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To all Interested Parties

Our Ref: TR030001

Date: 23 October 2012

Dear Sir/Madam

APPLICATION FOR THE PROPOSED ABLE MARINE ENERGY PARK BY ABLE HUMBER PORTS LTD

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010 – RULE 17 FURTHER INFORMATION

Natural England's answer to the Panel's second round question 17 makes reference to the "European Management Plan for Black-tailed Godwit" and records that this "states that in Great Britain and Ireland threats to non-breeding birds are acute as the species is especially concentrated at relatively few sites".

The Panel has examined The Management Plan for Black-tailed Godwit (*Limosa limosa*) 2007-2009: Technical Report 019 - 2007 commissioned by the European Commission (DG ENV B2)¹. The understanding of the Panel is that this document which put forward a framework for action in the period 2007 to 2009 was prepared as a response to concern over the decline in the European breeding population of *Limosa limosa limosa*. The document reflects the accepted position that the population of the Icelandic breeding *Limosa limosa islandica*, the sub-species visiting the Humber estuary and other sites in Britain, has been growing in population. Furthermore the section of the document that Natural England has drawn from reads:

"In **Great Britain** and **Ireland** the species is largely restricted to estuaries in winter and on migration, and the species is also especially concentrated at relatively few sites making threats more acute, but conservation measures relatively simpler to implement."

The Panel notes that this document was to be reviewed at the expiry of a three year period and has also become aware of a related document *The International Single Species Action Plan for the Conservation of the Black-tailed Godwit*². This was produced in 2008 by AEWA (the Agreement on the Conservation of African-Eurasian Migratory Waterbirds). The goal stated on page 5 of this document is to "restore the 'Least Concern' status of the Black-tailed Godwit on the IUCN Global Red List of Threatened Species". The document goes on:

"The short term objective is therefore to halt the current decline and contraction of distribution while the long-term objective is to restore all Western Palaearctic populations to a favourable conservation status. In addition, the plan aims at maintaining the favourable status of the *islandica* population".

¹ http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/docs/black_tailed_godwit.pdf

² http://www.unep-aewa.org/publications/ssap/bt_godwit/black-tailed_godwit_internet.pdf

The Panel invites participants in the examination to comment on the relevance of these documents to matters under examination by the Panel. The Panel would be grateful if it could receive this information by 1 November; you should address your response to the Case Manager (Mike Harris) at the above address/email.

Yours faithfully

Robert Upton

Robert Upton
Lead member of the Panel of Examining Inspectors

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.