



Northumberland
County Council

The Northumberland Coastal Mitigation Service Strategy Document



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1. Introduction

1.1 The Northumberland Coast is of national and international importance for its wildlife. This includes a wide range of wading birds and wildfowl (ducks, geese and swans) that pass through on migration each spring or autumn or spend the winter there before returning to arctic breeding grounds; little terns and arctic terns that nest on beaches in the north of the county; and the diverse plant communities found on its sand dunes. Areas of the coast of national importance for their bird populations or plant communities are protected through designation as Sites of Special Scientific Interest (SSSIs), and areas of international importance are also designated as Special Protection Areas (SPAs) and Wetlands of International Importance under the Ramsar Convention (Ramsar Sites). Dune grasslands of international importance are designated as Special Areas of Conservation (SACs).

1.2 When considering planning applications for new development, Northumberland County Council is obliged to consider impacts on these specially protected areas. For SSSIs, the Council has duties to further the conservation and enhancement of the features for which they were designated and also to consult Natural England concerning any planning application that could affect those features. For internationally important sites the Council is obliged to fulfil the strict requirements set out in the Conservation of Habitats and Species Regulations 2017, ensuring that adequate mitigation is provided for any impacts that a development is likely to have on them, alone or in-combination with other plans or projects. This legislation is precautionary in nature, and so an impact must be assumed unless it is beyond reasonable scientific doubt that there will not be an impact.

1.3 New development can have a range of impacts on these protected areas, but one that is likely to arise from all new housing or tourist accommodation is increased disturbance to the bird species that are their special features, arising from increased recreational activity on the coast. Increased foot passage through the dunes also causes the spread of a non-native invasive species called pirri-pirri bur.

1.4 It is the responsibility of the developer to provide the required mitigation for their development. However, this can be especially difficult for developers to achieve for impacts arising from recreational activity on sites outside the developer's control and which people have a right to access and an understandably strong desire to access, such as the coast. Northumberland County Council has been working with Natural England to review its approach to the assessment and management of impacts arising from new development on specially protected sites on the coast, and has determined that the only realistic way to address the impacts of recreational activity on designated sites on the coast is through a strategic scheme funded by developers and implemented by the Council. This will enable mitigation to be provided within the designated sites themselves, in a consistent manner along the whole of the

Northumberland coast. This approach also provides clarity and certainty for developers, as they will make a known financial contribution to the Mitigation Service rather than trying to provide their own bespoke mitigation for each development, and will save them time and money because they will not have to undertake the ecological surveys and assessments required to devise such mitigation.

1.5 This document sets out that strategy, the mitigation measures to be implemented within the designated sites, monitoring and reporting arrangements and proposed governance arrangements. The Strategy specifically addresses the impacts caused by increased recreational activity arising from new housing and tourism developments; it does not address any other impacts that might arise from such developments, or impacts arising from other forms of development such as new employment sites. Separate mitigation will be required for any such impacts.

2. The Impacts of New Development

2.1 Other than a short length of coast around Lynemouth Power Station, the whole of the Northumberland coast below the high tide mark is protected as a Site of Special Scientific Interest because it is inhabited by populations of wading birds which are of national importance. The particular species for which it is designated are redshank, golden plover, turnstone, purple sandpiper, sanderling and ringed plover. Different populations of these species use the coast when they are on migration in spring and autumn or as their wintering grounds, and so are present between late July and May. Much of the coast is also within Special Protection Areas, which are designated because of their international importance for bird species. These include areas of rocky shore of importance for purple sandpiper and turnstone, areas of sandy shore used for nesting by little tern and arctic tern and the extensive mud and sandflats from Budle Bay north to Goswick of international importance for a wide range of wading birds and wildfowl.

2.2 Many of the sand dunes on the Northumberland coast are also designated as Sites of Special Scientific Interest because they are of national importance for the communities of wild plants that they support, and some of these sites are also designated as Special Areas of Conservation because they are of international importance for these plant communities.

2.3 These same areas of shore are also used extensively by the human population for a wide range of recreational activity including walking, exercising dogs, angling, horse riding, kite-flying and numerous other activities. These activities can cause disturbance to the bird species for which the coast is protected. For the migratory and wintering species this disturbance reduces feeding time and increases energy expenditure as birds take flight to avoid the sources of disturbance. It can also exclude them from important food-rich areas or safe high tide roost sites, and concentrate them in other less disturbed sites, increasing food competition there. Ultimately this can lead to increased mortality or to birds returning to their breeding grounds in poor condition, reducing breeding productivity. Similarly breeding birds can be forced from the nest by disturbance, leaving eggs and young vulnerable to predators, or to cooling while they are not being incubated. Disturbance can also limit the availability of nesting sites; little terns are known to prospect a number of potential breeding sites on the Northumberland coast when they return each spring, but only settle to nest at two sites where wardening is provided to limit disturbance. This is particularly problematic because one of those sites, at the mouth of the Long Nanny burn in Beadnell Bay has a range of long-term problems for little terns, with changes in beach levels and the growing population of arctic terns competing for territory leaving the little tern nests ever more prone to being flooded by high tides.

2.4 The Site Improvement Plan for the Northumberland Coastal European sites (Natural England, 2015b) identifies public access and disturbance as a priority issue

which is a threat to the interest features of these sites. The action plan within the document identifies the need for wardening to manage visitor disturbance within the designated sites. The Conservation Advice packages for Northumbria Coast SPA and Lindisfarne SPA have targets to '*Restrict the frequency, duration and / or intensity of disturbance affecting roosting, foraging, feeding, moulting and/or loafing birds so that they are not significantly disturbed*' for migratory and wintering bird species and to '*Reduce the frequency, duration and / or intensity of disturbance affecting roosting, nesting, foraging, feeding, moulting and/or loafing birds so that they are not significantly disturbed*' for breeding species (Natural England 2018a and 2018b).

2.5 Within dune grassland there is a particular problem with pirri-pirri bur, a non-native invasive plant species that displaces native species of high conservation value when it becomes established. As its name suggests, pirri-pirri bur spreads by means of seeds contained within exceptionally sticky burs which attach themselves to passing people and animals to drop off elsewhere. People and their dogs are unfortunately very effective means of spreading this species, carrying the seeds from dune to dune and also from dunes to inland sites. The spread of pirri-pirri bur is noted as a concern in the Site Improvement Plan for the Northumberland Coastal European sites (Natural England, 2015b)

2.6 While these impacts are not new, whenever the Council is considering proposed development likely to increase them it has legal obligations to ensure that the impacts are effectively controlled unless there is clear evidence that they will not affect these specially protected areas. Until recently, the Council has sought to address these impacts through measures designed to reduce visits to the coast for particularly disturbing activities such as dog walking. This has comprised requiring developers to provide better quality green spaces for dog walking, making or funding improvements to the local rights of way network, and providing information for residents concerning these issues. However, there have been growing concerns about the effectiveness of this approach, especially concerning the following points:

- The extent to which users will divert to other green spaces instead of the coast - surveys of dog walkers undertaken in Northumberland and elsewhere have shown an understandable desire to be at the coast rather than on an alternative greenspace inland of it.
- Mitigation options for developers who do not have the land to provide such additional greenspaces are very limited or non-existent.
- Mitigation options for developers of very small developments - the impact of their developments still have to be considered in-combination with other developments and other plans and projects affecting the coast, but it would clearly be practically and financially impossible for them to provide additional greenspaces.

- The costs and delays to developers inherent in a system that requires them to undertake survey work often spanning one to two whole migratory and wintering seasons plus developing mitigation plans before their applications can be determined.

3. The Coastal Mitigation Service

3.1 Other than a 2km length around Lynemouth Power Station, the intertidal zone along the whole of the Northumberland Coast is within SSSIs which have interest features comprising nationally important populations of migratory and wintering waders and wildfowl, and breeding tern species. Much of this area is also within SPAs and Ramsar Sites, because many of these populations are of international importance. These are all vulnerable to disturbance from recreational activity. Most dune grasslands from Druridge Bay northwards are SSSIs because of the importance of their dune grassland plant communities, and many of these are also included in the North Northumberland Dunes SAC because of the international importance of such communities. These are all threatened by the spread of pirri-pirri bur. Accordingly the following designated sites are within the scope of the Coastal Mitigation Service:

- Northumbria Coast SPA and Ramsar Site
- North Northumberland Dunes SAC
- Northumberland Coast SSSI
- Bamburgh Coast and Hills SSSI
- Hadston Links SSSI
- Bamburgh Dunes SSSI
- Newton Links SSSI
- Alnmouth Saltmarsh and Dunes SSSI
- Warkworth Dunes and Saltmarsh SSSI

3.2 Lindisfarne SSSI and Lindisfarne SPA and Ramsar Site are part of this suite of coastal designated sites but are included in the Lindisfarne National Nature Reserve, which is managed by Natural England. The Coastal Mitigation Service will liaise with NNR staff to ensure that a coordinated approach is maintained across all of the designated sites.

3.3 The aim of the Northumberland Coastal Mitigation Service is to prevent any net increase in disturbance to SSSI and SPA bird species arising from increased recreational pressure on the coast caused by new development, and similarly to ensure no net increase in the rate of spread of pirri-pirri bur arising from increased recreational pressure on dune grasslands caused by new development. This will be achieved by raising awareness and promoting behavioural change among visitors to the coast and implementing projects to manage visitor access, improve bird habitats and remove pirri-pirri bur.

3.4 It is recognised that public access to the coast provides a wide range of benefits to people's health and wellbeing. Public support for nature conservation is also likely to be increased by people having positive interactions with wildlife, rather than this being used as barrier to their access to the coast. For these reasons the emphasis of the project is on awareness-raising, education and light-touch regulation such as

requiring dogs to be on-lead, rather than by using more severe regulatory mechanisms such as introducing dog bans to parts of the coast. However, if monitoring shows this approach to be insufficient to prevent increases in recreational disturbance, more severe regulatory mechanisms would have to be introduced.

3.5 The Coastal Mitigation Service will employ coastal wardens who will undertake a range of activities, with the aim of ensuring that further development within the coastal zone of influence does not increase recreational disturbance to SSSI or SPA birds or increase the spread of the pirri-pirri bur.

3.6 A wardening presence at the coast is at the heart of the mitigation strategy. This will aim to modify people's behaviour through awareness-raising and education, focussing on high-risk activities such as off-lead dog walking, so that users can develop a clear understanding of how to enjoy the coast while minimising disturbance. It will include activities such as guided walks, to increase appreciation of the wildlife of the Northumberland coast and understanding of its significance. In addition to a physical presence on the coast, the wardens will develop a website and social media presence to keep promoting and reinforcing seasonally specific information such as the arrival of autumn migrants or the importance of winter high-tide roosts.

3.7 In order to provide appropriate governance for the project a Steering Group will be established, comprising officers from Northumberland County Council and Natural England, with invitations being extended to nature conservation organisations with landholdings on the coast or relevant expertise; Northumberland Coast AONB Partnership, RSPB, Northumberland Wildlife Trust and National Trust. The primary role of the Steering Group will be to oversee the wardens' work programme and to evaluate the effectiveness of the mitigation scheme on behalf of Northumberland County Council. In order to generate the data to be able to do this, a monitoring programme will be agreed each year for the wardens to undertake. The Steering Group will then provide advice to the LPA as to any changes that need to be made to ensure that the scheme is operating effectively.

3.8 An annual report will be produced by the wardens and signed off by the Steering Group. This will be a publicly available document that will summarise the work that has been undertaken and the evaluation of the scheme's effectiveness.

3.9 Wardens will undertake an ongoing programme of bird monitoring and of recreational disturbance monitoring, to be agreed with and kept under review by the steering group. This will have a number of purposes:

- To identify locations of particular sensitivity to birds such as high tide roosts.
- To identify locations where management activities such as temporary fenced enclosures at sites being prospected by pre-breeding terns might be required.

- To identify areas of functional land such as important roosts or feeding areas on farmland, and reporting this to relevant bodies so that it can, for example, influence the design of agri-environment schemes.
- To identify locations that are particular disturbance hotspots and therefore require particular interventions.

All of the above will inform the wardens' work programme, ensuring that they are able to continually adjust this so that their activities are directed at the most important issues and sites at any one time. This is especially important given the changing bird populations through the seasons.

3.10 A further important aspect of the monitoring programme is to provide evidence to the steering group concerning the effectiveness of the wardens' work. This will be evaluated through measures agreed with the steering group such as the frequency of disturbance events per specified time period at particular locations.

3.11 Where disturbance hotspots are identified there are a range of measures that the wardens will be able to implement:

- Encouraging people to undertake activities such as off-lead dog walking away from that hotspot.
- Where advice and encouragement proves insufficient, enforcing the Public Space Protection Order requiring owners to put their dogs on lead when directed to do so.
- Identifying any modifications to access points such as paths from coastal car parks that will help to direct people away from disturbance hotspots, and working with relevant authorities and landowners to implement those changes.

3.12 During spring the focus of activity will change to nesting birds, primarily tern species and ringed plover. Other than on the offshore islands, nesting little terns are restricted to wardened sites at Lindisfarne and the Long Nanny, with the latter site proving increasingly problematic due to changes in coastal processes causing flooding of nests and the growth of the arctic tern colony, which pushes little terns to less suitable areas and draws in predators. Little terns do investigate other potential nesting sites each spring but never settle, almost certainly due to human disturbance. The wardens will use temporary fencing to create small enclosures in suitable locations to provide opportunities for new colonies to be founded. These enclosures will also benefit ringed plover, which nest on sand and shingle on the coast but experience very high rates of visitor disturbance (Snell, 2018).

3.13 During late spring and summer the control of pirri-pirri bur will become an important part of the wardens' work programme. This non-native invasive plant species thrives on sand dunes, where it excludes the species which form nationally and internationally important dune grassland communities. It is spread via the seed heads, which have burs that stick to people's clothing and to animals such as dogs.

The introduction of an ongoing control programme is urgently required to enable dune grasslands away from Lindisfarne (where the plant is so abundant as to make elimination impossible) to remain free of significant populations of this plant.

3.14 This approach is consistent with the discussion of available mechanisms and recommendations for action set out in Natural England's *Public Access and Disturbance Theme Plan – a Strategic Approach to Identifying and Addressing Significant Effects on the Features of Natura 2000 Sites* (Natural England, 2015a).

4. Project Management and Costs

4.1 The main project costs are the employment of wardens to undertake the work programme set out in Section 3, which aims to address the impact of increased recreational disturbance to birds and increased spread of pirri-pirri bur.

4.2 Given the low housing projections in the emerging Northumberland Local Plan, it is considered appropriate to establish the Service with a team of two wardens. On this basis the annual project cost at current prices will be:

Warden (band 7)	35,032
Assistant Warden (band 5)	26,718
1x Fleet van	3600
Fuel for van	2500
Mobile phones	300
Recharges	1000
Training	600
Project budget	10000
	£79,750

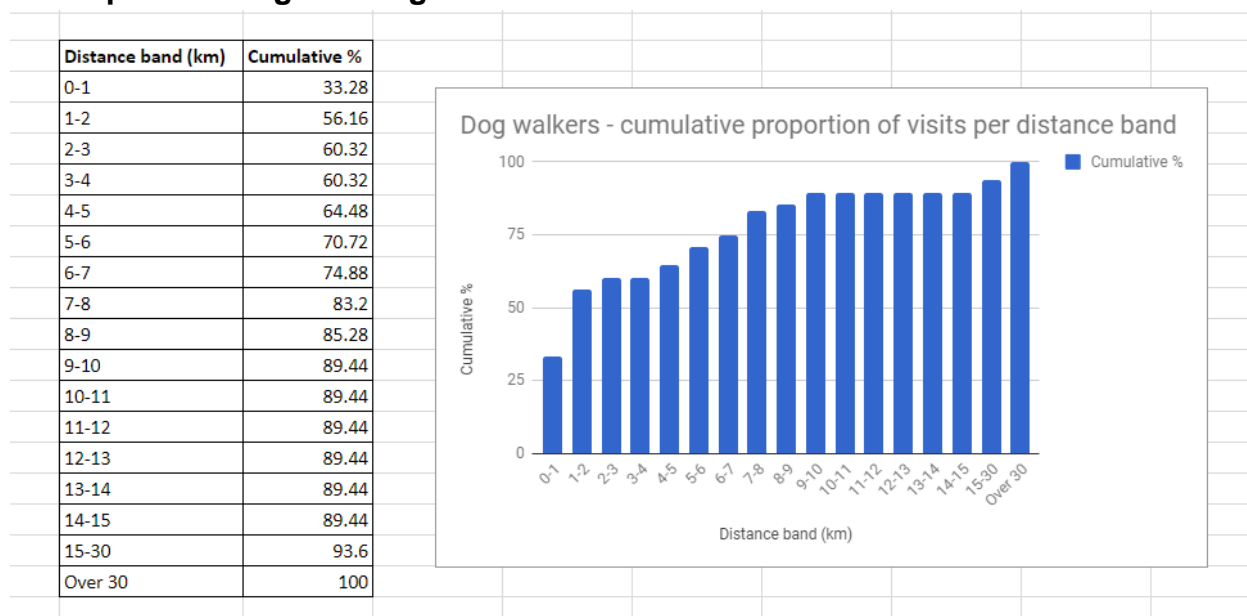
4.3 It is important that robust monitoring protocols are put in place to evaluate the effectiveness of the Coastal Mitigation Service, and that there is a strong governance framework for it. Monitoring should focus on the intensity of disturbance events as this is the most direct measure of the effectiveness of the wardens' work, with data gathered using an easily replicable monitoring protocol so that meaningful comparisons can be made as data is gathered over time. Other monitoring that might also contribute useful data would concern the attitudes of user groups, such as the extent to which regular users of the Northumberland coast are aware of the ecological issues associated with recreational activities and how to address these, and the extent to which awareness of the importance of Northumberland's coastal wildlife and support for its conservation has changed. Monitoring the effectiveness of pirri-pirri control will be more straightforward, as the distribution and abundance of the plant can be measured through a sampling process that can be repeated at agreed time intervals. The protocol should be signed off by the Steering Group, which will also be responsible for evaluating the results of the monitoring work and advising Northumberland County Council about the efficacy of the Coastal Mitigation Service and about any changes that need to be made to improve this.

4.4 A wardening approach has gained wide acceptance as a means of addressing recreational disturbance impacts within coastal SPAs, with schemes in operation or being established widely around the English coastline. The Northumberland Coastal Mitigation Service has been examined by the Planning Inspectorate in Appeal ref: APP/P2935/W/18/3199765 concerning a proposed caravan park at Beacon Hill, High Hauxley. In the decision notice dated 15 August 2018 the Inspector identified impacts on the Northumbria Coast SPA and Ramsar Site and on the North Northumberland Dunes SAC to be one of the main issues to be examined. She found that the proposed contribution to the Coastal Mitigation Service would mitigate the effects of increased recreational activity and thereby ensure no adverse effects on the integrity of these European sites.

5. Developer Contributions

5.1 The coastal zone of influence describes the area of Northumberland within which the Council will need to consider recreational impacts on coastal protected areas when determining planning applications. To establish this, a series of interviews were undertaken with dog-walkers at the coast during winter 2015-16, during which interviewees who were willing to provided their postcodes. From these it was possible to establish the locations from which they had originated and therefore establish a zone of influence for coastal recreation. A distance of 10km from the coast includes the points of origin of as many of the dog walkers interviewed as is reasonably possible, a figure of 89%. This is shown in figure 1. These results are consistent with the results of similar surveys undertaken in primarily rural areas elsewhere in the country, such as in Durham (Durham County Council 2017 fig. 12) and South East Devon (Liley et al. 2013b, paras 14.10-14.13). Accordingly a zone of influence set at 10km from the inshore edge of the designated sites listed in paragraphs 3.1-3.2 by direct measurement has been agreed with Natural England.

Figure 1: Defining the coastal zone of influence – the distance from the coast of the point of origin of dog-walkers



5.2 Natural England’s advice to Northumberland County Council is that development that causes a net increase in the number of dwellings (included tourist units) within the zone of influence will require mitigation to address recreational disturbance to coastal protected areas. In order to ensure that a proportionate approach is taken, it is important to recognise that people living towards the inland edge of the 10km zone visit the coast less frequently than those living closer to the coast. Therefore the 10km zone of influence is divided into two zones as follows:

0-7km: Mitigation is required for all developments resulting in a net increase in dwellings, including holiday units.

7-10km: Mitigation is required for all developments resulting in a net increase of 10 or more dwellings, including holiday units, with a 50% reduction in the unit cost.

These zones are shown on Figures 2 and 3.

5.3 The level of payment into the Coastal Mitigation Service is derived from two figures; the cost of providing a viable and effective service, divided by the anticipated annual delivery of new houses within the coastal zone. Provision of the service from 2019 until the end of the plan period (2036) will cost £1,355,750 at current prices based on the costings set out at section 4.2. Approximately £855,500 of this has been secured to date¹, leaving a sum of approximately £500,250 to be secured over the Plan period.

5.4 Policy HOU 4 Housing Development Site Allocations in the draft Local Plan provides for approximately 750 houses to be constructed within the coastal zone of influence over the Plan period, which are all within the 0-7km zone. Policy HOU 3 sets out allocations in Neighbourhood Plans. Of these, only Alnwick and Denwick is relevant, being a made plan within the coastal zone. Allowing for permissions and completions this allocates a further 200 units in the 7-10km zone. Based on the current level of contribution (£600 per unit within the 0-7km zone and £300 per unit within the 7-10km zone) these will yield $750 \times £600 = £450,000$ plus $200 \times £300 = £60,000$, making a total of £510,000 over the Plan period.

5.5 The above calculations are based on current costs, but in reality costs will increase in line with inflation. The contribution will similarly be adjusted in line with inflation, to ensure that adequate income is maintained. Actual housing delivery will inevitably vary to some extent from the projections set out in the Local Plan due to factors such as economic performance and changes in housing policy over time. The LPA will monitor contributions to the Service and consider how this might change in response to economic circumstances and policy drivers. This will enable it to review the level of contributions regularly and ensure that they remain fairly and reasonably related in scale to the developments from which they arise.

5.6 Certain types of residential development such as care homes are unlikely to generate increases in recreational disturbance or spread of pirri-pirri bur. These will not need to contribute to the Coastal Mitigation Service in order for a conclusion of no adverse effect on the integrity of European sites as a result of increased recreational activity to be reached.

¹ Permissions with signed legal agreements as of 15 November 2018

5.7 The contribution for tourism developments such as caravan parks will be adjusted to reflect closed seasons and evidence concerning occupancy rates. For example a 2 month closure during the winter would reduce the contribution by one sixth, from £600 to £500 per unit, and an evidenced anticipated occupancy rate averaging 60% over the months that the site was open would reduce this figure to £300. It is very difficult to predict the level of contributions likely to accrue from tourism developments because they are not planned for in the way that housing is. However, in total this is likely to be smaller than the margin of error that inevitably applies in estimating the contribution from housing, and so will not significantly alter the figures set out at paragraph 5.4. Again, the LPA will review the levels being received to ensure that they remain fairly and reasonably related in scale to the developments concerned.

5.8 For larger developments where there will be a S.106 Agreement, contributions are secured through a Schedule in that Agreement, payable on first occupation. Because mitigation has to be provided over the lifetime of the development, a time limit for expenditure will not be included in the S.106 Agreement. For small developments that would not otherwise have a S.106 Agreement, contributions are secured through a unilateral undertaking payable on commencement of development as the legal fee for this is lower than for a full S.106 Agreement. If the developer prefers, a contribution to be secured by unilateral undertaking can be paid in advance, so that it does not become a land charge and so there is no need for it to be signed by a mortgage company. This funding mechanism has been examined by the Planning Inspectorate in Appeal ref. APP/P2935/W/18/3199765. In the decision notice dated 15 August 2018 the Inspector found that the financial contribution was necessary to make the development acceptable in planning terms, was directly relevant to the development and was fairly and reasonably related in scale and kind to the development. Accordingly she concluded that it met the relevant tests in the NPPF and the CIL Regulations.

5.9 Because this is a strategic mitigation scheme agreed with Natural England, contribution to the scheme ensures that all ecological impacts associated with increased recreational activity at the coast have been addressed. Consequently there is no need for the developer to supply any ecological data, reports or assessments concerning impacts on coastal designated sites arising from recreational disturbance. However, any other impacts on these designated sites will need to be considered separately, with the developer supplying whatever information the LPA requires to undertake a Habitats Regulations Assessment and to assess impacts on the interest features of SSSIs. Similarly the LPA still needs to consider the ecological impact of the proposal on the development site itself, and so there may still be a need for relevant ecological reports to be submitted concerning the development site.

Figure 2: Coastal Zone of Influence (North)

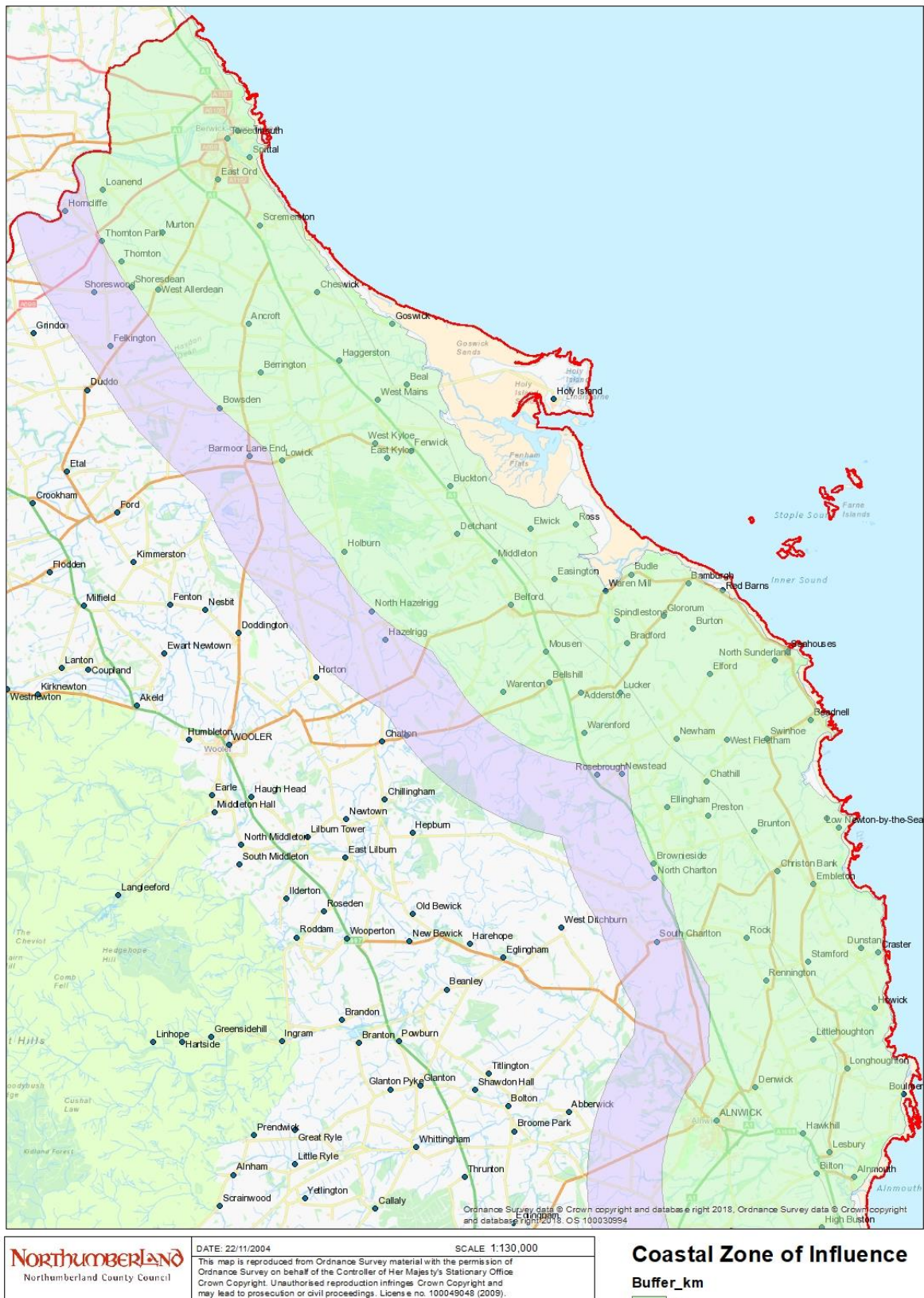
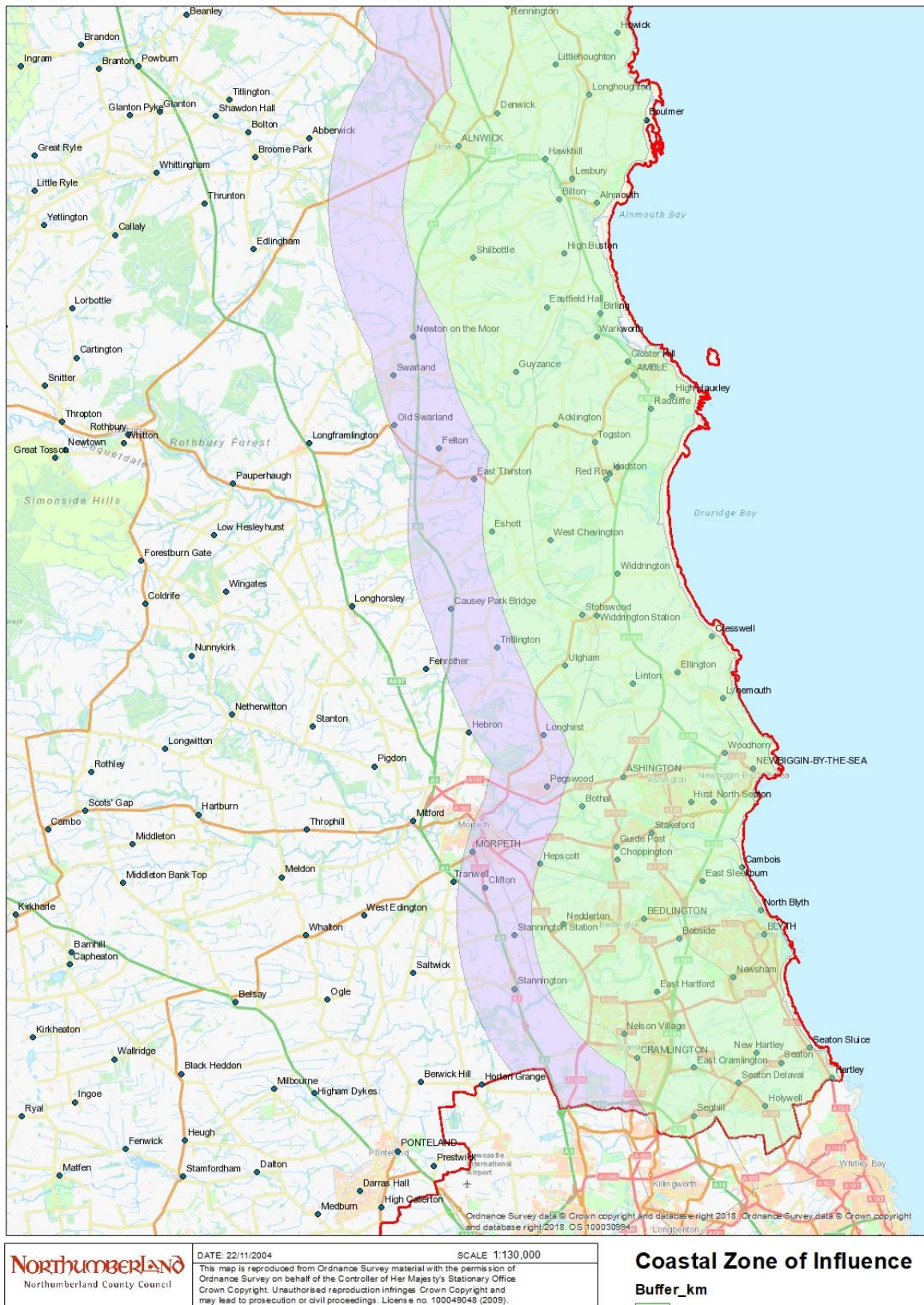


Figure 3: Coastal Zone of Influence (south)



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Appendix One



Northumberland County Council

The Northumberland County Council (Dog Control) Public Spaces Protection Order

Anti-social Behaviour, Crime and Policing Act 2014, Part 4

Northumberland County Council in exercise of the powers conferred on it by section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 makes the following Order –

1. Citation

This Order may be cited as the **Northumberland County Council (Dog Control) Public Spaces Protection Order** and for the purposes of any enforcement proceedings, Notices, documents or correspondence the short title **Dog Control Order** may be given

2. Interpretation

- (1) In this Order the expressions “the Authority” or “the Council” shall mean **Northumberland County Council** whose principal offices are at County Hall, Morpeth, Northumberland, NE61 2EF.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”).
- (3) For the purposes of this Order a person who habitually has a dog in his/her possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- (4) Any reference in the Schedules to this Order to “prescribed charity” shall mean any of the following charities –
 - (a) **Dogs for the Disabled** (registered charity number 700454);
 - (b) **Support Dogs** (registered charity number 1088281);

- (c) **Canine Partners for Independence** (registered charity number 803680);
- (d) **Dog A.I.D.** (registered charity number 1098619);
- (e) **Dogs for Good** (registered charity number 1092960);
- (f) **Guide Dogs** (registered charity number 209617); and
- (g) **Hearing Dogs for Deaf People** (registered charity number 293358).

3. Effect

- (1) This Order shall come into force on **30th January 2017**.
- (2) This Order is made as the Council is satisfied on reasonable grounds that the two conditions prescribed by section 59(2) and (3) of the Act have been met, namely:

- (a) **The first condition:**

- (i) Activities carried on in a public place within the Authority's area have had a detrimental effect on the quality of life of those in the locality ("the Activities"); and
- (ii) It is likely that activities will be carried on in a public place within the Authority's area ("the Activities") and that they will have a detrimental effect on the quality of life of those in the locality;

and such Activities are set out in the respective Schedules to this Order

- (b) **The second condition:**

The effect, or likely effect, of the Activities –

- (i) is, or is likely to be, of a persistent or continuing nature,
- (ii) is, or is likely to be, such as to make the activities unreasonable, and

(iii) justifies the restrictions imposed by this Order.

- (3) This Order relates to each public place referred to in **Schedules 1, 2, 3 and 4** to this Order (“the Restricted Areas”) together with such other Schedules as may be included under any variation of the Order from time to time and –
- (a) prohibits specified things from being done in the Restricted Area (“the Restrictions”) as may be set out in the Schedules,
 - (b) requires specified things to be done by persons carrying on the Activities in the Restricted Area (“the Requirements”), or
 - (c) does both of those things.

4. Requirement to provide name and address

- (1) For the purposes of enforcing the provisions of this Order any person who appears to a duly authorised officer of the Authority or to a Police Officer to be in charge of any dog to which the provisions of this Order apply shall confirm their full name, address and date of birth upon any request having been made in that respect whether verbally or in writing by any such officer and within such time as may be stipulated by that officer.
- (2) If any person, having been asked to confirm the details set out in paragraph 4(1) of this Order, knowingly gives false, inaccurate or misleading information to the officer requesting that information, that person shall be deemed to have failed to comply with those requirements.

5. Offence of failing to comply with this Order

- (1) It is an offence for a person without reasonable excuse—
- (a) to do anything that a person is prohibited from doing by a public spaces protection order, or
 - (b) to fail to comply with a requirement to which a person is subject under a public spaces protection order.

- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to the Order.
- (4) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the Council.

6. Duration of Order

- (1) This Order will remain in force for the period of **3 years** from the date that it comes into force specified in paragraph 3(1).
- (2) Before the time when this Order is due to expire, the Council may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent –
 - (a) an occurrence or recurrence after that time of the Activities, or
 - (b) an increase in the frequency or seriousness of the Activities after that time.
- (3) The Order may be so extended more than once.

6. Variation and discharge of the Order

- (1) The Council may vary this Order –
 - (a) by increasing or reducing the Restricted Areas;
 - (b) by altering or removing a prohibition or requirement included in the Order, or adding a new one.
- (2) Where the Council considers it appropriate to do so the Order may be discharged by the Council before the end of the period that the Order may remain in force specified in paragraph 5(1).

7. Challenging the validity of the Order

- (1) Under the provisions of section 66 of the Act an interested person may within 6 weeks of the making of this Order apply to the High Court to question its validity or the validity of any variation of this Order on the grounds specified in section 66(2) of the Act, namely –
- (a) that the Council did not have power to make the Order or variation, or to include particular prohibitions or requirements imposed by the Order (or by the Order as varied);
 - (b) that a requirement under Chapter 2 of Part 4 of the Act was not complied with in relation to the Order or variation.

Dated this 30th day of January 2017

The Common Seal of the **Northumberland County Council** was hereunto affixed in the presence of -



DJ Mason

.....
Duly Authorised Officer

Seal no. 15982

SCHEDULE 4

Dogs on leads by direction

1 The Restricted Areas

Any land within the administrative county of Northumberland which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.

2 The Requirements

- (1) A person in charge of a dog shall comply with a direction given to him by an authorised officer or agent of the Council or by a police officer to put and keep the dog on a lead of not more than 1.5 metres in length unless –
 - (a) that person has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his/her failing to do so.
- (2) For the purposes of this Schedule an authorised person may only give a direction under this Schedule to put and keep a dog on a lead if such restraint is necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on any land to which this Schedule applies or the worrying of any animal or bird.

Appendix Two Coastal Dog-Walker Survey Results

Number of Dogs (tally)	1 (30), 2 (22), 3 (5), 4+ (1)
Dog(s) on lead? (Y/N)	Y = 13 N = 45

Q1. How far have you travelled to get here today?

½ mile (0.8km) or less	½ - 1 mile 0.8-1.6 km	1-5 miles 1.6 – 8km	5-10 miles 8 – 16 km	10-15 miles 16 – 24km	15-20 miles 24 – 32km	More than 20 miles/ 32km
14	12	14	12	1	0	4

Q2. To help understand where visitors come from it is very useful to know postcodes. Are you willing to provide your postcode?

Y/N

Q3. Why do you choose to walk your dog at the coast?

Reason	Tally
Nowhere suitable close to home	6
Convenient/close to home	35
Tranquillity	27
Good Parking	4
Enjoy the beach/sea/views	51
Plenty of space for the dog(s) to run around safely	51
Feels safe	15
Other (on holiday/visiting family/friends)	4

Q4a. Is there anywhere suitable to walk your dog closer to home?

Tally	
Yes	No
37	21

Q4b. If so, how often do you use it?

Frequencies given & tallies

Frequencies	Tally
Not very often	2
Twice per week	3
Three times per week	4
Every other day	2
Most Days	6
Everyday	20

Q4c. Are there any particular reasons why you don't use it more often?

Reasons (if given) & tallies

Reason	Tally
Prefer beach, can let dog off lead	10
Safer on beach, more relaxed	1
Variety, more space on beach	4
Beach is close	1
Can walk further on beach	1
Depends on tides	1
Quieter on certain beach	2

Q5. If a suitable area of greenspace was available close to your home would you use this as an alternative to walking your dog at the coast?

Yes, most of the time	Yes, some of the time	No, unlikely	Not sure
10	29	15	0

Q6. Do you or your dog/s go on the rocky shore? If so, what proportion of time do you generally spend there?

Yes	Time spent (minutes)	<5	5-10	11-20	21-30	31-45	46-60	61+
14	Tally	2	6	3	2		1	0

No	Reasons why not (if given)	Tally
44	Easier to walk on sand	5
	Too dangerous/slippy/uneven	14
	Dogs get more exercise on sand	1
	Prohibitive	1
	Wary of tides	1

Q7. Aside from this location, do you visit any other places on the coast to walk your dog? If yes – which 3 locations do you visit most often?

Locations given	Tally	Locations given	Tally
Warkworth	7	Craster	8
Boulmer	2	Low Newton	10
Embleton	7	High Newton	1
Bamburgh	22	Alnmouth	10
North Seahouses	8	Dunstanburgh	1
Druridge Bay	2	Budle Bay	1
Annstead	2	Ross Sands	2
Beadnell	18	Amble	1

Q8. How often do you typically visit this site during the winter months (Oct – March) and the summer months (April- Aug)?

	Tally	
	Winter (Oct – March)	Summer (April – August)
Three or more times per day	0	0
Twice per day	8	15
Once per day	19	15
A few times per week	9	9
Once per week	8	7
Once or twice per month	7	8
Less than once per month	7	4

Q9. As the number of people who use the coast increases the pressures on the unique environment will increase. With this in mind, to what extent would you support or object to plans which require....

	Tally				
	Completely support	Support to some extent	Neither support nor object	Object to some extent	Strongly object
A) Visitors only walking on designated paths along sensitive areas of the coast	14	27	3	13	1
B) Dog owners to keep dogs on a lead during sensitive times of the year	12	32	3	11	0
C) Dog owners to keep dogs on a lead when walking through specific areas	31	24	1	1	1

Q10. How long would you say you spend on the beach/shoreline during your visit?

Tally				
30 minutes or less	30 minutes – 1 hour	1-2 hours	2-4 hours	More than 4 hours
0	22	32	5	0

Q11. Do you tend to visit the coast at a certain time of day?

Tally					
Early Morning (Before 9am)	Morning (9am-12pm)	Early Afternoon (12-2pm)	Late Afternoon (2-4pm)	Evening (After 4pm)	Varies/First Visit
14	17	5	11	15	17