

Marine casework: standards and guidance

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Casework?



- Standard legislation should mean standard treatment for applications.

Are we convinced that we are consistent?



Where do inconsistencies occur?



- **Consent/Assent under CROW**
- **Trigger of LSE under Habs Regs**
- **Decision of Adverse effect**
- **Level of data/proof required**



Why does this matter?



- Fair treatment
- Vulnerable to challenge – precedents set
- Reputational risk



What can we do?



- Casework guidance – need, level of detail
- Standard responses – for what sort of casework
- Risk based assessment – to recognise and appropriately handle explosive casework.



In workshop groups:



- Does casework get handled consistently?
- Is guidance appropriate? How is it best offered – generic, application specific, habitat specific?
- Do examples of good guidance currently exist – where can we get them?



Casework example



- Small intertidal slipway
- Adjacent to SAC but not within SSSI
- Stable shingle shore with moderately rich algal community.
- What should be considered, what would guidance say, what would response say?



Feedback



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