

Committee:	Cabinet	Date:	Wednesday 9 September 2020
Title:	Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS) – Consultation exercise, final Supplementary Planning Document and Partnership Agreement		
Portfolio Holder:	Cllr John Evans, Portfolio Holder for Planning and the Local Plan		
Report Author:	Joanna Hill, Planning Policy Officer jhill@uttlesford.gov.uk	Key decision:	No

Summary

1. The purpose of this report is to provide an update on the outcome of the public consultation on the Essex Coast RAMS Supplementary Planning Document (SPD), and recommend the final SPD and Partnership Agreement for approval.
2. If any of the 12 participating local authorities choose not to approve these documents and sign up to the Partnership Agreement, they will still have an obligation to comply with the Habitat Regulations and will therefore have to put their own arrangements in place – which will have significant implications for resources. It is therefore strongly recommended that Cabinet endorses the Essex-wide approach.

Recommendations

3. That Cabinet adopt the Essex Coast (RAMS) Habitats Regulations Assessment Strategy document 2018-2033 (January 2019).
4. That Cabinet adopt the Essex Coast (RAMS) draft Supplementary Planning Document after the final authority considering the SPD agrees its adoption.
5. That Cabinet authorise the Assistant Director Planning to make minor changes to the draft Supplementary Planning Document, should it be necessary prior to final adoption by the Partnership.
6. That Cabinet authorise the Assistant Director Planning to make non-minor changes to the draft Supplementary Planning Document in consultation with the Portfolio Holder for Planning and the Local Plan, should it be necessary prior to final adoption by the Partnership

7. That Cabinet authorise the Assistant Director Planning to join the Partnership; make changes to the Partnership Agreement, required by the 12 Local Authorities in the Partnership; and sign the Partnership Agreement, to deliver the Essex Coast Recreation disturbance Avoidance Mitigation Strategy.
8. That Cabinet authorise the Assistant Director Planning to put a process in place to implement, collect, monitor, and pay the tariff to the accountable body of the Partnership.

Financial Implications

9. It is proposed to have an Accountable Body (AB) who would be responsible for setting up the RAMS governance and delivery arrangements, hold and administer the RAMS contributions, provide advice and guidance on financial matters and employ and manage the Delivery Officer. For the first three years, it is proposed that Chelmsford City Council take on this role.
10. The Partnership Agreement estimates start-up costs and annual on-costs which cannot be funded through developer contributions and will need to be shared between all partner authorities. The cost to Uttlesford District Council are estimated to be:
 - Circa £478.50 for the period from October 2020-March 2021
 - Circa £770 per annum moving forward
 These costs are broken down in Appendix 1

Background Papers

11. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
 - Essex Coast (RAMS) Habitats Regulations Assessment Strategy document 2018-2033 (January 2019)
 - Essex Coast (RAMS) SPD You Said We Did – Consultation Report (April 2020)
 - Essex Coast (RAMS) Supplementary Planning Document – final draft
 - Essex Coast (RAMS) Partnership Agreement –draft
 - Letter from Natural England endorsing the strategic approach and Supplementary Planning Document (6 July 2020)

Impact

12.

Communication/ Consultation	The strategy has been prepared with and signed off by Natural England. The SPD has been subject to public consultation. The Partnership Agreement was drafted in consultation with the steering groups and legal input from the local authorities.
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Community Safety	N/A
Equalities	Essex Coast RAMS SPD is an evidence based, fair mechanism to fund the mitigation measures. The SPD and Partnership Agreement provides applicants, agents and planning authorities with a comprehensive, consistent and efficient way to ensure that appropriate mitigation for residential schemes within the Zone of Influence is provided in an effective and timely manner.
Health & Safety	N/A
Human Rights/ Legal Implications	<p>The Habitat Regulations were originally published in 2010, but were updated and consolidated into the Conservation of Habitats and Species Regulations 2017 which came into effect on 30th November 2017. Both sets of Regulations require Local Planning Authorities (LPAs) to demonstrate that their Local Plans will not adversely affect the integrity of a protected site(s) through a Habitats Regulations Assessment (HRA). Similarly, the Regulations require the Council as a 'competent authority' to ensure that planning permission is not granted for development that will have an adverse impact upon a protected site in the District, unless appropriate mitigation is sought. Any mitigation is a requirement of legislation so must be delivered.</p> <p>The UK Government is currently in a 'transition period' which will last until the 1st January 2021. During this period business will proceed as usual in regard to European Directives. This means that, for the purposes of the RAMS project, the Directives will still apply.</p>
Sustainability	RAMS allows for sustainable planned housing growth within the RAMS zone of influence to go ahead without adversely affecting the designated coastal Habitats sites.
Ward-specific impacts	Felsted and Stebbing; Great Dunmow South & Barnston; High Easter & the Rodings
Workforce/ Workplace	None

Situation: The RAMS Project

13. The Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy (RAMS)¹ is a coordinated response, by 12 Local Authorities across Essex, to protecting internationally important and legally protected bird habitat sites from the direct and indirect impacts of recreational disturbance arising from housing development and population growth.
14. The need for a long term, strategic approach was identified by Natural England, the Government's advisor for the natural environment in England, to ensure compliance with the Habitat Regulations. RAMS have been successfully implemented throughout other areas of the country for example, in the Solent, Thames Basin Heaths and North Kent.
15. Essex County Council Place Services were commissioned to prepare the RAMS and SPD on behalf of the partners. The RAMS and SPD aims to deliver an £8.9 million mitigation package, from 2019 to 2038, to avoid and mitigate bird and habitat disturbance from recreational activities through a series of management measures which encourage visitors to enjoy their visits responsibly.
16. Under European Law and the associated Habitat Regulations², local planning authorities have a legal obligation to assess the impacts of new development on internationally important wildlife sites and, where necessary, put mitigation measures in place to minimise any harm. The RAMS, SPD and Partnership Agreement is a means to enable local authorities to comply with the existing law and regulations.

The Recreation disturbance Avoidance Mitigation Strategy (RAMS)

17. Twelve Essex Authorities have been working together with the assistance of Essex Place Services and Natural England in an advisory role. The 12 local planning authorities are listed below:

- Basildon Borough Council
- Braintree District Council
- Brentwood Borough Council
- Castle Point Borough Council
- Chelmsford City Council
- Colchester Borough Council
- Maldon District Council
- Rochford District Council

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¹ Essex Coast (RAMS) Habitats Regulations Assessment Strategy document 2018-2038 (January 2019)

² Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the 'Habitats Regulations')

- Southend Borough Council
- Tendring District Council
- Thurrock Borough Council
- Uttlesford District Council

18. Joint working offers the opportunity to protect the birds and habitats sites around the Essex Coast in a coordinated manner. Likely significant effects to habitats sites from non-residential development also have to be considered, albeit this will be undertaken through Habitat Regulations Assessments, on a case by case basis by the relevant local planning authority in consultation with Natural England.

19. The Essex coastline stretches over 350 miles, extending from the Thames Estuary in the south, northwards to the port of Harwich and the Stour Estuary. The coastline is extremely diverse and features a variety of habitats and environments and which are internationally important for wildlife. Most of the Essex Coast is designated under the UK Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') as part of the European Natura 2000 network. This includes Special Protection Areas, Special Areas of Conservation and Ramsar sites, which are defined as Habitats sites in the National Planning Policy Framework (2019).

20. The 10 Habitats sites in the Essex Coast RAMS are listed below and shown in Figure 1.1 (page 3) of the RAMS Habitats Regulations Assessment Strategy document 2018-2038 (January 2019):

- Essex Estuaries SAC
- Stour and Orwell Estuaries SPA and Ramsar
- Hamford Water SPA and Ramsar
- Colne Estuary SPA and Ramsar
- Blackwater Estuary SPA and Ramsar
- Dengie SPA and Ramsar
- Crouch and Roach Estuaries SPA and Ramsar
- Foulness Estuary SPA and Ramsar
- Benfleet and Southend Marshes SPA and Ramsar, and
- Thames Estuary and Marshes SPA and Ramsar

21. The Essex coast provides opportunities for a range of recreational activities including dog walking, hiking, cycling and sailing. Research undertaken to inform the RAMS shows that housing growth is likely to increase the number of people visiting these sensitive coastal areas. This could create the potential for impacts from increased recreational disturbance to the birds and their habitats unless adequately managed.

22. The Essex Coast RAMS Habitats Regulations Assessment Strategy document 2018-2038 (January 2019) comprises an evidence base and a mitigation report, identifying:

- The purpose of the Strategy;
- The likely impacts from recreational disturbance;
- The Zones of Influence;

- A package of effective mitigation measures including education and communication, fencing and rangers;
- When and where the mitigation measures are required;
- How mitigation relates to development (or development locations);
- The cost of the mitigation package and how it will be funded;
- How the strategy will be implemented; and
- How the success of mitigation measures will be monitored.

23. The RAMS has been endorsed by Natural England. To comply with the Habitat Regulations in advance of any formal planning guidance, the local planning authority partners are already collecting RAMS contributions for development within the Zone of Influence (Zol), which will be spent on the mitigation measures package detailed in the RAMS Strategy Document.

24. Through the provision of a per dwelling tariff, the RAMS enables the achievement of proportionate mitigation measures and enables development proposals of all scales to contribute to necessary mitigation. The measures within the RAMS Strategy are to be fully funded by developer contributions.

25. During development of the RAMS, workshops were held with key stakeholders with local and specialised knowledge to capture the mitigation measures considered as most effective to avoid the impacts likely to result from increased recreational pressure.

The Zones of Influence (Zol):

26. Visitor surveys were carried out at key locations within each of the habitats sites to establish base line evidence. 'Zones of Influence' (Zol) were calculated for each habitat site using the survey data.

27. Within the Zol it is considered that residential development is likely to have an impact and as a result developer contributions for the delivery of avoidance and mitigation measures are justified. The Zol are shown in the illustration overleaf.

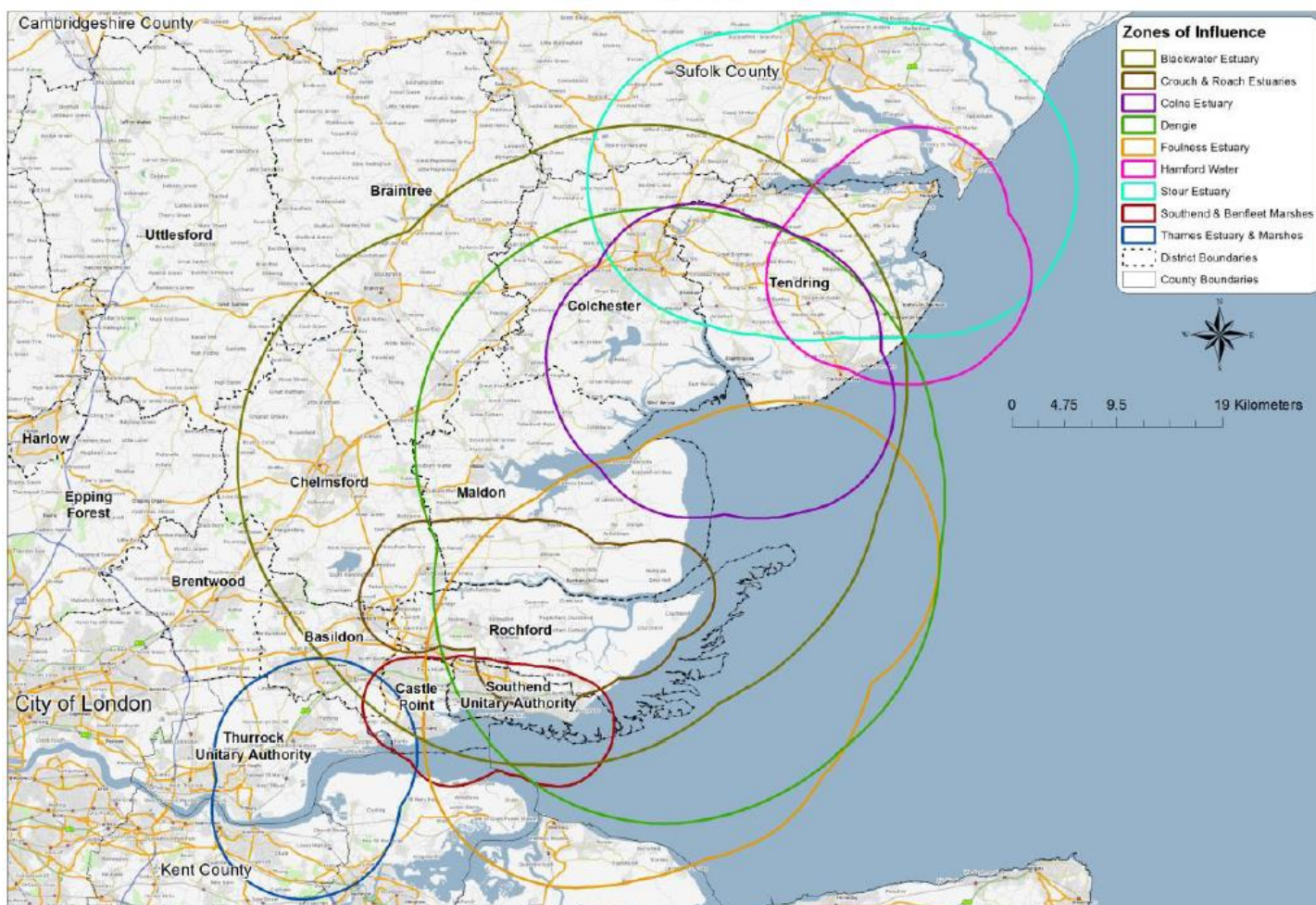
28. Parts of the Uttlesford parishes of Felsted, High Easter, Stebbing and Barnston fall within the Zone of Influence of the Blackwater Estuary Special Protection Area (SPA) and Ramsar site. The Blackwater Estuary is part of the Essex Estuaries SAC. See Appendix 2 for a more detailed map.

29. Definitive boundaries of the Zol can be accessed via Magic Maps³. A guide is also available on the Constraints Map accessed through UDC website [here](#) via the layer titled 'Essex Coast RAMS Tariff – Zone of Influence'.

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³ MAGIC website: <https://magic.defra.gov.uk/MagicMap.aspx>

Illustration of the Essex Estuaries and Zones of Influence for the Essex Coast RAMS



SPA Special Protection Areas – sites which support rare and vulnerable and migratory birds.

SAC Special Areas of Conservation.

Ramsar sites are areas of wetland which are designated of international importance under the Ramsar Convention 1971.

The Essex Estuaries SAC comprise the Colne Estuary, Blackwater Estuary, Crouch and Roach estuaries and Foulness Estuary.

The mitigation package:

30. The overall cost for the mitigation package is estimated to be £8.9 million up to 2038. The mitigation package is summarised on Table 8.2 (pages 58-63) of the RAMS Habitats Regulations Assessment Strategy document 2018-2038 (January 2019). It includes a mix of measures considered necessary to avoid or minimise likely disturbance at key locations with easy public access, including:

- Staff resources – Rangers etc
- Communication – with the public and others
- Dog related mitigation
- Codes of conduct
- Habitat creation
- Monitoring

31. The package is flexible and deliverable and based on best practice elsewhere in England. A precautionary approach has been adopted, with priority areas for measures identified as those which have protected breeding birds which could conflict with high numbers of summer visitors to the coast and those with important roosts and foraging areas in the winter. Sensitive habitats have also been identified for ranger visits. The mitigation package prioritises measures considered to be effective at avoiding or mitigating recreational disturbance by habitats sites managers. For example Maldon District Council are managing water sports on the Blackwater Estuary. Encouraging responsible recreation is a key measure endorsed by land managers of important wildlife sites across the country, including Natural England, RSPB and the wildlife trusts. These bodies regularly provide educational material at sites to encourage visitors to comply with key objectives.

32. The RAMS is intended to be a flexible project that can adapt quickly as necessary. The rangers will quickly become familiar with the sites and areas that are particularly sensitive, which may change over time, and sites that experience a high number of visitors. The experience of rangers on the ground will help to steer the project and necessary measures.

Monitoring and review process:

33. The RAMS will provide a flexible and responsive approach, allowing it to respond to unforeseen issues. Close engagement will continue with Natural England who will be able to advise if recreational disturbance is increasing at particular habitats sites and specific locations. Thus, enabling these locations to be targeted by the rangers to have an immediate impact. Updated visitor surveys, which are included in the mitigation package, will enable the Zol to be reviewed and expanded if it is shown that visitors are travelling further than previously found. There is scope to adjust the tariff if it is shown that contributions are not covering the identified measures, if the Zol is made smaller or to respond to changes in housing numbers across Essex.

34. The RAMS will be monitored and reviewed on a regular basis by the Officers involved in the RAMS steering group. The RAMS will be deemed successful if the level of bird and habitat disturbance is not increased despite an increase in population and the number of visitors to the coastal sites for recreation. The

baseline has been identified in the RAMS Strategy Document and will be used to assess the effectiveness of the RAMS⁴.

35. The effectiveness of the RAMS has been considered/examined as part of Chelmsford City Council's Local Plan Examination. Chelmsford City Council's Local Plan Inspector's Report states that: "Overall, the HRA concludes that there will be no adverse effect on the integrity of European protected sites, either alone or in-combination with other plans or projects, subject to the mitigation set out in the Plan policies. Natural England agrees with these conclusions and I have no substantive evidence to counter these findings. The requirement to undertake an appropriate assessment in accordance with the Regulations has therefore been met."

The Supplementary Planning Document (SPD)

36. The RAMS Supplementary Planning Document sets out the guidance to deliver the RAMS and to be followed in the determination of planning applications, and formalises the arrangements for securing the developer contribution of £125.58 per dwelling. This amount is adjusted by inflation each year, in line with the retail price index.

37. The SPD distils the RAMS into a practical document for use by local authorities, applicants and the public, including:

- A summary of the RAMS;
- The scope of the RAMS;
- The legal basis for the RAMS;
- The level of developer contributions and tariff being sought for strategic mitigation;
- About the mitigation and RAMS toolkit;
- How and when applicants should make contributions;
- Alternative to paying the RAMS tariff; and
- Approach to monitoring.

38. Details of the SPD consultation and 'You Said We Did' report are summarised in Appendix 3.

The Partnership Agreement

39. The Partnership Agreement is a legal document drafted by Chelmsford City Council, as Lead Institution and Accountable Body, in consultation with the other local authorities, covering:

- The purpose of the Partnership, commencement and duration
- Project management, including the responsibilities of the Steering Group; appointment of a Delivery Officer; financial management and exit strategy

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⁴ Paragraph 1.7 and 1.28 of The Essex Coast RAMS Habitats Regulations Assessment Strategy document 2018-2038 (January 2019)

- The frequency, role and workings of Steering Group meetings
- Summary of estimated project resources
- How the RAMS Tariff will be reported and distributed
- Invoicing and claims
- Responsibilities of the parties, warranties, undertakings and liabilities
- Data management
- Governing law and dispute resolution

40. In brief the Partnership Agreement outlines that:

- A list of projects recommended by the Delivery Officer and agreed by the Steering Group is reported to the Project Board every six months for sign off, and six monthly updates to the Coastal Forum.
- Every quarter the S106 Officer of each LPA sends RAMS contributions to Accountable Body (CCC) and a contributions report to the Delivery Officer.
- Once all contributions collected, the Accountable Body and Delivery Officer provide Steering Group details of money available.
- Delivery Officer recommends projects based on money available, priorities in RAMS Strategy, and best information available from rangers, Natural England and interest groups.
- Steering Group meets quarterly and agrees projects and AOB, Steering Group makes recommendations to Project Board.
- Once Project Board has agreed spending, the Delivery Officer implements and project manages projects, all invoices are sent to the Accountable Body
- Delivery Officer to provide Steering Group with an annual report to inform LPA Annual Monitoring Reports.

41. The Strategy and the draft SPD has been tested at appeal. On the 30 May 2019 planning permission was granted on appeal for 28 dwellings at Maranello, Watch House Green Felsted (UTT/18/1011/OP). The Inspector considers the impact of the development on the Blackwater Estuary Special Protection Area (BESPA) (paragraphs 28-37 of decision). The Inspector takes a precautionary approach and considers that the proposal would alone or in combination with other projects be likely to have a significant effect on BESPA and therefore carries out an Appropriate Assessment using the Strategy and Draft SPD. The Inspector recognises that the RAMS and SPD although not yet adopted has no evidence to indicate that they won't be adopted in the near future. The appellant has signed a Unilateral Undertaking to make the financial contribution towards RAMS. The Inspector finds that the contributions would be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of the CIL Regulations. As such, the contributions toward the mitigation schemes would count as mitigation toward maintaining the integrity of the sites and concludes that taking this mitigation into account the development would not adversely affect the integrity of the habitat sites.

In conclusion

1. Officers recommend that Members consider and adopt the Essex Coast Recreation disturbance Avoidance Mitigation Strategy (RAMS) and amended Supplementary Planning Document (SPD); and that Members authorise the procedure to sign the Partnership Agreement to deliver the RAMS, and to put a process in place to implement, collect, monitor, and pay the tariff to the accountable body of the Partnership.

Risk Analysis

2.

Risk	Likelihood	Impact	Mitigating actions
That the Strategy and the SPD are not adopted, resulting in increased risk of harm to protected sites on the Essex coast and the risk of legal challenge that the Habitats Regulations will not be complied with.	1	3 – environmental impacts and dealing with legal challenges.	That each applicant would need to put forward alternative mitigation packages compliant with the Habitats Regulations and the Council would need to consider each proposal on its merits.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

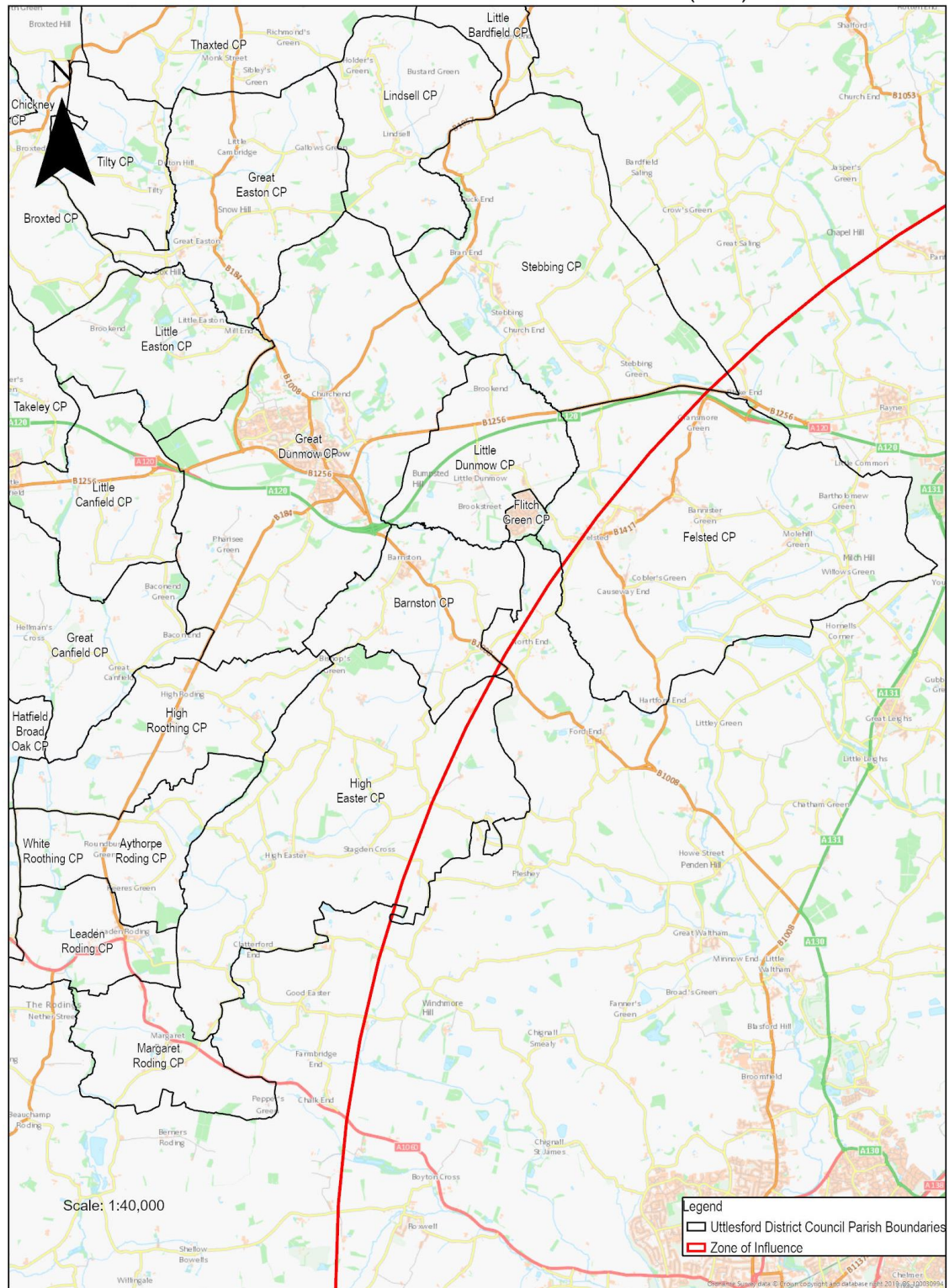
Appendix 1: Costs likely to be incurred as a result of the Partnership Agreement

	Partnership costs		Cost to Uttlesford District Council *	
	First 6 months cost (assuming commencement in October 2020)	Annual cost	October 2020 – March 2021	Annual cost
Cost to the Lead Institution as Accountable Body for line managing the Delivery Officer	c£8,370	c£13,000	c £418.50 (5% share)	c £650 (5% share)
Lead Institution as Accountable Body for holding / administering RAMS contribution	c £1,200	c £2,400	c £60 (5% share)	c £120 (5% share)
Additional costs, eg legal costs **		unknown		unknown
Total	c £9570	c £15,400	c £478.50	c £770

* With regard to responsibility and liability for shared costs, Uttlesford District Council will contribute 4.5%-5%

** Any future shared legal cost would only relate to operational matters, the costs of challenges in relation to specific sites/planning applications will be borne by the local authority in which the site is located

Appendix 2: Uttlesford District within the Zone of Influence



Appendix 3: The SPD consultation and 'You Said We Did' report

The SPD Consultation:

Essex Place Services led the consultation process on behalf of the 12 authorities and consulted the following:

- Statutory bodies including neighbouring Councils, local Parish and Town Councils, utility companies, health representatives and Government bodies such as Highways England, Natural England, Historic England and the Environment Agency;
- Local stakeholders including the Business Forums, Essex Wildlife Trust, Sport England, and the Police;
- Developers and landowner and their agents;
- Local businesses, voluntary and community groups, and
- The public.

The consultation material was available to view and comment on the Essex County Council 'Citizen Space consultation portal' during the consultation dates. It was also available to view on partner Council's websites, from their main offices and at a number of local public libraries. Information was also provided on the project Bird Aware website www.essexcoast.birdaware.org

For those who did not have access to computers, paper response forms were made available.

The Councils sent direct emails/letter notifications to all consultees registered on their Local Plan consultation databases, public notices were included in local newspapers and information on the consultation was also posted on social media.

The SPD consultation received a total of 146 comments, including 87 from Essex residents and 59 from various organisations.

Of the resident responses, the following numbers of responses were received from individual administrative areas:

- 21 were made from residents of Chelmsford;
- 18 were made from residents of Tendring;
- 16 were made from residents of Basildon;
- 14 were made from residents of Braintree;
- 12 were made from residents of Rochford;
- 11 were made from residents of Colchester;
- 8 were made from residents of Maldon;
- 6 were made from residents of Uttlesford;
- 2 were made from residents of Brentwood;
- 2 were made from residents of Castle Point;
- 2 were made from residents of Southend-on-Sea; and
- 0 were made from residents of Thurrock.

Comments were received on a wide range of themes, relating to the SPD, the RAMS itself and also the format of the consultation exercise. The main issues that were raised included:

- a. Confusion about the purpose and aims of the RAMS;
- b. Scope and detail of mitigation measures;
- c. Concern regarding the effectiveness of the RAMS approach;
- d. Query whether the right key stakeholders have been involved in the RAMS;
- e. Questioning the status of protected wildlife sites following the UK's withdrawal from the European Union;
- f. Concern that RAMS will enable inappropriate development to be allowed;
- g. Suggestions that money should be spent on other projects;
- h. Concern with the calculation and definition of the Zones of Influence;
- i. Arguments that the tariff is set too high, or alternatively too low;
- j. Questions over the adequacy of the proposed budget and staff to deliver project across such a wide area;
- k. Concerns about monitoring (both in relation to the tariff and Zones of Influence);
- l. Suggestion that other land uses (other than residential) should come within the scope of the tariff;
- m. Perceived conflict of RAMS purpose (protecting against recreational disturbance) and aims with the England Coastal Path project (increasing public access to the coast);
- n. Concerns that RAMS will impact on existing and future strategies and aspirations for tourists and residents to access and enjoy the coast, for economic growth and health and wellbeing; and
- o. Suggestions that alternatives to paying into the RAMS should either not be allowed, or that alternative approaches should be more clearly set out.

The 'You Said We Did' Report:

In response to the various comments received, Essex Place Services have produced a 'You Said, We Did' document which considers the comments and recommends whether or not changes to the SPD are required. These have been considered by the RAMS Steering Group of Officers from the 12 Essex Authorities and a revised version of the SPD has been agreed. The main revisions include:

- a. A glossary and list of acronyms and a description of what they mean is now included at the beginning of the SPD.
- b. A clearer description of how overheads and other costs have been identified within the RAMS mitigation package.
- c. The first paragraph of the SPD will be amended to state 'birds and their habitats' rather than 'Wildlife' to make it clearer from the outset as to what type of wildlife the RAMS and the SPD is primarily seeking to protect.

- d. More recognition of the South East Marine Plan and the East Inshore and East Offshore Marine Plans which, when adopted, will become part of the statutory Development Plan for the relevant Councils.
- e. An amendment to include reference to fishing / bait digging to paragraph 2.2 is proposed.
- f. Reference to the 'Outer Thames Estuary SPA' rather than the 'Thames Estuary SPA' is proposed.
- g. Previous maps replaced with higher resolution images.
- h. Additional clarification within Paragraph 3.7 making the SPD more explicit regarding proposals for single dwellings being subject to the RAMS tariff.
- i. More explanation of requirements of development proposals in regard to statutory HRA procedures and on-site mitigation, and that the specific effects the RAMS will mitigate in accordance with Regulation 122 of the CIL Regulations.
- j. More justification for the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as being liable for tariff payments.
- k. Inclusion of the National Planning Policy Framework (NPPF) within the 'useful links' section.
- l. Clarification that non-residential proposals are exempt from the tariff.
- m. Amendments to the map in Appendix 2 of the Essex Coast RAMS SPD SEA/HRA Screening Report be amended to reflect the Outer Thames SPA designation.
- n. Clarification on the requirements for project-level Habitat Regulations Assessment (HRA) and Appropriate Assessment (AA) of development proposals which will explore the hierarchy of avoidance and mitigation, and that the SPD is relevant to 'in-combination' recreational effects only.
- o. Clear explanation that the intention of Essex Coast RAMS mitigation is to enable the conclusion of no adverse effect on the integrity of the international designated sites.
- p. Removal, from the relevant map in the SPD and RAMS Strategy, all areas of Suffolk from the Zone of Influence.
- q. Clearer explanation of the relationship between the effects of a population increase resulting from net new dwelling increases.
- r. Reference included to other statutory mitigation requirements (such as Suitable Alternative Natural Greenspace (SANGS)), and explanation of how they might represent an exemption to the tariff.