

APPROPRIATE ASSESSMENT CONCLUSION STATEMENT

FOR THE

LIMERICK DESTINATION EXPERIENCE DEVELOPMENT PLAN

for: **Fáilte Ireland**
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Section 1 Introduction and Background

1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for the Limerick Destination Experience Development Plan (hereafter referred to as “the Plan” or “DEDP”). The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC as transposed into Irish legislation by, inter alia, the European Communities (Birds and Natural Habitats) Regulations 2011, as amended. AA is a focused and detailed impact assessment of the implications of a strategic action (such as a plan or programme) or project, alone and in combination with other strategic actions and projects, on the integrity of any European site in view of its conservation objectives. This AA Conclusion Statement should be read in conjunction with the Plan and associated documents including the AA Natura Impact Statement (NIS).

1.2 Legislative Requirements in relation to AA

In carrying out the AA for the Plan, Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), requires, inter alia, that Fáilte Ireland considers the matters arrayed in the first column on Table 1.1 below. The second column identifies how these issues have been addressed.

Table 1.1 Matters taken into account by the AA

Matter specified by the Regulations ¹	How addressed by the AA process
(a) the NIS	An NIS accompanies this AA Conclusion Statement for the Plan
(b) any other plans or projects that may, in combination with the plan or project under consideration, adversely affect the integrity of a European site	Throughout the NIS, particularly Sections 3.4, 4 and 6 and Appendix II of the NIS.
(c) any supplemental information furnished in relation to any such report or statement	This AA Conclusion Statement supplements the NIS that provides supporting information on European Sites.
(d) if appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura Impact Report	Submissions made during the Plan preparation/AA process that was relevant to the AA process and preparation of the NIS. The AA process has taken into account these submissions – see Section 2 of this Statement.
(e) any information or advice obtained by the public authority	
(f) if appropriate, any written submissions or observations made to the public authority in relation to the application for consent for proposed plan or project	
(g) any other relevant information	

In addition, the Regulations require that Fáilte Ireland makes available for inspection an AA determination regarding the outcome of the assessment with respect to whether or not the Plan would adversely affect the integrity of any European site (a copy of this AA determination is provided at Section 4).

1.3 AA Conclusion Statement

Non-Statutory guidance for Appropriate Assessment of Plans in Ireland² states that “*it is recommended that planning authorities include a clear and discrete AA Conclusion Statement as a distinct section in the written statement of the plan separate to the SEA statement.*” This guidance recommends that the following issues are addressed by the AA Conclusion Statement:

- Summary of how the findings of the AA were factored into the Plan (see Section 2);
- Reasons for choosing the Plan as adopted, in the light of other reasonable alternatives considered as part of the AA process (see Section 3);

¹ European Communities (Birds and Natural Habitats) Regulations 2011 (as amended)

² Department of Environment, Heritage and Local Government, 2009. Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities. Available at: https://www.npws.ie/sites/default/files/publications/pdf/NPWS_2009_AA_Guidance.pdf

- A declaration that the Plan as adopted will not have an adverse effect on the integrity of European sites (provided at Section 4); and
- The NIS (the AA NIS is accompanied by this AA Conclusion Statement and has informed the AA Determination – see Section 4).

As recommended, this AA Conclusion Statement addresses the above issues.

Section 2 How the findings of the AA were factored into the Plan

The SEA and AA team worked with the Plan-preparation team at Fáilte Ireland in order to integrate requirements for environmental protection and management into the Plan. In addition to the mitigation identified below, various Guiding Principles for Sustainable and Responsible Tourism have been integrated into the Plan, as detailed below:

Guiding Principles for Sustainable & Responsible Tourism
Assess the feasibility of developing and implementing visitor management plans where relevant.
Encourage the adoption of a responsible tourism approach with ongoing monitoring of environmental impacts.
Increase awareness and appreciation of Sligo region's unique landscape and environment.
Increase environmental performance among tourism businesses.
Encourage sustainable modes of transport and ensure they are accessible to tourists.
Introduce and implement minimum sustainable standards for tour guides.
Increase and promote environmental protection and enhancement when progressing actions derived from this Plan.
Ensure the EPA's Environmental Sensitivity Mapping Webtool is consulted when implementing projects resulting from this Plan.
Ensure the Plan contributes towards delivering on Ireland's Climate Action Plan 2023.
Monitor the quality of visitor experiences and local social/cultural impact at key sites.
Ensure Sligo visitor experiences are accessible to all where possible.
Support voluntary and community led environmental protection projects, which in turn benefit tourism.
Advocate for the protection of key environmental and tourism assets.
Improve tourist management, particularly in mature and established tourist areas.
Encourage tourism related businesses to engage in the Leave No Trace Programme.
Ensure crucial infrastructure including water and wastewater services are in place and adequate.
Harness the importance of ecosystem services and protected sites to encourage sustainable levels of ecotourism growth and awareness.
Ensure invasive species management is in place through the promotion of effective biosecurity measures.

Fáilte Ireland provides funding for sustainable tourism projects that emerge as part of specific, competitive, themed and time-bound grant schemes or as part of wider strategic partnerships. These include projects relating to land use, infrastructural development and land use activities and attractions. Reference made to such projects included in the Plan does not guarantee funding. While funding is provided to certain projects, Fáilte Ireland is not the developer.

In addition to the above guiding principles, in order to achieve funding (including promotion) for land use or infrastructural development or land use activities from Fáilte Ireland, Fáilte Ireland's stakeholders shall be required to demonstrate compliance³ with measures relating to sustainable development, environmental protection and environmental management contained within the following Fáilte Ireland published documents:

- Wild Atlantic Way Operational Programme Appendix 5 "*Site Maintenance Guidelines*" and other relevant measures from the Fáilte Ireland visitor and habitat management guidelines series (and any subsequent replacements); and
- Wild Atlantic Way Operational Programme Appendix 6 "*Environmental Management for Local Authorities and Others*" (and any subsequent replacements).

In order to be realised, projects included in the Plan (in a similar way to other projects from any other sector) will have to comply, as relevant, with various legislation, policies, plans and programmes (including requirements for lower-tier Appropriate Assessment, Environmental Impact Assessment and other licencing requirements as appropriate) that form the statutory decision-making and consent-granting framework, of which the Plan is not part and does not contribute towards. Such legislation, policies, plans and programmes include:

- Requirements for lower-tier environmental assessment, including EIA and AA;
- Statutory land use plans that form part of the statutory decision-making and consent-granting framework (e.g. Development Plans, such as Limerick Development Plan 2022-2028) and that have undergone environmental assessment, as appropriate, including various provisions relating to sustainable development, environmental protection and environmental management ; and

³ Demonstration of compliance may be supported by monitoring undertaken by the beneficiary.

- The Climate Action Plan 2023 and the National Climate Change Adaptation Framework (2018 and any subsequent versions).

Infrastructure Capacity⁴

With respect to infrastructural capacity (including drinking water, wastewater, waste and transport) the potential impact on existing infrastructure as well as the potential environmental effects of a likely increase in tourism-related traffic volumes along any routes resulting from the relevant initiative shall be considered and mitigated as appropriate, where relevant. The promotion of developing visitor friendly infrastructure where it is required will also be encouraged.

Any proposed site management and maintenance guidelines produced by Fáilte Ireland will encourage site owners and operators to consider environmentally sustainable solutions and compliance with the Water Framework Directive.

Visitor Management⁵

Those receiving funding shall seek to manage any increase in visitor numbers and/or any change in visitor behaviour in order to avoid adverse effects including loss of habitat and disturbance, including ensuring that new projects are a suitable distance from ecological sensitivities.

Extensive research by Fáilte Ireland has shown improved environmental outcomes (including improved attainment of conservation objectives) in areas with visitor management strategies. Visitor management strategies will be required for proposed plans, programmes and projects that are to receive funding as relevant and appropriate.

Green Infrastructure and Ecosystem Services⁶

Those receiving funding shall contribute towards the maintenance of existing green infrastructure and its ecosystem services, taking into account the output of the Mapping and Assessment of Ecosystem Services project being undertaken by the NPWS. Proposals for the development of any green infrastructure should demonstrate the synergies that can be achieved with regard to the: provision of open space amenities; sustainable management of water; protection and management of biodiversity; protection of cultural heritage; and protection of protected landscape sensitivities.

⁴ This requirement has arisen through the SEA and/or AA processes.

⁵ This requirement has arisen through the SEA and/or AA processes.

⁶ This requirement has arisen through the SEA and/or AA processes.

Section 3 Consideration of Alternatives

3.1 Description of Alternatives

Alternative 1: Current Situation (Business as Usual)

As identified in the Plan, there are various **strengths** associated with the current tourism development situation include:

- Quality of built heritage throughout the City.
- Riverside position and quality of riverside public realm.
- Existence of strong city districts that bring visitors through the Limerick historical journey e.g. King's Island and Georgian District.
- Connected and compact nature of the core of the City.
- Depth of County wide tourism experiences from unique heritage and cultural to best in class outdoor experiences.
- International City profiling through sports event hosting.
- International success as location for foreign direct investment and quality economic destination.
- Development of new destination brand model.
- Range of cultural provision from visual to performing arts.
- Internationally acclaimed art events and home to international School of Art and Design.
- Quality of food offerings, food heritage and diversity of dining options.
- Range of established festivals and events.
- Uniqueness of City centre sites e.g. Milk Market and capacity for multi-purpose use.
- Third level colleges, student vibrancy and new UL City centre location.
- Range and quality of accommodation base in the City.
- Proven capacity to attract and host major events and conferences.

However, there are a number of **weaknesses** associated with this situation, including:

- Lack of cooperative approach to achieve the tourism potential of Limerick City in contrast to other economic sectors.
- Limited access to saleable local experiences that communicate the authenticity and uniqueness of Limerick City.
- Quality of current visitor orientation, signage and wayfinding for visitors to the City is poor.
- Dominance of business tourism in current occupancy levels achieved by city accommodation providers i.e. occupancy dominated midweek by the business sector.
- Limerick not perceived as a leisure tourism destination.
- Lack of programming by international tour operators.
- City centre retail experience is being challenged by city suburb shopping outlets reducing footfall and city centre vibrancy.
- Limited evening economy provision and lack of non-alcoholic entertainment options in the evening and current scale of evening economy provision.
- Limited focus on fostering tourism entrepreneurs and small businesses with tourism appeal.
- Absence of significant levels of footfall in the City centre outside of peak business period.
- Limited number of businesses open in the City centre in the evening that will generate footfall.
- City centre and other districts are not leveraging the existing visitor attraction numbers to King's Island to disperse visitors throughout the City.
- No sustained inputting to a centralised Limerick calendar of events to communicate to potential visitors.
- Limited access to artisan produce telling the Limerick story.
- Lack of a co-ordinated destination narrative being communicated on a sustained basis.
- Strong cultural themes such as arts not being maximised to allow the visitor engage in a variety of art experiences despite the existence of the internationally acclaimed School of Art and Design.
- Industry collaboration to co-create experiences that will increase destination dwell time.
- Urban adventure activities limited around the use of the river.
- Recognition among wider ancillary services of opportunity tourism provides e.g. retail, food and beverage.
- Limerick hotels are largely programmed by tour operators for only one night stays.

There are also various policies and plans that are already in place relating to the development of tourism, including:

- Fáilte Ireland Strategic Plan
- People, Place and Policy: Growing Tourism to 2025 Department of Transport, Tourism and Sport
- Limerick 2030 – An Economic and Spatial Plan for Limerick
- Limerick Tourism Development Strategy and Action Plan 2019 – 2023
- Limerick Development Plan 2022-2028
- Limerick City and County Heritage Plan 2017 – 2030
- National Planning Framework
- Southern Regional Spatial and Economic Strategy
- Wild Atlantic Way Regional Tourism Development Strategy

This current situation presents **Alternative 1 (Business as Usual)** to be considered by the SEA. Overtime, numbers of visitors would continue to increase under this scenario – consistent with the development of tourism over many decades.

Prepare a Plan (Alternatives 2A and 2B: Prepare a Plan)

The weaknesses presented by the current situation establish a potential need for a plan that seeks to better manage tourism in the Limerick City area; facilitating, promoting, supporting and coordinating stakeholders (including local authorities, other government agencies, tourism operators, communities and visitors) in their activities in a way that is consistent with existing and emerging plans that have been subject to environmental assessment. Such a Plan would not provide consent, establish a framework for granting consent or contribute towards a framework for granting consent (such frameworks fall under the remit of other public authorities). Any projects would continue to be required to comply, as relevant, with the various provisions of documents that form the statutory decision-making and consent-granting framework.

Features of such a Plan (in combination with the wider and extensive policy and wider and extensive policy and planning framework planning framework) would include:

Under Alternative 2 there are two separate alternatives:

Alternative 2A: A Plan with Additional Requirements for Environmental Protection and Management

Fáilte Ireland provides funding sustainable tourism projects including land use and infrastructural development and land use activities. In order to achieve funding (including promotion) for land use or infrastructural development or land use activities from Fáilte Ireland, **Alternative 2A** would require Fáilte Ireland's stakeholders to demonstrate compliance with measures relating to sustainable development, environmental protection and environmental management contained within the following Fáilte Ireland published documents:

- Wild Atlantic Way Operational Programme Appendix 5 "Site Maintenance Guidelines" and other relevant measures from the Fáilte Ireland visitor and habitat management guidelines series (and any subsequent replacements); and
- Wild Atlantic Way Operational Programme Appendix 6 "Environmental Management for Local Authorities and Others" (and any subsequent replacements).

In order to be realised, projects included in the Plan (in a similar way to other projects from any other sector) would have to demonstrate compliance, as relevant, with various provisions of legislation, policies, plans and programmes that form the statutory decision-making and consent-granting framework, of which the **Plan is not part and does not contribute towards.**

Further environmental requirements would be integrated into the Plan under Alternative 2A, relating to infrastructure capacity, visitor management and green infrastructure and ecosystem services.

Alternative 2B: A Plan without Additional Requirements for Environmental Protection and Management

Alternative 2B would not include the requirements for environmental protection and management described under Alternative 2A. Projects would continue to be required to comply, as relevant, with the various provisions of documents that form the statutory decision-making and consent-granting framework.

3.2 Detailed Consideration of Alternatives

Alternative 1: Business as Usual

Sustainable development, environmental management and environmental protection under Alternative 1 is provided through the existing statutory planning and consent framework. These measures would contribute towards positive effects on the protection and management of all environmental components.

Tourism related development would continue to be planned for and consented through the existing statutory planning and consent framework. Potential adverse effects would continue be mitigated through that process.

In the absence of a Plan, there would continue to be an increase in tourist numbers – consistent with the development of tourism over many decades. The most popular locations in the Limerick City area would see the largest increases in visitors, which would occur during the peak season. This would give rise to greater concentration of tourists during peak seasons and in the most popular locations thereby increasing potential environmental effects on all components and peak load additions on various infrastructure in particular locations/at particular times.

Contributions towards in an increase in travel related greenhouse gas and other emissions to air, including from aviation, would not occur as a result a Plan that seeks to lengthen dwell time and grow visitor numbers however increases in tourist numbers would occur. Similarly, the positive mitigatory effects as a result of provisions of a Plan, such as those relating to sustainable mobility, traffic management and compliance with climate adaptation and management plans/strategies would not be provided for.

There would be one layer of mitigation under Alternative, through the existing statutory planning and consent framework.

Alternative 2A: A Plan with Additional Requirements for Environmental Protection and Management

In addition to the measures relating to sustainable development, environmental protection, environmental management (and associated effects), which are provided under all alternatives, and measures relating to seasonality and regionality, provided for by this alternative and Alternative 2B, this alternative would provide additional requirements for environmental protection and management, including those taken from the Wild Atlantic Way Operational Programme and those relating to infrastructure capacity, visitor management and green infrastructure and ecosystem services. In order to be realised, projects included in the Plan (in a similar way to other projects from any other sector) would have to demonstrate compliance, as relevant, with various provisions of legislation, policies, plans and programmes that form the statutory decision-making and consent-granting framework, of which the Plan is not part and does not contribute towards.

Tourism related development would continue to be planned for and consented through the existing statutory planning and consent framework. Potential adverse effects would continue be mitigated through that process.

Although a Plan would help to improve the seasonal and geographic spread of visitors, a Plan's objective would be to increase the number of visitors to the Limerick City area. Although this would be likely to happen without a Plan, a Plan would have the potential to increase numbers of tourists – and associated potential adverse effects – to a greater degree than would be the case if there was no Plan. This would be likely to contribute towards in an increase in travel related greenhouse gas and other emissions to air, including from aviation. These increases will be mitigated by provisions that have been integrated into the Plan, including those relating to sustainable mobility and compliance with the Climate Action Plan 2023, the National Climate Change Adaptation Framework (2018 and any subsequent versions).

A Plan would also help to promote new experiences – including those relating to land use activities and developments. These would also have the potential to increase adverse effects. Notwithstanding this, there would be three layers of mitigation, through:

- The existing statutory planning and consent framework;
- Visitor management strategies; and
- Additional environmental requirements for environmental protection and management, under this alternative.

Alternative 2B: A Plan without Additional Requirements for Environmental Protection and Management

In addition to the measures relating to sustainable development, environmental management and environmental protection (and associated effects), which are provided under all alternatives, this Alternative (2B) would provide measures to improve seasonality and regionality. Seasonality and regionality would provide a greater spread of tourists throughout the year and across the Limerick City area thereby reducing potential environmental effects and peak load additions on various infrastructure in particular locations/at particular times.

Tourism related development would continue to be planned for and consented through the existing statutory planning and consent framework. Potential adverse effects would continue to be mitigated through that process.

Although a Plan would help to improve the seasonal and geographic spread of visitors, a Plan’s objective would be to increase the number of visitors to the Limerick City area. Although this would be likely to happen without a Plan, a Plan would have the potential to increase numbers of tourists – and associated potential adverse effects – to a greater degree than would be the case if there was no Plan.

This would be likely to contribute towards an increase in travel related greenhouse gas and other emissions to air, including from aviation. These increases would be mitigated by the wider planning framework.

A Plan would also help to promote new experiences – including those relating to land use activities and developments. These would also have the potential to increase adverse effects. Notwithstanding this, there would be one layer of mitigation, through the existing statutory planning and consent framework.

Table 3.1 below provides a comparative evaluation of alternatives against SEOs.

Table 3.1 Comparative Evaluation of Alternatives against SEOs

	Likely to Improve status of SEOs			Potential Conflict with status of SEOs - likely to be mitigated by complying with other measures included within the Plan		Probable Conflict with status of SEOs- unlikely to be fully mitigated
	to the Greatest degree	to a Moderate degree	to a Lesser degree	to a Moderate degree	to a Greater degree	
Alternative 1: Business as Usual			✓		✓	
Alternative 2A: A Plan with Additional Requirements for Environmental Protection and Management	✓			✓		
Alternative 2B: A Plan without Additional Requirements for Environmental Protection and Management		✓			✓	

3.3 Selected Alternative for the Plan

Taking into account the environmental effects detailed above and the challenges and opportunities present for tourism across the Limerick DEDP area, Fáilte Ireland have proceeded with Alternative 2A “A Plan with Additional Requirements for Environmental Protection and Management”.

Section 4 AA Determination

Appropriate Assessment Determination under the European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended) for the Limerick Destination Experience Development Plan (DEDP)

An Appropriate Assessment (AA) Determination, pursuant to Article 6(3) of the Habitats Directive, as to whether a plan or project would be likely to have a significant effect on a European site, either individually or in combination with other plans or projects, and Regulation 42 (11) of the European Communities (Birds and Natural Habitats) Regulations 2011 to 2021 (as amended), is being made by Fáilte Ireland.

In carrying out this AA, Fáilte Ireland is taking into account the relevant matters specified under Regulation 42 (12) of the European Communities (Birds and Natural Habitats) Regulations 2011 to 2021 (as amended). Sources for likely significant effect to European sites were identified as arising from the implementation of the Limerick Destination Experience Development Plan (DEDP), such as:

- Destruction of structures, vegetation or fauna;
- Trampling of herbaceous vegetation;
- Disturbance of wildlife;
- Heavy littering or dumping quantities of waste;
- Harvesting of large quantities of shells from beach sites;
- Removal and throwing of large rocks; and
- Unrestricted dogs causing disturbances to wildlife.

Pathways for likely significant effects from the above sources were identified for the following 7 (no.) European sites:

- Lower River Shannon SAC (002165)
- River Shannon and River Fergus Estuaries SPA (004077)
- Glenomra Wood SAC (001013)
- Slievefelim to Silvermines Mountains SPA (004165)
- Clare Glen SAC (000930)
- Slieve Bernagh Bog SAC (002312)
- Curraghchase Woods SAC (000174)

Therefore, the above 7 (no.) European sites proceeded to Stage 2 AA, requiring a Natura Impact Statement (NIS). The resulting AA NIS has been carefully considered and its reasoning and conclusion agreed with and adopted. All other documents prepared and submitted during the preparation process for the Limerick DEDP were also considered in making this determination, including the Plan to be finalised and written submissions made on the Draft Plan and associated documents while they were on public display.

It is determined that the risks to the safeguarding and integrity of the qualifying interests and conservation objectives of the Natura 2000 network have been addressed by the inclusion of achievable mitigation measures that will prioritise the avoidance of impacts in the first place and reliably mitigate these impacts where they cannot be avoided. Furthermore, in order to be realised, projects included in the Plan will have to comply, as relevant, with the various provisions of legislation, policies, plans and programmes (including requirements for lower-tier AA) that form the statutory decision-making and consent-granting framework, of which the Plan is not part and does not contribute towards.

Having incorporated mitigation measures, it is concluded that the Limerick Destination Experience Development Plan to be adopted is not foreseen to give rise to any adverse effects on the integrity of designated European sites, alone or in combination with other plans or projects¹. This evaluation is made in view of the conservation objectives of the habitats or species, for which these sites have been designated.

Date: __06/02/24_____

Signed: _____ 

Signatory Approved Officer

¹ Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be: a) no alternative solution available, b) imperative reasons of overriding public interest for the plan to proceed; and c) Adequate compensatory measures in place.