely affect the integrity of the European/Ramsar sites concerned. The DAERA is the Competent Authority for undertaking the HRA of the Marine Plans²² and producing an AA if required.

If it is concluded that the plan will have an adverse effect on integrity (AEOI) on a European/Ramsar site (either alone or in-combination with other plans or projects), the plan can only be adopted if it has been ascertained that there are no alternative solutions and it is necessary for Imperative Reasons for Overriding Public Interest (IROPI), including those of a social or economic nature. In these circumstances, before such a plan can proceed, compensatory measures must be secured to ensure that the overall coherence of the network of Natura 2000 sites is maintained.

3.2 HRA Approach

Guidance on the methods for undertaking plan-level HRAs has been prepared for Natural England, Scottish Natural Heritage (SNH) and Countryside Council for Wales²³ (CCW) (David Tyldesley Associates, 2009a; b; 2015). Guidance has also been produced by the European Commission on the 'Assessment of plans and projects significantly affecting Natura 2000 sites' (EC, 2001). All of these are considered to be applicable to the HRA of the Marine Plan.

The available guidance provides clear advice on the steps and process to be followed in undertaking plan-level HRA. Image 2 presents the 13-step iterative process that is recommended for plan-level HRAs by David Tyldesley Associates (2015). Adhering to this guidance, and clearly following the key steps, ensures that there is as much clarity as

²¹ These Regulations apply beyond the 12 nautical mile territorial limit.

²² The Marine Plan combines the plans for both the inshore and offshore regions into one document.

²³ Now Natural Resources Wales (NRW)

possible in the process and about how assessment decisions are reached. Having a transparent and phased process also ensures that the relevant documentation can be readily accessed, interpreted and interrogated.

Following the guidance and key steps above is also important for understanding and addressing many of the particular challenges that are faced with respect to undertaking HRAs specifically for marine plans. In particular, there are issues relating to:

- Understanding the relationship between the activities that will be driven by the marine plan policies and those that have already been assessed for pre-existing sectoral plan HRAs for separate marine activities such as offshore wind;
- Considering the limited level of detail that is available in relation to potential future marine activities covered by marine plans and therefore in dealing with the inherent uncertainty in the potential impacts of the plan; and,
- Addressing the extent to which spatial policies for particular forms of development within a marine plan might be considered to create a presumption in favour of development and/or provide grounds for an 'IROPI' case (whereby IROPI are required for projects having an AEOL of a European/Ramsar site).

These and other issues can be addressed for the Marine Plan for Northern Ireland HRA by following a similar approach to that used, or proposed, for other high-level strategic marine plans. This includes the HRAs for the English East marine plans (MMO, 2013) and most recently the English South marine plans (MMO, 2015). In each case these adhered to existing plan-level HRA guidance (for example, David Tyldesley and Associates 2009a; 2015) and applied specific screening and assessment methods (developed in consultation with key stakeholders) that were appropriate for the marine environment and marine planning. Drawing upon the guidance and these precedents for strategic marine plan HRA work, the key considerations and actions relevant to the Marine Plan for Northern Ireland HRA are provided in Section 3.3.

The methods applied in this HRA will also take account of the lessons learned from and approaches taken during other 'case example' HRAs for sectoral plans in the UK. These 'case examples' include the following:

- The Irish-Scottish Links on Energy Study (ISLES) Spatial Plan (ABPmer and AECOM, 2015);
- Marine Renewables Infrastructure Plan (M-RIP) (ABPmer, 2015);

- The Crown Estate’s Wave and Tidal Further Leasing (W&TL) plan (ABPmer, 2014);
- The Crown Estate’s Offshore Floating Wind Test Sites plan (AMEC, 2013; 2014);
- The three Draft Sectoral Plans for Wind, Wave and Tidal Energy Generation in Scottish waters (ABPmer, 2013a);
- Draft Plan for Wave and Tidal Energy in Scottish Waters (ABPmer, 2013b);
- Draft Plan for Offshore Wind Energy (OWE) in Scottish Waters (ABPmer, 2011a);
- National Renewables Infrastructure Plan (N-RIP) (ABPmer, 2011b);
- Northern Ireland Offshore Renewable Energy Strategic Plan 2009-2020 (Entec, 2011);
- Pentland Firth Strategic Area (PFSA) Leasing Round (ABPmer, 2010a; b); and,
- Habitats Regulations Assessment of the Round 3 Offshore Wind Farm Plan (Entec, 2009a; b).

Of these plans, it is worth highlighting that almost all have followed the same standard principles for plan-level HRA that are proposed for the Marine Plan for Northern Ireland HRA. In particular, the most recent HRA for the ISLES Spatial Plan is especially important because it involved all the relevant SNCBs from each of the UK devolved administrations and the Republic of Ireland working together to agree and develop the HRA principles. As described above the principles are based around the 13-step process highlighted in the guidance (see Image 2).

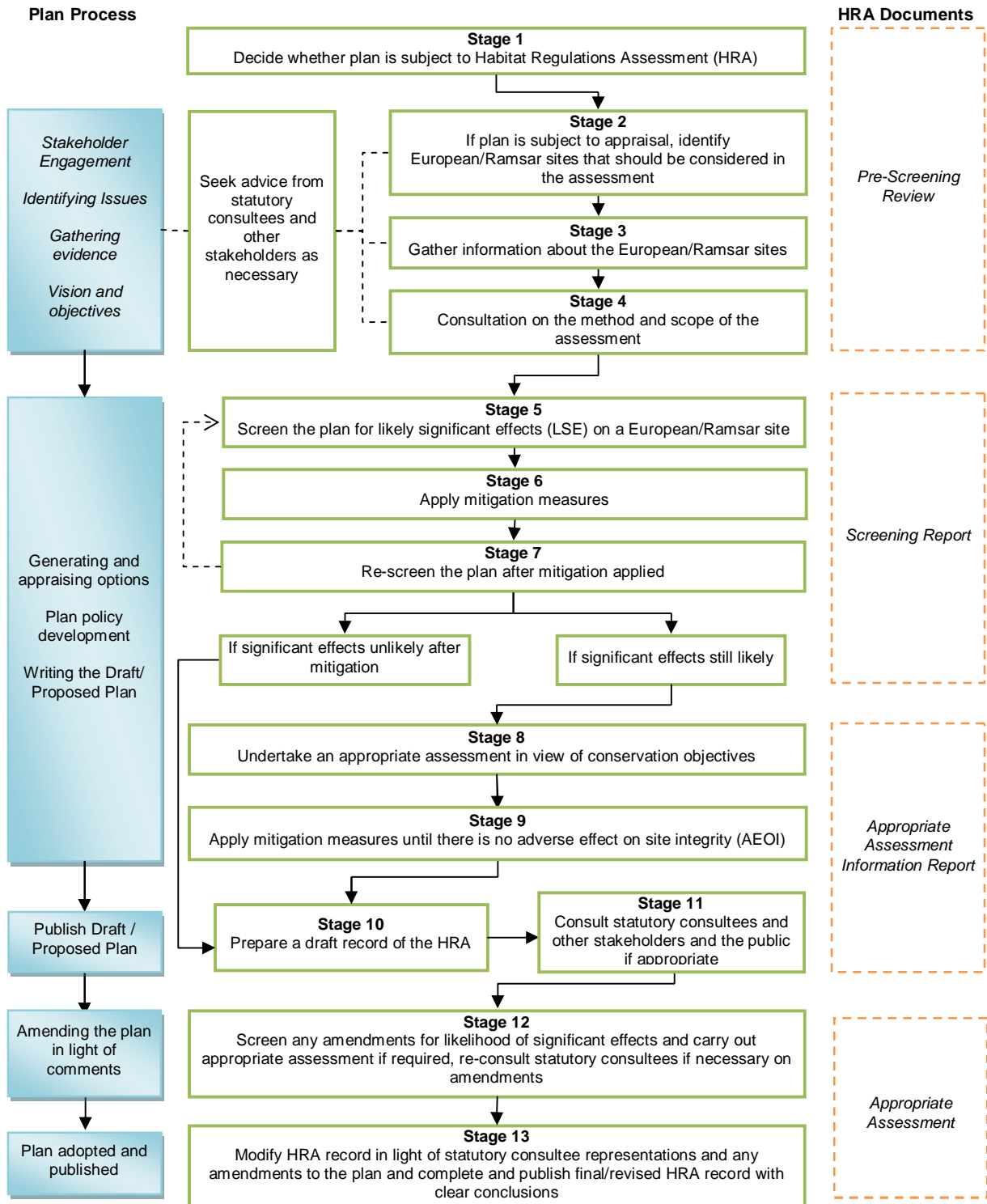


Image 2 – Stages of the HRA Processes for Plans (Adapted from David Tyldesley and Associates, 2015)

3.3 Key Considerations and Actions Relevant to Marine Plan HRA

Following a review of available guidance that was undertaken for the English East marine plans HRA (MMO, 2013) and English South marine plans HRA (MMO, 2015), it is recognised that, when assessing the plan policies, there will not be a need to assess those existing plans for which a plan-level HRA has already been undertaken (although they would need to be assessed as part of the in-combination assessment). In other words there is no need to re-assess activities that have already been assessed. The exception would be where there has been a further definition of, or change to, existing and assessed proposals. In such a case then these would need to be assessed within the HRA of the Marine Plan for Northern Ireland.

Necessarily, where there is no equivalent plan, and no HRA has been undertaken, it would be appropriate to consider activities which the Marine Plan influences within this HRA. In addition, given the broad nature of marine plans, in-combination effects are unlikely to be sufficiently addressed in any existing HRA, and will generally need to be assessed at a plan scale within the HRA of the Marine Plan.

Also, based on previously agreed principles adopted for the English East marine plans HRA (MMO, 2013) and English South marine plans HRA (MMO, 2015) it is not necessary to appraise ‘criteria-based’ policies or other general policy statements that have no spatially definable aspect²⁴. This is because even though such general policies “*may promote or encourage changes, which in theory could affect a European site, they only express the tests or expectations of the plan making authority when it comes to consider particular proposals [and they] can be screened out at an early stage because they will not have a significant effect on a European site*” (David Tyldesley and Associates, 2009a). Therefore, the assessment can discount these general policies and focus on those policies with a definable spatial component.

The key considerations and actions that will help to support the overall HRA are summarised in Table 1. Further details and guidance about the proposed approach are presented in the Section 4.1 (and Image 3).

²⁴ One example of such a policy is “*Proposers must demonstrate that proportionate stakeholder engagement has taken place*”.

Table 1 – Considerations and Actions Relevant to Marine Plan for Northern Ireland HRA

Consideration	Action
<p>1. Whether, and how, plan policy will be materially influenced by any existing sectoral plans or projects so that:</p> <p>a. Existing plans for which a plan-level HRA has already been undertaken but which are not influenced by the Marine Plan do not need to be assessed as part of the plan, although they will need to be assessed as part of the in-combination assessment; and,</p> <p>b. Only material changes will be assessed (see also Point 2 in this table and Section 4 for further detail).</p>	<p>Review the Marine Plan policies in consultation with relevant stakeholders to clearly identify and exclude general or criteria-based policies, while selecting and assessing those which will materially influence existing sectoral plans or projects.</p>
<p>2. The identification and exclusion of general or criteria-based policies so that the assessment can focus on policies with a spatially definable component.</p>	
<p>3. How existing sectoral plans will fit into the plan implementation hierarchy.</p>	<p>Assess only those sectoral plans for which a HRA does not already exist.</p>
<p>4. How the Plan itself will be implemented to address in-combination issues.</p>	<p>Present further details on how in-combination issues will be addressed within the Appropriate Assessment Information Report that will follow the screening process.</p>
<p>5. The framing of any relevant plan policies should be such that inclusion of a project within a plan is not a sufficient ground for an IROPI case.</p>	<p>Address the issue of IROPI within the Marine Plan in terms of the Marine Plan's intended use as a decision making document.</p>

4 Screening Approach and Results

The screening phase covers Stages 5 to 7 of the HRA process (see Image 2) following methods identified as part of Stage 4 of the HRA and presented in the HRA Pre-screening Report (ABPmer and AECOM, 2016). Stages 6 and 7 of the HRA involve re-screening the Marine Plan for LSE following the application of plan-level mitigation measures. However given that mitigation is embedded in the draft Marine Plan policies these stages are not relevant and have not been applied to this HRA.

According to the plan-level HRA guidance (David Tyldesley Associates, 2015), the purpose of the screening stage is to:

- “a) Identify all aspects of the plan which would have no effect on a European site, so that they can be eliminated from further consideration in respect of this and other plans;*
- b) Identify all aspects of the plan which would not be likely to have a significant effect on a European site (i.e. would have some effect but minor residual), either alone or in combination with other aspects of the same plan or other plans or projects, which therefore do not require ‘appropriate assessment’; and,*
- c) Identify those aspects of the plan where it is not possible to rule out the risk of significant effects on a European site, either alone or in combination with other plans or projects. This provides a clear scope for the parts of the plan that will require appropriate assessment.”*

The first phase of the Stage 5 screening has involved a review of the draft Marine Plan policies to identify those that could result in a material change to existing activities and for which there may be a LSE (based on agreed pre-determined criteria that are explained further in Section 4.1). Any such policies would need to be considered further and assessed in the HRA.

The policy review that was presented in Section 3.3 sets out the key principles and issues that are pertinent to this HRA as informed by available guidance and lessons learnt from past plan-level HRAs. Based on these principles, a policy screening and assessment framework is shown in flow diagram form in Image 3.

The first part of this flow diagram describes the approach that has been taken to screen the draft Marine Plan policies and identify those which need to be assessed. In essence there is a three stage process in which the following three ‘Screening Criteria’ questions have been asked sequentially:

- Screening Criterion 1: Is the policy general or ‘criteria-based’ such that it has no specific spatially-definable implications for activities (i.e. it does not direct, influence or clarify the nature and location of activities) within the Marine Plan area?
- Screening Criterion 2: Has the policy been subject to previous HRA (e.g. encapsulated within a sectoral plan such as the Northern Ireland Offshore Renewable Energy Strategic Plan 2009-2020) and is that HRA still valid (i.e. has there been a further change to proposals as originally assessed)²⁵?
- Screening Criterion 3: Does the policy change what was previously assessed or bring greater clarity to sectoral plan elements?

²⁵ If the policy has already been subject to a HRA and that HRA is still valid, then that policy will not be re-assessed during this HRA. However, that plan or project which encompasses that particular policy will need to be assessed as part of the in-combination assessment (see Section 3.3).

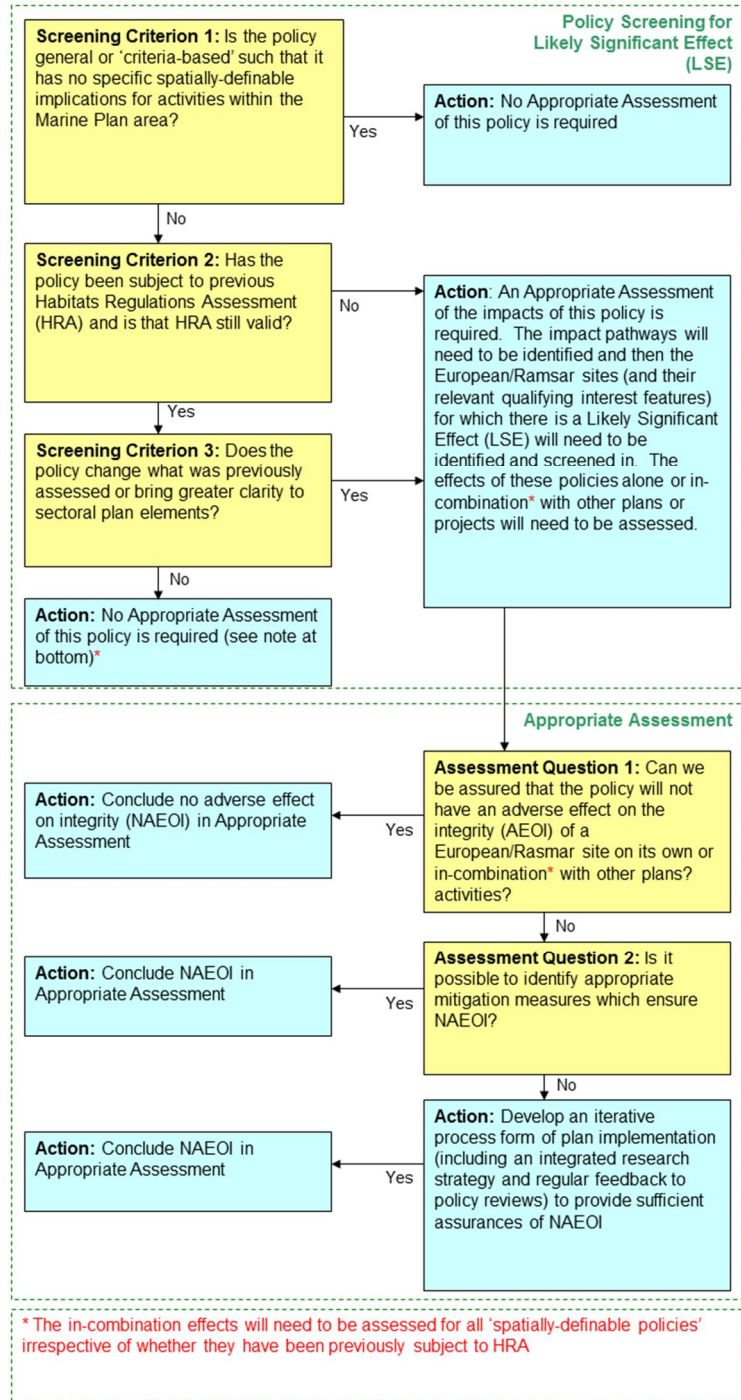


Image 3 – Policy Screening and Assessment Process (Adapted from ABPmer for MMO, 2013)

The draft Marine Plan policies have been screened to determine whether they are likely to have a significant effect on a European/Ramsar site. The results of the policy screening review are presented in Table 2.

Table 2 – Policy screening review

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
Core Policies				
Stakeholder Engagement		Proposers must demonstrate that proportionate stakeholder engagement has taken place.	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
Air Quality		Public authorities must consider the potential impact of proposals on air quality and where appropriate, seek to protect or improve air quality. Where a proposal has the potential to adversely impact on air quality a public authority may require the proposer to demonstrate: a) How the impact has been considered; and, b) Measures to address the adverse impact, where appropriate.	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way. It also aims to reduce human pressures in the marine area and is therefore consistent with the achievement of Conservation Objectives for European/Ramsar sites.
Climate Change	Climate Change	Public authorities, where appropriate must consider the potential impact of proposals on greenhouse gas emissions and the proposals ability to adapt to a changing climate.	Inshore and offshore	This policy may benefit European/Ramsar sites. However, it is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities. Overall, the policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
	Climate Change Mitigation	A public authority may require a proposer to demonstrate: a) How they have considered the proposal's greenhouse gas emissions during its lifetime; and, b) Measures to minimise and/or mitigate these emissions, where appropriate.	Inshore and offshore	This policy may benefit European/Ramsar sites. However, it is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities. Overall, the policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
	Climate Change Adaptation	Where climate change has the potential to impact on a proposal during its lifetime, a public authority may require the proposer to demonstrate: a) How the impact has been considered; and, b) Measures to address the adverse impact, where appropriate.	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
Coastal Processes	Coastal Processes	Public authorities must consider any potential impact from proposals on coastal processes. Where a proposal has the potential to adversely impact on coastal processes, a public authority will require the proposer to demonstrate: a) That adverse impact is avoided; or, b) Where adverse impact is unavoidable, it is minimised, and where appropriate mitigated; or, c) Where adverse impact cannot be avoided or minimised, it is mitigated. If it is not possible to avoid, minimise and/or mitigate any adverse impact, a proposal will only be allowed where the public benefit clearly outweighs the adverse impact.	Inshore	This policy aims to minimise the impacts on coastal processes and may therefore benefit European/Ramsar sites. However, it is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities. Overall, the policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
	Resilience to Coastal Processes	Where coastal processes have the potential to impact on a proposal during its lifetime, a public authority may require the proposer to demonstrate: a) How the impact has been considered; and, b) Measures to address the adverse impact, where appropriate.	Inshore	This policy may benefit European/Ramsar sites. However, it is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities. Overall, the policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
Co-Existence		Public authorities must consider the ability of a proposal to co-exist with other marine activities and uses.	Inshore and offshore	This policy relates to a proposal's ability to co-exist with other marine activities and uses, including European/Ramsar sites. The policy should be screened out because it is general in

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
		<p>Where a proposal has the potential to conflict with other marine activities and uses, a public authority will require the proposer to demonstrate:</p> <ul style="list-style-type: none"> a) That conflict is avoided; or, b) Where conflict is unavoidable, it is minimised and where appropriate mitigated; or, c) Where conflict cannot be avoided or, minimised, it is mitigated. <p>If it is not possible to avoid, minimise and/or mitigate any conflict, a proposal will only be allowed, where the public benefit clearly outweighs the conflict or where agreement has been reached between the relevant parties.</p>		<p>nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.</p>
Cumulative Impacts		<p>Public authorities must consider the cumulative impact of proposals on other marine activities, uses and/or the marine area.</p> <p>Where a proposal has a likely significant adverse cumulative impact, a public authority will require the proposer to demonstrate:</p> <ul style="list-style-type: none"> a) That the likely significant adverse cumulative impact is avoided; or, b) Where the likely significant adverse cumulative impact is unavoidable, it is minimised and where appropriate mitigated; or, c) Where the likely significant adverse cumulative impact cannot be avoided or minimised, it is mitigated. <p>If it is not possible to avoid, minimise and/or mitigate any likely significant adverse cumulative impact, a proposal will only be allowed, where the public benefit clearly outweighs the impact.</p>	Inshore and offshore	<p>The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way. It also aims to reduce human pressures in the marine area and is therefore consistent with the achievement of Conservation Objectives for European/Ramsar sites.</p>
Heritage Assets	Heritage Assets	Public authorities must consider any potential impact of proposals on heritage assets.	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
				particular location or provide for them to be carried out in a particular way.
	Designated Heritage Assets	<p>A proposal that will adversely impact a designated heritage asset or the integrity of its setting, will only be allowed in exceptional circumstances, and where it is demonstrated that the adverse impacts are necessary to deliver public benefit that clearly outweighs the impact. In such cases, minimisation and mitigation measures will be required, where appropriate.</p> <p>This policy will also apply to assets which, whilst not designated presently, would otherwise merit statutory protection.</p>	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
	Undesignated Heritage Assets	<p>Where a proposal would adversely impact on a newly discovered or undesignated heritage asset or the integrity of its setting, a public authority will require the proposer to demonstrate:</p> <p>a) That adverse impact is avoided; or, b) Where adverse impact is unavoidable, it is both minimised and mitigated.</p> <p>If it is not possible to avoid or minimise and mitigate any adverse impact, a proposal will only be allowed where the public benefit clearly outweighs the value of the asset or its setting, taking advice from the relevant regulator and advisors.</p>	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
	Recording of Heritage Assets	Where new heritage assets are uncovered or encountered, these must be reported promptly to the Receiver of Wreck (of the Maritime and Coastguard Agency) and the responsible curatorial body.	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
Invasive Alien Species		<p>Public authorities must consider the potential risk from the introduction and/or spread of invasive alien species in the marine area as a result of proposals.</p> <p>Where a proposal has the potential to introduce and/or spread invasive alien species, a public</p>	Inshore and offshore	This policy aims to manage the risks of introducing and/or spreading of invasive alien species which may potentially benefit European/Ramsar sites. However, it is not possible to determine the extent to which the policy will result in material change(s) to

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
		authority will require the proposer to demonstrate: a) How the risk has been considered; and b) Appropriate measures to address the risk.		European/Ramsar sites or to existing commitments of public authorities. Overall, the policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
Land and Sea Interaction		Public authorities must consider the land and sea interactions of proposals. Where a proposal has land and sea interactions, a public authority may require the proposer to demonstrate that these interactions have been considered.	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
Marine Litter		Public authorities must consider the potential risk of litter entering the marine area as a result of proposals. Where a proposal creates the potential for litter to enter the marine area, a public authority may require the proposer to demonstrate: a) How the risk has been considered; and b) Appropriate measures to minimise the risk.	Inshore and offshore	This policy aims to minimise the risk of introducing marine litter into the marine area and may therefore benefit European/Ramsar sites. However, it is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities. Overall, the policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
Marine Noise		Public authorities must consider the potential impact of man-made noise on marine activities, uses and/or the marine area as a result of a proposal. Where a proposal has the potential for adverse impact on marine activities, uses and/or the marine area from man-made noise a public authority may require the proposer to demonstrate: a) How the impact has been considered; and, b) Measures to address the adverse impact.	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way. It also aims to manage human pressures in the marine area and is therefore consistent with the achievement of Conservation Objectives for European/Ramsar sites.
Natural Heritage	International and National Designated	Public authorities must comply with the legal requirements for designated areas and protected species.	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
	Sites and Protected Species			carried out in a particular way. It is also consistent with the achievement of Conservation Objectives for European/Ramsar sites.
	Other Habitats, Species or Features of Importance	<p>Public authorities must consider any potential impact from proposals on other habitats, species or features of importance.</p> <p>Where a proposal has the potential for a likely unacceptable adverse impact a public authority will require the proposer to demonstrate:</p> <ul style="list-style-type: none"> a) That adverse impact is avoided; or, b) Where adverse impact is unavoidable, it is minimised, and where appropriate mitigated; or, c) Where adverse impact cannot be avoided or minimised, it is mitigated. <p>If it is not possible to avoid, minimise and/or mitigate any adverse impact, a public authority must ensure that the resulting public benefit clearly outweighs the value of the habitats, species or feature. In such cases appropriate mitigation and/or compensatory measures will be required.</p>	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way. It also aims to reduce human pressures in the marine area and is therefore consistent with the achievement of Conservation Objectives for European/Ramsar sites.
Seascape		<p>Public authorities must consider the potential impact from proposals on seascape, taking account of the existing character and quality of an area, how highly it is valued, and its capacity to accommodate change.</p> <p>Where a proposal has the potential to adversely impact on seascape, a public authority may require the proposer to demonstrate:</p> <ul style="list-style-type: none"> a) How the impact has been considered; and, b) Measures to address the adverse impact, where appropriate. 	Inshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
Use of Evidence		Proposals must be based on and accompanied by best available evidence.	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way.
Water Quality		<p>Public authorities must consider any potential impact from proposals on water quality.</p> <p>Where a proposal has the potential to adversely impact on water quality, a public authority will require the proposer to demonstrate:</p> <ul style="list-style-type: none"> a) That adverse impact is avoided; or, b) Where adverse impact is unavoidable, it is minimised and where appropriate mitigated; or, c) Where adverse impact cannot be avoided or minimised, it is mitigated. <p>If it is not possible to avoid, minimise and/or mitigate any adverse impact, a proposal will only be allowed, where the public benefit clearly outweighs the adverse impact.</p>	Inshore and offshore	The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way. It also aims to reduce human pressures in the marine area and is therefore consistent with the achievement of Conservation Objectives for European/Ramsar sites.
Key Activity Policies				
Aquaculture		<p>There is a presumption in favour of aquaculture proposals where it can be demonstrated:</p> <ul style="list-style-type: none"> a) There will be no unacceptable adverse impact on marine activities, uses and/or the marine area and any potential adverse impact is, in order of preference, avoided, minimised and/or mitigated. 	Inshore and offshore	<p>Existing shellfish aquaculture sites are principally concentrated in the five sea loughs (Carlingford, Strangford, Belfast, Larne and Foyle) with some operations at Dundrum Bay and Killough harbour. There is also a marine salmon farm with sites in Glenarm Bay and Red Bay. These existing aquaculture sites will have previously been subject to HRA where relevant. The HRA that was undertaken for the UK MPS included a high level assessment of the effects of aquaculture on UK European/Ramsar sites and features.</p> <p>Finfish and shellfish cultivation depends on the farms being located in areas of good water</p>

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
				<p>quality and where the current flow allows the growth of healthy fish and shellfish. Some areas around the Northern Ireland coastline have been designated as Shellfish Water Protected Areas to protect and improve the quality of shellfish waters, support shellfish production and contribute to high quality products for human consumption. Although future aquaculture activities are directed towards these designated Shellfish Water Protected Areas, the policy is aimed at minimising adverse impacts and may therefore benefit European/Ramsar sites. However, it is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities. The policy should therefore be screened out.</p>
Commercial Fishing	Proposals with the potential to impact on Commercial Fishing	<p>Public authorities must consider any potential impact from proposals on commercial fishing activities and the ecosystem services that support commercial fishing.</p> <p>Where a proposal has the potential to adversely impact on (1) areas of commercial fishing activity and access to fishing grounds; and/or (2) spawning and nursery grounds and associated habitats and migratory routes, a public authority will require the proposer to demonstrate:</p> <ul style="list-style-type: none"> a) That adverse impact is avoided; or, b) Where adverse impact is unavoidable, it is minimised and where appropriate mitigated; or, c) Where adverse impact cannot be avoided or minimised, it is mitigated. <p>If it is not possible to avoid, minimise and/or mitigate any adverse impact, a proposal will only be allowed</p>	Inshore and offshore	<p>Although the location of existing commercial fishing activities is known, this safeguarding policy should be screened out as it is general in nature. An HRA was undertaken for the UK MPS which included a high level assessment of the effects of fishing on UK European/Ramsar sites and features.</p>

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
		<p>where the public benefit clearly outweighs the adverse impact.</p>		
Defence and National Security		<p>Public authorities must consider any potential interference from proposals on defence and national security requirements and must not authorise proposals that would result in unacceptable interference.</p> <p>Where a proposal has the potential to interfere with defence and national security requirements, a public authority will require the proposer to demonstrate:</p> <ul style="list-style-type: none"> a) That interference is avoided; or, b) Where interference is unavoidable, it is minimised and where appropriate mitigated; or, c) Where interference cannot be avoided or minimised, it is mitigated. <p>Any proposal that has the potential to interfere with defence and national security requirements must be discussed with the Ministry of Defence at the earliest opportunity and agreement reached.</p>	Inshore and offshore	<p>Although the location of existing defence and national security assets and activities is known, this safeguarding policy should be screened out as it is general in nature. An HRA was undertaken for the UK MPS which included a high level assessment of the effects of national security on UK European/Ramsar sites and features.</p>
Dredging		<p>There is a presumption in favour of dredging proposals where it can be demonstrated:</p> <ul style="list-style-type: none"> a) There will be no unacceptable adverse impact from either dredging or dredged material disposal on marine activities, uses and/or the marine area and any potential adverse impact is, in order of preference, avoided, minimised and/or mitigated; b) Dredged waste is managed in accordance with internationally agreed hierarchy of waste management options for sea disposal; and, c) If disposing of dredged material at sea, existing registered disposal sites are used in preference to new disposal sites. 	Inshore and offshore	<p>The location of existing dredging activities and registered disposal sites is known and these will have previously been subject to HRA, where relevant. The HRA undertaken for the UK MPS also included a high level assessment of the effects of navigation dredging and sea disposal of dredged materials on UK European/Ramsar sites and features.</p> <p>Although the specific location of future dredging activities is not known, they are likely to be concentrated around ports, harbours, marinas and navigation channels. The policy directs future disposal activities towards existing registered disposal sites. The policy aims to</p>

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
				<p>minimise the adverse impacts of dredging and disposal and may therefore benefit European/Ramsar sites. However, it is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities. The policy should therefore be screened out.</p>
Energy		<p>There is a presumption in favour of energy proposals that improve the security and diversity of energy supply, where it can be demonstrated:</p> <ul style="list-style-type: none"> a) There will be no unacceptable adverse impact throughout the lifetime of the proposal on marine activities, uses and/or the marine area and any potential adverse impact is, in order of preference, avoided, minimised and/or mitigated; and, b) Restoration/decommissioning measures have been agreed where necessary. 	Inshore and offshore	<p>The policy should be screened out because it is general in nature, it does not direct activities to a particular location or provide for them to be carried out in a particular way. The policy aims to minimise adverse impacts and may therefore benefit European/Ramsar sites. However, it is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities.</p> <p>Wind, wave and tidal resource zones in the marine area have been identified in the Offshore Renewable Energy Strategic Action Plan 2012-2020 (ORESAP) which has previously been subject to an HRA. The two pilot tidal stream demonstration projects in Strangford Lough (SeaGen tidal turbine and Minesto Kite) have also previously been subject to project-level HRA. The SeaGen turbine is currently being decommissioned. There are two tidal energy proposals to be located off Fair Head and Torr Head, County Antrim. Torr Head Tidal has completed a project-level HRA, while the HRA for Fair Head Tidal is underway. The HRA for the UK MPS also included a high level assessment of the effects of offshore wind, tidal and wave development on UK European/Ramsar sites and features. The policy does not change what was previously assessed and therefore the policy</p>

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
				<p>insofar as it relates to renewable energy should be screened out.</p> <p>The proposed CAES facility near Larne will require a brine discharge outfall in the marine area. This project will have been subject to HRA. Overall, therefore, the policy insofar as it relates to the CAES should be screened out.</p> <p>The location of DECC (now BEIS) licensed blocks (26th, 27th and 28th licensing rounds) are known and have previously been subject to HRA. The HRA of the UK MPS also included a high level assessment of the effects of offshore oil and gas exploration. Future potential activity in unlicensed blocks is unknown. The policy insofar as it relates to the Oil & Gas should be screened out on the basis that it does not change what was previously assessed, it aims to minimise adverse impacts and is general in nature.</p> <p>There is an underground gas storage proposal for Larne Lough (Islandmagee) which has an option agreement with The Crown Estate and has been subject to a project-level HRA. Future potential activity of the gas storage sector is not known. The policy insofar as it relates to gas storage should be screened out on the basis that it does not change what was previously assessed, it aims to minimise adverse impacts and is general in nature.</p> <p>Existing power stations, gas pipelines and power cables will have previously been subject to HRA where relevant. The HRA for the UK MPS also included a high level assessment of the effects of offshore electricity networks. Future potential activity of these sectors is not known. This policy</p>

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
				insofar as it relates to these activities should be screened out on the basis that it does not change what was previously assessed, it aims to minimise adverse impacts and is general in nature.
Marine Aggregates		<p>There is a presumption in favour of marine aggregate extraction proposals where it can be demonstrated:</p> <p>a) There will be no unacceptable adverse impact on marine activities, uses and/or the marine area and any potential adverse impact is, in order of preference, avoided, minimised and/or mitigated; and,</p> <p>b) Restoration measures have been agreed where necessary.</p>	Inshore and offshore	The HRA that was undertaken for the UK MPS included a high level assessment of the effects of aggregate dredging on UK European/Ramsar sites and features. There are, however, no areas of seabed in the Northern Ireland marine area currently leased or licensed for marine aggregate extraction. The location of future aggregate activities is not known. This policy should be screened out on the basis that it aims to minimise adverse impacts and is general in nature.
Ports, Harbours and Shipping	Proposals with the potential to impact on navigational safety	Public authorities must not authorise proposals that would interfere with navigational safety.	Inshore and offshore (but not tidal rivers beyond the upstream limits of a harbour authority)	Although the location of existing ports, berths, navigational channels and shipping lanes is known, this safeguarding policy should be screened out as it is general in nature. It is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities.
	Proposals with the potential to impact on shipping	<p>Public authorities must consider any potential impact from proposals on shipping activity and freedom of navigation.</p> <p>Where a proposal has the potential to adversely impact on shipping activity and/or freedom of navigation, a public authority will require the proposer to demonstrate:</p> <p>a) That adverse impact is avoided; or,</p> <p>b) Where adverse impact is unavoidable, it is minimised and where appropriate mitigated; or,</p> <p>c) Where adverse impact cannot be avoided or minimised, it is mitigated.</p>	Inshore and offshore (but not tidal rivers beyond the upstream limits of a harbour authority)	The HRA that was undertaken for the UK MPS included a high level assessment of the effects of shipping activity on UK European/Ramsar sites and features. The location of existing ports, berths, navigational channels and shipping lanes is known. However, this safeguarding policy should be screened out as it aims to minimise adverse impacts and is also general in nature. It is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities.

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
		If it is not possible to avoid, minimise and/or mitigate any adverse impact, a proposal will only be allowed where the public benefit clearly outweighs the adverse impact.		
	Ports and Harbours	There is a presumption in favour of port and harbour proposals where it can be demonstrated there will be no unacceptable adverse impact on marine activities, uses and/or the marine area and any potential adverse impact is, in order of preference, avoided, minimised and/or mitigated.	Inshore and offshore (but not tidal rivers beyond the upstream limits of a harbour authority)	The HRA that was undertaken for the UK MPS included a high level assessment of the effects of port development on UK European/Ramsar sites and features. It is reasonable to assume that future proposals for port development will take place at or adjacent to existing ports, harbours and navigation areas. However the policy is too general in nature and it is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities. The policy should therefore be screened out as it is not possible to undertake a meaningful assessment of the effects on European/Ramsar sites.
Telecommunications Cabling		There is a presumption in favour of subsea telecommunication proposals where it can be demonstrated: a) There will be no unacceptable adverse impact on marine activities, uses and/or the marine area and any potential adverse impact is, in order of preference, avoided, minimised and/or mitigated; b) Consideration has been given to burial of cables as a preferred option; and, c) Restoration measures have been agreed where necessary.	Inshore and offshore	The location of existing cables is known and these will have previously been subject to HRA where relevant. The HRA that was undertaken for the UK MPS also included a high level assessment of the effects of telecommunications cabling on UK European/Ramsar sites and features. This policy is general in nature, however, and does not direct future proposals for cables to a particular location, or provide for them to be carried out in a particular way. It is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities. The policy should therefore be screened out.
Tourism and Recreation		There is a presumption in favour of tourism and recreation proposals, where it can be demonstrated:	Inshore and offshore	The HRA that was undertaken for the UK MPS included a high level assessment of the effects of tourism and recreation on UK European/Ramsar

Policy	Sub-Policy	Description	Inshore/ Offshore Plan area	Screening View
		<p>a) There will be no unacceptable adverse impact on marine activities, uses and/or the marine area and any potential adverse impact is, in order of preference, avoided, minimised and/or mitigated; and,</p> <p>b) Legitimate public access to the marine and coastal area is retained.</p>		<p>sites and features. This policy does not change what was previously assessed and is general in nature i.e. it does not direct future proposals for tourism and recreation to a particular location, or provide for them to be carried out in a particular way. It is not possible to determine the extent to which the policy will result in material change(s) to European/Ramsar sites or to existing commitments of public authorities. The policy should therefore be screened out.</p>

5 In-combination Effects

The Habitat Regulations require that, in determining whether a plan or project is likely to have a significant effect on a European/Ramsar site, its effects should be considered both alone and in-combination with other plans or projects. This includes those which, at this stage, are 'Criteria Based' policies and as such have no specific spatially-definable implications for activities within the Marine Plan area.

In terms of the potential effects on European/Ramsar sites of the Marine Plan on its own, all of the policies have been screened out of further assessment as they are either general in nature, do not direct activities to a particular location, have previously been subject to HRA and/or are consistent with the conservation objectives of European sites (Section 4). In consequence, no in-combination assessment is required for the Marine Plan on its own.

5.1 Plans and projects

For completeness, a high level review of existing and relevant plans and projects across all marine sectors that may potentially affect European/Ramsar sites has been undertaken. For some of these sectors, a Strategic Environmental Assessment (SEA) and plan-level HRA already exists (e.g. offshore windfarms, oil and gas, coastal defence) and for some there are no such regional scale SEA/HRA although individual developments have undertaken detailed project-level HRAs as required under the Habitats Regulations.

Further details of the relevant plans and projects, and variations in approach to assessment across key marine sectors are as follows:

Oil and Gas: Each offshore oil and gas licensing round has been subject to statutory SEA and HRAs. These were conducted for potential developments that were considered to have potentially significant environmental effects (e.g. DECC, 2009).

Offshore Wind, Wave and Tidal: Wind, wave and tidal resource zones in the marine area have been identified in the Offshore Renewable Energy Strategic Action Plan 2012-2020 (ORESAP) which has previously been subject to an HRA (DETI, 2011). The two pilot tidal stream demonstration projects in Strangford Lough have also previously been subject to project-level HRA.

Underground Gas Storage: There is an underground gas storage project that is being developed in Larne Lough (Islandmagee) which has an option agreement with The Crown Estate and which has been subject to a project-level HRA.

Power Stations: Individual project-level HRAs have been produced for this sector.

Pipelines and Cables: Individual project-level HRAs have been produced for this sector.

Ports and Harbours: HRAs have been produced for current licensable activities of ports and harbours. Future opportunities for port expansion have been identified in Port Master Plans where relevant (e.g. Belfast).

Dredging and Disposal: Individual HRAs have been produced for licensed dredging and disposal areas.

Aggregates: No areas within the Marine Plan area are currently leased, under agreement or been licensed for marine aggregate extraction. The Crown Estate will undertake an HRA for any future leasing rounds which would then go on to inform project level HRAs.

Tourism and Recreation: Individual HRAs have been produced for projects within the tourism and recreation sector (e.g. waterside developments).

Commercial Fishing: This is a sector that has recently been confirmed to be a plan or project under the Habitats Regulations. The approach to the management of commercial fisheries in European Marine Sites has thus been revised to ensure that all existing and potential commercial fishing operations are managed in line with Article 6 of the Habitats Directive.

Other Marine Plans: A plan-level HRA has been undertaken for the English East marine plans (MMO, 2013) and the English South marine plans (MMO, 2015). It is anticipated that a plan-level HRA will be undertaken for the Welsh National Marine Plan which is currently being developed.

6 Conclusions

Following the methodology set out in the HRA Pre-Screening Report (ABPmer and AECOM, 2016), none of the draft Marine Plan policies in the Marine Plan for Northern Ireland meet the criteria for screening. This is because the policies are either general in nature, do not direct activities to a particular location, have previously been subject to an HRA and/or they are consistent with the conservation objectives of European sites. In other words, none of the draft Marine Plan policies will result in a LSE on European/Ramsar sites and features. There is therefore no need to undertake the subsequent stages of the HRA and DAERA, the Competent Authority will not be required to produce an Appropriate Assessment.

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