Marine
Management
Organisation

Marine Development
Lancaster House
Newcastle Business Park
Newcastle upon Tyne
NE4 7YH

T +44 (0)300 123 1032
F +44 (0)191 376 2681
www.gov.uk/mmo

Mr Stephen Eades
Marinet
(email only)

Our reference:
MLA/2015/00431
MLA/2015/00432

14 November 2016

Dear Mr Eades

MARINE LICENCE APPLICATIONS MLA/2015/00431 AND MLA/2015/00432 FOR AGGREGATE DREDGING AREA 453 AND 488

Thank you for your letter received by the Marine Management Organisation (MMO) on 7 January 2016 with regards to applications for Marine Aggregate Extraction at Area 453 and 488 (MLA/2015/00431 and MLA/2015/00432).

The MMO has sought further advice from our technical advisers, The Centre for Environment Fisheries Aquaculture Science (Cefas) and our primary advisers Natural England (NE), with regards to the applications themselves and to points raised through your response during public consultation.

The MMO values the concerns and objections raised in your letter and all representations received during consultation are taken into account during the determination process.

The MMO has considered the points made in your letter and have provided the following response:

Data / evidence

The MMO have reviewed the application and supporting Environmental Statement (ES), as well as consulting our technical and primary advisers, who have commented on the suitability of the evidence presented. The MMO is satisfied that the conclusions reached are based on the best available evidence and the applicants have rectified any issues raised during the consultation process.

Recovery Timescales

The ES sufficiently considers recovery timescales, which will be validated through monitoring pre, during and post the aggregate dredging activity. The proposed monitoring programme also adopts the Regional Seabed Monitoring Program approach (RSMP), which has been designed to ensure that similar seabed sediment conditions are present at the cessation of dredging to ensure the recolonisation of similar benthic assemblages.

Numerous studies have been undertaken to assess the recoverability of aggregate licence areas following the cessation of dredging. The Marine Aggregate Levy Sustainability Fund

Science Monograph Series No. 2 discusses these studies, which can be found at the following reference:

Hill, J. M., Marzialetti, S. & Pearce, B. (2011). Recovery of Seabed Resources Following Marine Aggregate Extraction. Marine ALSF Science Monograph Series No. 2. MEPF 10/P148. (Edited by R. C. Newell & J. Measures). 44pp. ISBN: 978 0 907545 45 3.

Modelling

The modelling issues raised during consultation were discussed with Cefas and Natural England; both concluded that the applicant had reached the correct conclusion of insignificant impacts to the MCZ protected features.

The presence of such a small layer of sediment is unlikely to result in significant changes to physical conditions or ecological functioning of the feature, and the amount of material deposited is unlikely to be observable in comparison to the high levels of seabed sediment already present as part of the natural substratum and bed load.

Oyster Beds

The native oyster *Ostrea edulis* was initially put forward as an MCZ conservation feature. However, following the extensive surveys undertaken for both this project and the Kingmere Reefs surveys conducted to inform the designation process, and due to the lack of recent records for *Ostrea edulis,* it is not considered to be present in sufficient numbers to require further assessment.

Kingmere Marine Conservation Zone (MCZ) Assessment

The MMO has undertaken an MCZ Stage 1 Assessment, which has been reviewed and agreed with Natural England; the assessment has determined that subject to the mitigation measures detailed in the assessment being secured in marine licence conditions, there is no significant risk of the activities hindering the achievement of the conservation objectives of the Kingmere MCZ.

The MCZ Stage 1 Assessment will be available on the MMO public register alongside the other MMO decision documents once a determination has been made on the applications.

Black sea bream entrainment

The impacts to black sea bream have been assessed in the MCZ Stage 1 Assessment, including the potential entrainment.

In summary, the potential entrainment of black sea bream will be at its highest during the nesting season due to close concentration of fish around nest sites and exposure of eggs to predation following any removal of fish.

These impacts will however be mitigated through the following measures:

- Dredging will not occur within the black sea bream nesting season and will not occur over areas used by black sea bream for nesting, therefore reducing the risk posed by entrainment to spawning and nesting black sea bream;

- An Electronic Monitoring Systems (EMS) will be on-board aggregate dredging vessels to monitor positioning within the application area;
- A buffer zone will be placed around the designated Infralittoral rock habitat (potential nesting habitat) at the perimeter of the application areas; and
- A directional approach route to the licence area will be specified for aggregate extraction.

There is the potential for some individuals to be entrained by the drag head in the extraction area outside the breeding season. However, black sea bream are highly mobile and will therefore avoid dredging activity, reducing the risk of entrainment.

As such we are of the opinion that entrainment under the proposed working arrangements does not represent a risk to black sea bream.

Consideration of Alternatives

The proposed material to be dredged from Areas 453 and 488 is not considered to be interchangeable with other sources due to the quality material required for concrete manufacture. The MMO believes that relevant alternatives have been considered and despite their merits, as demonstrated by the applicants' interests in recycled aggregates, there is a demonstrable need for the aggregate resource within application Areas 453 and 488.

Tolerance/Sensitivity

The biotope SS.SCS.CCS.PomB has a high intolerance to the removal of substratum and is given a 'very high' recovery rate to physical damage, which explains the low sensitivity it is given in the impact assessment. The predicted high recovery rate is supported by studies (referenced in Environmental Statement, 7.5.94) which show the characteristic species of the biotope recolonize coarse substratum very quickly once the physical impacts have ceased.

Conclusion

Although a consent decision has not yet been determined for marine licence applications MLA/2015/00431 and MLA/2015/00432, the MMO will make a decision based on the evidence presented by the applicant and any advice or representations made.

The MMO values your comments and we will inform you in due course on the outcome of marine licence applications MLA/2015/00431 and MLA/2015/00432.

Yours sincerely,

Linda Porteous

Marine Licensing Case Officer, Marine Management Organisation
Tel: 020802 65350, Email: Linda.Porteous@marinemanagement.org.uk