Cyfoeth Naturiol Cymru
Natural Resources Wales

Form

Record of a Habitats Regulations Assessment of a project

March 2016

OGN 200 Form 1

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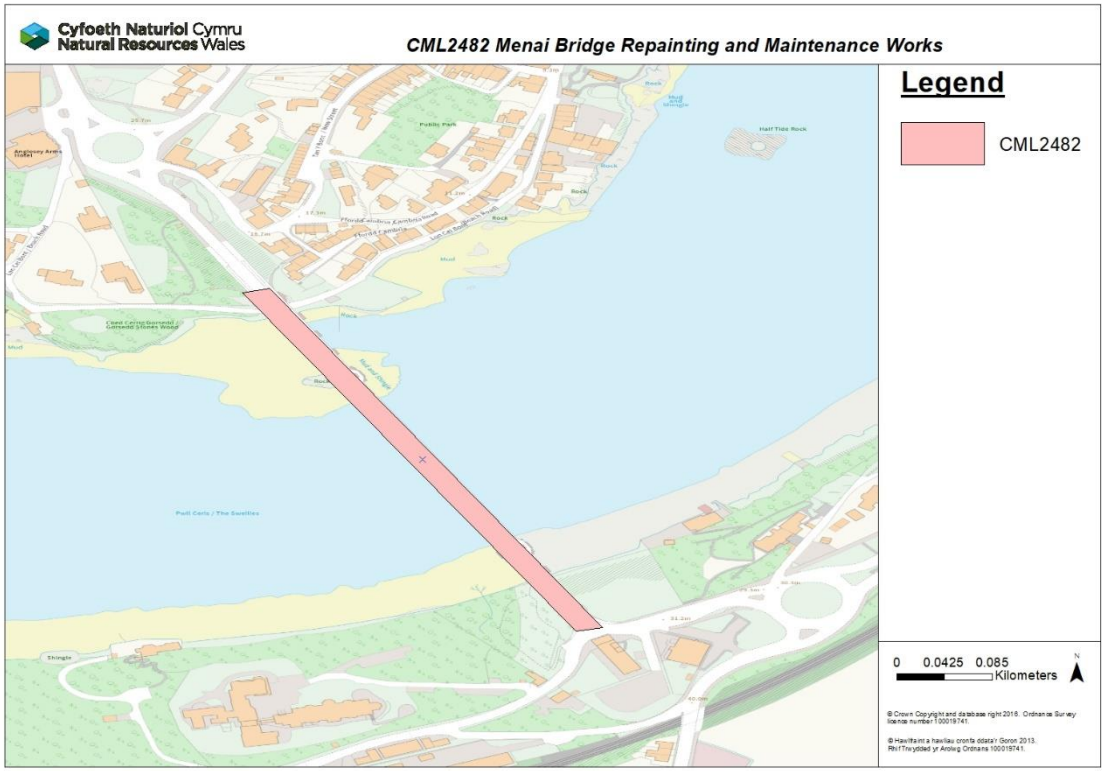
Contents

1. Project Details

1(a): Project details where an external party has applied to NRW for any form of authorisation	
Application reference number (if applicable)	CML2482
Date application duly made	09 January 2025
Applicant details	Vercity Group
Activity proposed	Menai Bridge Repainting and Maintenance Works The works will comprise cleaning and painting of the metalwork of the Menai Bridge, with remedial repair works to stonework.
Relevant legislation	Marine and Coastal Access Act 2009
Location	Menai Bridge, Anglesey 53.218702 , -4.1618104 53.218700 , -4.1619104 53.221530 , -4.1645444 53.221517 , -4.1647106

	
Application documents	CML2482 Marine Licence application form.pdf CML2482 - 20241113_ Contractor Method Statement.pdf CML2482 20250107_Biodiversity Risk Assessment.pdf CML2482 20250107_WFD Assessment & Method Statement rev. 5.pdf
Environmental Statement	N/A
Pre-application correspondence	The applicant has had discussions with the following people withing NRW: Emmer Litt – Marine Licensing Team Maria Alvarez – Marine Licensing Team Paul Brazier – Marine Conservation Team

NRW team responsible for drafting this HRA report, and name of lead officer	Jack Thompson – Marine Licensing Team

2. Determining the need for a Habitats Regulations Assessment

2.1 Is the whole of the project directly connected with or necessary to the management of one or more Natura 2000 sites, for the purposes of conserving the habitats or species for which the Natura 2000 site(s) is/are designated?	No
2.2 Is there a possibility that the project could affect a different Natura 2000 site to the one(s) the project is intended to conserve?	N/A
2.3 Is it necessary to carry out an HRA?	Yes

3. Considering the likelihood of a significant effect (LSE)

3.1 Renewal of a permission on the same or more restrictive terms as the extant permission

Is this project a renewal of a current permission which complies with NRW approved criteria for ruling out significant effects of renewals (see section 6.2A of OGN 200) without conducting a project-specific LSE test?	No

3.2 Likelihood of significant effects (LSE) test

3.2.1 Which Natura 2000 sites might be affected by the proposal?	Based on the project specification or information provided in the application, it is considered that the following Natura 2000 sites have features which could be affected by the project: **Menai Strait and Conwy Bay SAC** **Traeth Lavan SPA** The potential for the project to affect the following Natura 2000 sites was also initially considered, but can be ruled out without further consideration: **N/A**

3.2.2 Screening assessment

There is no impact pathway from the proposal to the designated feature
There is an impact pathway in principle, but significant effects from the proposal when considered alone can be ruled out
There is an impact pathway and significant effects cannot be ruled out

	Assessment of likelihood of significant effect	
	I **Relevant conservation objectives**	**II** **Potential impact pathway**
Menai Strait and Conwy Bay SAC		
Mudflats and sandflats not covered by seawater at low tide	RANGE The overall distribution and extent of the habitat features within the site, and each of their main component parts is stable or increasing. For the **intertidal mudflats and sandflats** feature these include; • Muddy gravel communities	The bridge is located approximately 500m from an area of mudlflat/sandflat therefore, there is an impact pathway for pollution through chemical spill or material pollution from objects falling into the waterbody.
Reefs		The bridge is located above an area of reef and therefore, there is an impact pathway for pollution through chemical spill or material pollution from objects falling into the waterbody.

	• Dwarf eelgrass, *Zostera noltei* beds • Sediment communities at Traeth Lafan For the **reef** feature these include; • Reef communities in high energy wave-sheltered, tide-swept conditions • Under-boulder, overhang and crevice communities • Limestone reef communities • Clay outcrop reef communities For the **large shallow bay** feature these include; • Organically enriched muddy sediment areas STRUCTURE AND FUNCTION The physical biological and chemical structure and functions necessary for the long-term maintenance and quality of the habitat are not degraded. Important elements include; - geology, - sedimentology, - geomorphology, - hydrography and meteorology, - water and sediment chemistry, - biological interactions. This includes a need for nutrient levels in the water column and sediments to be: • at or below existing statutory guideline concentrations • within ranges that are not potentially detrimental to the long term maintenance of the features species populations, their abundance and range. Contaminant levels in the water column and sediments derived from human activity to be:	
Sandbanks which are slightly covered by seawater all the time		This feature is not within the vicinity of the works and as such, there is no impact pathway.
Large shallow inlets and bays		This feature is not within the vicinity of the works and as such, there is no impact pathway.
Submerged or partially submerged sea caves		The bridge is located approximately 2.5km from this feature and therefore, there is an impact pathway for pollution through chemical spill or material pollution from objects falling into the waterbody.

	• at or below existing statutory guideline concentrations • below levels that would potentially result in increase in contaminant concentrations within sediments or biota • below levels potentially detrimental to the long-term maintenance of the features species populations, their abundance or range. Restoration and recovery This includes the need for restoration of some **reef** features such as underboulder, overhang and crevice communities, and of some **mudflat and sandflat** features such as the muddy gravel habitats and sheltered muddy habitats. All of these habitats are also part of the **large inlets and bays** feature. TYPICAL SPECIES The presence, abundance, condition and diversity of typical species is such that habitat quality is not degraded. Important elements include: - species richness: - population structure and dynamics, - physiological heath, - reproductive capacity - recruitment, - mobility - range As part of this objective it should be noted that: • populations of typical species subject to existing commercial fisheries need to be at an	

	abundance equal to or greater than that required to achieve maximum sustainable yield and secure in the long term • the management and control of activities or operations likely to adversely affect the habitat feature, is appropriate for maintaining it in favourable condition and is secure in the long term. A glossary of terms is included at Appendix 1.	
Traeth Lavan SPA		
Oystercatcher (*Haematopus ostralegus*)	The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied: 1. The 5 year mean peak of the number of wintering oystercatchers is at least 4,000. 2. The abundance and distribution of cockles of 15mm or larger and other suitable food are maintained at levels sufficient to support the population with a 5 year mean peak of 4,000 individuals. 3. Oystercatchers are not disturbed in ways that prevent them spending enough time feeding for survival. 4. Roost sites, including high tide roost sites, remain suitable for oystercatchers to roost undisturbed. 5. The management and control of activities or operations likely to adversely affect the	The bridge is located approximately 5km from the site. There may be an impact pathway for pollution through chemical spill or material pollution from objects falling into the waterbody.

	oystercatchers, is appropriate for maintaining the feature in favourable condition and is secure in the long term.	
Wintering populations of Red-breasted Merganser, Curlew, Redshank and concentration of Great Crested Grebe	In the absence of conservation objectives, the appropriate assessment should assume as a minimum that the objective is to ensure that the habitat types or habitats of species significantly present on the site do not deteriorate below the current level (at the time of the assessment) and that the species are not significantly disturbed, in line with the requirements of Article 6(2).	

3.2.3 Screening decision of the project 'alone'	
(a) If ALL rows in column II of Table 3.2.2 are GREEN	~~The project is not likely to have a significant effect on any Natura 2000 site, because there is no impact pathway from the project to any Natura 2000 features, and no further consideration under the Habitats Directive/Regulations is required in order to determine the application.~~
(b) If there are NO rows coloured RED in column II of Table 3.2.2, and there are ANY rows which are BLUE	~~The project is not likely to have a significant effect on any Natura 2000 sites when considered alone, but the possibility of significant effects in combination with other plans and projects needs to be considered.~~
(c) If ANY rows in Column II of Table 3.2.2 are RED	The project is likely have a significant effect on one or more Natura 2000 sites and therefore an appropriate assessment is required.

4. Appropriate assessment of the project when considered alone

4.1 Assessment of project as currently defined

Natura 2000 site feature (from Table 3.2.2 – RED rows only)	Impact pathway(s) (from Table 3.2.2)	Description of impacts	Assessment in view of conservation objectives	Can adverse effect on site integrity be ruled out?
Menai Strait and Conwy Bay SAC				
Mudflats and sandflats not covered by seawater at low tide	Pollution	Pollution from chemical spillage/waste material entering the waterbody could have a detrimental impact on these features.	Pollution has the potential to reduce water quality which in turn will lead to the degradation of these habitats, therefore undermining the conservation objectives of the SAC.	No
Reefs				
Large shallow inlets and bays				
Submerged or partially submerged sea caves				
Traeth Lavan SPA				
Oystercatcher (*Haematopus ostralegus*)	Pollution	Pollution from chemical spillage/waste material entering the waterbody could have a detrimental impact on these features.	Pollution has the potential to reduce water quality which in turn will lead to the degradation of these habitats, therefore undermining the conservation objectives of the SAC.	No
Wintering populations of Red-breasted Merganser, Curlew, Redshank and concentration of Great Crested Grebe				

4.2 Assessment of the project taking into account additional mitigating measures, conditions or restrictions

Natura 2000 Feature (from Table 4.1 – 'NO' rows only)	Description of adverse effect(s)	Can adverse effect(s) be mitigated?	Description of mitigation measures, and how they would be applied (e.g. contractual obligations, consent conditions)	Can adverse effect on site integrity be ruled out?
Menai Strait and Conwy Bay SAC				
Mudflats and sandflats not covered by seawater at low tide **Reefs** **Large shallow inlets and bays** **Submerged or partially submerged sea caves**	Pollution from chemical spillage/waste material entering the waterbody could have a detrimental impact on these features.	Yes	The applicant has included a number of mitigation measures within their method statement such as: • The Temporary Works Platforms (Gantries) will be encapsulated, and all preparation and painting of in situ furnishings and structures will take place within the encapsulation to avoid finings, paint and materials falling into the SAC. • The site team will monitor wind forecasts and actual conditions on site. If wind speeds are likely to exceed the 45mph limit, then the working area will be made safe and the encapsulation will be removed. Prior to removal the decking will be cleared of any loose materials / debris. • Painting will be by brush. No paint will be applied by propellant to avoid aerosol droplets causing potential contamination. • All paint will comply with NG 1900 of the Standards for Protection of Steelworks against Corrosion (Amendment October 2022) and its Environmental Appendices (1/23) as appropriate. The specified paint system for use on the bridge is a mix of epoxy and polyurethane paints and is approved for use on the highway network. These paints are non toxic and do not contain heavy metals. • Grit-blasting will be undertaken with additional vacuum dust extraction and filtration within the encapsulated area to prevent dust from escaping into the environment. • Hydraulic equipment will be secured within a plant nappy (Figure 4b), with spill kits within immediate access. Waste oil and hydraulic fluid will be safely disposed of in appropriate COSHH rated container and taken to a recycling facility. Further details can be found within the document entitled "CML2482 20250107_WFD Assessment & Method Statement rev. 4.pdf". Standard pollution prevention conditions will also be applied to the licence such as the use of bunded storage containers and provision of spill kits.	Yes

Traeth Lavan SPA				
Oystercatcher (*Haematopus ostralegus*) **Wintering populations of Red-breasted Merganser, Curlew, Redshank and concentration of Great Crested Grebe**	Pollution from chemical spillage/waste material entering the waterbody could have a detrimental impact on these features.	Yes	The applicant has included a number of mitigation measures within their method statement such as: • The Temporary Works Platforms (Gantries) will be encapsulated, and all preparation and painting of in situ furnishings and structures will take place within the encapsulation to avoid finings, paint and materials falling into the SAC. • The site team will monitor wind forecasts and actual conditions on site. If wind speeds are likely to exceed the 45mph limit, then the working area will be made safe and the encapsulation will be removed. Prior to removal the decking will be cleared of any loose materials / debris. • Painting will be by brush. No paint will be applied by propellant to avoid aerosol droplets causing potential contamination. • All paint will comply with NG 1900 of the Standards for Protection of Steelworks against Corrosion (Amendment October 2022) and its Environmental Appendices (1/23) as appropriate. The specified paint system for use on the bridge is a mix of epoxy and polyurethane paints and is approved for use on the highway network. These paints are non toxic and do not contain heavy metals. • Grit-blasting will be undertaken with additional vacuum dust extraction and filtration within the encapsulated area to prevent dust from escaping into the environment. • Hydraulic equipment will be secured within a plant nappy (Figure 4b), with spill kits within immediate access. Waste oil and hydraulic fluid will be safely disposed of in appropriate COSHH rated container and taken to a recycling facility. Further details can be found within the document entitled "CML2482 20250107_WFD Assessment & Method Statement rev. 4.pdf". Standard pollution prevention conditions will also be applied to the licence such as the use of bunded storage containers and provision of spill kits.	Yes

4.3 Concluding the appropriate assessment of the project alone

(a) If the right hand column of Table 4.1 and Table 4.2 (if applicable) is 'YES' for all features	It has been ascertained that the proposal, when considered alone, will not adversely affect the integrity of any Natura 2000 sites.
(b) If there are any 'NO's in the right hand column of Table 4.1 that have not been resolved to 'YES' through mitigation measures identified in Table 4.2	~~It has not been ascertained that the proposal, when considered alone, will not adversely affect the integrity of one or more Natura 2000 sites.~~
(c) Are there any residual effects of the project (net of any mitigation measures identified) which, though insignificant on their own, could be significant if considered in combination with the effects of other plans or projects?	No

6. Conclusion

HRA is not required because the whole of the project is directly connected with or necessary to the management of one or more Natura 2000/Ramsar sites, for the purposes of conserving the habitats or species for which the site(s) is/are designated, and the project is not likely to have a significant effect on any other Natura 2000/Ramsar sites. **(As documented in section 2.1 and 2.2 of this form)**	
HRA is not required because there is no conceivable impact pathway to any Natura 2000/Ramsar site **(As documented in section 2.3 of this form)**	
This project is a renewal of a current permission which complies with NRW agreed criteria for ruling out significant effects of a renewal without conducting a project-specific LSE test. Therefore it is considered not likely to have a significant effect on any Natura 2000/Ramsar sites, either alone or in-combination with other plans and projects. **(As documented in section 3.1 of this form)**	
The project has been screened for likelihood of significant effects and, taking account of the advice received from protected sites advisors, is considered not likely to have a significant effect on any Natura 2000/Ramsar site **(As documented in section 3.2 of this form, or section 5 if applicable)**	
In light of the conclusions of an appropriate assessment, and taking account of the advice received from protected sites advisors, it has been established that the project will not adversely affect the integrity of any Natura 2000/Ramsar site, taking into account any conditions or restrictions as applicable, either alone or in-combination with other plans and projects. **(As documented in section 4 of this form, and section 5 if applicable)**	**X**
In light of the conclusions of the appropriate assessment, it has not been ascertained that the project will not adversely affect the integrity of any Natura 2000/Ramsar site, as documented in section 4 of this form, and section 5 is applicable. **Approval for the project cannot be given unless either:** • **the project specification, and/or the terms under which it might be approved, are modified so as to remove the risk of adverse effects, and a revised HRA report is prepared, or**	

• **the project satisfies the requirements of Article 6(4) of the Habitats Directive, an Article 6(4) Statement of Case is prepared (OGN 200 Form 3) and submitted for consideration by the appropriate authority, normally Welsh Ministers**	

Signed: 

Name: Jack Thompson

Position: Marine Licensing Officer

Date: 24 January 2025

7. Consultation with protected sites advisor(s) and how sections 2, 3, 4 and 5 of this HRA report (as applicable) take into account that advice.

Relevant section of the HRA report	Date(s) of correspondence* and any meeting(s) with protected sites advisor(s)	Description of how the comments from protected sites advisors have been taken into account
6	25 February 2025	NRW A agree with conclusions of HRA.

Appropriate nature conservation body (ANCB) response to an internal HRA consultation

This form should be completed by the team or individual providing the ANCB advice to the competent authority team

TO: **Jack Thompson**

FROM: **Katie Reynolds**

SUBJECT: Habitats Regulations Assessment of CML2482 Menai Bridge Repainting and Maintenance Works.

Thank you for consulting Marine Area Advice and Management Team on the above. Our comments are as follows:

We have reviewed the HRA with respect to the marine features of Menai Strait and Conwy Bay SAC, and Traeth Lafan SPA.

We agree with the conclusions of the HRA, that the project will not adversely affect the integrity of the above mentioned Natura 2000/Ramsar sites.

Signed: *KReynolds*
Date: 25/2/2025