

Title: Pevensey Levels possible Special Area of Conservation (SAC) Lead department or agency: Natural England Other departments or agencies: Defra JNCC	Impact Assessment (IA)
	IA No:
	Date: 27/04/2010
	Stage: Development/Options
	Source of intervention: EU
	Type of measure: Secondary legislation
Contact for enquiries:	

Summary: Intervention and Options

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

The UK Government is committed to delivering a healthy natural environment for the benefit of all. Protecting biodiversity is a critical part of this. Government intervention is needed to protect biodiversity because it is a public good and market incentives alone will not stimulate sufficient conservation effort.

In order to meet our obligations under European Council Directive 92/43/EEC (the Habitats Directive) for the snail species (*Anisus vorticulus*), a Special Area of Conservation (SAC) is proposed in the Pevensey Levels. Designating sites for this species will reduce the risk of EU infraction proceedings. This is one of the few remaining sites that still support *Anisus vorticulus* populations in England.

What are the policy objectives and the intended effects?

The invertebrate assemblage is a feature of the proposed SAC's underpinning SSSI and is protected by the statutory requirements of this domestic legislation (1). This SSSI also underpins Pevensey Levels Ramsar site where this species is cited as a feature. As a matter of policy Ramsar sites in England are treated in the same way as Natura 2000 sites (2) and therefore any plan or project is subject to the tests of the Conservation of Habitats and Species Regulations 2010 (3). This snail is a European Protected Species and is afforded associated protection measures regardless of whether it is within a designated site or not. As such the possible SAC designation does not, in practice, add any further obligations to those already required at the site and hence no predicted additional costs.

What policy options have been considered? Please justify preferred option (further details in Evidence Base)

Designate the site.

This will contribute to conserving species in need of conservation. The purpose of this IA is to inform the government of the impacts of designating the site and not the decision about whether to designate the site (the scientific rationale is within the selection assessment document). Other options are not considered because the JNCC and Natural England are recommending this site as necessary contribution by the UK to the network of SACs for *Anisus vorticulus*. They are not aware of alternatives. If this site is not designated there is a risk that the EU will judge the UK's contribution to the network of SACs for *Anisus vorticulus* (listed in Annex II of the Habitats Directive) to be insufficient, which could lead to infraction proceedings. Although the site could be conserved under voluntary agreements or a national designation this would not contribute to fulfilling the European requirements.

When will the policy be reviewed to establish its impact and the extent to which the policy objectives have been achieved?	It will not be reviewed
Are there arrangements in place that will allow a systematic collection of monitoring information for future policy review?	Not applicable

SELECT SIGNATORY Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible SELECT SIGNATORY: Date:

Summary: Analysis and Evidence

Policy Option 1

Description:

Price Base Year	PV Base Year	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: 0

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	0	0	0

Description and scale of key monetised costs by 'main affected groups'

Additional costs to owners and occupiers and interested parties are not likely as a result of the designation as there is no material change to the requirements at the site (see above).

Other key non-monetised costs by 'main affected groups'

Not applicable.

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			

Description and scale of key monetised benefits by 'main affected groups'

Additional benefits to owners and occupiers and interested parties are not likely as a result of the designation as there is no material change to the requirements at the site (see above).

Other key non-monetised benefits by 'main affected groups'

Not applicable.

Key assumptions/sensitivities/risks

Discount rate (%)

It is Natural England's view that as a result of the designation of Pevensey Levels as a SAC, no additional costs will be borne by the 'main affected groups'. It is important that through the consultation process the implications of the designation are communicated effectively by Natural England to owners and occupiers and interested parties. There is a risk that they could assume there will be a range of new obligations, legislative requirements and bureaucracy as a result but this is not the case. Regardless of the SAC designation Natural England would be encouraging positive management practices at the site to benefit the snail either to ensure favourable condition of the SSSI, or favourable conservation status of the snail as a European Protected Species.

Impact on admin burden (AB) (£m):		Impact on policy cost savings (£m):		In scope
New AB:	AB savings:	Net:	Policy cost savings:	Yes/No

Enforcement, Implementation and Wider Impacts

What is the geographic coverage of the policy/option?	England				
From what date will the policy be implemented?	01/07/2010				
Which organisation(s) will enforce the policy?	Natural England, Competent Authorities				
What is the annual change in enforcement cost (£m)?	None - no change				
Does enforcement comply with Hampton principles?	Yes				
Does implementation go beyond minimum EU requirements?	No				
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)	Traded: NA		Non-traded: NA		
Does the proposal have an impact on competition?	No				
What proportion (%) of Total PV costs/benefits is directly attributable to primary legislation, if applicable?	Costs: NA		Benefits: NA		
Annual cost (£m) per organisation (excl. Transition) (Constant Price)	Micro	< 20	Small	Medium	Large
Are any of these organisations exempt?	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No

Specific Impact Tests: Checklist

Set out in the table below where information on any SITs undertaken as part of the analysis of the policy options can be found in the evidence base. For guidance on how to complete each test, double-click on the link for the guidance provided by the relevant department.

Please note this checklist is not intended to list each and every statutory consideration that departments should take into account when deciding which policy option to follow. It is the responsibility of departments to make sure that their duties are complied with.

Does your policy option/proposal have an impact on...?	Impact	Page ref within IA
Statutory equality duties¹ Statutory Equality Duties Impact Test guidance	No	
Economic impacts		
Competition Competition Assessment Impact Test guidance	No	
Small firms Small Firms Impact Test guidance	No	
Environmental impacts		
Greenhouse gas assessment Greenhouse Gas Assessment Impact Test guidance	No	
Wider environmental issues Wider Environmental Issues Impact Test guidance	No	
Social impacts		
Health and well-being Health and Well-being Impact Test guidance	No	
Human rights Human Rights Impact Test guidance	No	
Justice system Justice Impact Test guidance	No	
Rural proofing Rural Proofing Impact Test guidance	No	
Sustainable development Sustainable Development Impact Test guidance	No	

¹ Race, disability and gender Impact assessments are statutory requirements for relevant policies. Equality statutory requirements will be expanded 2011, once the Equality Bill comes into force. Statutory equality duties part of the Equality Bill apply to GB only. The Toolkit provides advice on statutory equality duties for public authorities with a remit in Northern Ireland.

Evidence Base (for summary sheets) – Notes

Use this space to set out the relevant references, evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Please fill in **References** section.

References

Include the links to relevant legislation and publications, such as public impact assessment of earlier stages (e.g. Consultation, Final, Enactment).

No.	Legislation or publication
1	http://www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_1
2	http://www.defra.gov.uk/rural/documents/protected/ramsar-policy.pdf
3	http://www.opsi.gov.uk/si/si2010/uksi_20100490_en_1
4	

+ Add another row

Evidence Base

Ensure that the information in this section provides clear evidence of the information provided in the summary pages of this form (recommended maximum of 30 pages). Complete the **Annual profile of monetised costs and benefits** (transition and recurring) below over the life of the preferred policy (use the spreadsheet attached if the period is longer than 10 years).

The spreadsheet also contains an emission changes table that you will need to fill in if your measure has an impact on greenhouse gas emissions.

Annual profile of monetised costs and benefits* - (£m) constant prices

	Y ₀	Y ₁	Y ₂	Y ₃	Y ₄	Y ₅	Y ₆	Y ₇	Y ₈	Y ₉
Transition costs										
Annual recurring cost										
Total annual costs										
Transition benefits										
Annual recurring benefits										
Total annual benefits										

* For non-monetised benefits please see summary pages and main evidence base section



Microsoft Office
Excel Worksheet

Evidence Base (for summary sheets)

There is discretion for departments and regulators as to how to set out the evidence base. However, it is desirable that the following points are covered:

- Problem under consideration;
- Rationale for intervention;
- Policy objective;
- Description of options considered (including do nothing);
- Costs and benefits of each option;
- Risks and assumptions;
- Administrative burden and policy savings calculations;
- Wider impacts;
- Summary and preferred option with description of implementation plan.

Inserting text for this section:

Anisus vorticulus was added to Annex II of European Council Directive 92/43/EEC (Conservation of Natural Habitats and of Wild Fauna and Flora - the 'Habitats Directive') in 2003, with an obligation on Member States to designate SACs for the habitats of the species. The proposal to designate Pevensey Levels as a SAC accompanies the proposal to designate a new SAC at Arun Valley for this species and to amend the citation of the existing Broads SAC, to fulfil the European obligation and reduce the risk of infraction proceedings.

It is the view of Natural England that as a result of the SAC designation there will be no additional costs to be borne by owners and occupiers, land managers and interested parties.

The site is also a Ramsar site designated under the Ramsar Convention on Wetlands, with the snail cited as a feature of the site. As a matter of policy Ramsar sites in England are treated in the same way as Natura 2000 sites and therefore any plan or project that may affect the site is subject to the tests of the Conservation of Habitats and Species Regulations 2010.

The site is already designated as a SSSI under national legislation and the invertebrate assemblage is a feature of the SSSI. In order to deliver favourable condition of the SSSI it is necessary to ensure that appropriate management is implemented at the site to achieve this.

In addition, the snail is a European Protected Species and it is incumbent on Member States to ensure the favourable conservation status of the species. Again, this can be achieved through the implementation of positive management measures to benefit the species.

In summary, the designation of the SAC is required in order to meet our obligations under European Council Directive 92/43/EEC and to demonstrate that the UK has designated a representative suite of SACs for *Anisus vorticulus*.

Select the notes here and either type section text, or use **Paste Without Format** toolbar button to paste in the standard EBodyPara Style. Format text by applying EB styles from the toolbar.

Annexes

Annex 1 should be used to set out the Post Implementation Review Plan as detailed below. Further annexes may be added to provide further information about non-monetary costs and benefits from Specific Impact Tests, if relevant to an overall understanding of policy options.

Annex 1: Post Implementation Review (PIR) Plan

A PIR should be undertaken, usually three to five years after implementation of the policy, but exceptionally a longer period may be more appropriate. A PIR should examine the extent to which the implemented regulations have achieved their objectives, assess their costs and benefits and identify whether they are having any unintended consequences. Please set out the PIR Plan as detailed below. If there is no plan to do a PIR please provide reasons below.

<p>Basis of the review: [The basis of the review could be statutory (forming part of the legislation), it could be to review existing policy or there could be a political commitment to review];</p>
<p>Review objective: [Is it intended as a proportionate check that regulation is operating as expected to tackle the problem of concern?; or as a wider exploration of the policy approach taken?; or as a link from policy objective to outcome?]</p>
<p>Review approach and rationale: [e.g. describe here the review approach (in-depth evaluation, scope review of monitoring data, scan of stakeholder views, etc.) and the rationale that made choosing such an approach]</p>
<p>Baseline: [The current (baseline) position against which the change introduced by the legislation can be measured]</p>
<p>Success criteria: [Criteria showing achievement of the policy objectives as set out in the final impact assessment; criteria for modifying or replacing the policy if it does not achieve its objectives]</p>
<p>Monitoring information arrangements: [Provide further details of the planned/existing arrangements in place that will allow a systematic collection systematic collection of monitoring information for future policy review]</p>
<p>Reasons for not planning a PIR: [If there is no plan to do a PIR please provide reasons here]</p>

Add annexes here.