

Title: Flamborough and Filey Coast Special Protection Area (SPA) IA No: Lead department or agency: Defra Marine Biodiversity Policy Other departments or agencies: Natural England	Impact Assessment (IA)		
	Date: 21.06.13		
	Stage: Consultation		
	Source of intervention: Domestic		
	Type of measure: Secondary legislation		
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Summary: Intervention and Options	RPC Opinion: RPC Opinion Status
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Cost of Preferred (or more likely) Option			
Total Net Present Value	Business Net Present Value	Net cost to business per year (EANCB on 2009 prices)	In scope of One-In, Measure qualifies as One-Out?
-£0.112m	£0m	0.0	No In/Out/zero net cost

What is the problem under consideration? Why is government intervention necessary?

Rich in species and habitats, the UK marine environment is of high value to society. Human activities affect the marine environment. Although many activities are well regulated, regulation is not necessarily designed to conserve habitats and species. In carrying out activities, people may not take all environmental impacts into account and mechanisms are not in place to ensure that they do. The resultant degradation and decline in marine habitats and species negatively affects society. Government intervention is required to address this. Protection of marine habitats and species including birds will help maintain the value of the marine environment to society.

What are the policy objectives and the intended effects?

The Government aims to have 'clean, healthy, safe, productive and biologically diverse oceans and seas'. An ecologically coherent network of Marine Protected Areas (MPAs) is an essential part of the strategy and will help marine ecosystems adapt to climate change. The network will contribute to meeting the UK's commitments to international agreements and obligations (including the European Council's Directive 79/409/EEC on the conservation of wild birds "Birds Directive") and the Marine Strategy Framework Directive. The EU has indicated that failure to identify and classify the most appropriate habitats for birds as Special Protection Areas under the Birds Directive, carries with it an infraction risk.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Only one policy option has been considered: classify the pSPA extension (which comprises an existing SPA and SPA extension). The purpose of the IA is to inform government and stakeholders of impacts of the SPA extension, not to inform the decision to classify the site (which by law, cannot take into account socio-economic considerations). Other options are not considered because classification of the most suitable territories as SPAs for the conservation of regularly occurring migratory bird species is required under the Birds Directive. The seabird colony in the proposed SPA extension at Flamborough and Filey Coast supports internationally important numbers of several regularly occurring migratory bird species. If the site is not designated, this significantly increases the risk of infraction proceedings. Though the site could be conserved under voluntary agreements or a national designation this would not contribute to fulfilling the requirements of the Birds Directive and would be difficult to influence the consenting of activities through, for example, the introduction of effective mitigation measures. Furthermore, voluntary measures are not part of the government's commitment to the EU.

Will the policy be reviewed? It will be reviewed. If applicable, set review date: 01/2024					
Does implementation go beyond minimum EU requirements?			No		
Are any of these organisations in scope? If Micros not exempted set out reason in Evidence Base.	Micro No	< 20 No	Small No	Medium No	Large No
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)			Traded: None		Non-traded: None

I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs.

Signed by the responsible SELECT SIGNATORY: Date:

Summary: Analysis & Evidence

Policy Option 1

Description:

FULL ECONOMIC ASSESSMENT

Price Base Year 2013	PV Base Year 2013	Time Period Years 20	Net Benefit (Present Value (PV)) (£m)		
			Low: Not quantified	High: Not quantified	Best Estimate: Not quantified
COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)	
Low	£0.080m	2014 - 2015	£0.002m	£0.101m	
High	£0.080m		£0.003m	£0.123m	
Best Estimate	£0.080m		£0.002m	£0.112m	
<p>Description and scale of key monetised costs by 'main affected groups'</p> <p>No costs to businesses because assessments under existing legislation are already required on this site. The only costs are costs to public sector bodies that arise from work of the management and liaison groups for the SPA:</p> <ul style="list-style-type: none"> • One-off costs of £0.080m (estimated with medium confidence) • Recurring costs of £0.002 - £0.003m/yr, best estimate £0.002m/yr (medium confidence) 					
<p>Other key non-monetised costs by 'main affected groups'</p> <p>Competent authorities may incur one-off costs, which are unlikely to be significant, if they need to undertake the following as a result of the SPA extension:</p> <ul style="list-style-type: none"> • review outstanding or existing consents or permissions; • undertake Appropriate Assessment of future plans and projects. <p>Natural England may incur costs in informing these.</p>					
BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)	
Low	Optional		Optional	Optional	
High	Optional		Optional	Optional	
Best Estimate	Unquantifiable		Unquantifiable	Unquantifiable	
<p>Description and scale of key monetised benefits by 'main affected groups'</p> <p>It has not been possible to monetise the benefits of designating the sites because the benefits cannot be readily quantified and most of the benefits are not traded so cannot be easily valued.</p>					
<p>Other key non-monetised benefits by 'main affected groups'</p> <p>Ecological benefits: conservation of seabird colonies of international importance and their habitats. The SPA will reduce the risk that the seabird population using the site will diminish over time as a result of impacts of human activities in future. Economic benefits: visitors who gain increased understanding of seabirds, make increased wildlife viewing visits or have an improved visitor experience (estimated with medium confidence). People in the UK who benefit from the knowledge that seabirds at the site are protected (medium confidence). Increased knowledge gained from monitoring.</p>					
Key assumptions/sensitivities/risks			Discount rate (%)	3.5	
<p>Impacts are assessed over 20 years. In the event that Appropriate Assessment is required for a new plan or project, it is not anticipated that operators will incur additional costs as a result of the SPA extension (because Assessment may be required for the existing SPA, and costs should not arise if operators undertake appropriate consultation at an early stage). If the site is not designated, the condition of the features may be at risk to deterioration in future and it will be more difficult to ensure effective mitigation of impacts of human activities. There is also a risk of infraction.</p>					

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			In scope of No	Measure qualifies NA
Costs: 0	Benefits: not known	Net: not known		