

Lead Competent Authorities for Assessments of Plans or Projects That May Affect The Poole Harbour Special Protection Area (SPA)

Competent Authorities, as defined in Regulation 6(1) of the Habitats Regulations, are required to determine whether a plan or project is likely to have a significant effect. In order to do this the competent authority *may* require applicants to provide additional information pertinent to that assessment. To avoid unnecessary delays the applicant should be directed to a single lead authority at the earliest opportunity. The lead authority will then advise the applicant on what authorisations and what supporting information will be required. Where an Appropriate Assessment (under Regulation 48 of the Habitats Regulations) is deemed necessary then this will normally be based on the supporting information already requested and will be undertaken independently by the competent authority(ies) concerned.

The current paper sets out the competent authority that would normally be expected to act as the lead authority in respect to different categories of plans and projects that may affect the Poole Harbour SPA, however there may be exceptions that will be dealt with differently.

Lead Competent Authority					
	Environment Agency	Planning Authority	Poole Harbour Commissioners	DEFRA	Notes
Land claim (Reclaim from the sea)			✓		
Construction/alteration of slipways, jetties, marinas, pontoons below HW			✓		
Other development Below HW			✓		
Laying moorings			✓		
Coastal protection & Flood Defence Above HW		✓			
Coastal protection & Flood Defence Below HW			✓		
Dredging Activities			✓		
Disposal of dredge spoil into the sea				✓	
Disposal of dredge spoil onto land	✓	✓			Depending on Quantity
Foreshore recharge/Beneficial use of Dredgings			✓		
Discharge / Abstraction Applications	✓				
Land Based Development Requiring Planning Permission		✓			
Water based recreational activities			✓		

Notes:

- Where a major plan / project will involve a number of the above items the relevant Authorities will meet at an early stage to agree between them who will act as the Lead Competent Authority for that plan / project.
- Plans / projects / activities covered by the Poole Harbour SSSI Operations Likely to Damage (OLDs) or the Regulation 33(2) of the Habitats Regulations will require written consent from English Nature.
- DTLR are willing to act as the lead authority where applicants require FEPA / Coast Protection Act licences. Normally this offer would only be accepted where there may be issues of overriding public interest.