

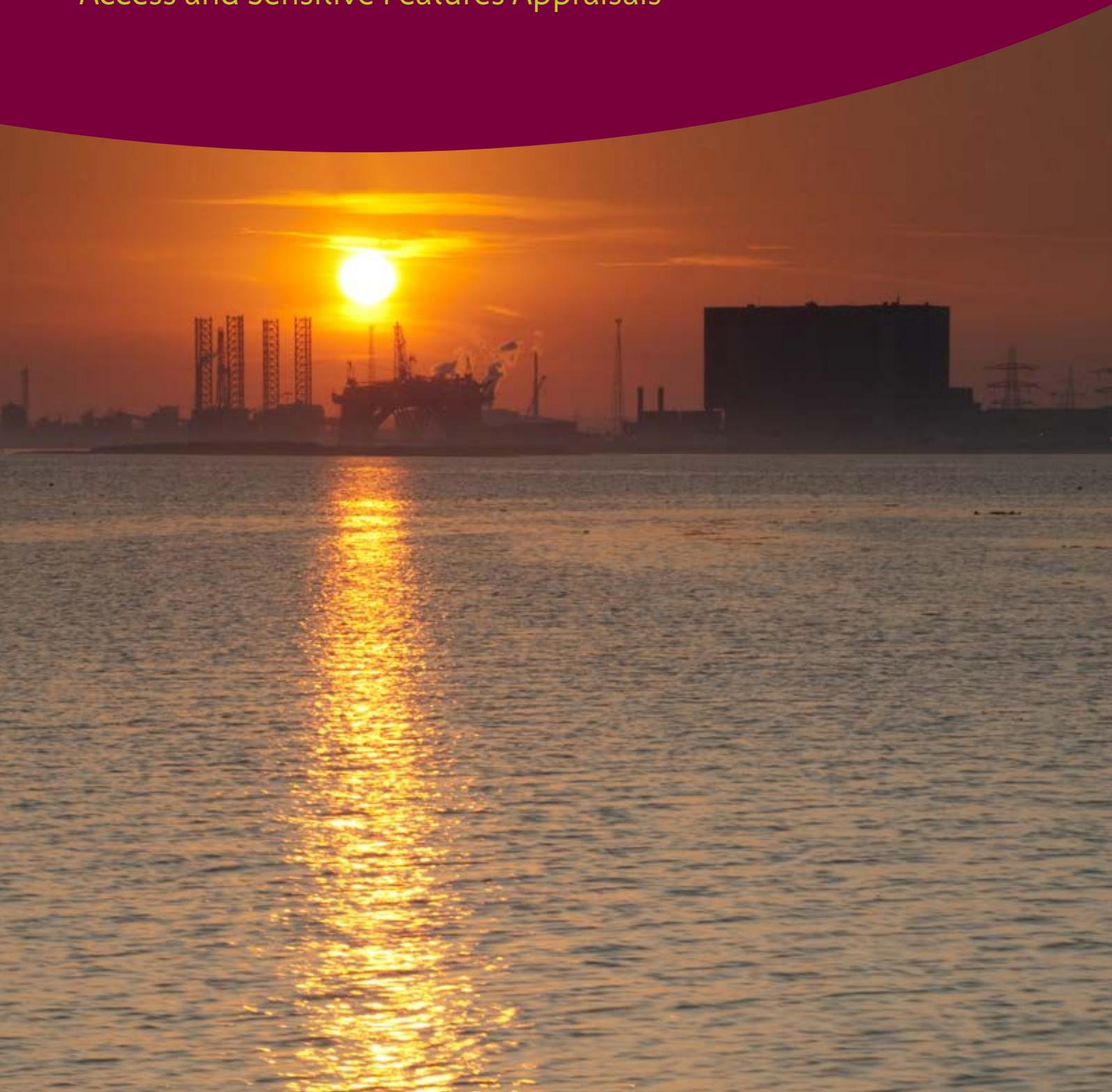
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NATURAL  
ENGLAND

Coastal Access

# Newport Bridge to North Gare

Access and Sensitive Features Appraisals



# Access and Sensitive Features Appraisal

Programme	Coastal Access
Proposal title	Newport Bridge to North Gare
Aim and location	Appraisal of access proposals for; <ol style="list-style-type: none"><li>1. <b>Teesmouth &amp; Cleveland Coast Ramsar</b></li><li>2. <b>Teesmouth &amp; Cleveland Coast SPA</b></li><li>3. <b>Seal Sands SSSI</b></li><li>4. <b>Seaton Dunes and Common SSSI</b></li><li>5. <b>Tees &amp; Hartlepool Foreshore and Wetlands SSSI</b></li></ol>
Report Status	Final
Date	4th March 2016
TRIM reference	Coastal Access - North East Team - Filey to North Gare - Stage 03
Access Case Officer	Jim Milner
Site Responsible Officer	Tom Charman

## Section 1: SITE MAP(S) AND OVERVIEW OF NEW ACCESS PROPOSAL/ CONSIDERATION

### Map

See below

See overview Map D Newport Bridge to North Gare Restriction's and Exclusions

### Proposed new access provisions

The coastal access project team ("the project team") proposes the new access provisions described below. The proposals have 5 components of which the first 3 are subject to Secretary of State approval:

- a long-distance walking route to form part of the England Coast Path;
- a coastal margin;
- direction(s) to exclude or restrict access (see overview report and Map D, and Chapter 1 of the report);
- physical barriers to discourage access to land adjoining the route / coastal margin in certain places;
- screening to mitigate the risk of disturbance to bird populations that use the protect sites in this area;

#### 1. Route proposal (England Coast Path)

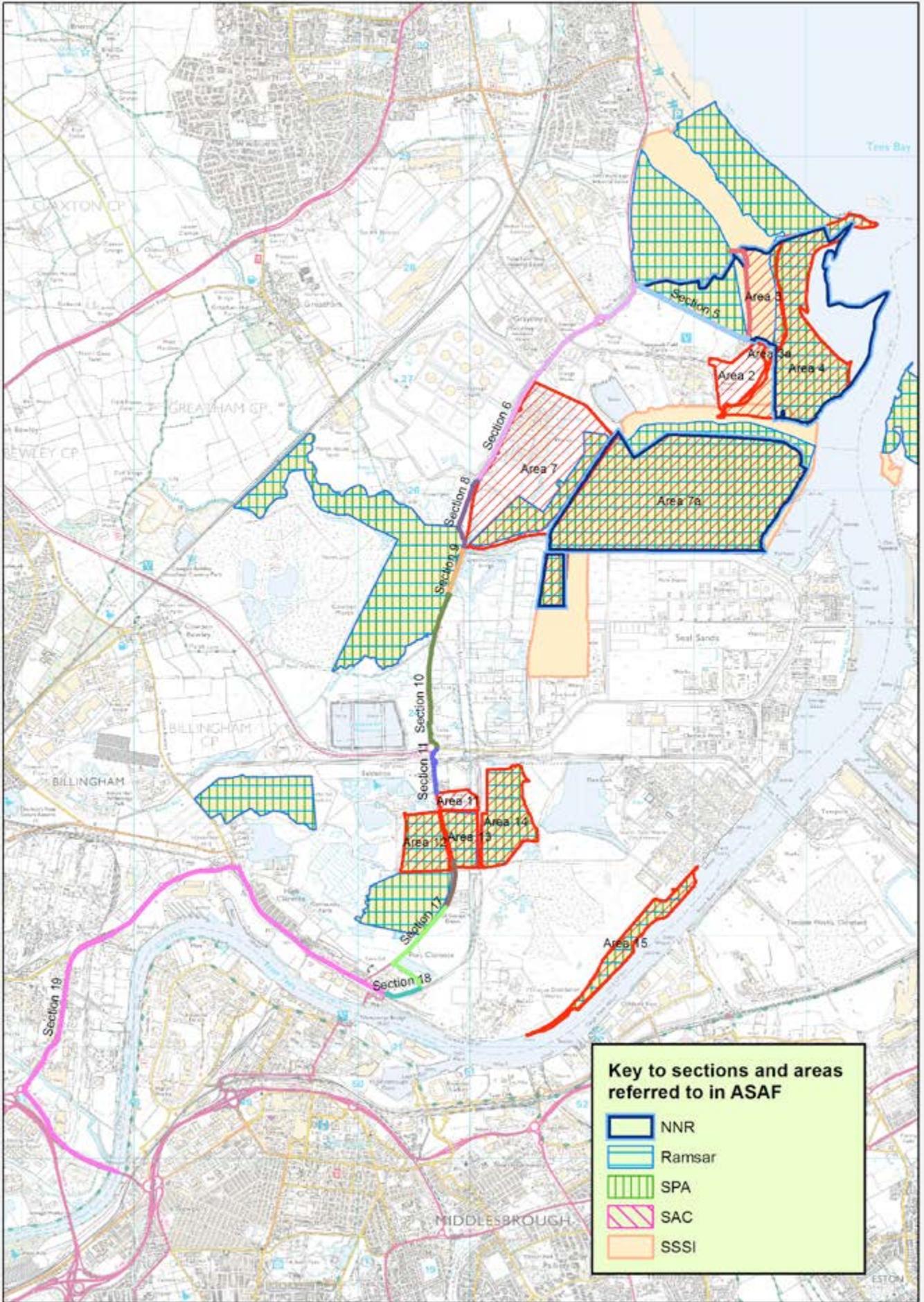
The project team proposes that the centre of the line shown in blue on report maps should be the England Coast Path for this length of coast.

#### 2. Coastal Margin

Under the legislation the following land would become part of the coastal margin by default as a consequence of the route proposal:

- land within 2 metres of the route to either side; and
- all other land seaward of the route as far as the furthest extremity of the foreshore (mean low water on the seaward side).

In places the project team proposes that a suitable physical feature should form the landward boundary of the coastal margin instead of the default boundary 2m landward of the route. This is in order to provide



clarity where practicable about the extent of access rights. Typically the boundary in such cases would be a physical feature such as a fence, wall, hedge or ditch adjacent to the route.

In this relatively short stretch of coast path the margin contains industrial buildings and plant on most of what would be considered margin to the seaward side of the proposed line of the ECP. For the most part the landward boundary is formed by the roads; The A178, A1078 and A1032. The route follows either side of these roads, either on paved footpaths or newly created paths. Where the route is placed on the verge of a highway, there is an existing right of access, however in practice this may need some works to make safe for pedestrians. At the point where the proposed route reaches the car park on the A178 it crosses to the north side of the road continuing to a point just east of the entrance to the EDF power station. Here the landward boundary of the margin is clear for the most part due to industrial fencing, but in parts will require clear signage, this signage will complement the physical features, namely the flood banks which the proposed ECP will follow.

Unless the project team proposes access restrictions or exclusions (see 3 below), the coastal margin described above would be subject to public rights of access on foot, other than that which is excepted land defined by the legislation. These would include:

- Any land covered by buildings or the curtilage of buildings;
- Any land used as a park or garden; and
- Arable land so long as it is cultivated or otherwise disturbed at least every 12 months.

### **3. Directions to exclude / restrict access see Overview Map D – Newport Bridge to North Gare Restriction’s and Exclusions**

The majority of the coastal margin between Newport Bridge and North Gare is either saltmarsh or intertidal flats that are unsuitable for public access or land that is associated with the major industrial plants in the area. In our access proposal, we propose to make long-term directions the effect of which will be that no new public access is created to the areas shown as s25A or s24 restrictions on the maps in overview map D.

In addition, the existing bylaws at Teesmouth NNR will be unaffected by our proposals.

We do not propose making any additional restrictions for nature conservation reasons, however, we would need to review the situation if restrictions described above were to be revoked for any reason.

### **4. Physical barriers to access & other mitigation measures**

The route described at (1) above is for the most part quite a clear route, however for reasons of nature conservation, public and industrial safety several areas of works will be needed.

- a. At the Calor gas depot and Petroplus pools ECP route to be fenced, features to be screened with existing hedges and bunds. Where these do not currently exist wooden screening will be erected, with viewing slots for ECP users and signage to explain the access.
- b. Stock fencing to create a corridor to the south of the A178 for nature conservation and livestock management purposes, from port Clarence to the Greenergy Oil Storage Depot.
- c. The route will be carefully managed with signage and barriers at the point where ‘pipe lines’ cross the A178.
- d. A Stock fenced corridor will be provided to the south of the A178 from Swiss Cottage to the car park (which is at the north side of the A178) to protect ECP users from livestock and to protect the Plant which is on the Brine fields.

All these measures will be installed by Stockton Borough Council and have been fully costed and accounted for within the ECP proposals for this stretch. All necessary SSSI consents have been taken into consideration in this appraisal however Stockton Borough Council will take responsibility for obtaining the formal consents.

Access case officer

Name: Jim Milner

Signed:



Date: 3 March 2016

## Section 2: POTENTIAL IMPACT ON FEATURES FROM NEW ACCESS PROPOSAL

Designated site name(s):

- Teesmouth and Cleveland Coast SPA + Ramsar
- Seaton Dunes and Common SSSI
- Seal Sands SSSI
- Cowpen Marsh SSSI
- Tees and Hartlepool Foreshore and Wetlands SSSI
- Teesmouth NNR

Notified feature	SPA	Ramsar	SSSI	SSSI sites
>20K waterbird assemblage	Y	Y		
Redshank (non-breeding)	Y	Y	Y	Seal Sands
Knot (non-breeding)	Y	Y	Y	Seal Sands; Seaton Dunes and Common
Little tern (breeding)	Y	Y		
Sandwich tern (non-breeding)	Y	Y		
Sanderling (non-breeding)			Y	Seaton Dunes and Common; Tees and Hartlepool Foreshore and Wetlands
Shelduck (non-breeding)			Y	Seal Sands
Shoveler (non-breeding)			Y	Tees and Hartlepool Foreshore and Wetlands
Turnstone (non-breeding)			Y	Seaton Dunes and Common
Purple sandpiper (non-breeding)				Tees and Hartlepool Foreshore and Wetlands
Ringed plover (non-breeding)			Y	Seaton Dunes and Common
Wetland breeding bird assemblage			Y	Tees and Hartlepool Foreshore and Wetlands
Common tern (breeding)*	(Y)	(Y)	(Y)	
Avocet (breeding)*	(Y)	(Y)	(Y)	
Harbour seal*			(Y)	

\* These features are part of current proposed additions to the protected sites. They are bracketed because they are not yet notified features.

The route does not cross any notified vegetation communities.

### Potential concern about new access proposal (summary)

The ECP route will follow new as well as existing access routes. It is likely to increase use of existing routes and the provision of new sections (and spreading room) will result in access to previously inaccessible/difficult to access areas. The ECP could therefore increase levels of disturbance to waterbirds.

The ECP will also involve the installation of new infrastructure. Construction works could potentially disturb waterbirds.

### Concerns about existing public use and action already taken to address this (summary)

Part of Seaton Dunes and Common SSSI are in unfavourable condition due to large declines in the non-breeding sanderling and turnstone populations. The drivers of decline are not well understood, but it is considered that recreational disturbance is a contributory factor. The NNR has byelaws that prohibit access to the most sensitive areas (diagonally hatched areas - annex 1a) and that stipulate that dogs must

be under close control (annex 1b). There is currently insufficient staff resource to be able to facilitate adequate enforcement of byelaws. Effective management of recreational use of the open coast will require zoning of use (as identified in the [Site Improvement Plan](#)) and this is being investigated.

### **Key sensitive features relevant to site (detail)**

#### **North Gare car park – Futarom Map ref. Section 1**

The route follows an existing Byway Open to All Traffic (BOAT) that is already heavily used by visitors to the North Gare sands and employees of the Futarom works. This crosses a fixed dune system and golf course and is well set back from the waterbird interest on Seaton Common.

#### **Zinc Works Field Map ref. Area 2**

The short sward supports SPA waterbirds, occasionally hundreds of waders (lapwing, golden plover and curlew), but usage is rather inconsistent and generally low (see informal records). The higher levels of use might be associated with periods of hard weather. It is considered that the ECP will bring little change in recreational use of the field, for two main reasons: (i) visitors have parked at the end of the Zinc Works road in order to access the beach rather than an area of improved grassland and (ii) the area is not particularly inviting to visitors - it is fenced and grazed.

#### **Seaton Dunes Map ref. Area 3**

The area is currently accessible in the NNR. NNR byelaws require dogs to be kept under close control. This area of dunes is not important for bird features.

#### **Zinc Works Dunes Map ref. Area 3a**

The area currently receives unrestricted access. It is not important for bird features.

#### **Open Coast from North Gare - Seaton Snook Map ref. Area 4**

Visitors to this part of the site park at the North Gare car park and at the end of the Zinc Works Road and walk out to the beach. The NNR has byelaws that prohibit access to the most sensitive areas (diagonally hatched areas – annex 1a) and that stipulate that dogs must be under close control (annex 1b). These will be unaffected by the access proposal.

Parts of Seaton Dunes and Common SSSI are in unfavourable condition due to large declines in the non-breeding sanderling and turnstone populations. The drivers of decline are not well understood, but it is considered that recreational disturbance is a contributory factor. There is currently insufficient staff resource to facilitate adequate enforcement of byelaws and the whole stretch of coast is effectively receiving unrestricted public access. Effective management of recreational use of the open coast will require zoning of use (as identified in the [Site Improvement Plan](#)) and this is being investigated. Given the high current level of recreational use of the area it is considered that any increase from the ECP is likely to be small in comparison with current levels. There is flexibility in the coastal access arrangements to support the site management plan through restrictions and other measures as necessary. It is therefore considered that the ECP will not constrain better control and management of public access.

Little terns have bred at Seaton Snook in the past, but not in recent years. The area is roped off during the breeding season to reduce disturbance (and this will continue). The area has become more vegetated and the area of suitable nesting habitat has declined. It is not considered that the ECP will reduce the likelihood of little tern settling or breeding in the area.

Seaton Snook is important for roosting and loafing terns in late summer. Disturbance of these features would also be addressed in zoning of recreational use.

WeBS data available on request.

### **Zinc Works Road Map ref. Section 5**

The route follows the road. The NNR compartments directly north of the road support non-breeding waterbirds, principally lapwing and curlew (the most significant wet features and waterbird concentrations are further north on the Common, around the North Gare access road). They also support approximately half of the breeding lapwing on the Common. The Zinc Works Road is well-used by cars (driving to and from the car parking at the end, to access the beach) and more occasionally by walkers/joggers/cyclists. The ECP is unlikely to increase use of the road significantly. Waterbirds may be temporarily disturbed from areas close to the route, but given the low density of birds and the large area available to which they may relocate, this is not considered to be significant.

### **A178 to Greatham North Map ref. Section 6**

No notified bird interest along the route.

### **Greenabella Marsh + Number 5 Brinefield Map ref Area 7**

No new public access is proposed, in that the coastal margin will be restricted in these areas. The owners of Greenabella Marsh (Huntsman Tioxide) manage permissive access to a hide on the Greenabella sea wall and this will continue.

### **Seal Sands Map ref Area 7a**

The current NNR access restrictions to this extremely important area will continue.

### **Greatham North Floodbank Map ref. Section 8**

The route follows an existing public footpath (recently diverted along the new floodbank of the Greatham North managed realignment). The managed realignment is in the early stages of habitat development, but is already being used by waterbirds. The ECP is likely to increase use of the footpath. However, the majority of the realignment site is sufficiently far from the footpath to remain undisturbed.

### **Greatham Creek – NNR car park Map ref. Section 9**

The route follows the western edge of the A178 across Greatham Creek. Approximately 100m south of the creek it cuts down the embankment to join an existing path (from the NNR carpark to the seal viewpoint).

The bridge is occasionally used by people watching the seals/birds on the mudflat to the west, but the ECP is likely to significantly increase pedestrian use of the area. The section following the road and cutting down the embankment is elevated above the current access and will render pedestrians more visible from the intertidal. However, the majority of the mudflat at Greatham Creek is sufficiently far from the route not to be disturbed. Also, the A178 is a very busy road and there is likely to already be avoidance of the mudflat close to it. Overall it is considered that this new access will not result in significant additional disturbance to seals or waterbirds.

The seal viewpoint – NNR car park path is already well used. It is well setback from the waterbird interest on Cowpen Marsh and current use is not resulting in significant disturbance.

Construction of the ramp to access the A178 footpath is timetabled to avoid the critical winter season where large numbers of birds use Cowpen Marsh and weather conditions can be harsh.

### **NNR car park – Seal Sands roundabout Map ref. Section 10**

The route follows the western edge of Number 4 Brinefield. This area is not currently subject to any public access. Most of Number 4 Brinefield is proposed to be included within the SPA/Ramsar/SSSI extension.

A wintering bird survey during 2014/2015 showed that waterbirds are concentrated in the northern section of the brinefield (where the route is screened by hedges/hide), but the remainder of the brinefield supports a low density of birds. Walkers will be restricted to the route by a new fence (with signage). Waterbirds may be temporarily disturbed from areas close to the route, but given the low density of birds and the large area available to which they may relocate, this is not considered to be significant.

Large scale construction works are not required (mostly fencing). If there is any temporary disturbance this will only impact a small number of birds and there is a large area available to relocate within. Restrictions on timing are not proposed.

### **Seal Sands roundabout – Saltholme East Grassland Map ref. Section 11**

The route is on the east side of the road. The adjacent habitat is not significant for bird features.

### **Saltholme East Grassland Map ref. area 11**

The route hugs the eastern edge of the A178. Walkers will be restricted to the route by a new fence (and signage). Breeding and wintering waterbirds may be temporarily disturbed from areas close to the route, but given the low density of birds and the large area into which they may relocate, this is not considered to be significant.

There are currently few wet features within the field, but RSPB are likely to be developing the habitat for breeding and wintering waterbirds which will increase the use of the site. Any future development of the site would take into account the location of the route (and could include screening if required).

### **Saltholme East/West Map ref. Areas 12 & 13**

Both Saltholme East and West are used by significant numbers of wintering and breeding waterbirds. See WeBS data. The stretch currently has no access although it is often viewed by birders from laybys at the south end. Even so, the ECP is likely to significantly increase the level of access to the area.

The route is on the east side of the A178, set down towards the base of the embankment. The road embankment provides a screen for Saltholme West and this will be further enhanced by planting a low hedge on the crest, so 'skylining' should be effectively eliminated. The hedge height would need to be maintained at a low level to avoid it significantly reducing the openness of the area and limiting sightlines for birds. Stockton Borough Council will ensure this hedge is planted.

At present the eastern edge of the route is patchily lined with sea club-rush with a few small patches of reed. The club-rush is not sufficiently tall to form an effective screen and the reed is too patchy and sparse. In order to mitigate increased access the western edge of Saltholme East will be re-profiled (to enhance growth of emergents) and planted with reed, to provide an effective screen. It is not proposed to use any temporary screening because it is considered that reed growth will be fast enough to form an initial screen that will continue to bulk up.

The construction of boardwalks and other ECP furniture here will be significant (large machinery and relatively long duration) so will be programmed at the end of the breeding season and before the main wintering period (avoiding disturbance of both breeding and wintering birds).

### **Dorman's Pool Map ref. Area 14**

This area is important for waterbirds. Although it is part of the coastal margin, it is proposed that public access is restricted and so no new access will be created. There are special arrangements for birdwatchers to visit the hide. This is managed by the RSPB and will continue.

### **North Tees Mudflat Map ref. Area 15**

This area is important for waterbirds. Although it is part of the coastal margin, it is proposed that public access is restricted and so no new access will be created.

### **Saltholme East - Greenergy Map ref. Section 16**

The route continues along the eastern edge of the A178. The adjacent brownfield/grassland does not support significant populations of bird features.

## **Calor Gas and Petroplus Pools Map ref. Section 17**

The wet features and surrounding grassland are used by breeding waders (including lapwing) and wintering waterbirds. WeBS data available on request. The area does not currently have public access and the ECP is likely to significantly increase use of the area.

The majority of the route hugs the eastern edge of the tree/hedgeline along the A178. Walkers will be restricted to the route by a new fence (with signage). Waterbirds may be temporarily disturbed from grassland close to the route. The main concentration of birds on Petroplus Pools will be undisturbed by access along this route since the Pools are well set back and the bulk of the habitat is behind a bund.

Towards the southern section of this stretch the Calor Gas Pools become visible and the route approaches close enough to result in significant disturbance (the route abuts the western end of the pools). Wooden screening is to be installed by Stockton Borough Council to reduce disturbance. Viewing screens will be included for the benefit of birdwatchers.

The west to east section of the route along the southern edge of the Pools has been sited behind an existing bund. Siting the route in front of it would result in unacceptable disturbance. There is likely to be a desire to climb to the top of the bund to view the pools so a viewing screen is to be provided (together with continuing the fencing to guide users to the screen).

Once the route emerges from behind the east end of the bund it drops down in elevation and continues behind some scrub which provides an effective screen, leading to an existing track on the western edge of a railway line.

The construction will be significant (large machinery and relatively long duration) so will be programmed at the end of the breeding season and before the main wintering period (avoiding disturbance of breeding and wintering birds).

## **Petroplus Pools - A178 Map ref. Section 18**

The track follows the edge of the railway line to the A178. This area is not significant for bird features.

## **A178 – Newport Bridge Map ref. section 19**

The remainder of the route is not close to any notified bird features.

### **Breeding bird assemblage**

It is considered that the level of temporary disturbance of breeding birds by walkers using the ECP / spreading room is unlikely to impact on settlement or breeding performance.

### **Bird supporting habitat**

Some of the new sections of ECP cross bird supporting habitat (outside of current SPA, but in compartments functionally linked to the SPA and within the current proposed SPA extension). However, because the route hugs the boundaries of fields these sections of supporting habitat are rather peripheral and low quality. Given the small area and low quality of supporting habitat that is affected this is not considered significant.

## Section 4: FINAL CONCLUSIONS

### 4A: FINAL CONCLUSION - EUROPEAN SITE

#### Screening for Likely Significant Effect under Habitats Regulations – alone

In relation to the new access proposal detailed in sections 1 and 2, taken alone, Natural England has concluded on the best available evidence and information that:

A. It can be excluded that the new access proposal, taken alone, will have any effect on any of the features listed in section 3 above for which the European site has been designated or classified, for the following reasons:

B. While it cannot be excluded that the new access proposal taken alone will have an effect, it is not considered that the effect is likely to be significant, for the following reasons:

N2K features:

- >20K waterbird assemblage
- Redshank (non-breeding)
- Knot (non-breeding)
- Little tern (breeding)
- Sandwich tern (non-breeding)

See section 3 for full details, but in summary:

- Screening/fencing/signage will be used to reduce disturbance in sensitive areas (and the route has already been designed to avoid key sensitive areas).
- No new public access will be created to the coastal margin at the most sensitive areas (access to these areas has been restricted for reason other than nature conservation).
- In the most sensitive areas construction works will be subject to SSSI consent and timed to avoid critical periods.

C. It cannot be excluded that the new access proposal, taken alone, will have a significant effect on the following feature(s) for which the European site has been designated or classified, for the following reasons:

#### Screening for Likely Significant Effect under Habitats Regulations – in combination

Other relevant plan or project	Is each other plan or project clear and specific enough for a judgement to be made at this stage about the probability or risk of it's having any similar effect on the features in question?	Where the answer in Column 2 is Yes, what effect is it considered the other plan or project is likely to have in its own right on the features in question? Enter <u>one</u> of the following values, with brief reasons:  <ul style="list-style-type: none"> <li>■ No effect</li> <li>■ A non-significant effect</li> <li>■ A significant effect</li> </ul> Where the answer in Column 2 is No, enter "Not applicable" in this column.
<b>Greatham South Managed realignment</b>	Yes. The planning application has not been submitted yet but Natural England has been heavily involved in project design and have a good understanding of potential impacts.	A significant effect. The realignment will involve changes to habitats and large scale construction works.

Plans/projects that have a Likely Significant Effect will be subject to an appropriate assessment and do not need to be considered in combination

### Overall Screening Decision for European site/features

Accordingly, taking into account the preceding screening both alone and, where appropriate, in combination, Natural England has concluded:

- No likely significant effect** – the new access proposal may proceed as finally specified, subject to any separate considerations in relation to SSSI features etc (see below);

OR

- Likely significant effect** - appropriate assessment is required to consider whether the new access proposal may proceed.

### PART 4B: FINAL CONCLUSION – SSSI

#### Conclusion

In the light of the analysis in section 3, Natural England has concluded that the new access proposal detailed in sections 1 and 2:

- complies with NE’s duty to further the conservation and enhancement of the notified features of the SSSI, consistent with the proper exercise of its functions<sup>1</sup> - and accordingly the new access proposal may proceed as finally specified in this template

OR

- would not comply with the duty referred to in (a) – and accordingly permission/ authorisation/ assent for the new proposal should not be given, for the following reasons:

### PART 4C: FINAL CONCLUSION - Other features about which concerns have been expressed

#### Conclusion

In the light of the analysis in section 3, Natural England has concluded that:

- the appropriate balance has been struck by the new access proposal between NE’s conservation and access objectives, duties and purposes - and accordingly the new access proposal should proceed as finally specified in this template

OR

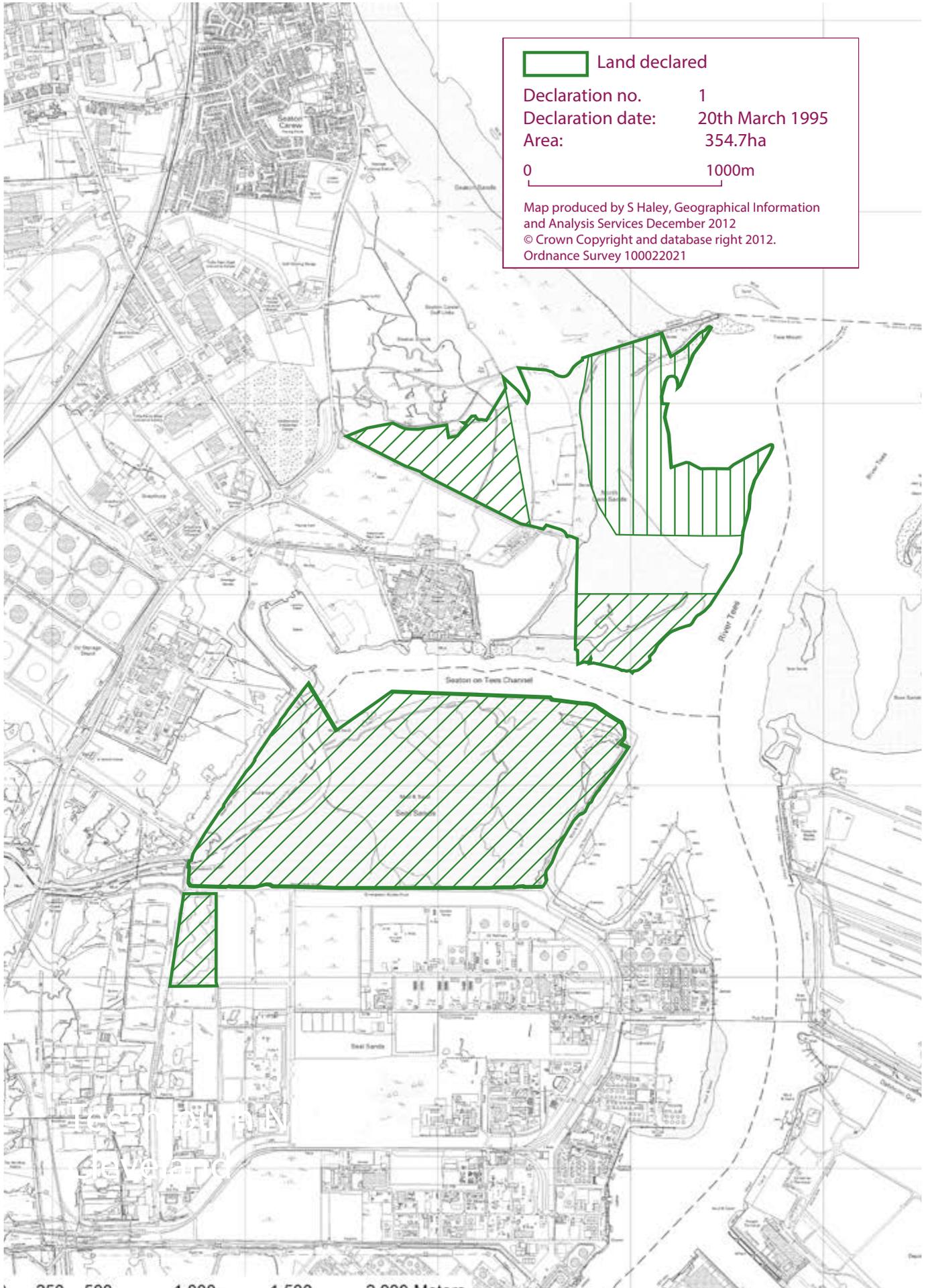
- the appropriate balance referred to above has not been struck – and accordingly the new access proposal should not proceed in the form specified in this template, for the following reasons:

### SIGNATURE COVERING THE WHOLE OF PART 4:

<b>Responsible officer</b>		
Name: Tom Charman		Date: 3 March 2016
Signed:		

<sup>1</sup> The reference in (a) above to Natural England’s functions includes its balanced general purposes under the NERC Act 2006, any specific statutory duties it may have to deliver specific improvements to public access, and the access-related policies and priorities it has agreed with Defra.

# Annex 1a



## Annex 1b

# Nature Conservancy Council for England

## Teasmouth National Nature Reserve

The Nature Conservancy Council for England, in exercise of the powers conferred upon them by Sections 20 and 106 of the National Parks and Access to the Countryside Act 1949\* and of all other powers enabling them in that behalf hereby make the following byelaws for the protection of the National Nature Reserve at Teasmouth in the Boroughs of Hartlepool and Stockton-on-Tees.

1. In these byelaws:
  - i “The Reserve” shall mean the pieces or parcels of land containing in the whole 354.7 hectares or thereabouts and situate in the Boroughs of Hartlepool and Stockton-on-Tees declared to be managed as a National Nature Reserve by the Declaration No 1 dated 20th day of March 1995 made by the Nature Conservancy Council for England in pursuance of Section 19 of the National Parks and Access to the Countryside Act 1949 and all other powers aforesaid, and the Reserve is for the purpose of identification shown as nearly as may be on the map annexed to these byelaws and thereon coloured yellow.
  - ii “The Council” shall mean the Nature Conservancy Council for England; and
  - iii “Firearm” shall have the same meaning as in Section 57 of the Firearms Act 1968.
2. Within the Reserve, the following acts are hereby prohibited except insofar as they may be authorised by a permit issued by the Council in accordance with Byelaw 3 or are necessary to the property execution of his duty by an officer of the Council or by any person, or servant of any person, employed or authorised by the Council.

### Restriction of Access

- i Entering at any time those parts of the Reserve hatched diagonally green on the attached map or where notice to keep out has been posted by order of the Council.

### Damage to or disturbance of things in the Reserve

- ii Spreading or using any net, or setting or using any lamp or other instrument or any snare or lure, for the taking, injury or destruction of any living creature.
- iii Taking, molesting or intentionally disturbing, injuring or killing any living creature.
- iv Taking or intentionally disturbing or destroying the eggs, larvae, pupae or other immature stages, or the place used for the shelter or protection of any living creature.
- v Intentionally removing or displacing any tree, shrub, plant, fungus or part thereof, or any unfashioned mineral thing including water.

### Bringing animals into the Reserve

- vi Intentionally bringing, or permitting to be brought, into the Reserve any living creature, or the egg of any living creature, or any plant, or any seed or any other part of any plant, in such circumstances that it is likely that such creature or plant will reproduce or propagate itself, or such egg will hatch, or such seed will germinate.
- vii Bringing into, or permitting to remain within, the Reserve any dog, or any other animal, unless it is kept either on a lead or under close control and is prevented from worrying or disturbing any animal or bird.

- viii Turning out any animal or poultry to feed or graze.

#### Areas of water

- ix Causing or knowingly permitting any poisons, noxious or polluting matter to enter any stream or controlled waters.
- x Water skiing, jet-skiing or ice skating.
- xi Propelling (by any means whatever) any boat on an area or stretch of water, other than a stretch of water over which a public right of navigation exists, in contravention of a notice exhibited beside that water by the Council.
- xii Mooring or leaving or launching any boat elsewhere than on a beach or mooring site indicated by a notice exhibited by the Council as being available for this purpose.
- xiii Obstructing the flow of any drain or watercourse except in cases of emergency.

#### Use of vehicles

- xiv Driving, riding, propelling or leaving any mechanically propelled vehicle (including hovercraft) elsewhere than on a highway or road, or in a place indicated by a notice as being available for the purpose.
- xv Landing any aircraft except in case of emergency.
- xvi Launching or landing a hang-glider or radio-controlled model aircraft except in cases or emergency.
- xvii Operating any hang-glider or radio-controlled model aircraft at such a height that persons on the ground may be inconvenienced or annoyed.

#### Use of firearms etc.

- xviii Being in possession of a firearm, with ammunition suitable for use in that firearm, or discharging a firearm or lighting a firework.
- xix Projecting any missile manually or by artificial means.

#### General prohibition

- xx Erecting, occupying or using any tent, shed, caravan or other structure for the purpose of camping elsewhere than in an area indicated by a notice as being available for camping.
- xxi Erecting any post, rail, fence, pole, stand, building or other structure.
- xxii Neglecting to shut any gate or to fasten it if any means of doing so are provided.
- xxiii Posting or placing any notice or advertisement.
- xxiv Selling or offering, or exposing for sale, or letting for hire or offering or exposing for letting for hire, any commodity or article, or selling or offering for sale any service.
  - a Engaging in any activity which is causing or likely to cause a public nuisance or disturbance.
  - b Holding any show, performance, public meeting, exhibition or sports or the playing of any organised games.
- xxv Intentionally or recklessly removing or displacing, any noticeboard, notice exhibited by order of the Council, apparatus, wall, boundary bank, fence, barrier, railing, post or hide.
- xxvi Lighting any fire, stove, heater or other appliance capable of causing a fire, elsewhere than in an area indicated by a notice as being available for camping.

- xxvii** Letting fall or throwing any lighted match or lighted substance in a manner likely to cause a fire.
- xxviii** Intentionally leaving items in a place other than a receptacle provided by the Council for deposit of litter or refuse.
- xxix** The gathering of bait of any description other than in the area hatched vertically green on the attached map.

#### **Interference with duly authorised officer**

- xxx** Intentionally obstructing any officer of the Council or any person, or the servant of any person, employed or authorised by the Council in the execution of any works including research or scientific work connected with the laying out, maintenance or management of the Reserve.
- 3. i** The Council may issue permits authorising any person to do any act or class of acts within the Reserve or any part thereof which would otherwise be unlawful under these byelaws; and
- ii** Any such permit shall be issued subject to the following conditions:
- a** that it must be carried whenever a visit is made to the Reserve, and produced for inspection when required by a person duly authorised by the Council in that behalf; and
  - b** that it may be revoked by the Council at any time.
- 4.** These byelaws shall not operate so as to interfere with the exercise:
- i** by a person of:
    - a** a right vested in him as owner, lessee or occupier of land in the Reserve;
    - b** any easement or profit a prendre of which he is entitled; and
    - c** any public right of way;
  - ii** of any function of a local authority, statutory undertaker or of a water authority or other drainage authority; and
  - iii** by a constable or a member of the armed forces or of any fire brigade or ambulance service of the performance of his duty.
- 5.** Any person who offends against any of these byelaws shall be liable on summary conviction to a fine on level 2 as laid down in the Criminal Justice Act and in the case of a continuing offence to a further fine for each day during which the offence continues after the said conviction.

Given under the Common Seal of the Nature Conservancy Council for England.

Signed: E T Idle

Dated: 29 April 1997

The Nature Conservancy for England, Northminster House, Peterborough, PE1 1UA.

'I certify the above to be a true copy of the original as examined and compared therewith by me this 29th day of April one thousand nine hundred and ninety seven.

Signed: J M Potts

On behalf of the Nature Conservancy Council for England.

**Enquiries about the proposals should be addressed to:**

Coastal Access Delivery Team – North East

**Natural England**

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