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Our ref: 176218
Your ref: IEMPB1154R001F00



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BY EMAIL ONLY

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Dear Steve

Flood and Coastal Risk Management consultation – Option/Scheme advice to the Environment Agency:

Construction of flood defences, comprising of a series of earth embankments to encircle large areas of the town of Filey, flood water storage areas, land raising and drainage channels and culverts to redirect floodwater flows (Scarborough Borough Council).

Location: Various sites around the outskirts of Filey

Flamborough and Filey Coast potential Special Protection Area (SPA)

Filey Brigg Site of Special Scientific Interest (SSSI)

Filey Brigg to Scarborough South Bay proposed Site of Special Scientific Interest (pSSSI)

Thank you for your consultation dated 14th January.

Summary of Natural England's advice	Answer only yes or no
Is the proposal likely to lead to an environmentally acceptable solution?	yes
Is the proposal likely to require an Appropriate Assessment under Habitats Regulations?	no

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Following the information received from Scarborough Borough Council regarding this proposal, we write to confirm that it is Natural England's view that **the proposal is likely to lead to an environmentally acceptable solution.**

Since this proposal is within the vicinity of a SSSI, we stress that this letter does not constitute Natural England's assent or advice for the purposes of section 28H of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). When details of the proposed operation become available, and before carrying it out, the operating authority, having considered its general duty under section 28G(2) of the Wildlife and Countryside Act 1981, is required to give notice to Natural England. The operating authority is required to carry out the operation in accordance with the provisions of section 28H of the Wildlife and Countryside Act 1981 as the proposed operation is within the vicinity of Filey Brigg SSSI and Filey Brigg to Scarborough South Bay pSSSI.

This advice is offered based on the information provided to date. It is given without prejudice to any

advice that Natural England may offer in accordance with its statutory role under the Conservation of Habitats and Species Regulations 2010, or any assent that may be required under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). Formal comment on the proposal will be provided following consultation on the Environmental Statement as required under the relevant Regulations. We look forward to receiving further information as the proposal is developed.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Yours sincerely

James Walsh
Yorkshire & Northern Lincolnshire Team