

Marine Consultation Summary Document for the Teemouth and Cleveland Coast Potential Special Protection Area (pSPA)

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1. Purpose of this Document

This document provides guidance to stakeholders for the formal consultation on the proposal to classify the proposed extension of Teesmouth and Cleveland Coast as a Special Protection Area (SPA).

It explains:

- proposal to classify
- the background information which is helpful in understanding the proposal
- how to respond

2. Site maps

Available to view on the consultation page: <https://consult.defra.gov.uk/natural-england-marine/teesmouth-and-cleveland-coast-potential-sp>

3. The proposal to classify the proposed extension of Teesmouth and Cleveland Coast as a potential SPA

Following advice from Natural England, the Secretary of State is proposing to classify the proposed extension of the existing Teesmouth and Cleveland Coast SPA, located off the north-east coast of England, as a SPA under the European Union's Directive on the Conservation of Wild Birds ('Birds Directive'). Natural England is consulting stakeholders on that proposal. At this stage, the site is considered a potential SPA (pSPA) and treated as a fully designated European site subject to protection under the EU Habitats Directive¹. The existing Ramsar site will also be extended in the terrestrial areas to include additional wetland areas. The Ramsar extension will not extend outside of the pSPA extension and will only cover those terrestrial extension areas of the pSPA down to Mean Low Water. The Site (Section 4) and Impact Assessment summary's (Section 5) found below provide the background information to support the proposals.

The Departmental Brief (scientific basis) and the Impact Assessment (cost estimates) are available at the following link (<https://consult.defra.gov.uk/natural-england-marine/teesmouth-and-cleveland-coast-potential-sp>). The Departmental Brief is provided to the Secretary of State (SoS) and provides the full scientific rationale for the proposals to help the SoS decide whether the site should go forward to formal consultation. The Departmental Brief was provided to the SoS in June 2018 and approved for formal consultation on the 31st July 2018. At the point the SoS approved the site for formal consultation, the site became known as a "potential" Special Protection Area or pSPA, and is afforded the same level of protection as a fully classified Special Protection Area.

¹ <http://ec.europa.eu/environment/nature/legislation/habitatsdirective/>

The Impact Assessment details the socio-economic effects the classification of the SPA may have. Under an EU ruling, the Habitats and Birds Directives do not permit socio-economic considerations to influence the choice of Natura 2000 sites (SPAs and Special Areas of Conservation) or their boundaries.

The following is a summary of the different kinds of sites which protect different habitats or species:

- **Special Protection Areas (SPA)** protects areas which support significant populations of rare, vulnerable and migratory bird species of European importance.
- **Ramsar** sites protect wetland sites of international importance designated under the Ramsar Convention.
- **Sites of Special Scientific Interest (SSSI)** sites are notified to protect the best examples of the UK's plants, animals or geological features. They are primarily land-based, but some sites extend below the low water mark.
- **Marine Conservation Zones** protect nationally important marine habitats and associated species.

Further information on the different nature conservation designations can be found at: <http://www.naturalengland.org.uk/ourwork/conservation/designations/default.aspx>

4. Site summary

The existing Teesmouth and Cleveland Coast SPA is classified for breeding little tern, passage Sandwich tern, non-breeding red knot, passage common redshank as well as an assemblage of over 20,000 waterbirds. The existing SPA boundary includes a range of coastal habitats including intertidal sandflats and mudflats, rocky shore, saltmarsh, freshwater marsh and sand dunes.

An extension to the existing SPA is being proposed to protect the at sea foraging areas for little tern and common tern which breed at the existing coastal SPA. Additionally, the proposals include adding breeding common tern, breeding pied avocet and non-breeding ruff as new features to the site and include additional wetland areas such as saltmarsh, wet grassland and intertidal areas which are important for other foraging and roosting waterbirds.

It is being proposed that the existing Teesmouth and Cleveland Coast SPA boundary is extended to cover an area from Castle Eden Denemouth in the north to Marske-by-the Sea in the south and includes the River Tees up to the Tees Barrage. The seaward boundary includes waters out to around 3.5km from Crimdon Dene to include the areas of greatest importance to the little terns at that colony and out to around 6km offshore further south to include the areas of greatest importance to the common terns at the Saltholme colony. Additional terrestrial areas are included in the extension as they provide important habitat for the waterbird assemblage.

It also proposed to extend the existing Ramsar site to include additional wetland areas. The Ramsar extension will not extend outside of the pSPA extension and will only cover those terrestrial extension areas of the pSPA down to Mean Low Water.

5. Summary of the Impact Assessment

A summary of the potential socio-economic impacts should the extension of the site become an SPA is provided below. While socio-economic implications cannot be taken into consideration when deciding to classify an SPA, they do help stakeholders understand potential site management issues and inform government of likely impacts and benefits of the pSPA. An initial screening assessment of socio-economic impacts for the site was undertaken through informal dialogue with stakeholders before the formal consultation. As agreed by Defra, the screening assessment concluded that a more detailed assessment of socio-economic impacts resulting from the pSPA classification was undertaken through a full Impact Assessment which is based on the current understanding of existing and planned activities occurring within the pSPA,

Cost to Industry

Costs to public sector are mainly associated with managing the site, terrestrial wet grassland management and the production of ecological assessments to inform review of consents by the relevant authority .

- **Management of the site:** through the development of the Tees Estuary Partnership (TEP). The costs associated with the development of the TEP include:
 - meetings and reporting
 - additional survey work to inform management of the site
- **Management of terrestrial habitat:** i.e. grazing of wet grassland, wet grassland creation.
- **Production of ecological assessments to inform Habitats Regulations Assessments (HRAs):** Some industries may incur additional costs to carry out an ecological assessment to inform cursory review of current consents assumed to be in the year after classification (2020) to allow the competent authority to assess the potential impacts on the new features of the site. Industry may incur a cost to mitigate potential impacts on the new features as a result of the review of existing planning permissions and consents by the competent authorities.

Reassessment of Control of Major Accident Hazards (COMAH) contingency plans has been highlighted by industry as a potential costs as a result of the extension of the SPA. There is the potential that additional mitigation measures will be required as a result of this. Evidence of these costs has not been presented to date and we would welcome stakeholder comment during formal consultation.

Some of the existing management measures associated with the existing Teesmouth and Cleveland Coast SPA will also provide the management required for the pSPA and Ramsar.

Cost to Authorities

Costs (both quantified and unquantified) to public authorities are mainly associated with managing the site, terrestrial wet grassland management and site monitoring

Competent authorities will be responsible for:

- reviewing outstanding or existing consents or permissions
- undertaking a HRA for future plans and projects
- establishing and carrying out a monitoring plan for period assessment
- to potentially carry out further survey work to inform and amend the existing voluntary Code of Conduct for recreational activities
- contributing to the site's management to include:
 - development and implementation of a management plan for the SPA
 - terrestrial wet grass land management
 - direct liaison with stakeholders
- implementing this through agreements, Memorandum of Understanding and working practices

Benefits of the pSPA

The site will provide benefits for:

- waterbirds
- education
- research
- people who value conservation
- economic benefits
- people who watch wildlife

6. How to respond

This consultation runs for 16 weeks² from and is run in accordance with the government consultation principles. The principles ensure that consultation should be clear and concise, have a purpose and be informative to the reader. It forms part of a wider process of engagement with targeted stakeholders and should last for a proportionate amount of time. Consultation should be agreed before publication and facilitate scrutiny. Responses from Natural England shall be published in a timely manner.

You may also find it useful to read:

- Establishing Marine Special Protection Areas: [TIN120]
(<http://publications.naturalengland.org.uk/publication/1476400>)

Use these documents to help with your response. Submit your response by completing the survey on the consultation page. Alternatively, you can submit a written response to the address provided below:

The Teesmouth and Cleveland Coast Designations Team
Natural England

²This has been extended from three to four months to coincide with the consultation period for the formal consultation for the Site of Special Scientific Interest

**Lancaster House
Hampshire Court
Newcastle Upon Tyne
NE4 7YH**

Results from the consultation will be submitted as a report to the Secretary of State (SoS) for the Department of Environment Food and Rural Affairs. Following consideration of that report, the SoS will decide whether or not to classify the extension of the site as a SPA.

If you don't have access to the Internet, please contact us by post for copies of the documents you need.

7. Confidentiality

Using and sharing your consultation response(s)

In line with Natural England's [Access to Information Statement](#), at the end of the consultation period copies of the responses and/or the information contained in them may be subject to publication or release to the public on request and/or on our website.

A report will also be produced collating all representations made during the formal consultation period together with any recommendations arising from the consultation for the SoS. The SoS will consider this report before deciding whether or not to classify the extension of the site as a SPA.

If you do not want your response including your name, contact details and any other personal information to be publicly available, please explain clearly why you regard the information you have provided as confidential. If we receive a request for release of the information under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded as binding on Natural England.

We will summarise all responses and place this summary on our website at https://www.gov.uk/government/publications?departments%5B%5D=natural-england&publication_filter_option=consultations.

This summary will include a list of names of organisations that responded but not the names, addresses or other contact details of individual respondents.

See Natural England's personal information charter (<https://www.gov.uk/government/organisations/natural-england/about/personal-information-charter>) on how your information is handled.

8. Use of maps

Natural England has provided maps which show the complete boundary and additional maps where necessary to support the explanations given for the boundary locations.

Maps which accompany the site summary should ideally be printed on A3 paper. If you don't have this facility:

- print the relevant chapter text
- view the associated map on your computer screen, using the zoom tool to view it at a suitable size