

Teessmouth and Cleveland Coast European Marine Site



Management Scheme | Spring 2009

Executive Summary

The aim of the Teesmouth and Cleveland Coast European Marine Site Management Scheme is:

To establish a framework within which relevant and competent authorities and other stakeholders will manage their activities in order to fulfil their duties under the Conservation (Natural Habitats, &c.) Regulations 1994 (Habitats Regulations) for the Teesmouth & Cleveland Coast Special Protection Area (SPA)

The Objectives of the European Marine Site Management Group are:

To examine the historical context of current activities and establish which of these may still have the potential to influence the condition of interest features into the future;

To establish the current intensity, frequency and location of key activities and the extent to which these activities may be managed;

To specify management measures to address gaps in the current management regime in order to achieve the conservation objectives for the site, and incorporate these into an action plan within the management scheme;

To compile, distribute and publicise the management scheme for the European Marine Site;

To initiate the effective implementation of the management scheme;

To monitor the implementation of the management scheme in order to provide a sound basis for the future refinement of the scheme

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Contents

EXECUTIVE SUMMARY

ACKNOWLEDGEMENTS

Contact details

1.	INTRODUCTION TO THE MANAGEMENT SCHEME	5
1.1	Site	5
1.2	Legislative Framework	4
1.3	Regulatory Framework	7
1.4	Competent and Relevant Authorities	7
1.5	Scope	7
2.	SPECIAL PROTECTION AREA	8
2.1	Background and Context	8
2.2	Reductions in organic inputs	9
2.3	The Interest Features	10
2.4	Internationally important populations of the regularly occurring Annex 1 species	10
2.4.1	Key sub-features for Annex 1 Species	11
2.5	Internationally important populations of regularly occurring migratory bird species	11
2.5.1	Key sub-features for migratory bird species	11
2.6	An internationally important assemblage of waterbirds	12
2.6.1	Key sub-features for the assemblage of waterbirds	12
3.	CONSERVATION OBJECTIVES	13
3.1	The conservation objective for the internationally important populations of regularly occurring migratory bird species	13
3.2	The conservation objective for the internationally important populations of the regularly occurring Annex 1 bird species	13
3.3	The conservation objective for the internationally important assemblage of waterbirds	14
4.	NATURAL ENGLAND	15
4.1	Remit	15
4.2	Categories of Advice	15
4.3	The Link between Natural England and other Relevant Authorities	16
4.3.1	Plans and Projects	16
4.3.2	Review of Existing Consents	16
4.4	Summary	16
5.	HUMAN ACTIVITIES IN AND AROUND THE TEESMOUTH AND CLEVELAND COAST	17
5.1	Water Quality and Hydrodynamics	17
5.1.1	Point Source Pollution	17
5.1.2	Diffuse Pollution	18
5.1.3	Historical Contamination	19
5.2	Ports and Industry	20
5.2.1	Dredging	20
5.2.2	Economic Development	21
5.2.3	Oil Pollution	22
5.2.4	Pollution –Hull coatings and alien species	23
5.2.5	Port Waste	24

5.3	Fisheries	25
5.3.1	Inshore & Intertidal Fisheries	25
5.3.2	Commercial and Non-Commercial Collection of Bait	26
5.3.3	Rocky Shore Vegetation Change	26
5.4	Coastal Development and Defences	28
5.4.1	Wind Farms and Energy	28
5.4.2	Coastal Defence, Sea Level Rise, Flood Defence, and Artificial Reefs	29
5.4.3	Major Infrastructure Projects	30
5.4.4	Sea Coaling	31
6.	NATURE CONSERVATION AND RECREATION	32
6.1	Litter	32
6.2	Education	33
6.3	Diving	34
6.4	Wildfowling	35
6.5	Sea Angling	36
6.6	Bird watching and ringing	37
6.7	Equestrian Activities	38
6.8	Off Road Vehicles	39
6.9	Wind/Kite Surfing – Water based	40
6.10	Sand Yachting/Kite Flying	41
6.11	Dog Walking	42
7	ACTION PLAN FOR THE TEES ESTUARY EUROPEAN MARINE SITE	43
7.1	Introduction	43
7.2	Internal and External Factors	43
7.3	Future Management	43
7.4	Relevant Authorities Management	44
8.	REPORTING AND REVIEW PROGRAMMES	44
8.1	Introduction	44
8.2	Monitoring	44
8.2.1	Condition Monitoring	44
8.2.2	Compliance monitoring	45
8.3	Review of Management	45
Appendix 1	The Teesmouth and Cleveland Coast Special Protection Area	47
Appendix 2	Habitat Types in the Teesmouth Area	48
	BIBLIOGRAPHY	46
	GLOSSARY	50
	ABBREVIATIONS AND ACRONYMS	50

1. Introduction to the Management Scheme

The production of a management scheme for the European Marine Site (EMS) is an effective way for the competent and relevant authorities to meet their responsibilities under the Conservation (Natural Habitats &c.) Regulations 1994, commonly known as the Habitats Regulations. The scheme assesses current and potential activities within the site and their associated management and derives actions to preclude these activities from having an adverse impact upon the site interest features. The production of a management scheme allows the relevant authorities to address their responsibilities in an integrated manner thus helping to raise mutual awareness of each other's remit for the site.

Stated simply, the Teesmouth and Cleveland Coast European Marine Site Management Scheme is designed to maintain a favourable condition for the site through the sustainable management of activities, although natural change may also occur.

1.1 Site

Teesmouth and Cleveland Coast is a Special Protection Area under the 1979 Birds Directive (Council Directive 79/409/EEC) and its marine component qualifies as a European Marine Site. The SPA qualifies under Article 4.1 of the Directive by supporting internationally important populations of regularly occurring migratory species and an internationally important assemblage of waterbirds.

The SPA was first classified in 1995 and was extended in area by a new citation issued in March 2000. The site was also designated as a Ramsar site under the Ramsar Convention in 1995 for its status as an internationally important wetland. The Ramsar site boundary was also extended in 2000 and is coincident of the SPA.

The Teesmouth and Cleveland Coast Special Protection Area is a European Marine Site by virtue of the site being covered (continuously or intermittently) by tidal waters or any part of the sea in or adjacent to Great Britain up to the seaward limit of territorial waters.

Regulation 33 of the Habitats Regulations required English Nature (now Natural England) to produce an advice package describing the conservation objectives for the site and any operations which might result in deterioration of the site interest features. This package is designed to help relevant and competent authorities, who have responsibilities to implement the Habitats Regulations, to:

- o Understand the international importance of the site, underlying physical processes and the ecological requirements of the habitats and species involved;
- o Be aware of the conservation objectives for the site and operations which may cause deterioration or disturbance;
- o Set the standards against which the condition of the site's interest features can be determined and undertake compliance monitoring to establish whether they are in favourable condition;

- o Develop a management scheme to ensure that the features of the site are maintained.

In addition, the Regulation 33 advice package provides a basis to inform the scope and nature of 'appropriate assessment' required in relation to plans and projects (Regulations 48 & 50 of the Habitats Regulations and by Natural England under Regulation 20). Natural England will keep this advice under review and may update it every six years or sooner, depending on the changing circumstances of the European Marine Site. In addition, Natural England will provide more detailed advice to competent and relevant authorities to assess the implications of any given plan or project under the Regulations at the time a plan or project is being considered. If as a result of the UK SPA Network Review (led by JNCC) interest features are added to this European marine site or the site boundaries change, Natural England will amend this advice as appropriate.

1.2 Legislative Framework

The European Birds Directive sets out a number of actions to be taken for nature conservation:

"The Birds Directive aims to protect wild birds and their habitats, and gives Member States the power and responsibility to designate Special Protection Areas (SPA) to protect birds that are considered rare or vulnerable within the European Community as well as regularly occurring migratory birds"

The Ramsar Convention on "Wetlands of International Importance, especially as Waterfowl Habitats" (Ramsar, Iran, 1971) aims to stem the loss and progressive encroachment on wetlands through the designation of 'Ramsar sites'. In accordance with Government guidance, Ramsar Sites must be given the same consideration as European Sites when considering plans and projects that may affect them.

"The broad objectives are to stem the loss and progressive encroachment on wetlands now and in the future through the designation of Ramsar sites. A habitat can qualify as a Ramsar site for its representation of a wetland, for supporting wetland plant or animal species or for its role in supporting internationally important waterfowl. In the UK, Ramsar sites are often coincident with SPA sites designated under the Birds Directive"

The Teesmouth and Cleveland Coast management scheme covers the marine components of the SPA, and will be updated in the future to reflect any subsequent changes to the boundaries or features of the site.

In 2008 the Department for the Environment, Food and Rural Affairs launched a consultation on a new legislative structure to protect the marine environment. The Marine Bill proposes the creation of a Marine Management Organisation and provisions related to planning, licensing, nature conservation, fisheries and coastal access. These new provisions, when enacted, will impact upon the management of the European Marine Site and this management scheme will need to be amended in the light of the new legislation.

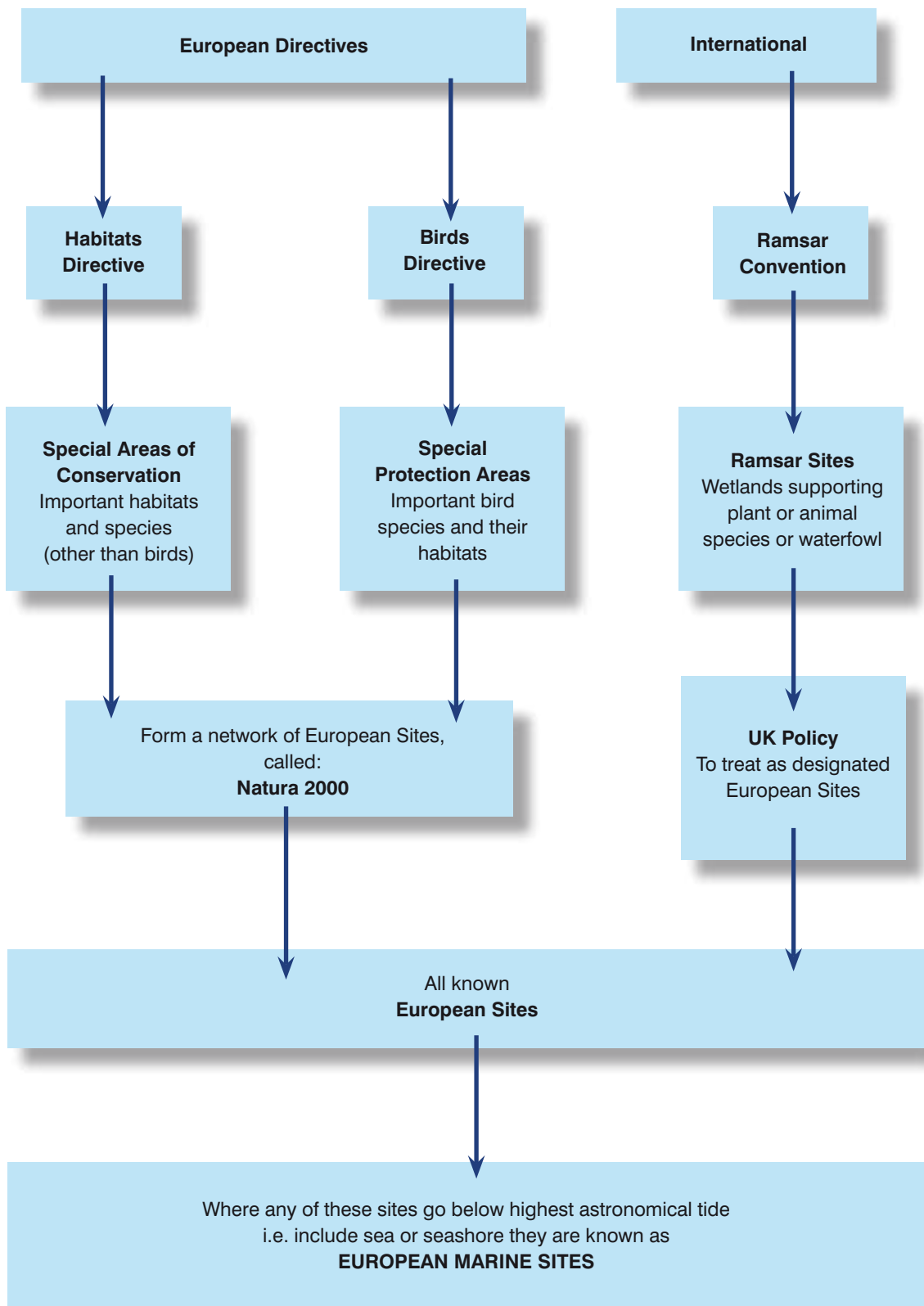


Figure 1 The Development of European Marine Sites

1.3 Regulatory Framework

The UK transposed the Habitats Directive into law by passing the Habitats Regulations. These Regulations introduced a series of new responsibilities for Competent and Relevant Authorities, and make provision (Regulation 34) for the Relevant Authorities to establish a Management Scheme for a European marine site.

The Habitats Regulations use the terms Competent Authorities and Relevant Authorities to describe statutory bodies to which the Regulations apply.

Competent Authority Includes any statutory body or public office exercising legislative powers whether on land or at sea.

Relevant Authority Identifies certain of the competent authorities with local powers or functions which have, or could have, an impact on the marine area within or adjacent to a European Marine Site. Therefore, all Relevant Authorities are also Competent Authorities.

Regulation 5 of the Habitats Regulations lists those bodies that can be Relevant Authorities

- (a) a nature conservation body;
- (b) a county council, district council, borough council, etc;
- (c) the National Rivers Authority*, a water undertaker or sewerage undertaker, or an internal drainage board (IDB);
- (d) a navigation authority within the meaning of the Water Resources Act 1991;
- (e) a harbour authority within the meaning of the Harbours Act 1964;
- (f) a lighthouse authority;
- (g) a river purification board or a district salmon fishery board**;
- (h) a local fisheries committee constituted under the Sea Fisheries Regulation Act 1966 or any authority exercising the powers of such a committee.

* The Environment Agency is the successor to the NRA.

** Scotland only

In addition, the Habitats Regulations (Reg. 3(3)) places a responsibility on every Competent Authority that

“in relation to marine areas any Competent Authority having functions relevant to marine conservation shall exercise those functions so as to secure compliance with the requirements of the Habitats Directive”.

Regulation 3(4) also states

“...every Competent Authority in the exercise of any of their functions shall have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions”.

1.4 Competent and Relevant Authorities

The Relevant Authorities are:

British Waterways
English Heritage
Department for the Environment, Food and Rural Affairs
Durham County Council
Environment Agency
Hartlepool Borough Council
Government Office for the North East
Middlesbrough Borough Council
Natural England
Northumbrian Water
PD Ports
Redcar and Cleveland Borough Council
Stockton-on-Tees Borough Council
Tees Valley Joint Strategy Unit

1.5 Scope

The Habitats Regulations make provision for the Relevant Authorities to establish a Management Scheme for a European marine site:

“The relevant authorities, or any of them, may establish for a European marine site, a management scheme under which their functions (including any power to make byelaws) shall be exercised so as to secure in relation to that site compliance with the requirements of the Habitats Directive” (Regulation 34(1).)

Government guidance states that this is

“to set the framework within which activities will be managed, either voluntarily or through regulation, so as to achieve the conservation objectives [of the site]. Where new regulation is needed, the measures may be based entirely upon the existing powers of the relevant authorities if they are capable of being used to achieve the objectives of designation. In other cases, relevant authorities may need to consider seeking changes to the ways in which their existing statutory jurisdiction is applied using the established procedures for that purpose.” (DETR, Para. 3.18)

The DETR guidance also advises that:

“Although Regulation 34 states that relevant authorities, “or any of them,” may create a management scheme, there can be only one management scheme for each site. This means in practice that the management scheme should be developed and agreed by all the relevant authorities whose functions affect the area. No relevant authority will have precedence or powers over any of the others. However, if there are no pre-existing consultation mechanisms between relevant authorities, it may be desirable for one of the relevant authorities to take the lead in order to initiate, and if necessary co-ordinate, the process of developing a management scheme.” (Para. 3.20)

Fourteen Relevant Authorities have jurisdiction on or around the Teesmouth & Cleveland Coast European Marine Site. The Relevant Authorities have agreed to prepare a single Management Scheme for the European marine site to guide the exercise of their functions in order to secure compliance with the Habitats Directive. This involves taking appropriate steps to avoid deterioration of the habitats or disturbance to species for which the site has been designated

Around the Tees, there is already a considerable amount of consultation taking place between interest groups and individual Relevant Authorities. To build upon this relationship, a management group was formed to produce a management plan.



2. Special Protection Area

2.1 Background and Context

The Teesmouth and Cleveland Coast SPA includes both marine areas (i.e. land covered continuously or intermittently by tidal waters) and land which is not subject to tidal influence. The marine part of the SPA is termed a European marine site. In relation to the Teesmouth and Cleveland Coast European Marine Site, the landward boundary is the intertidal part of the SPA. The Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007 now extends the area requiring SPA designation to include the UK offshore marine area (waters beyond 12 nautical miles, within British fishery limits and the seabed within the UK Continental Shelf Designated Area). Appendix one shows the designated areas as components of the Teesmouth and Cleveland Coast Special Protection Area

Where SPA qualifying species occur within the European Marine Site they are referred to as interest features. Sub features (habitats) have also been identified to highlight the ecologically important components of the European Marine Site for each interest feature. The interest features and sub-features for the Teesmouth and Cleveland Coast European Marine site are described below and the sub-features are mapped in Appendix two to show their distribution and extent.

A major aim of the Birds Directive is to take special measures to conserve the habitats and migratory birds listed in Annex 1 of the Directive in order to ensure their survival and reproduction within

the European Union. A key mechanism in achieving this is the designation by Member States of the most suitable sites as SPAs.

Natural England's conservation objectives at a site level focus on maintaining the condition of the habitats used by the qualifying species. Habitat condition will be delivered through appropriate site management including the avoidance of damage or disturbance. In reporting on Favourable Conservation Status, account will need to be taken both of habitat condition and the status of the birds on the SPA.

Accordingly, Natural England will use annual counts, in the context of five year mean peaks for qualifying species, together with available information on population and distribution trends, to assess whether an SPA is continuing to make an appropriate contribution to the Favourable Conservation Status of the species. Count information will be assessed in combination with information on habitat condition, at the appropriate time within the reporting cycle, in order to report to the European Commission. Natural England's advice focuses on the qualifying species for which the SPA was originally classified despite the fact that numbers and species composition may have changed on this site since that time. Such population and species composition changes are being documented through the UK SPA Network Review, led by JNCC, which will provide advice to Ministers on any changes required in SPA citations. Depending on the review and decisions from DEFRA, Natural England may reissue this advice.

In addition to focusing on avoiding deterioration to the habitats of the qualifying species, the Birds Directive also requires that actions are taken to avoid significant disturbance to the species for which the site was designated. Such disturbance may lead to alterations in population trends and/or distribution patterns. Avoiding disturbance to species requirements is mentioned in the favourable condition table underpinning the conservation objectives for the SPA. In this context, five year mean peak information on populations will be used as the basis for assessing whether disturbance is damaging.

Attention is, however, also directed to the inclusion of disturbance in the advice on operations provided in Sections 5 & 6. Where disturbance is highlighted in such advice, relevant authorities need to avoid damaging disturbance to qualifying species when exercising their functions under the Directive.

2.2 Reductions in organic inputs

Under the Urban Waste Water Treatment (UWWT) Directive all coastal discharges above a certain volume require secondary treatment to have been installed by the end of 2000. Secondary treatment of sewage will significantly reduce organic loading and to a lesser extent reduce concentrations of dissolved nutrients. The effects of these reductions on coastal features and the birds they support at Teesmouth and Cleveland Coast are difficult to predict. On the one hand, it might be expected that there would be a redistribution of feeding birds or a reduction in the overall capacity of a coastal area to support bird populations. On the other hand, where bird populations are currently adversely affected by eutrophication, cleaner

discharges may contribute to improving site condition. Natural England supports the cleaning up of coastal discharges. On balance, the overall ecological benefits of cleaner discharges are likely, in general, to outweigh any subsequent local decline in bird numbers, although there is presently insufficient knowledge to predict accurately the effects in general or for individual SPA sites. Consequently, Natural England, with input from the Countryside Council for Wales and the Environment Agency, is commissioning a related research project to study the relationship between birds and organic nutrient levels, the overall effects on the ecosystem and thereby the effects of the clean-up programme under the Urban Waste Water Treatment and Bathing Water Directives.

Under the Habitats Regulations, if significant effects are likely from such activities, the competent authority (in this case the Environment Agency) will be required to undertake an appropriate assessment to determine whether there is an adverse effect on site integrity.

2.3 The Interest Features

In recognition that bird populations may change as a reflection of national or international trends or events, this advice on the bird interests of the European marine site focuses on the condition of the habitats necessary to support the bird populations. Sub-features are identified which describe the key habitats within the European Marine Site necessary to support the birds that qualify within the SPA.

Bird usage of the site varies seasonally, with different areas being favored over others at certain times of the year. However, Natural England will use five year mean peaks derived from annual counts of qualifying species, together with available information on UK population and distribution trends, to assess whether this SPA is continuing to make an appropriate contribution to the Favorable Conservation Status of the qualifying species across Europe.

Bird communities are highly mobile and exhibit patterns of activity related to tidal water movements and many other factors. Different bird species exploit different parts of a marine area and different prey species. Changes in the habitat may therefore affect them differently. The important bird populations require a functional ecosystem which is capable of supporting intertidal habitat for feeding and roosting. The most important factors related to this are:

- o Current extent and distribution of suitable breeding, feeding and roosting habitat (e.g. sand and shingle, intertidal sandflat and mudflat, rocky shore, saltmarsh);
- o Sufficient prey availability (e.g. small fish, crustaceans, molluscs and worms);
- o Minimal levels of disturbance;
- o Water quality necessary to maintain intertidal plant and animal communities;

- o Water quantity and salinity gradients necessary to maintain saltmarsh conditions suitable for bird feeding and roosting;
- o Sediment transport processes underpinning the maintenance of intertidal sediment habitat.

2.4 Internationally important populations of the regularly occurring Annex 1 species

The species listed in Annex 1 of the Birds Directive (79/409/EEC) are the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction in their area of distribution. Species listed in Annex 1 are either in danger of extinction, rare or vulnerable. Teesmouth and Cleveland Coast is important for internationally important populations of breeding little tern *Sterna albifrons* and migrant sandwich tern *Sterna sandvicensis*, both of which species are listed in Annex 1. The site also qualifies for designation under the Directive because of the number of ringed plover *Charadrius hiaticula* on passage, overwintering knot *Calidris canutus* and the winter assemblage of over 20,000 waterfowl.

Relevant authorities need also to have regard to adjacent European interests (i.e. those occurring above the highest astronomical tide), as they might be affected by activities taking place within, or adjacent to the European Marine Site. Objectives to maintain this aspect of bird interest in favourable condition are found within Natural England's conservation objectives for the relevant SSSI within the SPA boundary and will be pursued through procedures outlined in the Habitats Regulations.



Knot

2.4.1 Key sub-features for Annex 1 Species

Sand and shingle areas - Sparsely vegetated shingle/sand areas fronting sand dune systems are an important nesting area for little tern. Colonies are located at Hart Warren Dunes, South Gare and Coatham Sands and at Seaton Dunes.

Intertidal sandflats and mudflats - These habitats provide roosting and loafing sites for the sandwich tern population during the post-breeding period (July and August) prior to autumn migration, and for little tern in summer (May to August). North Gare Sands, Seal Sands, Bran Sands and Coatham Sands constitute the key sites.

Shallow coastal waters - shallow coastal waters are important in that they comprise the main feeding areas for both little and sandwich terns, both of which species feed almost exclusively on fish (particularly sprats and sandeels).

2.5 Internationally important populations of regularly occurring migratory bird species

Knot occurs in internationally important numbers in winter. This internationally important population is included within the wintering waterfowl assemblage, and as it depends on the same marine habitats, it has also been included in the conservation objectives for the assemblage.

Redshank occurs in internationally important numbers during moult and migration in late summer and autumn. A small proportion of the population utilises grazing marsh habitats (including brackish and freshwater pools) outside the European Marine Site.

2.5.1 Key sub-features for migratory bird species

Rocky shores - These habitats, which are present around Hartlepool Headland/ North Sands, South Gare, Coatham and Redcar Rocks and Seaton Snook, provide vital food resources for the wintering knot population (for which mussel *Mytilus edulis* is particularly important), and are also used by a small proportion of the autumn redshank population. Those rocky shores at higher tidal levels are also used (primarily by knot) as high water roosting sites, especially at Seaton Snook.

Intertidal sandflats and mudflats - These habitats on the site support high densities of invertebrates, important as food for knot and redshank. The high biomass of invertebrates includes key species such as mud snails *Hydrobia ulvae* (>10,000m² max. recorded density), cockles *Cerastoderma edule* (>400m² max. recorded density), marine worms such as ragworms *Nereis diversicolor* (>3000m² max. recorded density) and crustaceans such as *Corophium volutator* (5000 m² max recorded density). In general, more sheltered areas, with relatively high silt content, support a richer biomass than more exposed areas. Seal Sands, North Tees Mudflat and Greatham Creek are of prime importance for redshank, while knot favour Seal Sands and Hartlepool North Sands. Knot also roost at higher tidal levels at North Gare Sands, Bran Sands and Hartlepool North Sands.

Saltmarsh - Teesmouth and Cleveland Coast's relatively small saltmarsh resource concentrated on the margins of Greatham Creek and within the Seal Sands Peninsula enclosures, provides roosting opportunities for redshank.

Grazing Marsh - A small proportion of the redshank population utilises grazing marsh habitats (including brackish and freshwater pools) outside the European Marine Site.

2.6 An internationally important assemblage of waterbirds

The large areas of intertidal mudflats and sandflats at Teesmouth and Cleveland Coast support dense populations of marine invertebrate species, which in turn provide a food source for large populations of waterbirds (wildfowl and waders). Teesmouth and Cleveland Coast ranks among the forty or so most important estuarine and coastal sites in the UK for wintering waterbirds, regularly supporting over 20,000 birds (Cranswick *et al.*, 1999). During severe winter weather Teesmouth and Cleveland Coast assumes even greater national and international importance as waterbirds arrive from other parts of the North Sea basin to take advantage of its more sheltered conditions and abundant food resource. Grazing marsh habitats (including brackish and freshwater pools) outside the European marine site are also used by a high proportion of this assemblage (particularly teal).

2.6.1 Key sub-features for the assemblage of waterbirds

Rocky Shores - These habitats, which are present around Hartlepool Headland/North Sands South Gare, Coatham and Redcar Rocks and Seaton Snook, provide a hard substrate for a different range of prey species including dense beds of mussels *Mytilus edulis*. These areas are very important bird feeding habitats. Small mussels are eaten by knot, and these and other invertebrates are taken by a small element of the wintering redshank population. Those rocky shores at higher tidal levels are also used (primarily by knot) as high water roosting sites, especially at Seaton Snook.

Intertidal sandflat and mudflat - Intertidal sandflat and mudflats on the site support high densities of invertebrates which are important as winter food for knot, redshank, shelduck and sanderling. The high biomass of invertebrates includes key species such as mudsnails *Hydrobia ulvae* (>1 0,000m² max. recorded density), cockles *Cerastoderma edule* (>400m² max. recorded density), marine worms such as ragworms *Nereis diversicolor* (>3000m² max recorded density) and small polychaetes/oligochaetes (2 million/m² max. recorded density) along with crustaceans such as *Corophium volutator* (5000 m² max recorded density). In general more sheltered areas with a relatively high silt content support a richer biomass than more exposed areas; Seal Sands, North Tees Mudflat and Bran Sands are of particular importance for redshank, while knot favour Seal Sands and Hartlepool North Sands. Knot also roost at higher tidal levels at North Gare Sands, Bran Sands and Hartlepool North Sands.

Saltmarsh - Saltmarsh on the site provides significant feeding and roosting opportunities for many species of waterbirds, in particular redshank, shelduck and teal, with the two last-

named species obtaining nutrition from the seeds of saltmarsh vegetation. The two important sites are Greatham Creek (within Cowpen Marsh SSSI) and Seal Sands Peninsula enclosure.

Grazing Marsh - A high proportion of the assemblage also utilises grazing marsh habitats (including brackish and freshwater pools) outside the European Marine Site.

3. Conservation Objectives

Regulation 33(2) (a) of the Habitats Regulations places a duty on Natural England to advise other relevant authorities as to the conservation objectives for the European marine site. The conservation objectives for the Teesmouth and Cleveland Coast European marine site interest features are provided below and should be read in the context of other advice given in the Regulation 33(2) (a) advice package, particularly:

- o the map showing the sub-features (Appendix 2);
- o summary information on the interest of each of the features; and
- o the favourable condition table, which provides information on how to recognise favourable condition for the feature and which will act as a basis for the development of a monitoring programme.

3.1 The conservation objective for the internationally important populations of regularly occurring migratory bird species:

Subject to natural change, maintain in favourable condition the habitats for the internationally important populations of regularly occurring migratory bird species, under the Birds Directive, in particular:

- o Rocky shores
- o Intertidal sandflat and mudflat
- o Saltmarsh

Numbers of bird species using these habitats are given in Table 1 of the Regulation 33 advice

3.2 The conservation objective for the internationally important populations of the regularly occurring Annex 1 bird species:

Subject to natural change, maintain in favourable condition the habitats for the internationally important populations of the regularly occurring Annex 1 bird species, under the Birds Directive, in particular:

- o Sand and shingle
- o Intertidal sandflat and mudflat
- o Shallow coastal waters

Numbers of bird species using these habitats are given in Table 1 of the Regulation 33 advice

3.3 The conservation objective for the internationally important assemblage of waterbirds



Subject to natural change, maintain in favourable condition the habitats for the internationally important assemblage of waterbirds, under the Birds Directive, in particular

- o Rocky shores
- o Intertidal sandflat and mudflat
- o Saltmarsh

Numbers of bird species using these habitats are given in Table 1 of the Regulation 33 advice

Note: These SPA conservation objectives focus on habitat condition in recognition that bird populations may change as a reflection of national or international trends or events. Annual counts for qualifying species will be used by Natural England, in the context of five year means of annual peaks, together with available information on UK population and distribution trends, to assess whether this SPA is continuing to make an appropriate contribution to the Favourable Conservation Status of the species across Europe.



4. Natural England

4.1 Remit

Natural England has a duty under Regulation 33(2) of the Habitats Regulations to advise Relevant Authorities on operations that may cause deterioration to natural habitats or disturbance to species for which the site has been designated. Natural England's Regulation 33 advice has been used by the Relevant Authorities to help identify activities that may cause such deterioration and/or disturbance and plan management proposals designed to avoid or mitigate them.

4.2 Categories of Advice

Natural England's advice has been provided within six broad categories of operations that may cause deterioration of natural habitats or the habitats of species, or disturbance of species.

- o Physical loss
- o Physical disturbance
- o Non-physical disturbance
- o Toxic contamination
- o Non-toxic contamination
- o Biological disturbance

The Regulation 33 Advice Package provides for:

- o Links to be made between human activities and the ecological requirements of the habitats or species, (as required under Article 6 of the Habitats Directive).
- o A consistent framework to enable Relevant Authorities to assess the effects of activities and identify priorities for management within their areas of responsibility.
- o An appropriately robust approach to be taken regarding the development of novel activities or operations that may cause deterioration or disturbance to the interest features of the site and should have sufficient stability to need only infrequent review and updating by Natural England.

It is also important that future consideration of the Regulation 33 advice by Relevant Authorities and others take account of changes in the usage patterns since the advice was issued. Natural England's advice provides a basis for discussion with relevant and competent authorities, advisory groups etc as to the nature and extent of activities taking place within or close to the site that may have an impact on the habitats or species for which the site has been designated.

4.3 Link between Natural England and other Relevant Authorities

4.3.1 Plans and Projects

Regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 deals with plans, projects and consents and the associated duty of competent authorities to assess the impact on designated European sites. Guidance is provided by the European Commission, by Natural England (HRGN3 & HRGN4) and within Planning Policy Statement 9 on biodiversity

and geological conservation (Department for Business Enterprise and Regulatory Reform). The Regulations require an appropriate assessment of any plan or project, either on or adjacent to a European site, which is likely to have an effect, either alone or in combination with other plans or projects. Regulation 50 makes similar provision for review of existing consents. The purpose of the assessment is to ensure that the integrity of a European site is not adversely affected nor is there an adverse effect upon the interest features of a European site. The interest features for Teesmouth and the Cleveland Coast are described in sections 2.3 to 2.6. There is a duty on the competent authority to consult the appropriate nature conservation body, which is Natural England, when undertaking an appropriate assessment. The authority may only authorise the plan or project following appropriate assessment, if it is satisfied that there will be no adverse effect, or it may attach conditions to an authorisation to ensure an appropriate degree of protection. The management scheme is not part of the assessment process, but information collated through the management scheme may inform an appropriate assessment.

4.3.2 Review of Existing Consents

The Habitat Regulations (Regulation 50) require that existing consents and other such permits granted before the area was designated a European marine site be "reconsidered as of that date". This reconsideration is outside the remit of the Management Scheme. However, information collated by the Management Scheme may be used to inform these discussions.

4.4 Summary

In conclusion Natural England's advice:

- o Explains the international nature conservation importance of the site
- o Provides a basis for the Management Scheme
- o Should be used as a starting point to assess whether plans and projects will have a significant effect on the site. (plans and projects include consents, authorisations, licences and permissions)
- o Provides information for condition monitoring



Sand dune habitat

5. Human Activities in and around the Teesmouth and Cleveland Coast

The Management Scheme considers a variety of human and industrial activities which could affect the site interest features. The activities have been grouped into appropriate “topics” for more detailed consideration by the Management Group.

5.1 Water Quality and Hydrodynamics

5.1.1 Point Source Pollution

Location	o Seal Sands
Interest features and sub-features affected	o Intertidal sandflats and mudflats
Issues	o Excessive growth of the green alga, <i>Enteromorpha</i> . The influencing factor related to point source pollution may be nutrient enrichment, but other factors may also be in play.
Significant effect potential	o Nitrates and phosphates may significantly affect algal growth. Seal Sands is designated as a Sensitive Area (Eutrophication).
Competent authorities & regulatory instruments	<p>Competent Authorities:</p> <ul style="list-style-type: none"> o Environment Agency o Northumbrian Water o M&FA <p>Statutory Advisor/Consultee:</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory instruments:</p> <ul style="list-style-type: none"> o Urban Waste Water Treatment Directive 1991 through the Sensitive Area Schemes o Conservation (Natural Habitats & c) Regulations 1994
Supporting/advising organisations	o Not applicable
Current management	<ul style="list-style-type: none"> o PR04 nutrient removal scheme, at Billingham Waste Water Treatment Works (WWTW) replaced by diversion of effluent to Seaton Carew long sea outfall. o PR04 Tees nutrient study by Northumbrian Water to investigate nutrient and algal growth in relation to Bran Sands WWTW and monitor improvements at Billingham WWTW. o Study by the Institute of Estuarine and Coastal Studies at Hull University into <i>Enteromorpha</i> growth on Seal Sands
Gaps in management	o None
Future management requirements	<ul style="list-style-type: none"> o Long term monitoring of the effect of diversion of Billingham WWTW effluent and other improvements to consents and permits made through the Habitats Regulations Review of Consents and IPPC legislation. o Water Framework Directive implementation.
Comments	o Nutrient enrichment relates to other factors such as sediment transport and accretion, water turbidity, dredging proposals and climate change.



Water Quality and Hydrodynamics

5.1.2 Diffuse Pollution

Location	<ul style="list-style-type: none"> o Diffuse input of nutrients into the estuary from freshwater and seawater source, including agricultural run off from the arable areas of the lower and middle Tees catchment, including the Rivers Skerne and Leven, which lie within a Nitrate Vulnerable Zone.
Interest features and sub-features affected	<ul style="list-style-type: none"> o Intertidal sandflats and mudflats
Issues	<ul style="list-style-type: none"> o Excessive growth of the green alga, <i>Enteromorpha</i>. The influencing factor related to diffuse pollution is nutrient enrichment.
Significant effect potential	<ul style="list-style-type: none"> o Nitrates and phosphates may significantly affect algal growth. Seal Sands is designated as a Sensitive Area (Eutrophication).
Competent authorities & regulatory instruments	<p>Competent Authorities:</p> <ul style="list-style-type: none"> o Environment Agency o Northumbrian Water o DEFRA <p>Statutory Advisor/Consultee:</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory instruments:</p> <ul style="list-style-type: none"> o Urban Wastewater Treatment Directive 1991 through the Sensitive Area Schemes o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/advising organisations	<ul style="list-style-type: none"> o Not applicable
Current management	<ul style="list-style-type: none"> o Single Payments Scheme administered by the Rural Payments Agency, Natural England and Environment Agency cross compliance checks. o Promotion of Environmental Stewardship Entry Level Scheme available to farmers and landowners. o Raising awareness of diffuse agricultural pollution and prosecution of polluters.
Gaps in management	<ul style="list-style-type: none"> o None
Possible Management Actions	<ul style="list-style-type: none"> o Water Framework Directive implementation. o Review of Environmental Stewardship. Higher Level Stewardship may be sought for parts of the Tees catchment, such as the Rivers Skerne and Leven.
Comments	<ul style="list-style-type: none"> o Nutrient enrichment relates to factors such as sediment transport and accretion, water turbidity, dredging proposals and climate change.

Water Quality and Hydrodynamics

5.1.3 Historical Contamination

Location	o North Tees Mudflats, Seal Sands and Bran Sands
Interest feature and sub-features affected	o Intertidal sandflats and mudflats.
Issues	<ul style="list-style-type: none"> o The re-mobilisation of contaminants previously locked up in soft intertidal and subtidal sediments for example by dredging, can affect benthic invertebrates and knot, sanderling, shelduck and redshank which prey on them. o Fresh contamination of intertidal sediments may occur through leaching from historically contaminated land based sites adjacent to the EMS.
Significant effect potential	o Toxicity tests have shown effects on some invertebrates.
Competent authorities & regulatory instruments	<p>Competent Authorities:</p> <ul style="list-style-type: none"> o Local Authorities -lead regulator for Part IIA the Environmental Protection Act 1990–publishes contaminated land inspection strategy, inspects land and manages the clean up of sites. o Environment Agency – Manages the clean up of Special Sites (a sub category of contaminated land) and inspects potential Special Sites. o PD Ports and M&FA Environment Unit for dredging and maritime construction <p>Statutory Advisor:</p> <ul style="list-style-type: none"> o Natural England – designated sites advice under Part IIA for ecological systems. <p>Regulatory instruments:</p> <ul style="list-style-type: none"> o Contaminated Land (England) Regulations 2000 (enacted Part IIA of the Environmental Protection Act 1990) o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/advising organisations	o CEFAS – provision of sediment quality advice to Marine & Fisheries Agency.
Gaps in management	o None
Future management requirements	<ul style="list-style-type: none"> o Assess the implications of any dredging and development proposals on sediment re-suspension, the residence time of contaminated sediment and the bioavailability of toxic contaminants and their ability to damage aquatic life and designated ecological systems. (c.f. Ports and Industry theme). o In depositional areas such as Seal Sands, avoidance of disturbance to sediments and gradual recovery through natural processes is the best course of action. o Ad hoc opportunities may arise to remove contaminated sediment through development schemes. o These are more relevant to the intertidal and subtidal areas than the clean up of contaminated land sites to appropriate standards, following the 'Model Procedure for the Management of Contaminated Land' CLR11, ISBN 1844322955 o Preventing the erosion of contaminated sites and inappropriate release of contaminated leachates
Comments	o Historic fluctuations in sediment contamination levels could also be caused by storm events, which would re-suspend and settle out contaminated sediment.



5.2 Ports and Industry

5.2.1 Dredging

Location	<ul style="list-style-type: none"> o Tees Barrage to the Tees Bay approach channel and approach channel and dock at Hartlepool. o Dredging adjacent to and within the Teesmouth and Cleveland Coast Special Protection Area and Ramsar site.
Interest features and sub-features affected	<ul style="list-style-type: none"> o Sub tidal and intertidal habitat across the estuary o The Tees Estuary bird populations o The seal populations o The fish stocks, particularly the migratory species and the possible loss of spawning grounds
Issues	<ul style="list-style-type: none"> o Turbidity and smothering effects in conjunction with effects of high wave energy due to storms. o Declines in dissolved oxygen in the water column o Intertidal habitat could be structurally undermined by a large scale project o The possible release of pollutants. Any toxic effects of sediment re-suspension must be monitored. o Potential disturbance effects should be monitored to ensure that they are within the limits of existing variation.
Significant Effect Potential	<ul style="list-style-type: none"> o Loss of intertidal habitat o Release of historic contaminants o Alterations to sediment transport processes within the estuary
Current Regulation & Competent Authority	<p>Competent Authorities</p> <ul style="list-style-type: none"> o PD Teesport o Marine & Fisheries Agency <p>Statutory Advisers:</p> <ul style="list-style-type: none"> o Local authorities o Natural England and Environment Agency. <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o Food & Environment Protection Act 1985 o Coast Protection Act 1949 o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Local authorities o Marine & Fisheries Agency o Centre for Environment Fisheries and Aquatic Sciences (CEFAS)
Current Management	<ul style="list-style-type: none"> o PD Ports as competent authority under Coast Protection Act must consult Natural England and the Environment Agency on all consents given under the Act. o Marine & Fisheries Agency – Administer FEPA Licences <p>It should be noted that a Baseline Document regarding maintenance dredging activities within the estuary has been agreed between PD Ports, Natural England and the Environment Agency. This process has been proposed under a protocol between DEFRA and the Ports Industry at national level. The document will be updated annually in consultation with NE and EA.</p>
Gaps in management	<ul style="list-style-type: none"> o None
Possible Management Actions	<ul style="list-style-type: none"> o Capital dredging would be the subject of an appropriate assessment under the Habitats Regulations.
Comments	<ul style="list-style-type: none"> o There is a regulatory framework in place that should provide a reasonable degree of protection for the marine environment. o There is potential for habitat creation with beneficial use of dredged spoil.

5.2.2 Economic Development

Location	o Tees Estuary
Interest features and sub features affected	o SPA bird populations o SPA sub-feature habitats
Issues	o Port-related and other major infrastructure projects and expansion may have impacts upon the interest features of the European Marine Site.
Significant Effect Potential	o The construction of any major development. o The abstraction of river water and the discharge of any effluent from new plant and processes. o The loss of roosting and loafing sites to development.
Current Regulation & Competent Authority	<p>Competent Authorities</p> <ul style="list-style-type: none"> o Local authorities o Department for Transport o Department for Business Enterprise & Regulatory Reform <p>Statutory Advisers</p> <ul style="list-style-type: none"> o Natural England o Environment Agency <p>Regulatory Instruments</p> <ul style="list-style-type: none"> o Town & Country Planning Act 1990 o Electricity Act 1989 o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	o Tees Valley Regeneration o RSPB o Tees Valley Wildlife Trust o INCA
Current Management	o Local Authorities o Relevant Government Departments
Gaps in management	o Early engagement with developers and private landowners
Possible Management Actions	o Aim to engage in early discussion on potential developments to raise awareness and minimise adverse impacts. o Integrate consultation with appropriate agencies. o Incorporate the EMS into appropriate planning documents, strategies and masterplans o Consider a Tees Compensation Strategy
Comments	o The planning regime should provide sufficient protection against adverse impacts from development



5.2.3 Oil Pollution

Location	<ul style="list-style-type: none"> o Tees Estuary and Tees Bay
Interest features and sub features affected	<ul style="list-style-type: none"> o SPA bird populations o SPA sub-feature habitats
Issues	<ul style="list-style-type: none"> o The environmental sensitivity of the SPA given its juxtaposition with the UK's second biggest port and predominant petrochemical interests... o Acute and chronic effects from toxic contamination, physical damage and smothering are key issues.
Significant Effect Potential	<ul style="list-style-type: none"> o Long-term damage to plant and animal communities, loss of inter tidal and sub tidal habitats and damage to or loss of fish nurseries.
Current Regulation & Competent Authority	<p>Competent Authorities</p> <ul style="list-style-type: none"> o Local Authorities o PD Teesport o Maritime and Coastguard Agency o Environment Agency, Local authorities <p>Statutory Advisers</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments</p> <ul style="list-style-type: none"> o The Merchant Shipping (Oil Pollution Preparedness Response Cooperation Convention) Regulations 1998 o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Natural England, DEFRA, Environment Agency, INCA (Industry, Nature Conservation Agency), RSPB, RSPCA and The Tees Valley Wildlife Trust.
Current Management	<ul style="list-style-type: none"> o The Environment plan within the Tees Pollution Response Plan approved by the Maritime and Coastguard Agency deals with the protection of the environment and the reclamation practices in the event of a spillage.
Gaps in management	<ul style="list-style-type: none"> o None
Future management requirements	<ul style="list-style-type: none"> o To maintain under review the Tees Pollution Response Plan and the associated local authority emergency plans.
Comments	<ul style="list-style-type: none"> o The large volume of oil and petroleum products moved through the estuary is a significant hazard to the natural environment



5.2.4 Pollution –Hull coatings and alien species

Location	<ul style="list-style-type: none"> o The Tees estuary, particularly around ship berths
Interest features and sub features affected	<ul style="list-style-type: none"> o SPA bird populations o SPA sub-feature habitats
Issues	<ul style="list-style-type: none"> o TBT – levels at Redcar Ore Terminal have repeatedly exceeded the Environmental Quality Standards set by EA o Copper and TBT can be accumulated by benthic animals and cause impaired growth in mussels, clams and other shellfish. There can be an impact therefore on marine organisms at different developmental stages. These substances may also bio-accumulate in the food chain o Ballast water has the potential to release marine organisms to a non-native environment. Mitten crabs are reported in the Tees, but not at levels to have become a nuisance.
Current Regulation & Competent Authority	<p>Competent Authorities:</p> <ul style="list-style-type: none"> o Marine & Fisheries Agency o PD Teesport, o Environment Agency o International Maritime Organisation (IMO) <p>Statutory Advisers:</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o Food & Environment Protection Act 1985 o Coast Protection Act 1949 o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Local authorities o Centre for Environment Fisheries and Aquatic Sciences (CEFAS)
Current Management	<ul style="list-style-type: none"> o The handling of ballast water is governed by UK legislation and therefore PD Teesport cannot act autonomously in regulatory terms. Forthcoming international legislation should define approved processes and methods. o TBT was banned for new applications by the IMO in 2006. All existing hull coatings were required to be removed by the end of 2008.
Gaps in management	<ul style="list-style-type: none"> o None
Future management requirements	<ul style="list-style-type: none"> o A clear protocol is required for the disposal of sediments with levels of historic contaminants including TBT that preclude them being disposed of at sea. o More specific information is still required from the Environment Agency about copper within the EMS. o Watching for alien species discharged in ballast water o Adopting IMO ballast water management guidance
Comments	<ul style="list-style-type: none"> o Mitten crabs have been identified in the river, but are not thought to be at nuisance levels



5.2.5 Port Waste

Location	o Tees Estuary, Tees Dock and Hartlepool Docks
Interest features and sub features affected	o SPA bird populations o SPA sub-feature habitats
Issues	o Mechanical damage to species and smothering of habitat o Introduction of toxic material into the water column
Significant Effect Potential	o Detrimental to marine life if not regulated
Current Regulation & Competent Authority	<p>Competent Authorities:</p> <ul style="list-style-type: none"> o PD Teesport o Maritime and Coastguard Agency o Environment Agency <p>Statutory Advisers:</p> <p>N/A</p> <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003
Supporting/Advising Organisations	o Natural England o RSPB o Local Authorities
Current Management	o PD Teesport operates a waterborne collection facility for MARPOL Annex V waste (garbage) while adhering to existing pump out arrangements over the jetty for MARPOL Annexes I and II (oily wastes, and Noxious Liquid Substances carried in bulk). Discharge is to a riverside waste transfer station where segregation for recycling and re-use mitigation procedures are in place prior to ultimate disposal.
Gaps in management	o None
Future management requirements	o None required
Comments	o Flexible marine collection system provides incentive not to dump illegally



5.3 Fisheries

5.3.1 Inshore & Intertidal Fisheries

Location	<ul style="list-style-type: none"> o Inshore waters adjacent to the European Marine Site – Hartlepool, South Gare and Redcar
Interest features and sub features affected	<ul style="list-style-type: none"> o intertidal sand and mudflats o Inshore waters. o Intertidal rocky reefs
Issues	<ul style="list-style-type: none"> o Selective removal and extraction of species o Visual and noise disturbance to birds. o High degree of shipping at Hartlepool restricts areas where static fishing is possible. o Lack of littoral substrate as a habitat for crabs and lobster means that industry is stable within EMS. o Salmon at the Tees Barrage have been affected by low fresh water flow rates, low oxygen levels and high water temperatures.
Current Regulation & Competent Authority	<p>Competent Authorities:</p> <ul style="list-style-type: none"> o North Eastern Sea Fisheries Committee o Environment Agency o Natural England <p>Statutory Advisers:</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o Sea fisheries by-laws o Teesmouth National Nature Reserve Byelaws, Nature Conservancy Council for England, 29 April 1997 o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Environment Agency o Natural England o Local Authorities o PD Teesport o Marine & Fisheries Agency
Current Management	<ul style="list-style-type: none"> o North Eastern Sea Fisheries Committee o Natural England
Gaps in Management	<ul style="list-style-type: none"> o No regulation or byelaws restricting the size of periwinkles collected. o Lack of data regarding fish prey species for SPA bird populations
Possible Management Actions	<ul style="list-style-type: none"> o Introduction of relevant byelaws or voluntary agreements.
Comments	<ul style="list-style-type: none"> o Water quality, flows, climate change, predation by seals, the actions of humans (e.g. illegal fishing) all require more understanding. The impact of the proposed offshore wind farm will affect local fisheries and should be monitored, although the armoured turbine bases will provide additional marine habitat. The developer has agreed to supplement the re-stocking programme.



5.3.2 Commercial and Non-Commercial Collection of Bait

Location	<ul style="list-style-type: none"> o Bait digging is widespread at Bran Sands, inside the estuary mouth, and at Coatham, and some at the German Charlies.
Interest features and sub features affected	<ul style="list-style-type: none"> o The waterbird population o Intertidal habitat
Issues	<ul style="list-style-type: none"> o Physical damage – abrasion o Biological disturbance – potential loss of food for birds. o Invertebrate mortalities through mechanical crushing and smothering, desiccation of invertebrates in spoil heaps. o Visual disturbance and noise disturbance affecting feeding and roosting patterns, displacement of birds. o Tyres placed on intertidal sediments may form a physical barrier and also cause smothering. <p>Potential for releasing encapsulated contaminants into the water column</p>
Current Regulation & Competent Authority	<p>Competent Authorities</p> <ul style="list-style-type: none"> o North Eastern Sea Fisheries Committee o Crown Estate Commissioners o PD Teesport o Natural England <p>Statutory Advisers</p> <ul style="list-style-type: none"> o Environment Agency <p>Regulatory Instruments</p> <ul style="list-style-type: none"> o Sea fisheries by-laws o Teesmouth National Nature Reserve Byelaws, Nature Conservancy Council for England, 29 April 1997 o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Tees Valley Wildlife Trust o Boatmen’s and Anglers Association o Marine and Fisheries Agency o Local Authorities o PD Teesport o INCA
Current Management	<ul style="list-style-type: none"> o North Eastern Sea Fisheries Committee o Natural England
Gaps in Management	<ul style="list-style-type: none"> o NESFC has limited byelaw enforcement powers
Future management requirements	<ul style="list-style-type: none"> o Assess the need for regulation through byelaws o Support and assist byelaw making process o Promote good practice
Comments	<p>There is much anecdotal evidence on this subject and a study report from 2002, but a proper assessment of cause and effect can only be established through a continuing structured study of the activity.</p>



5.3.3 Rocky Shore Vegetation Change

Location	<ul style="list-style-type: none"> o Redcar Rocks o Parton Rocks, Hartlepool
Interest features and sub features affected	<ul style="list-style-type: none"> o Proliferation of algal cover on rocky shores resulting from harvesting of algal grazers - periwinkles.
Issues	<ul style="list-style-type: none"> o Stocks of periwinkles could be seriously damaged if periwinkles are harvested below their reproductive size.
Current Regulation & Competent Authority	<p>Competent Authority:</p> <ul style="list-style-type: none"> o North East Sea Fisheries Committee. o Local Authorities <p>Statutory Advisers:</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o None
Current Management	<ul style="list-style-type: none"> o None
Gaps in Management	<ul style="list-style-type: none"> o Predominantly this is an industry that does not fall under any statutory regulation. o Lack of dialogue between conservation bodies and collectors.
Future management requirements	<ul style="list-style-type: none"> o Permanent, seasonal or temporary protected zones o Licences for this activity o Bag limits to be set o Codes of conduct or voluntary agreements.
Comments	<ul style="list-style-type: none"> o Even apparently innocuous small scale operations may collectively affect the site.



5.4 Coastal Development and Defences

5.4.1 Wind Farms and Energy

Location	<ul style="list-style-type: none"> o The coastal zone and land based sites.
Interest features and sub features affected	<ul style="list-style-type: none"> o Coastal waters, rocky shores o Intertidal habitat o Waterbird populations
Issues	<ul style="list-style-type: none"> o Collision risk mortality o Displacement of birds from feeding and roosting areas o Disruption of flight paths o Impacts on offshore prey species o Habitat alteration owing to changes in sediment movement o Loss of seabed habitat o Damage to seabed communities during construction o Long term changes in species composition o Disruption of inter tidal communities
Significant Effect Potential	<ul style="list-style-type: none"> o Disruption and displacement of bird life which is the main EMS feature
Current Regulation & Competent Authority	<p>Competent Authority:</p> <ul style="list-style-type: none"> o Department for Business Enterprise & Regulatory Reform o Crown Estate Commissioners o Marine & Fisheries Agency o Hartlepool BC, Redcar & Cleveland BC and Stockton on Tees BC <p>Statutory Advisers:</p> <ul style="list-style-type: none"> o Natural England o Environment Agency <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o Electricity Act 1989 o Town & Country Planning Act 1990 o Food & Environment Protection Act 1985 o Coast Protection Act 1949 o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Natural England, Environment Agency, CEFAS, MCA, local authorities, NESFC, Department for Transport, PD Teesport, Ministry of Defence, RSPB, INCA, Tees Valley Wildlife Trust, Civil Aviation Authority, RYA, RNLI, English Heritage, Fishermen's Organisations.
Current Management	<p>Onshore wind farms</p> <ul style="list-style-type: none"> o Local authorities in consultation with other statutory agencies. <p>Offshore Windfarms</p> <ul style="list-style-type: none"> o Department for Business Enterprise & Regulatory Reform in consultation with other statutory agencies.
Gaps in management	<ul style="list-style-type: none"> o None
Future management requirements	<ul style="list-style-type: none"> o Monitoring the impact of development and operation. o Collaboration with the operators to minimise adverse impacts
Comments	<ul style="list-style-type: none"> o None



5.4.2 Coastal Defence, Sea Level Rise, Flood Risk Management, and Artificial Reefs

Location	<ul style="list-style-type: none"> o The Tees Estuary
Interest features and sub features affected	<ul style="list-style-type: none"> o Sand and shingle o Inter tidal areas o Rocky shore o Salt marsh
Issues	<ul style="list-style-type: none"> o Disruption of inter tidal communities o Alterations to sediment erosion/deposition patterns o Disturbance – displacement from roosting and feeding areas o Physical habitat loss – loss of feeding and breeding areas o Smothering by artificial structures o Possible deterioration of salt marsh communities along Greatham Creek owing to changes in water quality and salinity gradient. o Coastal squeeze of intertidal habitats due to sea level rise
Significant Effect Potential	<ul style="list-style-type: none"> o Loss of intertidal habitats o Salination of fresh water habitats
Current Regulation & Competent Authority	<p>Competent Authority:</p> <ul style="list-style-type: none"> o Environment Agency o Marine & Fisheries Agency o All Local Authorities o The Environment Agency <p>Statutory Advisors:</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o Shoreline management Plan (non-statutory) o Food & Environment Protection Act 1985 o Town & Country Planning Act 1990 o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o PD Teesport
Current Management	<p>Environment Agency</p> <ul style="list-style-type: none"> o Tees Tidal Flood Risk Management Strategy (draft) o River Tees Catchment Flood Management Plan (draft) <p>Local Resilience Forum</p>
Gaps in Management	<p>Apparent lack of contingency plans</p>
Future management requirements	<p>Monitor, evaluate and review. Conclude the work to publish the reports on tidal flood risk and the Tees catchment flood risk management.</p>
Comments	<p>Coastal Protection is addressed by the Shoreline Management Plan (SMP). An updated SMP was adopted in 2007 (now called SMP2). The SMP is a high level document which generates more in-depth Strategy Studies for short lengths of coast. HBC completed a strategy study for the Britmag to Newburn Bridge stretch of coast in 2006. A Strategy Study for the stretch from Newburn Bridge to Seaton Channel was out to tender as of March 2008. Any potential schemes arising from a Strategy Study are subject to an in-depth Project Appraisal Report (PAR) as a precursor to receiving scheme approval from the funding body.</p>



5.4.3 Major Infrastructure Projects

Location	<ul style="list-style-type: none"> o Tees Estuary and adjoining coastline.
Interest features and sub features affected	<ul style="list-style-type: none"> o Potentially all SPA interest features and sub-features.
Issues	<ul style="list-style-type: none"> o Disturbance o Displacement of birds from roosting and feeding grounds o Physical habitat loss or degradation
Significant Effect Potential	<ul style="list-style-type: none"> o Any major project has the potential for significant effects in both the construction and operational phases.
Current Regulation & Competent Authority	<p>Competent Authority:</p> <ul style="list-style-type: none"> o Numerous Competent Authorities dependant upon the nature of development. <p>Statutory Advisors:</p> <ul style="list-style-type: none"> o The Environment Agency o Natural England <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o Town and Country Planning Act 1990 o The Environmental Assessment of Plans and Programmes Regulations 2004 o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Statutory consultees o Voluntary organisations concerned with the environment
Current Management	<ul style="list-style-type: none"> o Dependant upon the nature of development
Gaps in Management	<ul style="list-style-type: none"> o Major projects often involve numerous competent/relevant authorities some of which are not located within the region. Communication between these authorities is often not as effective or coordinated as it might be.
Future management requirements	<ul style="list-style-type: none"> o Make a positive response during consultations on spatial/development plan policies. o Provide information on role and importance of EMS and implications of designation on spatial planning o Publicise EMS among developers and infrastructure providers o Provide comprehensive information to enable local planning authorities to consider implications of development proposals on the EMS
Comments	<ul style="list-style-type: none"> o Recognition of the implications of the European Marine Site and its management scheme within the new development plan system i.e. Regional Spatial Strategy and Local Development Frameworks, to ensure that potential impacts on the EMS are considered as early as possible in the development process i.e. before planning applications are made. o Cass Associates prepared a draft final report on Foreshore Strategy for Hartlepool Borough Council in June 2005. The implications for the Foreshore strategy are said to be “really quite simple”. It should follow the approach established at all levels of planning policy, which is to protect and conserve areas designated for their nature conservation value and other undeveloped areas. Activities and development are only promoted where they will not have an adverse impact on nature conservation objectives. o A positive contribution is often made to sustainability and habitat enhancement.

5.4.4 Sea Coaling

Location	<ul style="list-style-type: none"> o North Sands at Hartlepool o Seaton Sands o North Gare Sands
Interest features and sub features affected	<ul style="list-style-type: none"> o Birds of the SPA o Sandflats o Coastal waters
Issues	<ul style="list-style-type: none"> o Direct destruction of seabird nests o Disturbance of feeding and loafing waterbirds
Significant Effect Potential	<ul style="list-style-type: none"> o Destruction of nests and resting sites o Disturbance of birds while feeding and loafing
Current Regulation & Competent Authority	<p>Competent Authority:</p> <ul style="list-style-type: none"> o Hartlepool Borough Council <p>Statutory Advisors:</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o None
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Natural England
Current Management	<ul style="list-style-type: none"> o The restriction of access to parts of the beach. o Monitoring of activity on the accessible parts of the beach
Gaps in management	<ul style="list-style-type: none"> o None
Possible Management Actions	<ul style="list-style-type: none"> o To maintain under review the beach access restrictions and any sea coaling activity. It was undertaken by only one merchant in 2007
Comments	<ul style="list-style-type: none"> o Although the activity has had a detrimental impact on waterbirds in the past the scale of the activity had reduced at the end of 2006, such that further controls were not thought necessary.



6. Nature Conservation and Recreation

6.1 Litter

Location	<ul style="list-style-type: none"> o The Tees estuary and Tees Bay
Interest features and sub features affected	<ul style="list-style-type: none"> o Intertidal sand and mudflats, coastal waters, rocky shores, saltmarsh
Issues	<ul style="list-style-type: none"> o Entanglement of animals can result in injury, starvation, death or drowning. o Ingestion (of plastics in particular) can result in damage to the digestive tract, blockage of the passage of food, false sense of satiation and ingestion of contaminated debris o Toxicity: polyethylene, polypropylene, and leaching of polychlorinated biphenyls and heavy metals. Effects may be lowered reproductive ability or effects on immune system rendering individuals prone to infection or disease. o Mechanical beach cleaning may result in removal of organic matter, which can contribute to beach instability. Mechanical beach cleaning may negatively affect diversity and the abundance of animals living in the beach or at the strand line.
Significant Effect Potential	<ul style="list-style-type: none"> o Injury to waterbirds and in extreme cases a reduction in their food supply
Current Regulation & Competent Authority	<p>Competent Authority:</p> <ul style="list-style-type: none"> o Hartlepool BC, Redcar & Cleveland BC and PD Teesport o The Environment Agency <p>Statutory Advisors:</p> <ul style="list-style-type: none"> o None <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o Clean Neighbourhoods and Environment Act 2005
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Natural England o EnCams
Current Management	<ul style="list-style-type: none"> o The collection of litter. o Enforcement of legislation on littering. o Seasonal beach cleaning on some recreational beaches o Education and awareness campaigns
Gaps in management	<ul style="list-style-type: none"> o None
Future management requirements	<ul style="list-style-type: none"> o Quantify the scale of the problem and any hot spots o Evaluate the current enforcement arrangements, de-littering activities and anti-litter strategies o Explore the possibility of new community initiatives for reducing marine/coastal littering o Organise a beach watch survey and co-ordinate local volunteers to participate in surveys and litter collections within the EMS.
Comments	<ul style="list-style-type: none"> o Some of the litter arrives in the EMS as a result of the long-range transportation of jetsam. Strategies for litter control therefore require an element of both cleansing and prevention of local littering.

6.2 Education

Location	<ul style="list-style-type: none"> o North Gare, South Gare, Seal Sands hides, Seaton Sands, Greatham Creek. Universities and Redcar Rocks.
Interest features and sub features affected	<ul style="list-style-type: none"> o North Gare, Seal Sands, Greatham Creek, Dunes, rock pools.
Issues	<ul style="list-style-type: none"> o There is a small risk of damage to the EMS through noise and visual disturbance, trampling and collecting of specimens.
Significant Effect Potential	<ul style="list-style-type: none"> o Thought to be none at this time?
Current Regulation & Competent Authority	<p>Competent Authority:</p> <ul style="list-style-type: none"> o Hartlepool BC, Redcar & Cleveland Council and Stockton on Tees BC <p>Statutory Advisors:</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments:</p> <ul style="list-style-type: none"> o The Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000. o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o PD Teesport o English Heritage o Natural England
Current Management	<ul style="list-style-type: none"> o The Teesmouth Field Centre
Gaps in management	<ul style="list-style-type: none"> o None
Future management requirements	<ul style="list-style-type: none"> o The field centre will continue to keep its educational materials and briefing up to date in order to minimise any detrimental impact on the EMS. o Education visits should be used to highlight the sensitivity of SPA birds and habitats to noise and visual disturbance despite the industrial setting of the estuary and to promote the management scheme. o Regular review of risk to the EMS by the relevant education organisation.
Comments	<ul style="list-style-type: none"> o The potential damage to the EMS interest features has to be balanced against the value of education in helping to protect the EMS.



6.3 Diving

Location	<ul style="list-style-type: none"> o Tees Bay o Hartlepool Headland o Redcar
Interest features and sub features affected	<ul style="list-style-type: none"> o Waterbirds o Benthic species
Issues	<ul style="list-style-type: none"> o Use of noisy and powerful dive boats to access the dive sites near shore or offshore which may give rise to disturbance of SPA bird species feeding in near shore waters.
Significant Effect Potential	<ul style="list-style-type: none"> o Level of boat use must be viewed in context of other boat traffic.
Current Regulation & Competent Authority	<ul style="list-style-type: none"> o PD Teesport in harbour areas only o Local Authorities (launching only)
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Natural England o The Health and Safety Executive
Current Management	<p>Competent Authority</p> <ul style="list-style-type: none"> o Health and Safety Executive for diving at work <p>Statutory Advisor</p> <ul style="list-style-type: none"> o Health and Safety Executive for recreational diving <p>Statutory Instruments</p> <ul style="list-style-type: none"> o Diving at Work Regulations 1997 o Conservation (Natural Habitats, &c.) Regulations 1994
Gaps in Management	<ul style="list-style-type: none"> o Little known regarding levels of boat related disturbance
Future management requirements	<ul style="list-style-type: none"> o Voluntary monitoring of the removal of crustaceans by divers over one year to establish overall scale of take. o Monitoring of details of logged trips to Tees Bay to establish diver pressure at different sites.
Comments	<ul style="list-style-type: none"> o None

6.4 Illegal Wildfowling

Location	o Licensed wildfowling activity does not occur within the EMS.
Interest features and sub features affected	o Waterbirds
Issues	o Illegal shooting
Significant Effect Potential	o Mortality, particularly of Schedule 1 birds
Current Regulation & Competent Authority	<p>Competent Authority</p> <ul style="list-style-type: none"> o The Police o Natural England <p>Statutory Advisors</p> <ul style="list-style-type: none"> o None <p>Regulatory Instruments</p> <ul style="list-style-type: none"> o Section 28f Wildlife and Countryside Act 1981 as incorporated into Countryside and Rights of Way Act 2000. o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Crown Estate Commissioners o RSPB
Current Management	o Periodic reports by members of the public and voluntary organisations.
Gaps in management	o None
Possible Management Actions	o Watching brief on number of incidents by liaising with local Police officers
Comments	o None



6.5 Sea Angling

Location	<ul style="list-style-type: none"> o South Gare o Redcar o Coastal Waters o Hartlepool Headland
Interest features and sub features affected	<ul style="list-style-type: none"> o Wading birds
Issues	<ul style="list-style-type: none"> o Potential disturbance to feeding and loafing birds
Significant Effect Potential	<ul style="list-style-type: none"> o Not expected
Current Regulation & Competent Authority	<p>Competent Authority</p> <ul style="list-style-type: none"> o None <p>Statutory Advisor</p> <ul style="list-style-type: none"> o N/A <p>Statutory Instruments</p> <ul style="list-style-type: none"> o None
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Angling clubs o National angling organisations
Current Management	<ul style="list-style-type: none"> o No regulation of angling activity itself o Regulation on commercial angling vessels via MCA licensing
Gaps in Management	<ul style="list-style-type: none"> o No requirement to record catches. o Raise awareness of the EMS with anglers
Future management requirements	<ul style="list-style-type: none"> o Establish level of activity more accurately o Initiate a leaflet campaign if issue is considered problematic
Comments	<ul style="list-style-type: none"> o None



6.6 Bird Watching and Ringing

Location	<ul style="list-style-type: none"> o Redcar – coast and estuary o Hartlepool – Headland o Crimdon
Interest features and sub features affected	<ul style="list-style-type: none"> o Sea and shingle, inter tidal sand flat and mud flat, coastal waters, rocky shores and saltmarsh o Waterbirds
Issues	<ul style="list-style-type: none"> o Disturbance, although thought to be negligible.
Significant Effect Potential	<ul style="list-style-type: none"> o Not expected
Current Regulation & Competent Authority	<p>Competent Authorities</p> <ul style="list-style-type: none"> o Easington DC, Hartlepool BC, Redcar & Cleveland BC and Stockton on Tees BC o Police o Natural England <p>Statutory Advisors</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments</p> <ul style="list-style-type: none"> o Part 1 of the Wildlife and Countryside Act 1981 as amended and incorporated into the Countryside and Rights of Way Act 2000
Supporting/Advising Organisations	<ul style="list-style-type: none"> o RSPB o Tees Valley Wildlife Trust o Teesmouth Bird Club o INCA
Current Management	<ul style="list-style-type: none"> o Seasonal warden employed to protect the little tern colony at Crimdon o Fences and signs at South Gare, Seaton Sands and Crimdon to protect nesting birds.
Gaps in management	<ul style="list-style-type: none"> o None
Future management requirements	<ul style="list-style-type: none"> o Continue co-ordination of little tern wardening. o Improve, update and increase interpretative signing. o Collaborate with the Teesmouth Bird Club to regulate behaviour and identify any need for action.
Comments	<ul style="list-style-type: none"> o The Act of 2000 increases the protection given to schedule 1 species. Severe penalties may now be imposed for the disturbance of a schedule 1 species at a breeding site.



6.7 Equestrian Activities

Location	<ul style="list-style-type: none"> o Beaches at Redcar, Crimdon and Seaton
Interest features and sub features affected	<ul style="list-style-type: none"> o Sea and shingle, inter tidal sand flat and, coastal waters. o Wading birds o Ground nesting birds
Issues	<ul style="list-style-type: none"> o Disturbance to birds and loss of feeding areas and roosting sites.
Significant Effect Potential	<ul style="list-style-type: none"> o The degree of disturbance remains unquantified and therefore the potential effect is unknown.
Current Regulation & Competent Authority	<p>Competent Authority</p> <ul style="list-style-type: none"> o Easington DC, Hartlepool BC and Redcar & Cleveland BC o Natural England <p>Statutory Advisors</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments</p> <ul style="list-style-type: none"> o Section 28E of Wildlife and Countryside Act 1981 as amended to incorporate the Countryside and Rights of Way Act 2000.
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Natural England o PD Teesport
Current Management	<ul style="list-style-type: none"> o Fences and warning signs at Crimdon, Seaton Dunes and South Gare to protect breeding birds o Byelaws in Hartlepool permitting use of Seaton Sands so long as no threat or problem posed for other beach users o Redcar and Cleveland Borough Council byelaws prohibit breaking in and racing of horses on beach. o Horses not permitted on beaches in the Borough of Easington.
Gaps in Management	<ul style="list-style-type: none"> o Minimal enforcement of existing legislation. o Insufficient and poor signage. o Lack of awareness among beach users
Future management requirements	<ul style="list-style-type: none"> o Quantify the activity and the potential for damage o Identify options to address any problems identified o Improved signage and interpretation o Completion of a beach management plan which will require assessment under the Habitats Regulations
Comments	<ul style="list-style-type: none"> o A beach management plan is under production in by RCBC in relation to Coatham Sands

6.8 Off Road Vehicles

Location	<p>Five identifiable sites within the EMS</p> <ul style="list-style-type: none"> o Crimdon o North Sands o Seaton Sands o North Gare o Redcar – South Gare/Coatham Sands
Interest features and sub features affected	<ul style="list-style-type: none"> o Sea, shingle, and inter-tidal areas o Wading birds o Ground nesting birds
Issues	<ul style="list-style-type: none"> o Difficulty in regulating activity
Significant Effect Potential	<ul style="list-style-type: none"> o Disturbance, trampling, crushing, 'physical erosion' of dune vegetation
Current Regulation & Competent Authority	<p>Competent Authority</p> <ul style="list-style-type: none"> o Police o Local Authorities <p>Statutory Advisors</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments</p> <ul style="list-style-type: none"> o Section 28E of the Wildlife and Countryside Act 1981 as amended to incorporate Countryside and Rights of Way Act 2000 o Byelaws in place for reckless use of a vehicle at Hartlepool. o Road Traffic Act 1991 o Police Reform Act 2002
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Local authorities
Current Management	<ul style="list-style-type: none"> o Hartlepool Borough Council started a strategy to raise awareness of these problems and to develop good practice. o More complicated at South Gare/Coatham, owing to multiple land ownership and nature of access via public and private roads. Partnership between police, local authority, PD Teesport, tenants.
Gaps in Management	<ul style="list-style-type: none"> o Lack of enforcement coupled with lack of awareness among offenders.
Future management requirements	<ul style="list-style-type: none"> o Quantify the problems and the patterns of activity. o Develop an inter agency strategy to address problems. o Completion of a beach management plan which will require assessment under the Habitats Regulations.
Comments	<ul style="list-style-type: none"> o Police can issue fixed penalty notice for off-roading without the landowner's consent. o A beach management plan is under production by RCBC in relation to Coatham Sands



6.9 Wind/Kite Surfing – Water based

Location	<ul style="list-style-type: none"> o Sections along the coastal strip from Crimdon to Coatham o Bran Sands o North Gare Sands
Interest features and sub features affected	<ul style="list-style-type: none"> o Intertidal sediment habitat o Feeding and resting birds
Issues	<ul style="list-style-type: none"> o No formal regulation.
Significant Effect Potential	<ul style="list-style-type: none"> o Disturbance to birds feeding in coastal waters and displacement from feeding areas and roosting sites.
Current Regulation & Competent Authority	<p>Competent Authority</p> <ul style="list-style-type: none"> o Local Authorities (Redcar & Cleveland, Hartlepool) o Natural England <p>Statutory Advisors</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments</p> <ul style="list-style-type: none"> o The Wildlife and Countryside Act 1981 as amended to incorporate the Countryside and Rights of Way Act 2000 (is this legislation relevant to this activity) [MQ8] o Conservation (Natural Habitats, &c.) Regulations 1994
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Royal Yachting Association
Current Management	<ul style="list-style-type: none"> o Lifeguards may offer advice when on duty
Gaps in Management	<ul style="list-style-type: none"> o No figures are kept on levels of activity.
Future management requirements	<ul style="list-style-type: none"> o Assess the scale of activity and the potential impact o Completion of a beach management plan which will require assessment under the Habitats Regulations
Comments	<ul style="list-style-type: none"> o No research is known which is specific to bird disturbance caused by power kite activities. o Cass Associates prepared a draft final report on Foreshore Strategy for Hartlepool Borough Council in June 2005. Their research identified a perceived need for more activities on the foreshore such as water skiing and windsurfing. This emerged from extensive stakeholder consultation. o A beach management strategy is under production by R&CBC in relation to Coatham Sands

6.10 Sand Yachting/Kite Flying

Location	<ul style="list-style-type: none"> o Mainly in the summer months above the high tide mark near the Majuba Road Car Park at Redcar (between the South Gare and Majuba Road) where there is firm inter tidal sand with long beaches. o North Gare Sands
Interest features and sub features affected	<ul style="list-style-type: none"> o Wading birds o Sand and shingle, inter tidal sand flat and mud flat, coastal waters, rocky shores
Issues	<ul style="list-style-type: none"> o Lack of regulation.
Significant Effect Potential	<ul style="list-style-type: none"> o Visual disturbance and noise disturbance o Impact of traditional kite flying thought to be minimal to ground nesting birds. o Impacts on strand line feeding or resting waders from buggying and karting are more evident, extensive and prolonged. Disturbance keeping birds airborne and on the move
Current Regulation & Competent Authority	<p>Competent Authority</p> <ul style="list-style-type: none"> o Redcar & Cleveland BC. o The Police <p>Statutory Advisors</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments</p> <ul style="list-style-type: none"> o None
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Natural England
Current Management	<ul style="list-style-type: none"> o Land yachts are not permitted within R&CBC o Boarding and buggying are currently unregulated activities with no licensing requirements, but there is a specific risk assessment for Coatham beach where activities are undertaken in accordance with the national code of practice.
Gaps in Management	<ul style="list-style-type: none"> o Lack of knowledge of scale of activity
Future management requirements	<ul style="list-style-type: none"> o Quantifying the activity and quantifying the impact o Completion of a beach management plan which will require assessment under the Habitats Regulations
Comments	<ul style="list-style-type: none"> o A beach management strategy is under production by R&CBC in relation to Coatham Sands



6.11 Dog Walking

Location	<ul style="list-style-type: none"> o Beaches
Interest features and sub features affected	<ul style="list-style-type: none"> o Wading birds o Sand and shingle, inter tidal sand flat and mud flat,
Issues	<ul style="list-style-type: none"> o Byelaws are predominantly concerned with dog fouling, not protection of the marine environment
Significant Effect Potential	<ul style="list-style-type: none"> o Disturbance to nesting, feeding and roosting birds particularly in the winter period o Disturbance to roosting flocks of terns at North Gare Sands in late summer
Current Regulation & Competent Authority	<p>Competent Authority</p> <ul style="list-style-type: none"> o Hartlepool BC and Redcar & Cleveland BC o Natural England <p>Statutory Advisors</p> <ul style="list-style-type: none"> o Natural England <p>Regulatory Instruments</p> <ul style="list-style-type: none"> o Countryside & Rights of Way Act 2000
Supporting/Advising Organisations	<ul style="list-style-type: none"> o Natural England
Current Management	<ul style="list-style-type: none"> o Countryside & Rights of Way Act 2000 disturbance of nesting birds is an offence o Byelaws are in force on some beaches to protect public health.
Gaps in Management	<ul style="list-style-type: none"> o Enforcement is inadequate
Possible Management Actions	<ul style="list-style-type: none"> o Awareness raising initiatives by local authorities o Quantifying the degree of disturbance
Comments	<ul style="list-style-type: none"> o Cass associates prepared a draft final report on Foreshore Strategy for Hartlepool Borough Council in June 2005. A recommendation was to improve dog ban signage. o Public health byelaws do not cover the winter period when disturbance of birds is a more serious problem

Action Plan for the Tees Estuary European marine site

7.1 Introduction

Sections five and six identify relevant activities that take place on the Tees, detailing the management that already exists, or the action required to maintain the high conservation value of the estuary. These actions will be applied by the Relevant Authorities, either working alone, or in partnership with each other to ensure the site is maintained in favourable condition. The vehicle for this will be a Management Plan compiled by the partners and reviewed on a regular basis.

7.2 Internal and External Factors

Prior to the development of management actions for the activities categorised in section five and six, an assessment of the 'internal natural and external factors' was undertaken. This recognises that natural processes can have an effect on the habitats and species of the site.

Internal Natural Factors –

Natural processes also affect the interest features and therefore must be taken into account when prescribing management measures.

E.g. Deposition of silt and sand on saltmarshes, as part of the natural accretion process, can affect the growth and availability of saltmarsh grasses to stock and waterfowl with the subsequent loss of feeding areas and nursery areas.

External Factors –

Activities outside the boundary of the site may also affect interest features and therefore need to be taken into account in site management.

E.g. Pollutant inputs, construction activities, water quality, barriers to fish migration and over fishing.

7.3 Future Management

The rationale for future management is first to examine any gaps between the current practices for an activity and those needed to reduce adverse factors. The appropriate management option depends on the effect of the activity on the habitats and species of the site. Future management options range from the surveillance of natural processes and monitoring existing activities, to the implementation of new management measures, including the development of Codes of Conduct for some activities.

The proposed management actions reflect the measures required to ensure that the interest features remain in favourable condition. An action plan will be compiled, reviewed annually and revised as conditions change and the management measures yield results. Further changes to the action plan will also be required, as new information from surveillance, monitoring and research becomes available.

7.4 Relevant Authorities Management

Each of the competent authorities needs to consider how it will implement its own actions under the management scheme. In many cases, a single Relevant Authority in accordance with the scheme will undertake the management actions. These actions remain an essential part of the Scheme, which will be subject to regular review, incorporating new information as it becomes available from surveillance, monitoring and research.

8. Reporting and Review Programmes

8.1 Introduction

This section sets out the programme of reporting and review to be undertaken by the Relevant Authorities to monitor the implementation and success of the Action Plan.

8.2 Monitoring

8.2.1 Condition Monitoring

Monitoring the condition of the habitats and species for which the site has been designated is primarily the responsibility of Natural England. It will be undertaken against the conservation objectives and supporting favourable condition table as set out in the Regulation 33 advice. Where other Relevant Authorities can contribute to condition monitoring, Natural England will seek to build this into the condition-monitoring programme for the site.

Interest Feature or sub-features.	Attribute	Measure	Target
Mudflats and sandflats not covered by seawater at low tide	Extent	Area (ha) of intertidal flats, measured periodically during the reporting cycle (frequency to be determined).	No decrease in extent from an established baseline, subject to natural change.
	Topography	Tidal elevation and shore slope, measured periodically during the reporting cycle (frequency to be determined).	Shore profile should not deviate significantly from an established baseline, subject to natural change.

Extract from Favourable Condition monitoring table

(See the Regulation 33 Advice at for the full tables)

The condition-monitoring scheme is required because:

- We need to determine the condition of the interest features.
- We do not have a thorough understanding of all the activities affecting the site, and it may be that the effects of certain activities take some time to manifest themselves.
- The overall site may be in favourable condition; however, specific features within the site may need attention.
- Favourable condition at the time of designation does not necessarily imply that the site will still be in favourable condition in the future.

An essential step in developing the management scheme will be the evaluation of the effect of existing regulatory systems, voluntary agreements and unregulated patterns of use against the conservation objectives. If a gap in management is identified then the management scheme will seek to fill it.

8.2.2 Compliance monitoring

The competent authorities are responsible for monitoring the activities under their remit and the Action Plan at identifies existing and new management measures designed to ensure that the Tees Estuary European marine site is maintained in favourable condition. The Relevant Authorities have set out against each of these measures the mechanisms by which they will ensure that the measures are put in place and are effective.

8.3 Review of Management

The scheme will be reviewed annually to ensure the management measures are sufficient to maintain the site in favourable condition and to monitor Implementation of the Action Plan.

An annual report will be produced on the implementation of existing management measures, developments on new actions identified by the scheme and the work of the Management Group. Changes in Natural England's Regulation 33 advice and information from the condition monitoring will also be used to assess the effectiveness of the scheme and prioritise where management measures should be focussed in the following year.

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Glossary

Annex I birds	Bird species listed in Annex 1 of the Birds Directive. These are in danger of extinction, are rare, or are considered vulnerable within the European Union. Those that regularly occur at levels over 1% of the national population meet the SPA qualifying criteria.
Annex II species	A species listed in Annex II of the Habitats Directive for which Special Areas of Conservation can be selected.
Attribute	A characteristic of a habitat, biotope, community or population of a species, which most economically provides an indication of the condition of the interest features to which it applies. For species, these may include measures of population size, structure, habitat requirements and distribution. For habitats, attributes may include measures of area covered, composition and structure and supporting processes such as ecosystem structure, tidal streams, salinity, sediment accretion/erosion, water quality, and the presence of typical species.
Biodiversity	Biological diversity – the total variety of life on earth. This includes diversity within species, between species and of ecosystems.
Birds Directive	The abbreviated term for Council Directive 79/409/EEC of 2 April 1979 on the Conservation of Wild Birds. This Directive aims to protect bird species within the EU through the conservation of populations of certain birds and the habitats used by these species.
Coastal Habitat Management Plans	These balance habitat losses and gains that are likely to occur in response to 'coastal squeeze'.
Coastal Squeeze	Process by which natural coastal habitats are 'squeezed' by rising sea levels and the installation/maintenance of sea defences.
Competent Authority	Any Minister, government department, public or statutory undertaker, public body or person holding a public office that exercises statutory powers.
Conservation objective	A statement of the nature conservation aspirations for the features of interest on a site, expressed in terms of the favourable condition that the species and/or habitats for which the site has been selected should attain. Conservation objectives for European marine sites relate to the aims of the Habitats and Birds Directives.
Country agencies/the statutory national nature conservation bodies:	The statutory national nature conservation bodies: the Countryside Council for Wales, Natural England, Scottish Natural Heritage and their Joint Nature Conservation Committee and the Environment & Heritage Service, (an agency within the Department of the Environment (Northern Ireland)).
European Marine Site	A European site (SAC or SPA) which consists of, or so far as it consists of, marine areas.
Favourable condition	The target condition for an interest feature in terms of abundance, distribution and/or quality of that feature within a site. A measure of the contribution that the site makes to the favourable conservation status of the feature. Interest features may be considered to be in favourable condition; unfavourable-recovering; unfavourable-no change; or unfavourable-declining.

Favourable conservation status	A range of conditions for a natural habitat or species at which the sum of the influences acting upon that habitat or species are not adversely affecting its distribution, abundance, structure or function throughout the EU in the long term. The condition in which the habitat or species is capable of sustaining itself on a long-term basis.
Habitats Directive	The abbreviated term for Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora. It is the aim of this Directive to promote the conservation of certain habitats and species within the EU.
Interest feature	A natural or semi-natural feature for which a European site has been selected. This includes any Habitats Directive Annex I habitat and any Annex II species and any population of a bird species for which an SPA has been designated under the Birds Directive.
Isostatic rebound	Upward movement of the Earth's crust following sinking due to isostatic depression during glaciations.
Management Scheme	The framework established by the Relevant Authorities for a European marine site under which their functions are exercised to secure, in relation to that site, compliance with the requirements of the Habitats Directive.
Monitoring	Surveillance undertaken to ensure that formulated standards are being maintained. The term is also applied to compliance monitoring against accepted standards to ensure that agreed or required measures are being followed.
Natura 2000 Network	The European network of protected sites established under the Birds Directive and the Habitats Directive.
Operations which may cause deterioration or disturbance	Any activity or operation taking place within, adjacent to, or remote from a European Marine Site that has the potential to cause deterioration to the natural habitats for which the site was designated or disturbance to the species and their habitats for which the site was designated.
Plans and projects	Any proposed development that a Competent Authority has a statutory function to decide on applications for consents, authorisations, licences or permissions.
Precautionary principle	The assumption that where there are real threats of serious damage to the environment, lack of full scientific information should not be used as a justification for postponing measures to prevent such damage occurring. It does not however imply that the suggested cause of such damage must be eradicated unless proved to be harmless and it cannot be used as a licence to invent hypothetical consequences. Moreover, it is important, when considering whether the information available is sufficient, to take account of the associated balance of likely costs, including environmental costs, and benefits." (DETR & Welsh Office, 1998).
Relevant authority	The specific Competent Authority that has powers or functions which have, or could have, an impact on the marine environment within, or adjacent to, a European marine site.
Special Area of Conservation (SAC)	A site designated under the Habitats Directive by the Member States where appropriate steps are taken to protect the habitats for which the site is designated.
Shoreline Management Plans	Provide for a strategic and coordinated approach to the management of coastal defences.
Special Protection Area (SPA)	A site designated under the Birds Directive by the Member States where appropriate steps are taken to protect the bird species for which the site is designated.

Abbreviations and Acronyms

AA	Appropriate Assessment
BAP	Biodiversity Action Plan
BC	Borough Council
BW	British Waterways
CA	Competent Authority
CEFAS	Centre for Environment, Fisheries and Aquaculture Science
DEFRA	Department of Environment, Food and Rural Affairs
EA	Environment Agency
EC	European Commission
EH	English Heritage
EIA	Environment Impact Assessment
EU	European Union
FEPA	Food and Environmental Protection Act 1985
INCA	Industry Nature Conservation Association
IPC	Integrated Pollution Control
IPPC	Integrated Pollution Prevention and Control
JNCC	Joint Nature Conservation Committee
LA	Local Authority
LBAP	Local Biodiversity Action Plan
LPA	Local Planning Authority
MCA	Maritime and Coastguard Agency
M&FA	Marine and Fisheries Agency
NE	Natural England
NESFC	North East Sea Fisheries Committee
NFSA	National Federation of Sea Anglers
RA	Relevant Authority
RSPB	Royal Society for the Protection of Birds
SMP	Shoreline Management Plan
SPA	Special Protection Area
Spp.	Species
WeBS	Wetland Bird Surveys

Appendix 1

The Teesmouth and Cleveland Coast Special Protection Area



Appendix 2

Location of Sub-Features within the European Morine Site



Notes:



