



Boston Advisory Group meeting: 1900-2100 13th March 2019

Boston Witham Sailing Club, 8 Witham Bank W, Boston PE21 8PP

- Welcomes/introductions
- Apologies
- Previous minutes/matters arising

1. WNNMP

- Wild Seas Recreation Guide
- Wild Seas Wardens and Monitoring Tool
- Wild Seas Recreation Areas?
- Recreation Projects: Dog Walking and Aviation
- Wild Seas Week
- Saltmarsh Research
- Friskney Sea Lane Access

2. Coastal Site Manager updates

3. Eastern-IFCA: Managing Fisheries in Marine Protected Areas

- Managing Fisheries in Marine Protected Areas
- Other Marine Science Workstreams
- Marine Protection Workstreams
- Engagement

4. Natural England

- Condition assessment
- Conservation Advice Package
- England Coastal Path
- Offshore windfarms
- Wildfowling consents
- Other

5. Photographs

6. Date of the next meeting

7. AOB

Eastern IFCA update to The Wash and North Norfolk Marine Partnership Advisory Groups

Last updated: 21 February 2019



1. Managing Fisheries in Marine Protected Areas

1.1. Update on the Marine Protected Area Byelaw 2018

The Marine Protected Areas Byelaw 2018 was submitted to Defra for Ministerial approval in November 2018 and is currently under consideration. This byelaw sets out areas to be closed to certain fishing activities for the protection of Marine Protected Areas. Existing closures are included as well as new closures in the Wash that will affect the shrimp fishery. Two of the proposed restricted areas in the inshore part of the North Norfolk Coast were removed from the byelaw to allow for further consideration. Eastern IFCA has now, in consultation with Natural England, concluded that these closures are necessary for the protection of The Wash and North Norfolk Coast Special Area of Conservation and will seek to include these in the next iteration of this byelaw.

1.2. Shrimp Permit Byelaw 2018

The Shrimp Permit Byelaw 2018 will be submitted to Defra for Ministerial approval in the coming weeks, pending some final minor amendments in relation to electronic monitoring devices. This byelaw will enable Eastern IFCA to manage the shrimp fishery using flexible conditions as required including for example, technical gear requirements and effort limitations.

1.3. Cromer Shoal Chalk Beds Marine Conservation Zone

The ongoing review of available evidence for the Cromer MCZ Assessment has indicated that bottom towed fishing gear could damage the chalk feature and therefore measures to exclude towed demersal gear from some or all of the site are likely. The review has also indicated that potting may have an impact upon protruding areas of the chalk feature, but further information is required to properly understand this. Further survey work and management measures to better understand fishing effort are key considerations. The latter are also a consideration for stock sustainability management measures. EIFCA and NE are committed to working with industry to better understand any impacts which may be occurring and to ensure that management decisions are appropriate in an area we all recognise as being extremely important for the local fishery and community.

More information on the Cromer Shoal Chalk Beds site, including maps of the designations and features and online conservation advice can be found at the following web pages:

<https://www.gov.uk/government/publications/marine-conservation-zones-cromer-shoal-chalk-beds>

<https://designatedsites.naturalengland.org.uk/Marine/SupAdvice.aspx?SiteCode=UKMCZ0031&SiteName=MCZ&SiteNameDisplay=Cromer+Shoal+Chalk+Beds+MCZ&countyCode=&responsiblePerson=&SeaArea=&IFCAArea>

1.4. Haisborough, Hammond and Winterton Special Area of Conservation (SAC)

This site extends between 5 and 25 miles offshore, off the east coast of Norfolk. Eastern IFCA is responsible for managing fisheries in the 0 to 6 nautical mile area. We are currently developing measures to restrict trawling within this site to protect *Sabellaria spinulosa* (Ross worm) reef from damage. We are still in the process of liaising with Natural England in relation to the extent of this sensitive feature. We want to understand what impacts these closures could have on fishing – so we will be keen to engage with anyone who fishes in that area.

2. **Other Marine Science Workstreams**

2.1. Annual mussel surveys in The Wash

Eastern IFCA have now completed our annual WFO mussel surveys after some delays and are exploring the potential for a limited relaying fishery.

2.2. Annual cockle surveys in The Wash

The annual WFO cockle surveys are due to start at the end of March. These surveys last for about six weeks, during which time officers will use day grab sampling and intertidal foot surveys to assess the densities and sizes of cockles throughout The Wash Fishery Order area, and as of last year the Ferrier sand area too. This information will be used to inform whether a fishery can be opened within The Wash and the areas that are suitable to be fished.

2.3. Crab and lobster stock assessment

Eastern IFCA is responsible for ensuring fisheries are sustainable, in relation to stocks as well as interactions with the environment. Our work on crab and lobster stocks indicates that fishing may be at or just beyond maximum Sustainable Yield. We are working closely with Cefas and other experts and we plan to engage with industry shortly in order to explore what management measures might be appropriate to ensure that the fishery remains sustainable.

2.4. Benthic habitat mapping off the North Norfolk Coast

In our previous updates we mentioned we were conducting survey work of the North Norfolk Coast. We are currently in the process of working up the data that we collected off the coast of Wells-Next-The-Sea. Initial examination of the data, which is primarily SideScan Sonar data alongside some video footage, indicates that we should be able to get useful information from the results. We intend to go back to collect more video footage to ground truth SideScan data in the area (about 2- or 3-days work).

If you're interested in finding out more about habitat mapping Eastern IFCA have done in the past, a summary of the habitat mapping conducted in 2016 and 2017 can be found on our website here:

http://www.eastern-ifca.gov.uk/wp-content/uploads/2016/11/2018_05_10_Final_2016_2017_Habitat_Mapping_Report.pdf

2.5. Slipper Limpets in The Wash

In January the Authority approved a project to clear up a small area of high-density slipper limpets on the Roger-Tofts in The Wash. Slipper limpets are an invasive, non-native species of shellfish, listed on the IUCN list of problematic alien species and under Schedule 9 of the Wildlife and Countryside Act 1981, meaning it is illegal to introduce them into the wild. In high densities, slipper limpets can reduce the growth rate and survival of mussels, change community structure in the intertidal and subtidal areas, create changes to near-bottom currents and sediment composition and have impacts on the fishing industry – in particular, reputational impacts due to legal issues around importing/exporting Schedule 9 species, and expenses and time involved in sorting and cleaning shellfish catch.

Natural England have reviewed a light-touch HRA for the proposed project and are happy that the activity will not have an adverse effect on the integrity of The Wash and North Norfolk Coast European Marine Site. The current plan is to contract one or two fishing vessels to undertake this work before the beginning of May, using a combination of hand-working and back-raking of sediment.

3. **Marine Protection Workstreams**

3.1. Fishing vessel owner and crew fined for obstruction

Two fishers engaged in the Wash Fishery Order 1992 cockle fishery appeared at King's Lynn Magistrates Court in a case brought by Eastern IFCA. Both pleaded guilty and were ordered to pay financial penalties totalling £2,560 including legal and enforcement costs for prosecution. <http://www.eastern-ifca.gov.uk/fishing-vessel-owner-crew-fined-obstruction/>

3.2. EU exit advice

Eastern IFCA has published a summary and links to Government advice for fishery stakeholders to follow under a no-deal EU exit scenario, available here: <http://www.eastern-ifca.gov.uk/eu-exit-fisheries-update/>

3.3. MMO consultation on the introduction of catch recording

The MMO have launched a consultation on the introduction of catch recording for licensed fishing vessels under 10 metres in length, more information can be found here: <https://consult.defra.gov.uk/mmo/consultation-on-the-introduction-of-catch-recordin/>

3.4. Inshore Vessel Monitoring Systems (I-VMS)

Defra's consultation on introducing I-VMS on all British Licenced fishing vessels under 12 meters ended in November of 2018. Defra are analysing the feedback received and intend to publish their response to the public consultation shortly.

3.5. 2019 European Seabass Regulations

New regulations have been published for the protection of the European seabass, which came into force from the 31st January 2019. The complete measures can be found on the Marine Management Organisation (MMO) website: <https://www.gov.uk/government/news/update-on-fishing-for-sea-bass-in-2019>

3.5.1. Summary on Commercial Fishing for Bass

Commercial fishers must have an authorisation issued by the MMO to catch, retain, tranship or land bass. Authorisations are separate for different gear types used. It is prohibited for commercial vessels to fish for bass from 1st February to 31st March 2019. Commercial fishing from the shore is prohibited throughout 2019. Between 1st April and 31st December 2019 catch restrictions will apply depending on the gear type used (see the MMO website for specifics).

3.5.2. Summary on Recreational Fishing for Bass

From 1st January to 31st March 2019, and from 1st November to 31st December 2019 only catch-and-release fishing of bass is permitted. From 1st April to 31st October 2019 not more than one bass per person per day may be retained. Any additional bass should be returned immediately to the sea. In addition, the minimum conservation reference size (MCRS) of 42 cm applies – any bass smaller than this must be immediately returned to the sea. These measures apply to fishing from vessels and from shore.

4. Engagement

As always, between these meetings you can follow what we've been up on our social media pages:

https://twitter.com/eastern_ifca

<https://www.facebook.com/eastern.ifca>

For any specific questions feel free to message on social media, give us a call on 01553 775321, e-mail us at mail@eastern-ifca.gov.uk or pop into our office at 6 North Lynn Business Village, Bergen Way, King's Lynn PE30 2JG

Natural England Summary to the Advisory Groups

1. Condition Assessment

The Wash and North Norfolk Coast condition assessment is now available on Natural England's Designated Sites System

We are currently finalising the condition assessments for the two offshore sites (Inner Dowsing, Race Bank and North Ridge SAC and Haisborough, Hammond and Winterton SAC), the Alde Ore and Butley Estuaries SAC and Orfordness to Shingle Street SAC.

2. Conservation Advice Package

Great Yarmouth North Denes SPA and Minsmere-Walberswick SPA draft conservation advice packages will be published in March 2019, the Invitation to comment consultation period will begin end of March.

An email went out in 2018 regarding GDPR and only a handful of people responded to remain on the stakeholder list. If you are using a personal email address for correspondence and would like to be kept up to date with Conservation advice publications please email the area team mailbox on EEMarine@naturalengland.org.uk to request to be added the stakeholder list for correspondence, specifying which MPA's are of interest or more generally the area, Norfolk, Suffolk or Lincolnshire).

Following the publication of the draft package for Breydon Water SPA September 2018, Natural England are currently responding to stakeholder feedback.

3. English Coastal Path

The English Coast path will form a national trail which will extend around England's coast.

a. Skegness and Mablethorpe

The first section of the England Coast Path in Lincolnshire, between Skegness and Mablethorpe is due to be officially opened in on the 27 February at The North Sea Observatory, Chapel Point, Chapel St Leonards, Skegness PE24 5XA. The final works including building a boardwalk, signage and installation of gates etc. has been completed.

b. Sutton Bridge to Skegness section.

This is still at the same stage i.e. Stage 4 – Determining as was reported at the November-18 meeting.

On 24 January 2018 Natural England submitted its coastal report to the Secretary of State for coastal access for the 57 mile (92km) stretch of the coast between Sutton Bridge and Skegness. The period

for making representations and objections about the report closed at midnight on 21 March 2018. The report is still available to view.

Objections were considered by an independent planning inspector appointed by the Secretary of State. The inspector will make recommendations to the Secretary of State in respect of each one.

Natural England may not make any further changes to the report as a result of the representations and objections. In April Natural England made comments about the representations and objections for consideration by the Secretary of State and, in the case of objections, the appointed planning inspector. The Secretary of State will consider all the representations and objections before making a decision about Natural England's report.

Once the Secretary of State has approved the report, Natural England will start work with Lincolnshire County Council on preparing the route for public use.

The first step will be to contact owners and occupiers of the affected land to discuss the design and location of any new infrastructure which is required such as signs and gates.

When preparations are complete, new access rights will be brought into force along the route and adjoining spreading room.

c. Weybourne to Hunstanton stretch

Background

We published our report for the Weybourne to Hunstanton stretch on 21/3/18, the 8 week period for objections and representations has now closed. A Planning Inspector has been appointed to take an independent look at the objections and advise the Secretary of State on these. The first step is for them to determine which objections are admissible under the legislation, and we have been expecting the Planning Inspectorate to advise objectors on this for a while.

Our ECP proposals for this stretch included statutory restrictions to exclude the new coastal access rights to two areas of saltmarsh on grounds of public safety:

- o Wells-next-the-Sea - approximately 6 km² of coastal margin adjacent to approximately 4 km of proposed trail;
- o Burnham Overy Staithe - approximately 0.37 km² of coastal margin adjacent to approximately 700m of proposed trail.

We reached these recommendations on the basis of expert advice from the emergency services, to keep people safe on a coastline where tides can catch out people unfamiliar with the local area. Following publication, a large number of objections and representations were received and these largely focus on the restrictions and a perception that existing use by tradition, permission or common law would be affected. Whilst this is not the case, some limited areas subject to CROW 'open access' rights at Burnham Overy Staithe would be affected. Most people who made an objection or representation asked for the existing access arrangements to be maintained.

We therefore reviewed the evidence behind these proposals, analysed any new information brought forward in objections and representations and held structured conversations with a selection of key partners and sought further data from rescue services. This uncovered additional information we weren't aware of when we made our proposals, which we are using to consider whether our proposals are still reasonable. The information we've been given by local people shows us how these areas are being used locally and suggests there are potentially ways, other than statutory restrictions, of managing this use to minimise risk. This review is not yet complete but we do expect that we will make some alternative recommendations to the Secretary of State on this, which we hope will meet local concerns.

Update

We are now considering if anything needs to be done to protect the species and habitats for which these sites are designated in the absence of these proposed safety restrictions. At Burnham we don't believe anything is needed but this review is ongoing for Wells where we are still collecting and analysing evidence. If a nature conservation restriction is required we will consult on this separately.

Alongside this review a separate matter has come up which affects the whole country and which we also need to take into account. This is the recent ruling at the Court of Justice of the European Union in the matter of People Over Wind. This requires us to take our proposals through an Appropriate Assessment. This affects a very large number of our reports and each will need an appropriate assessment to be done for them in turn. It will be approximately 6 months before we have completed this.

Once our review of the safety restrictions and Appropriate Assessment are complete we will submit our comments on the objections and associated representations received to the Planning Inspectorate who will advise the Secretary of State on these. The Secretary of State will then determine our proposals. This stage of the process sits outside Natural England and is completely independent of us to ensure fairness. It's hard to say how long it will but experience to date suggest it could be upwards of 18 months before our report is determined for this stretch.

d. Hunstanton to Sutton Bridge

Natural England is still visiting land on this stretch of coast that is likely to be affected by our proposals and discussing the options in detail with owner's occupiers and other relevant interests. Due to the length and complexity of this stretch, this phase of site visit work will take some months to complete. The proposals will be finalised and then published in a report to the Secretary of State for the Environment, Food and Rural Affairs. This is expected to take place in winter 2019.

Dogs on the Marsh

Following on to the questions regarding walking dogs along the coastal path (and uncontrolled dogs on the marsh) further information provided by Natural England's solicitor is set out below:

- As it currently stands there is no prohibition on taking dogs on the coastal path along the seawall, save for the request featured on signs here and around The Wash that dogs remain under effective control.
- Currently, until the sea defence is adopted as part of the English Coastal Path and the saltmarsh becomes coastal margin there is so far as Natural England is aware, no right to access the saltmarsh and therefore no additional specific prohibition on the taking of dogs on to it. Where there is no right of access to land and no permission granted, the issue of trespass is raised. However this is not a matter for Natural England to advise on and would be a matter for any relevant landowner to consider. In any event, in this area, we would expect the request to keep dogs under effective control to be carefully considered.
- After the area becomes a “coastal margin” the public can exercise their rights over it, subject to any restrictions. Failure to exercise the right in accordance with the restrictions has the potential to raise the issue of trespass. The general restrictions have been set out as part of the English Coast Path proposals that are currently being reviewed by the Secretary of State. It is likely that specific restrictions regarding dog control – i.e. keeping dogs on leads during the bird nesting season, keeping dogs under effective control, or keeping dogs on a lead will be included at different locations due to the importance of The Wash for birds and its European designated habitats i.e. the saltmarsh.

In addition, under Schedule 2 of The Countryside and Rights of Way Act 2000 it notes (with regards the coastal margin):

6A (1) Whatever the time of year, section 2(1) does not entitle a person to be on any land which is coastal margin at any time if – (a) that person has taken onto the land, or allowed to enter or remain on the land, any dog, and (b) at that time, the dog is not under the effective control of that person or another person. (2) For this purpose a dog is under the effective control of a person if the following conditions are met. (3) The first condition is that – (a) the dog is on a lead, or (b) the dog is within sight of the person and the person remains aware of the dog’s actions and has reason to be confident that the dog will return to the person reliably and promptly on the person’s command. (4) The second condition is that the dog remains – (a) on access land, or (b) on other land to which that person has a right of access.

- For completeness, I should draw your attention to certain offences that may be committed in relation to protected wildlife. It is an offence to intentionally or recklessly disturb a bird on Schedule 1 to the Wildlife and Countryside Act 1981 while it is building a nest or is in on or near a nest containing eggs or young or to disturb the dependant young of such a bird. There are also the offences in relation to the SSSI of intentionally or recklessly destroying or damaging features of the SSSI or intentionally or recklessly disturbing the fauna for which it is notified. In this case recklessness could include being aware that birds are vulnerable to disturbance, the effects on them and the kind of activities (i.e. letting your dog off the lead) that would cause that disturbance. In cases where it can be shown that there is knowledge that the site that was damaged was a SSSI there is potential for a greater maximum punishment. Breaches of the legal protection afforded to SSSIs, SPAs and SACs can result in proceedings being taken against the parties involved and if convicted can lead to fines of up to £20,000.

More generally Natural England worked with the Kennel Club to produce specific guidance for dog walking within protected sites it is available here through Lincolnshire County Council webpage.

4. Offshore windfarms

Hornsea Project 3

Natural England continues to advise on the Hornsea 3 examination. However, our position in relation to being unable to exclude Adverse Effect on Integrity (AEoI) of several designated sites including The Wash and North Norfolk Coast SAC remains unchanged. Our advice on the Cromer Shoal also remains unchanged.

There is the last set of Issue Specific hearings next week, but we will not be attending. The end of examination is 2nd April 2019, but it is highly probable that NE will have continued engagement, but with BEIS after this date, due to our position.

Race Bank

Natural England is currently finalising our advice on several additional documents provide by Ørsted to support their cable protection application. It is currently unlikely that we will be able to advise beyond reasonable scientific doubt no AEoI.

We are also responding to a further consultation on disposal dredge and Ornithological monitoring plan.

We have responded to their first year saltmarsh monitoring plan. There is still a long way to go on the recovery, but it good to see that some of the restoration measures i.e. 'Sausages' are having a positive effect. We will be approaching Ørsted about some of less successful mechanisms such as plug planting. And adapting the restoration plan accordingly.

Race Bank Extension

NE continues to provide advice to the Crown Estate on their Habitat Regulations Assessment for the proposed extension projects of which this is one. We have been consulted by Ørsted under our discretionary advice service in relation to evidence gather to support any application for such an extension

Lincs

NE is currently finalising our advice on an operations and maintenance variation request. There may be more information in time for the meetings

Sheringham Shoal

We have had some low MMO consultations in relation to this project, but anticipate more contact because benthic surveys are expected this summer

Dudgeon

Bird monitoring in the form of tagging will continue this summer

Equinor Extension

Again NE Natural England continues to provide advice to the Crown Estate on their Habitat Regulations Assessment for the proposed extension projects of which Dudgeon and Sheringham are included.

Triton Knoll

We continue to provide advice to Innogy and MMO on pre-construction documents to discharge their marine licence condition in advance of starting construction this year

Ørsted

We have had a meeting with Ørsted on 21st February and we are looking to explore with them opportunities for Net Gain in the Greater Wash Area and to develop some habitat enhancement opportunities.

5. Wildfowling consents

Natural England is looking to develop the working relationship with Wildfowling groups on The Wash as a part of moving to a longer term way of working and a more regional way of assessing bag returns. Contact from wildfowling groups that Natural England's Gillian Fisher hasn't yet met or worked with would be very welcome.

Please Contact Gill Fisher for further information.

Gillian.fisher@naturalengland.org.uk or 02080261750

6. Other

Cromer Shoal Chalk Beds Marine Conservation Zone Fisheries Assessment

The ongoing review of available evidence for the Cromer MCZ Assessment has indicated that bottom towed fishing gear could damage the chalk feature and therefore measures to exclude towed demersal gear from some or all of the site are likely. The review has also indicated that potting may have an impact upon protruding areas of the chalk feature but further information is required to properly understand this. Further survey work and management measures to better understand fishing effort are key considerations. The latter are also a consideration for stock sustainability management measures. EIFCA and NE are committed to working with industry to better understand any impacts which may be occurring and to ensure that management decisions are appropriate.

Friskney Lane

We have been worked closely with The Wash and North Norfolk Marine Partnership (WNNMP), Defence Infrastructure Organisation (DIO), Witham Forth Internal Drainage Board, Lincolnshire Wildlife Trust, East Lindsey District Council, Skegness and Wainfleet District Wildfowlers and relevant landowners to restrict vehicle access to the marsh at RAF Wainfleet. Over the last 6-months we have been involved in several meetings and discussions to achieve a solution that would meet everyone's requirements. We assisted the DIO by producing the Habitat Regulations Assessment and consent paperwork required to allow the work to be undertaken. The aim of the installation of gates at the end of the public highway at Friskney Lane and concrete blocks on the former helipad is to restrict vehicle access so that it would reduce the occurrence of fly-tipping, minimise the health & safety risks to members of the public to unexploded ordnance and reduce impact on the wildlife/habitats (specifically the saltmarsh and bird interest).

The good news is the gate was installed and the concrete blocks have been installed. Pedestrian access to the saltmarsh is still possible by walking along the Friskney Lane or along the English Coast Path.

We would like to thank everyone involved with this project.

Boston Haven Flood Embankment

We have been contacted for our statutory advice on Boston Haven flood embankment works from the EA National Environmental Assessment Service. The project is only at investigation and tender stage, but works are expected to start later in 2019. We have been so far involved in assenting and reviewing the Habitat Regulations Assessment for the required geotechnical surveys that are needed. We are aware the RSPB have been contacted by the Environment Agency relating to works within their sites.

Boston Alternative Energy Facility

Natural England have had an initially project meeting with the Boston Alternative Energy Facility consultancy team. We understand Phase 2 of the consultation on the proposed Boston Alternative Energy Facility has now begun. Opportunities to provide feedback will be available at the Public Information Days are being held in February and March 2019. You can also give feedback about the proposed Boston Alternative Energy Facility via post, email or using the freephone number which can be found here. The deadline to give feedback is 24 March 2019. Further details are available on their webpage and circulated to the Boston Advisory Group members by Rachel Marriott. If members of the Boston Advisory Group wish – then it may be possible to arrange a presentation on the project at a subsequent Advisory Group meeting.

Minutes

1.0 WNNMP

1.1 Wild Seas Recreation Guide

This is currently in its fourth version. Sam has now completed the text, and the content is now with the designer. Prior to writing the guide, Sam reviewed all national best practice guides and looked at equivalent sites with similar issues. It includes four key areas: enjoy nature; respect people; protect wildlife; and stay safe. These are very similar to the points included in the Countryside Code. Sam will have the draft back from the designer in two weeks, and he will share with the group for feedback. There will be a six week consultation period before the final edition is issued.

The guide does not include a reference to wildfowling, it largely focuses on issues such as dog walking and sailing. The King's Lynn advisory group felt that wildfowling should be represented in the guide. Tammy stated that we do not want the guide to encourage random individuals to take part in wildfowling, as the wildfowling clubs have very strict guidelines that they adhere to and their own codes of conduct. Both Kev and John agreed, and suggested that the guide directs people towards the local clubs to ensure everything is done responsibly. Trevor commented that dog walkers have been trying to disrupt wildfowling. Activity is heavily controlled within the wildfowling club.

Tammy suggested that samphire picking be kept out of the guide, and Kev live bait digging.

Sam has included a page on drones including national drone laws and environmental impact. Louise commented that Natural England can give consents for activity on the SSSIs, but that landowners' consent is also required. Drone disturbance to wildlife is quite low, but John felt they need to be used at the right time and in the right way, as they have had some issues on the RSPB sites. Stephen commented that drones with winds are more disturbing to wildlife than other models.

1.2 Wild Seas Wardens and Monitoring Tool

Previously, all the input to the monitoring tool has come from spreadsheets, email and telephone. Sam has successfully raised funds to create an online tool for submitting disturbance data, which will automatically uploads all data to the system and can be accessed by any registered user at any time. Sam will give the Advisory Groups training on the monitoring tool. Sam wondered if long term this can be used as a method for wardening for recreational issues, in the form of 'Wild Seas Wardens' which would have a clear identity, for example, with logos, badges. The Wild Seas Wardens would supplement the work down by the RSPB, LWT and wildfowling. The wildfowling all commented that they do not feel that they have any authority to tell people to stop their behaviour, and people can be very aggressive.

Tammy supported the idea, as the LWT have a similar system in the form of voluntary roadside nature reserve wardens. This scheme has been running for 59 years now, and only one incident of aggression towards the wardens has been reported, and that was in 2018. Stephen agreed that most people respond well to polite pressure if they feel it is non-confrontational. Bryan thought that if members of the group continue to make notes and record incidents in the way they have been doing, then it will be easy to spot recurring issues and the the individual or group in question can then be dealt with separately. Evidence gathered could be handed over to the Wildlife Crime Officer for the area. Often an individual incident is below the police's radar, but if it is a recurring issue and there is evidence, they may be in a better position to deal with it. Sam agreed that it is up to the individual if they want to approach someone, there is no pressure to do so.

The leaflet has all the logos of the authorities and stakeholders that have supported the project. The Advisory Group agrees that it is worth trying and fully supports the use of the recreational guide. Graham added that he felt the incident reporting system was the best system, and Bryan agreed. Wildfowlers in winter are carrying guns, and they don't want that to be misinterpreted as aggressive behaviour if they approach an individual and do not want to risk losing their ticket.

1.3 Wild Seas Recreation Areas

Sam asked the question, if people aren't aware of ground nesting birds, how do we make people aware of sensitive areas? Sam has created a mapping tool which will support the recreational guide, and it will highlight areas to avoid at certain times. It will include the zoning of areas, rather than a full blanket ban of activity. For example, kayaking is a popular activity out of Wells harbour, which is nearby some sensitive wildlife areas. The mapping tool could highlight these to discourage people from going to those areas. Louise agreed that we know that some areas are hotspots for recreational activity, particularly points near car parks and key access points to the coast. Kev added that as the Wash is so heavily protected, can we not just ban activity in certain areas? Sam feels it is about making people aware of more sensitive areas, such as encouraging jet skiers to avoid the seal haul-outs. Sam thinks the mapping tool is the next logical step to support the recreational guide. Peter agreed, adding the Habitat Regulation Assessments are now a requirement for planning projects in the Boston and Spalding area, and they would welcome a mapping tool to assist them. How will it be kept up to date? The whole of the Wash is sensitive to recreational activity. The suggestion was made that the maps be included in the recreational guide rather than as a separate entity. Approximately 18 activities have been included in the recreational guide. The online tool means that each activity can have its own layer, which can be accessed separately or with all the layers. It could be quite a complicated system to use for those not familiar with GIS. Louise suggested that we should see how it goes, as she felt it could be very useful in decision making. Stephen suggested that people respond being told where they can go rather than where they can't.

The advisory group supported the concept of the mapping tool and agreed that it is worth Sam pursuing.

1.4 Recreation Projects: Dog Walking and Aviation

Dog walking and aviation are the focus of two recreation projects. There is limited funding available, the LWT has supported a dog behaviour pilot project at Gibraltar Point, and there is also a pilot at Holkham. Dog behavioural specialist Steve Jenkinson has written an advisory report, which will be available at the end of March for the advisory group to comment on. Trevor commented that he has seen an increase in the number of professional dog walkers at Gedney Drove End, in particular two girls walking six dogs that they cannot control all at the same time. It is a major problem but how are we going to police it? Kev suggested that we try to get number plates which can be submitted to the police. Formerly it was the responsibility of Nigel Lound, who is now retired, who used to write to the owners initially, then take further action if necessary. Trevor added that he doesn't feel that Natural England fully understand the problem as they have not been to visit the site in person, and thinks it will be very difficult to police.

Sam asked if this could be something that the Wild Sea Wardens could assist with? Graham commented that you would be putting yourself and your vehicle at risk. It is less of a problem in areas that cannot be easily accessed, so perhaps that is something to consider. Kev asked if we can restrict access, for example, could we create a bye-law saying you can only have 2-3 dogs at any one time so that there is some kind of legal mechanism.

If someone is allowing a dog to run free on a saltmarsh, it is the landowner's responsibility to report a trespass issue.

Boston Borough Council is happy to fine people for dog fouling in open spaces – we want to change people's behaviour and make them behave responsibly to their environment and other people, not necessarily ban them from the space – John suggested a similar approach could be adopted for the salt marsh. Stephen asked if numbers of incidents are being recorded, as we need the data to back this up for prosecution to happen. The incident reporting process can be used effectively to monitor this, for example, the LWT carry notebooks to record bird sightings, and can record incidents of bird disturbance too, which are then added to a spreadsheet. Can photos be uploaded to the incident reporting system? Bryan suggested that this data can be forwarded to the police.

Aviation is the second most common disturbance recorded. Sam called a meeting with a number of stakeholders. One of the issues is that aviation charts do not represent sensitive wildlife areas, so they were ignorant of some of the impact. He noted on a map where key sensitive areas and main flight paths overlap. Sam is going to create a best practice guide with a map specifically for the Civil

Aviation Authority. Sam has since been invited to go and talk to a number of civil aviation groups and has had a positive conversation with the RAF about low flying military activity, particularly over Frampton. John has since had follow up conversations about this. The Civil Aviation Authority (CAA) are very committed to dealing with issues, so please do take photographs where possible, or a registration number so that the CAA can act on it. John commented that he has reported issues twice to the CAA, and both times received an apology from the pilot.

1.5 Wild Seas Week

Sam is hoping to do Wild Seas week again in the future. Some events were really well attended and others were not. Sam created the guide and put it on social media and the website last year, but that was all the time he was able to commit, but he recognises if it is to go ahead again, it requires more promotion. He is hoping to raise funds for a marcomms officer to support the events. Tammy added that when she ran the former Wash Week, she posted out details of events to a huge mailing list, including schools. Graham doesn't want to do it again if it involves going through the consent process with Natural England. Sam is uncertain as to whether it will go ahead this year, unless the funding bid is successful for support with marketing.

1.6 Saltmarsh research

There have been some delays but an article has been put together for the Ecosystems Services journal, which has now been submitted, and Sam is focusing on finishing the maps, which he will share with the group.

1.7 Friskney Sea Lane Access

They have discussed the issues at Friskney Sea Lane and options for solving them. Concrete blocks and a gate will restrict vehicle access behind the helipad. Roughton Farms will be responsible for managing the access by gate. It will be periodically locked, particularly at night. Signage is due to go up next week, including a telephone number of who to contact should you get stuck the wrong side of the gate. The gate will be locked with a combination padlock, and the combination will be given to those who need it. If a problem is caused by an individual with the code, the code will be changed and they will not be re-issued with the new code. Andrew commented that they will see how it goes in terms of practicality, but it has all been very positive. Pedestrian access will not be stopped. The main idea is to restrict vehicle access onto the marsh, and the helipad has been left as turning circle/parking area. Hopefully it will deter fly-tipping on the marsh. They should have perhaps included the parish council in discussions.

2.0 Coastal Site Manager Updates

2.1 Gibraltar Point

Planning issues have taken up a lot of Kev's time recently at Gibraltar Point as there is an application on the edge of the nature reserve's hinterland for a series of holiday lets and 6 dwellings. It is just on the edge of the LWT's ability to object to.

There has been a loss of tree and scrub habitat on the flood bank due to the Environment Agency's change in management, as there is no longer any tolerance for scrub on the bank.

There has been an increase in quad bike and motorbike activity on the salt marsh in recent months. The local police have been very helpful. They have an all-terrain vehicle that they have been able to use to try and reach the vehicles, but although it's a great piece of kit, it's not necessarily the best thing to use on the salt marsh from a conservation point of view! Could we include a section on quad bikes and motorbikes in Sam's recreational guidance please?

On a positive note, the team at Gibraltar Point have introduced highland ponies to the sand dunes. They are very effective at grazing the dunes, and as opposed to cattle there are fewer restrictions regarding movement and tagging, they are good with people and tolerant of dogs, and they also qualify as part of the Countryside Stewardship Scheme. Stephen asked if they ate Japanese Knotweed as he had heard anecdotally that they had been used to graze a site in Pembrokeshire, and they had dug it up and eaten the roots. The Visitor Centre now has a new Manager in place after Vicki Holmes has moved to the North Sea Observatory.

The Fire and Rescue Service will be carrying out a mock rescue of a horse from the River Steeping at Gibraltar Point in the next day or two, as this is a common problem that the service has to deal with. The LWT are supporting this and consent has been granted by Natural England.

2.2 Frampton and Freiston RSPB

Re-organisation has been going on within the RSPB. The management structure of the nature reserves is not changing, but the area team management is. There will now be three instead of five regional areas – the Central and Eastern area, the South and the North. These are much bigger areas than before, but they will have much more autonomy. A lot of regional roles are disappearing, including most of the roles based in Norwich. Conservation and Reserves Managers will not be managed by Area Managers, focusing on priority landscapes. In theory they will have more resources. John thinks it is a good thing for the RSPB. Hayley Rowan is now in place at Titchwell and is currently putting a new team together, meaning John no longer has to manage Titchwell.

They are working on partnership building and collaboration. The Environment Agency is doing soil testing for the Boston Barrier and there may be the opportunity to create some good habitats. Natural England and the Environment Agency are looking at the Boston Peregrines, which historically have always nested on St Botolph's Church. However, their preferred nesting sites are very close to where the work is happening for the Boston Barrier, so they are trying to discourage them from nesting there by putting up netting.

They are still working on the Boston Shellfish project with Boston College, although staffing issues have made it difficult to progress. The students have been creating recipes including shellfish, and the idea is to hold a dining event and select a winner. A book will be created and there will be some kind of launch event. This has now been moved to September. They would like to include members of the Advisory Group. Sam added the Norfolk County Council are working with PROWAD and are committed to creating a food and gastronomy section in the UK to support the cockles and shrimp industry in the Wash, supporting local businesses. They hope to attract catering college graduates. East Lincolnshire Seafoods is working on a similar project to the RSPB and Boston College. Currently 98% of cockles and shrimp are exported abroad from the UK.

The Old King's Head in Kirton, a 17th century pub, has received funding from the National Lottery Heritage Fund to be redeveloped as a B&B and bistro café, with space for start-up businesses such as a local brewery. At Freiston they are currently working with Heritage Lincolnshire and the WW2 museum, as the buildings there are of national significance. They are working together to produce better interpretation and carry out some building improvements.

The reserve has not been wet enough over the winter – it is the driest it has been for six years – but hopefully it is wet enough for the breeding waders. They had 54k visitors last year, and are expecting 58k this year. They have done some audience insights into travel distance for visitors, and found that local families are likely to have travelled 30 minutes, and the bird watchers are willing to travel much further, with an average of 2 hours travel time.

3.0 Eastern IFCA: Managing Fisheries in Marine Protected Areas

3.1 Managing Fisheries in Marine Protected Areas

The Marine Protected Areas Byelaw 2018 was submitted to Defra for Ministerial approval in November 2018 and is currently under consideration. This byelaw sets out areas to be closed to certain fishing activities for the protection of Marine Protected Areas. Existing closures are included as well as new closures in the Wash that will affect the shrimp fishery. Two of the proposed restricted areas in the inshore part of the North Norfolk Coast were removed from the byelaw to allow for further consideration. Eastern IFCA has now, in consultation with Natural England, concluded that

there closures are necessary for the protection of the Wash and North Norfolk Coast Special Area of Conservation and will seek to include these in the next iteration of this byelaw.

3.12 Shrimp Permit Byelaw 2018

The Shrimp Permit Byelaw 2018 will be submitted to Defra for Ministerial approval in the coming weeks, pending some final minor amendments in relation to electronic monitoring devices. This byelaw will enable Eastern IFCA to manage the shrimp fishery using flexible conditions as required including for example, technical gear requirements and effort limitations.

3.13 Cromer Shoal Chalk Beds Marine Conservation Zone

The ongoing review of available evidence for the Cromer MCZ Assessment has measures to exclude bottom towed demersal gear from some or all of the site are likely. The review has also indicated that potting may have an impact upon protruding areas of the chalk feature, but further information is required to properly understand this. Further survey work and management measures to better understand fishing effort are key considerations. The latter are also a consideration for stock sustainability management measures. EIFCA and NE are committed to working with industry to better understand any impacts which may be occurring and to ensure that management decisions are appropriate in an area we all recognise as being extremely important for the local fishery and community.

More information on the Cromer Shoal Chalk Beds site, including maps of the designations and features and online conservation advice can be found at the following web pages:

<https://www.gov.uk/government/publications/marine-conservation-zones-cromer-shoal-chalk-beds>

<http://designatedsites.naturalengland.org.uk/Marine/SupAdvice.aspx?SiteCode=UKMCZ0031&SiteName=MCZ&SiteNameDisplay=Cromer+Shoal+Chalk+Beds+MCZ&countyCode=&responsiblePerson=&SeaArea=&IFCAArea>

3.2 Other Marine Science Workstreams

3.21 Annual mussel surveys in the Wash

Eastern IFCA have now completed our annual WFO mussel surveys after some delays and are exploring the potential for a limited relaying fishery.

3.22 Annual cockle surveys in The Wash

The annual WFO cockle surveys are due to start at the end of March. These surveys last for about six weeks, during which time officers will use day grab sampling and intertidal foot surveys to assess the densities and sizes of cockles throughout The Wash Fishery Order area, and as of last year the Ferrier sand area too. This information will be used to inform whether a fishery can be opened within The Wash and the areas that are suitable to be fished.

3.23 Crab and lobster stock assessment

Eastern IFCA is responsible for ensuring fisheries are sustainable, in relation to stocks as well as interactions with the environment. Our work on crab and lobster stocks indicates that fishing may be at or just beyond maximum Sustainable Yield. We are working closely with Cefas and other experts and we plan to engage with industry shortly in order to explore what management measures might be appropriate to ensure that the fishery remains sustainable.

3.24 Benthic habitat mapping off the North Norfolk Coast

In our previous updates we mentioned we were conducting survey work of the North Norfolk Coast. We are currently in the process of working up the data that we collected off the coast of Wells-Next-The-Sea. Initial examination of the data, which is primarily SideScan Sonar data alongside some video footage to ground truth SideScan data in the area (about 2-3 days work).

If you're interested in finding out more about habitat mapping Eastern IFCA have done in the past, a summary of the habitat mapping conducting in 2016 and 2017 can be found on our website here:

http://www.eastern-ifca.gov.uk/wp-content/uploads/2016/11/2018_05_10_Final_2016_2017_Habitat_Mapping_Report.pdf

3.25 Slipper Limpets in the Wash

In January the Authority approved a project to clear up a small area of high-density slipper limpets on the Roger-Tofts in the Wash. Slipper limpets are an invasive, non-native species of shellfish, listed on the IUCN list of problematic alien species and under Schedule 9 of the Wildlife and Countryside Act 1981, meaning it is illegal to introduce them into the wild. In high densities, slipper limpets can reduce the growth rate and survival of mussels, change community structure in the intertidal and subtidal areas, create changes to near-bottom currents and sediment composition and have impacts on the fishing industry – in particular, reputational impacts due to legal issues around importing/exporting Schedule 9 species, and expenses and time involved in sorting and cleaning shellfish catch.

Natural England have reviewed a light-touch HRA for the proposed project and are happy that the activity will not have an adverse effect on the integrity of The Wash and North Norfolk Coast European Marine Site.

A member of the group asked if there is any harvestable benefit to slipper limpets. They are eaten in the States apparently, but we don't want to encourage a fishery that would encourage stock. Suffolk Estuaries are carpeted in slipper limpets. They are very effective filter feeders so could have a major impact on mussel and cockle populations. If we could find a commercial use for them that would be great to limit numbers. They need to be harvested by hand, for example, with a hand rake. They are mainly intertidal and are accessible on Spring tides.

John enquired about the MSC certification for the brown shrimp fishery. Stephen replied that this is still on-going. The Dutch Shrimp fishery is now accredited.

3.3 Marine Protection Workstreams

3.31 Fishing vessel owner and crew fined for obstruction

Two fishers engaged in the Wash Fishery Order 1992 cockle fishery appeared at King's Lynn Magistrates Court in a case brought by Eastern IFCA. Both pleaded guilty and were ordered to pay financial penalties totalling £2,560 including legal and enforcement costs for prosecution.
<http://www.eastern-ifca.gov.uk/fishing-vessel-owner-fined-obstruction/>

3.32 EU exit advice

Eastern IFCA has published a summary and links to Government advice for fishery stakeholders to follow under a no-deal EU exit scenario, available here: <http://www.eastern-ifca.gov.uk/eu-exit-fisheries-update/>

3.33 MMO Consultation on the introduction of catch recording

The MMO have launched a consultation on the introduction of catch recording for licensed fishing vessels under 10 metres in length, more information can be found here:
<http://consult.defra.gov.uk/mmo/consultation-on-the-introduction-of-catch-recordin/>

3.34 Inshore vessel monitoring systems (I-VMS)

Defra's consultation on introducing I-VMS on all British Licensed fishing vessels under 12 meters ended in November 2018. Defra are analysing the feedback received and intend to publish their response to the public consultation shortly.

3.35 2019 European Seabass Regulations

New regulations have been published for the protection of the European seabass, which came into force from the 31st January 2019. The complete measures can be found on the MMO's website: <https://www.gov.uk/government/news/update-on-fishing-for-sea-bass-in-2019>

3.351 Summary on Commercial Fishing for Bass

Commercial fishers must have an authorisation issued by the MMO to catch, retain, tranship or land bass. Authorisations are separate for different gear types used. It is prohibited for commercial vessels to fish for the bass from 1st February to 31st March 2019. Commercial fishing from the shore is prohibited throughout 2019. Between 1st April and 31st December 2019 catch restrictions will apply depending on the gear type used (see the MMO website for specifics).

3.352 Summary on Recreational Fishing for Bass

From 1st January to 31st March 2019, and from 1st November to 31st December 2019 only catch-and-release fishing of bass is permitted. From 1st April to 31st October 2019 not more than one bass per person per day may be retained. Any additional bass should be returned immediately to the sea. In addition, the minimum conservation reference size (MCRS) of 42cm applies – any bass smaller than this must be immediately returned to the sea. These measures apply to fishing from vessels and from shore.

3.4 Engagement

As always, between the BAG meetings you can follow what we've been up to on our social media pages:

http://twitter.com/eastern_ifca

<https://facebook.com/eastern.ifca>

For any specific questions feel free to message on social media, give us a call on 01533 775321, email us at mail@eastern-ifca.gov.uk or pop into our office at 6 North Lynn Business Village, Bergen Way, King's Lynn PE30 2JG.

4.0 Natural England

4.1 Condition Assessment

The Wash and North Norfolk Coast condition assessment is now available on Natural England's Designated Sites System.

We are currently finalising the condition assessments for the two offshore sites (Inner Dowsing, Race Bank and North Ridge SAC and Haisborough, Hammond and Winterton SAC), the Alde Ore and Butley Estuaries SAC and Orfordness to Shingle Street SAC.

Georgie Roberts has agreed to put together a simplified summary. 0.41% of The Wash is as labelled unfavourable/declining.

John commented that the condition assessments for the SSSI from 2009-13 are now all really old. Louise replied that it has just been redone for the SAC. John is keen for the SSSI condition assessments to be reviewed. Some research has been carried out by Natural England that cattle grazing may be negatively affecting nesting redshank on the saltmarsh, but there has been no follow up to evaluate and recommend action. Louise commented that Natural England is very short-staffed at the moment and very busy, so they are currently not doing any more than their statutory duty around consents at the moment. It is very unlikely that the above work will be done this year. They have had no direction from Defra about condition assessments, or where any funding may be coming from. Stocking density within countryside stewardship is very variable and this may need to be reviewed. Bryan commented that if they reduce stock any more it may not be financially viable. John would like to see more research/evidence to find a viable way forward. He does not want to see the cattle go, but feels there is a delicate balance. Bryan added that finance for graziers is minimal and at risk. John added that he is just raising it as a concern and understands that it is not a priority at this moment in time.

With increased Spring tides, may be forcing redshank to nest at higher levels, for example, sea banks, so may be at a greater risk from cattle trampling. Trevor noted that a lot of redshank in land although they are not nesting.

4.2 Conservation Advice Package

Great Yarmouth North Denes SPA and Minsmere-Walberswick SPA draft conservation advice packages will be published in March 2019, the Invitation to comment consultation period will begin end of March.

An email went out in 2018 regarding GDPR and only a handful of people responded to remain on the stakeholder list. If you are using a personal email address for correspondence and would like to be kept up to date with Conservation advice publications please email the area team mailbox on EEMarine@naturalengland.org.uk to request to be added the stakeholder list for correspondence, specifying which MPA's are of interest or more generally the area, Norfolk, Suffolk or Lincolnshire).

Following the publication of the draft package for Breydon Water SPA September 2018, Natural England are currently responding to stakeholder feedback.

4.3 English Coastal Path

The English Coast path will form a national trail which will extend around England's coast.

4.31 Skegness and Mablethorpe

The first section of the England Coast Path in Lincolnshire, between Skegness and Mablethorpe is due to be officially opened in on the 27 February at The North Sea Observatory, Chapel Point, Chapel St Leonards, Skegness PE24 5XA. The final works including building a boardwalk, signage and installation of gates etc. has been completed.

4.32 Sutton Bridge to Skegness section

This is still at the same stage i.e. Stage 4 – Determining as was reported at the November-18 meeting. On 24 January 2018 Natural England submitted its coastal report to the Secretary of State for coastal access for the 57 mile (92km) stretch of the coast between Sutton Bridge and Skegness. The period for making representations and objections about the report closed at midnight on 21 March 2018. The report is still available to view.

Objections were considered by an independent planning inspector appointed by the Secretary of State. The inspector will make recommendations to the Secretary of State in respect of each one.

Natural England may not (not allowed to) make any further changes to the report as a result of the representations and objections. In April Natural England made comments about the representations and objections for consideration by the Secretary of State and, in the case of objections, the appointed planning inspector. The Secretary of State will consider all the representations and objections before making a decision about Natural England's report.

Once the Secretary of State has approved the report, Natural England will start work with Lincolnshire County Council on preparing the route for public use. The first step will be to contact owners and occupiers of the affected land to discuss the design and location of any new infrastructure which is required such as signs and gates. When preparations are complete, new access rights will be brought into force along the route and adjoining spreading room.

4.33 Weybourne to Hunstanton stretch

Background

We published our report for the Weybourne to Hunstanton stretch on 21/3/18, the 8 week period for objections and representations has now closed. A Planning Inspector has been appointed to take an independent look at the objections and advise the Secretary of State on these. The first step is for them to determine which objections are admissible under the legislation, and we have been expecting the Planning Inspectorate to advise objectors on this for a while.

Our ECP proposals for this stretch included statutory restrictions to exclude the new coastal access rights to two areas of saltmarsh on grounds of public safety:

- Wells-next-the-Sea - approximately 6 km² of coastal margin adjacent to approximately 4 km of proposed trail;
- Burnham Overy Staithe - approximately 0.37 km² of coastal margin adjacent to approximately 700m of proposed trail.

We reached these recommendations on the basis of expert advice from the emergency services, to keep people safe on a coastline where tides can catch out people unfamiliar with the local area. Following publication, a large number of objections and representations were received and these largely focus on the restrictions and a perception that existing use by tradition, permission or common law would be affected. Whilst this is not the case, some limited areas subject to CROW 'open access' rights at Burnham Overy Staithe would be affected. Most people who made an objection or representation asked for the existing access arrangements to be maintained.

We therefore reviewed the evidence behind these proposals, analysed any new information brought forward in objections and representations and held structured conversations with a selection of key partners and sought further data from rescue services. This uncovered additional information we weren't aware of when we made our proposals, which we are using to consider whether our proposals are still reasonable. The information we've been given by local people shows us how these areas are being used locally and suggests there are potentially ways, other than statutory restrictions, of managing this use to minimise risk. This review is not yet complete but we do expect that we will make some alternative recommendations to the Secretary of State on this, which we hope will meet local concerns.

Update

We are now considering if anything needs to be done to protect the species and habitats for which these sites are designated in the absence of these proposed safety restrictions. At Burnham we don't believe anything is needed but this review is ongoing for Wells where we are still collecting and analysing evidence. If a nature conservation restriction is required we will consult on this separately.

Alongside this review a separate matter has come up which affects the whole country and which we also need to take into account. This is the recent ruling at the Court of Justice of the European Union in the matter of People Over Wind. This requires us to take our proposals through an Appropriate Assessment. This affects a very large number of our reports and each will need an appropriate assessment to be done for them in turn. It will be approximately 6 months before we have completed this.

Once our review of the safety restrictions and Appropriate Assessment are complete we will submit our comments on the objections and associated representations received to the Planning Inspectorate who will advise the Secretary of State on these. The Secretary of State will then determine our proposals. This stage of the process sits outside Natural England and is completely independent of us to ensure fairness. It's hard to say how long it will but experience to date suggest it could be upwards of 18 months before our report is determined for this stretch.

4.34 Hunstanton to Sutton Bridge

Natural England is still visiting land on this stretch of coast that is likely to be affected by our proposals and discussing the options in detail with owner's occupiers and other relevant interests. Due to the length and complexity of this stretch, this phase of site visit work will take some months to complete. The proposals will be finalised and then published in a report to the Secretary of State for the Environment, Food and Rural Affairs. This is expected to take place in winter 2019.

Andrew commented that there has already been some vandalism on the coastal path reported in the local paper.

4.4 Dogs on the Marsh

Following on to the questions regarding walking dogs along the coastal path (and uncontrolled dogs on the marsh) further information provided by Natural England's solicitor is set out below:

- As it currently stands there is no prohibition on taking dogs on the coastal path along the seawall, save for the request featured on signs here and around The Wash that dogs remain under effective control.

- Currently, until the sea defence is adopted as part of the English Coastal Path and the saltmarsh becomes coastal margin there is so far as Natural England is aware, no right to access the saltmarsh and therefore no additional specific prohibition on the taking of dogs on to it. Where there is no right of access to land and no permission granted, the issue of trespass is raised. However this is not a matter for Natural England to advise on and would be a matter for any relevant landowner to consider. In any event, in this area, we would expect the request to keep dogs under effective control to be carefully considered.

- After the area becomes a “coastal margin” the public can exercise their rights over it, subject to any restrictions. Failure to exercise the right in accordance with the restrictions has the potential to raise the issue of trespass. The general restrictions have been set out as part of the English Coast Path proposals that are currently being reviewed by the Secretary of State. It is likely that specific restrictions regarding dog control – i.e. keeping dogs on leads during the bird nesting season, keeping dogs under effective control, or keeping dogs on a lead will be included at different locations due to the importance of The Wash for birds and its European designated habitats i.e. the saltmarsh.

In addition, under Schedule 2 of The Countryside and Rights of Way Act 2000 it notes (with regards the coastal margin):

6A (1) Whatever the time of year, section 2(1) does not entitle a person to be on any land which is coastal margin at any time if – (a) that person has taken onto the land, or allowed to enter or remain on the land, any dog, and (b) at that time, the dog is not under the effective control of that person or another person. (2) For this purpose a dog is under the effective control of a person if the following conditions are met. (3) The first condition is that – (a) the dog is on a lead, or (b) the dog is within sight of the person and the person remains aware of the dog’s actions and has reason to be confident that the dog will return to the person reliably and promptly on the person’s command. (4) The second condition is that the dog remains – (a) on access land, or (b) on other land to which that person has a right of access.

- For completeness, I should draw your attention to certain offences that may be committed in relation to protected wildlife. It is an offence to intentionally or recklessly disturb a bird on Schedule 1 to the Wildlife and Countryside Act 1981 while it is building a nest or is in on or near a nest containing eggs or young or to disturb the dependant young of such a bird. There are also the offences in relation to the SSSI of intentionally or recklessly destroying or damaging features of the SSSI or intentionally or recklessly disturbing the fauna for which it is notified. In this case recklessness could include being aware that birds are vulnerable to disturbance, the effects on them and the kind of activities (i.e. letting your dog off the lead) that would cause that disturbance. In cases where it can be shown that there is knowledge that the site that was damaged was a SSSI there is potential for a greater maximum punishment. Breaches of the legal protection afforded to SSSIs, SPAs and SACs can result in proceedings being taken against the parties involved and if convicted can lead to fines of up to £20,000.

More generally Natural England worked with the Kennel Club to produce specific guidance for dog walking within protected sites it is available here through Lincolnshire County Council webpage.

John understood that there wasn't going to be any increased access to the saltmarsh. The highlighted section in the solicitor's letter that Louise shared was unclear. Louise doesn't think it was referring to a specific area, but more a generic statement. John is keen not to see any increased access to dogs on the saltmarsh as a result of the coastal path, unless something is in place the path is facilitating access to the marsh. He would like to flag it up and feels restrictions need to be in place that are appropriate to the Wash. The solicitor's comments were different to what John has discussed with Natural England. The LWT's understanding was the same as John's. Kev asked what can be learnt from the Sussex coastal path. Bryan added that Wrangle are very keen to protect access to the saltmarsh and mudflats and they feel this should not be challenged. Nor would John want to but there may need to be some consideration if disturbances occur.

4.5 Offshore windfarms

4.51 Hornsea Project 3

Natural England continues to advise on the Hornsea 3 examination. However, our position in relation to being unable to exclude Adverse Effect on Integrity (AEoI) of several designated sites including The Wash and North Norfolk Coast SAC remains unchanged. Our advice on the Cromer Shoal also remains unchanged.

There is the last set of Issue Specific hearings next week, but we will not be attending. The end of examination is 2nd April 2019, but it is highly probable that NE will have continued engagement, but with BEIS after this date, due to our position.

4.52 Race Bank

Natural England is currently finalising our advice on several additional documents provide by Ørsted to support their cable protection application. It is currently unlikely that we will be able to advise beyond reasonable scientific doubt no AEoI. They have been unable to say there will be no adverse affect.

We are also responding to a further consultation on disposal dredge and Ornithological monitoring plan.

We have responded to their first year saltmarsh monitoring plan. There is still a long way to go on the recovery, but it good to see that some of the restoration measures i.e. 'Sausages'(hessian sacks with willow inside of them) are having a positive effect. We will be approaching Ørsted about some of less successful mechanisms such as plug planting. And adapting the restoration plan accordingly.

It previously took 30 years to fill the borrow pits. There is now less sediment coming in to the Wash. Graham feels that it is not a good use of money. Vegetation communities are very different at the borrow pits than other areas of the saltmarsh.

4.53 Race Bank Extension

NE continues to provide advice to the Crown Estate on their Habitat Regulations Assessment for the proposed extension projects of which this is one. We have been consulted by Ørsted under our discretionary advice service in relation to evidence gather to support any application for such an extension

4.54 Lincs

NE is currently finalising our advice on an operations and maintenance variation request. There may be more information in time for the meetings.

4.55 Sheringham Shoal

We have had some low MMO consultations in relation to this project, but anticipate more contact because benthic surveys are expected this summer.

4.56 Dudgeon

Bird monitoring in the form of tagging will continue this summer.

4.57 Equinor Extension

Again NE Natural England continues to provide advice to the Crown Estate on their Habitat Regulations Assessment for the proposed extension projects of which Dudgeon and Sheringham are included.

4.58 Triton Knoll

We continue to provide advice to Innogy and MMO on pre-construction documents to discharge their marine licence condition in advance of starting construction this year

4.59 Ørsted

We have had a meeting with Ørsted on 21st February and we are looking to explore with them opportunities for Net Gain in the Greater Wash Area and to develop some habitat enhancement opportunities.

4.6 Wildfowling consents

Natural England is looking to develop the working relationship with Wildfowling groups on The Wash as a part of moving to a longer term way of working and a more regional way of assessing bag returns. Contact from wildfowling groups that Natural England's Gillian Fisher hasn't yet met or worked with would be very welcome.

Please Contact Gill Fisher for further information.

Gillian.fisher@naturalengland.org.uk or 02080261750

Trevor would like the comment from the previous minutes to be removed as they are yet to receive a 5 year consent from Natural England for wildfowling.

4.7 Other

4.71 Cromer Shoal Chalk Beds Marine Conservation Zone Fisheries Assessment

The ongoing review of available evidence for the Cromer MCZ Assessment has indicated that bottom towed fishing gear could damage the chalk feature and therefore measures to exclude towed demersal gear from some or all of the site are likely. The review has also indicated that potting may have an impact upon protruding areas of the chalk feature but further information is required to properly understand this. Further survey work and management measures to better understand fishing effort are key considerations. The latter are also a consideration for stock sustainability management measures. EIFCA and NE are committed to working with industry to better understand any impacts which may be occurring and to ensure that management decisions are appropriate.

4.72 Friskney Lane

We have been worked closely with The Wash and North Norfolk Marine Partnership (WNNMP), Defence Infrastructure Organisation (DIO), Witham Forth Internal Drainage Board, Lincolnshire Wildlife Trust, East Lindsey District Council, Skegness and Wainfleet District Wildfowling and relevant landowners to restrict vehicle access to the marsh at RAF Wainfleet. Over the last 6-months we have been involved in several meetings and discussions to achieve a solution that would meet everyone's requirements. We assisted the DIO by producing the Habitat Regulations Assessment and consent paperwork required to allow the work to be undertaken. The aim of the installation of gates at the end of the public highway at Friskney Lane and concrete blocks on the former helipad is to restrict vehicle access so that it would reduce the occurrence of fly-tipping, minimise the health & safety

risks to members of the public to unexploded ordnance and reduce impact on the wildlife/ habitats (specifically the saltmarsh and bird interest).

The good news is the gate was installed and the concrete blocks have been installed. Pedestrian access to the saltmarsh is still possible by walking along the Friskney Lane or along the English Coast Path.

We would like to thank everyone involved with this project.

4.73 Boston Haven Flood Embankment

We have been contacted for our statutory advice on Boston Haven flood embankment works from the EA National Environmental Assessment Service. The project is only at investigation and tender stage, but works are expected to start later in 2019. We have been so far involved in assenting and reviewing the Habitat Regulations Assessment for the required geotechnical surveys that are needed. We are aware the RSPB have been contacted by the Environment Agency relating to works within their sites.

4.74 Boston Alternative Energy Facility

Natural England have had an initially project meeting with the Boston Alternative Energy Facility consultancy team. We understand Phase 2 of the consultation on the proposed Boston Alternative Energy Facility has now begun. Opportunities to provide feedback will be available at the Public Information Days are being held in February and March 2019. You can also give feedback about the proposed Boston Alternative Energy Facility via post, email or using the free phone number which can be found here. The deadline to give feedback is 24 March 2019. Further details are available on their webpage and circulated to the Boston Advisory Group members by Rachel Marriott. If members of the Boston Advisory Group wish – then it may be possible to arrange a presentation on the project at a subsequent Advisory Group meeting.

The facility will create energy from waste which will be brought in by boat. A new wharf will be created, which will possibly cause some habitat loss. Natural England raised the issue of the number of boats and their impact on the mudflat habitat. They will need to carry out HRs. There is probably not enough data to currently support this and surveys in the winter will need to be carried out.

5.0 Photographs

Please send any photographs that you would like to share with the group to Sam or Rachel, for example, photographs of disturbance.

6.0 Date of the next meeting

Wednesday 10 July at the Boston Barrier Hub.

7.0 A.O.B.

Tammy shared with the group some postcards to fill in - there are a myriad of Government consultations on legislation. At present there will be an Environment Act. Please fill in a post card and send it to your MP. They would like to ensure that all development should take forward the principles of sustainable development and a legal obligation to incorporate net gain.