Access and Sensitive Features Appraisal

Coastal Access Programme

This document records the conclusions of Natural England's appraisal of any potential for ecological impacts from our proposals to establish the England Coast Path in the light of the requirements of the legislation affecting Natura 2000 sites, SSSIs, NNRs, protected species and Marine Conservation Zones.

Easington to Filey Brigg.

24 October 2017

Contents

This appraisal should be read alongside Natural England's related Coastal Access Report in which the access proposal is fully described and explained

https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast

1 Our approach

Natural England's approach to protection of sensitive features under the Coastal Access Programme is set out in section 4.9 Coastal Access: Natural England's Approved Scheme 2013[1]. We call our internal processes to support this approach 'Access and Sensitive Features Appraisal' or ASFA.

Our final published proposal for a stretch of England Coast Path is preceded by detailed local consideration of options for route alignment, the extent of the coastal margin and any requirement for restrictions, exclusions or seasonal alternative routes. The proposals are thoroughly considered before being finalised and initial ideas may be modified or rejected during the iterative design process, drawing on the range of relevant expertise available within Natural England.

Evidence is also gathered as appropriate from a range of other sources which can include information and data held locally by external partners or from the experience of local land owners and occupiers. The approach includes looking at any current visitor management practices, either informal or formal. It also involves discussing our emerging conclusions as appropriate with key local interests such as land owners or occupiers, conservation organisations or the local access authority. In these ways, nature conservation concerns are discussed early and constructive solutions identified.

The conclusions of our assessment are certified by both the member of staff responsible for developing the access proposal and the person responsible for authorising its conclusions with respect to ecological impacts. This ensures appropriate separation of duties within Natural England.

2 Scope

In this part of the document we define the geographic extent for the appraisal and features that are included. Note that this appraisal is concerned with ecological features; other possible sensitivities, including landscape and historic features, are discussed in our coastal access report.

2.1 Geographic extent

This appraisal covers the stretch of coast from Easington, in the East Riding of Yorkshire northwards to Filey Brigg in North Yorkshire. For ease of use the appraisal divides the stretch into five sections that correspond with the chapters of our coastal access report:

- Easington to Waxholme
- Waxholme to Hornsea
- Hornsea to Wilsthorpe
- Wilsthorpe to Speeton Moor
- Speeton Moor to Filey Brigg

See map A (page 2) and maps C, C1, C2 and D (pages 24-26) in the Overview.

2.2 Designated sites

In this appraisal we have considered the possible impacts of our proposals for the England Coast Path on the following sites:
Dimlington Cliffs SSSI
Withow Gap SSSI
Flamborough Head SSSI
Flamborough Head proposed SSSI
Flamborough Head & Bempton Cliffs SPA
Flamborough Head & Filey Coast pSPA
Flamborough Head SAC
Flamborough Head pSAC
Filey Brigg SSSI
Filey Brigg to Scarborough South Bay proposed SSSI
The Greater Wash pSPA
Holderness Inshore Marine Conservation Zone

2.3 Cross reference - where applicable

This appraisal links to the completed Filey Brigg to Newport Bridge appraisal and the Easington to Humber Bridge appraisal which is due to start in February 2017.

2.4 Designated features

Features – of the designated sites listed in 2.2	**Flamborough Head and Bempton Cliffs SPA**	**Flamborough Head & Filey Coast pSPA**	**The Greater Wash pSPA**	**Flamborough Head SAC**	**Flamborough Head pSAC**	**Dimlington Cliffs SSSI**	**Withow Gap SSSI**	**Flamborough Head SSSI**	**Filey Brigg SSSI**	**Flamborough Head pSSSI**	**Filey Brigg to Scarborough South Bay**	**Holderness Inshore MCZ**
Quaternary stratigraphy (geological) - EC - Quaternary Of East England, IS - Quaternary Of East England						X				X		
EC - Quaternary Of North-East England							X			X		
Geology – EC - Aptian – Albian, EC - Berriasian – Barremian, EC - Cenomanian-Maastrichtian, EC – Kimmeridgian, EC - Pleistocene Vertebrata								X		X		
IA - Coastal Geomorphology								X		X		
Rissa tridactyla; Black-legged kittiwake (Breeding)	X	X						X		X		
Uria aalge; Common guillemot (Breeding)		X						X		X		
Alca torda; Razorbill (Breeding)		X						X		X		
Morus bassanus; Northern gannet (Breeding)		X						X		X		
Seabird assemblage (breeding) (kittiwake, fulmar, gannet, razorbill, puffin, guillemot, herring gull)	X									X		
Seabird assemblage (breeding) (kittiwake, fulmar, gannet, razorbill, puffin, cormorant, shag, guillemot, herring gull)		X								X		

Hard maritime cliff and slope Vegetated sea cliffs of the Atlantic and Baltic coasts -				X	X			X		X		
Reef Habitat				X	X							
Submerged & partially submerged sea caves				X	X							
Exposed rocky shores (predominantly extremely exposed to wave action) Moderately exposed rocky shores											X	
Invertebrate assemblage											X	
Hambleton Oolite & Calcareous Grit (geological)									X		X	
Seabird assemblage (non-breeding) (red-throated diver, little gull, common scoter)			X									
Foraging Seabirds (breeding) Sandwich, common and little terns			X									
Seabed Habitats (Intertidal sand and muddy sand, Moderate energy circalittoral rock, High energy circalittoral rock, Subtidal coarse sediment, Subtidal mixed sediment, Subtidal sand, Subtidal mud, Spurn head (subtidal))												X

2.5 Other features about which concerns have been expressed – where applicable

Feature	Conservation interest
Not applicable	

3 Baseline conditions and environmental sensitivities

In this part of the document we identify any of the features mentioned above that are potentially sensitive to changes in access, and rule out from further consideration those that are not.

3.1 Geological Features

Composition of feature group - where applicable
For the purposes of this appraisal, the following geological features have similar characteristics in their sensitivity to changes in access and have therefore been grouped: • Dimlington Cliffs SSSI- Quaternary stratigraphy • Withow Gap SSSI - Late Devensian (glacial) and Flandrian (post-glacial) features. • Flamborough Head SSSI & SAC- Chalk geological features • Filey Brigg SSSI - Hambleton Oolite & Calcareous Grit
Current conservation status and use of the site
• Dimlington Cliff SSSI is currently assessed as being in favourable condition. • Withow Gap SSSI was recorded as favourable in 2014 however since this time, an unauthorised beach access has been cut into the cliff which may cause increased localised cliff erosion. • Flamborough Head SSSI and Flamborough Head SAC Units containing this feature on are currently recorded as favourable. • This feature on Filey Brigg SSSI is currently recorded as being in favourable condition.
Environmental sensitivities to changes in access
The geological features identified above are not sensitive to people walking on them. For these reasons, we have concluded that the geological features identified above are not sensitive to our proposals for England Coast Path.

3.2 Breeding Seabirds.

Composition of feature group - where applicable
For the purposes of this appraisal, the following features found at Flamborough Head and Bempton Cliffs have been grouped - black legged kittiwake, common guillemot, razorbill, northern gannet, fulmar, puffin, herring gull, cormorant and shag. The north facing cliffs support internationally important colonies of breeding seabirds with about 80,000 pairs of kittiwakes, 6,600 pairs of guillemots, 2,000 pairs of razorbill, 1,000 pairs of puffins and 830 pairs

of fulmar, the largest colonies being found at Bempton and Breil Nook. Bempton Cliffs are particularly noted as the only mainland gannetry in the country, with a population of 12,494 breeding pairs in 2015, with a further 2,107 non breeding individuals also present on potential nest sites.

The SPA cites 2.6% of the breeding Eastern Atlantic Breeding population of: black-legged kittiwake, and over 20,000 regularly occurring migratory seabirds including: northern gannet, common guillemot, razorbill, herring gull and puffin. While the pSPA cites 1% of the biogeographic population of black-legged kittiwake, northern gannet, common guillemot, razorbill. An internationally-important assemblage of over 20,000 seabirds including, in addition to the species above, northern fulmar, Atlantic puffin, herring gull, European shag, great cormorant.

Current conservation status and use of the site

The sensitivities for this feature relate to the north facing cliffs within the SPA specifically at Bempton and Flamborough. The birds are present between March and September. NB Over the past few years it has been recorded that some seabirds have stayed on the cliffs over winter instead of wintering offshore. They start prospecting for nest sites in early March and most young seabirds have fledged and left the nest by June/early July however young Gannet can still be on the cliffs much later.

Black-legged kittiwake *Rissa tridactyla* numbers have declined significantly, failing the monitoring target. From a figure of 80,180 (1979), the population has declined to the current figure of 37,617 pairs, a reduction of 53%, confirmed by the Seabird 2000 census. The decline in kittiwake numbers at Flamborough is similar to the national decline over the same period. The main factor contributing to the national decline is considered to be low productivity, probably as a result of reductions in sand eel abundance and changes to sea temperature.

Ecological sensitivities to changes in access

There is a body of evidence gathered by the RSPB on site that suggests that disturbance of nesting seabirds can have an impact on breeding success. Disturbance is caused by people approaching the cliff edge to observe or photograph the birds and therefore as the proposed trail passes close to the cliff edge there is potential for interaction.

3.3 Hard maritime cliff and slope, vegetated sea cliffs of the Atlantic and Baltic coasts

Composition of feature group - where applicable

The cliff-top vegetation is characterised by both a maritime influence, and by the calcareous influence of the chalk underlying the surface boulder clay. Thus sea cliff species such as thrift Armeria maritima and sea plantain Plantago maritima grow alongside herbaceous species more typical of chalk grassland such as kidney vetch Anthyllis vulneraria. Where the undercliff has slipped and is flushed by calcareous run-off northern marsh-orchid Dactylorhiza purpurella and grass of Parnassus Parnassia palustris may be found, with saltmarsh species such as common saltmarsh-grass Puccinellia maritima, sea arrowgrass Triglochin

maritima and seamilkwort Glaux maritima. Common reed Phragmites australis with associated freshwater marsh species forms significant stands in flushed cliff areas.
Current conservation status and use of the site
This feature on Flamborough Head SSSI and Flamborough Head SAC is currently recorded as favourable.
Ecological sensitivities to changes in access
The cliff top and slopes would become part of the coastal margin and would therefore have a legal right of access however in practice this would not differ from the current access and recreation activity, which does not pose a significant risks or cause long term damaging effects to the site.

3.4 Reef Habitat

Composition of feature group - where applicable
The reefs at Flamborough are important due to their substrate type, biogeographic position and the influences of hydrodynamic processes on reef topography and community structure. The reefs and cliffs on the north side of the headland are harder and more exposed than those of the south side of the headland and as a result they support a different range of species. The site supports an unusual range of marine species, rich animal communities and some species that are at the southern limit of their North Sea distribution, e.g. the northern alga Ptilota plumosa. More than 110 species of seaweed and over 270 species of invertebrates have been recorded on the rocky shores. In the shallow waters the hard nature of the chalk have enabled kelp Laminaria hyperborea forests to become established. These are important as they are considered to be a key structural and functional component of the reefs at Flamborough. In the deeper waters the reefs become dominated by faunal turfs which are made up of sea mats and sponges, soft corals and sea fans.
Current conservation status and use of the site
This feature on Flamborough Head SSSI and Flamborough Head SAC is currently recorded as favourable.
Ecological sensitivities to changes in access
The proposed trail will run along the top of the cliff. The area seaward of the trail would become part of the coastal margin and would therefore have a legal right of access. Whilst this is a change to current access the reef habitat has a low sensitivity and in terms of the site conservation objectives it will not pose a significant risk or cause long term damaging effects to the feature.

3.5 Submerged & partially submerged sea caves

Composition of feature group - where applicable
The site contains caves cut into soft rock exposures and is important for its specialised cave- algal communities, which contain abundant Hildenbrandia rubra, Pseudendoclonium submarinum, Sphacelaria nana and Waerniella lucifuga. There are more than 200 caves within the site. Some are partially submerged at all stages of the tide, others dry out at low tide, and some lie above the high water mark but are heavily influenced by wave splash and salt spray. The largest extend for more than 50m from their entrance.
Current conservation status and use of the site
This feature on Flamborough Head SSSI and Flamborough Head SAC is currently recorded as favourable.
Ecological sensitivities to changes in access
The caves are not sensitive to a change in access. For this reasons, we have concluded that the feature identified above is not sensitive to our proposals for England Coast Path.

3.6 Exposed rocky shores (predominantly extremely exposed to wave action) Moderately exposed rocky shores

Composition of feature group - where applicable
The shore around Flamborough Head is relatively steep, rugged and exposed to wave action. The intertidal area consists of both exposed and moderately exposed rocky shores. The north face of the headland is composed of narrow boulder beaches and is generally exposed to wave action. Contrastingly, the south-facing shores are composed of boulders and broader shore platforms providing a more sheltered habitat and moderately exposed rocky shores. On the exposed North coast, beneath the cliffs, narrow boulder beaches and wave-cut platforms are covered with Fucus serratus and are dominated with limpets, Patella vulgata, and barnacles, Semibalanus balanoides. The top of the shore is covered with ephemeral green algae and a narrow band of the red algae Porphyra spp. covers the sublittoral fringe. At the bottom of the shore the red algae Mastocarpus stellatus and Osmundea pinnatifida as well as the thongweed Himanthalia elongata are often found as patchworks with barnacles and limpets above the Laminaria digitata dominated kelp zone. The more sheltered south coast is characterised by wide wave-cut rock platforms where the softer chalk has been eroded. These areas are fucoid dominated with dense Fucus vesiculosus found in the mid shore and a wide band of Fucus serratus in the lower shore. The sand-binding red algae, Rhodothamniella floridula is also present in the sublittoral, indicating the considerable influence of sand in this area. Burrows of the polychaete Polydora sp. are present in damp patches and crevices found in the pitting in rock surfaces throughout the eulittoral zone. Larger rockpools are found in the mid and lower eulittoral areas of most shores around Flamborough Head. The rockpools, crevices and boulder communities of the intertidal rocky shore around Flamborough Head all enhance the species richness of the site by providing ideal habitats for fucoids, kelps and red algae, as well as shannies, Lipophrys pholis, and the less common china limpet, Patella ulyssiponensis.

Current conservation status and use of the site
This feature on Flamborough Head SSSI and Flamborough Head SAC are currently recorded as favourable.
Ecological sensitivities to changes in access
The intertidal area would become part of the coastal margin and would therefore have a legal right of access however in practice this would not differ from the current access and recreation activity, which does not pose a significant risks or cause long term damaging effects to the site.

3.7 Invertebrate assemblage

Composition of feature group - where applicable
Sparsely vegetated seepages on the cliffs and slopes support a significant invertebrate assemblage, including many species associated with damp sand and/or the thin films of water which run down the cliff face. This includes a number of ground beetles (Bembidion bualei, B. saxatile, B. stephensii) that are active, hunting along the edges of the open seepages. Crane flies are often associated with the thin films of water that run down the cliff face; their larvae are often found within such habitats. A number of species are present although a key species at Reighton was the RDB1 cranefly Symplecta chosenensis, which occurred in profusion around sparsely vegetated seepages. This is a great rarity nationally. Where the cliff slopes are not so steep, a dense cover of wetland vegetation has developed. These vegetated seepages support a different fauna to the open ones, such as the solder fly Stratiomys potamida. Continued active erosion, creates and maintains the other key invertebrate habitat feature; flower-rich coastal grassland in mosaic with extensive areas of sparsely vegetated bare clay and sand. This mosaic provides an excellent suite of 'micro' habitats for many invertebrates, and includes a plentiful supply of nectar and pollen, nesting sites and heated bays within the bare patches of ground and forage sites amongst the herb-rich grassland, which are sheltered by the topography of the cliffs. This satisfies the requirements of species such as the spider hunting wasp Priocnemis schioedtei and the digger wasp Argogorytes fargeii and the uncommon weevil Trichsirocalus dawsoni, that feeds on plantains in sheltered habitats. In addition to the example species above, the Flamborough cliffs support a diverse assemblage of other bees and wasps (aculeate Hymenoptera) and a diverse community of phytophagous invertebrates.
Current conservation status and use of the site
This feature on Flamborough Head proposed SSSI and Flamborough Head pSAC is considered to be in a favourable condition.
Ecological sensitivities to changes in access
The cliff slopes would become part of the coastal margin and would therefore have a legal right of access however in practice this would not differ from the current access and recreation activity, which does not pose a significant risks or cause long term damaging effects to the site.

3.8 Non- Breeding waterbirds (red-throated diver, little gull and common scoter.)

Composition of feature group - where applicable
The number of little gull in the Greater Wash is the largest of any inshore area in the UK, whilst 8.9% of the UK wintering red-throated diver population can be found in the Greater Wash, making it the second most important site in the UK for red-throated diver. Dense flocks of common scoter are consistently found along the North Norfolk coast and to the north of Gibraltar Point, making the Greater Wash area the fourth most important UK site for non-breeding common scoter.
Current conservation status and use of the site
The red-throated diver use the Holderness coast in significant numbers and are present during the winter period (November to March inclusive) they are sensitive to disturbance from human activities – although this relates mainly to boat traffic and mitigation advice usually relates to minimising vessel speed and avoiding rafting birds.
Ecological sensitivities to changes in access
The proposed trail will run along the top of the cliff. The area seaward of the trail would become part of the coastal margin and would therefore have a legal right of access. However the distribution of red-throated diver will be further offshore, with rather limited use of the intertidal zone and waters immediately adjacent. Therefore they will not be exposed to significant disturbance.

3.9 Foraging seabirds (Little tern, Common tern and Sandwich tern)

Composition of feature group - where applicable
The waters adjacent to seabird colonies are used by seabirds for a wide range of activities All breeding seabirds go out from and return to a central place (their nest) on every foraging trip. This constraint means that some species have a limited foraging range, and may be reliant on foraging areas close to the colony. It is important to note that common and sandwich tern do not breed on this coast, only little tern which breed to the south of the stretch at Easington Lagoons. Little tern have been found to travel about 5km alongshore either side of the colony to feed, so would be present in shallow inshore waters along this stretch.
Current conservation status and use of the site
The Greater Wash pSPA covers an extensive area of marine waters. Breeding terns use of the area covered by the Greater Wash pSPA is concentrated at breeding sites and adjacent marine waters where the birds forage.
Ecological sensitivities to changes in access

There are no known breeding sites for terns on this stretch of coast. Whilst access to the foreshore will be permitted foraging little tern would have low sensitivity to increased use of the intertidal zone and it will not pose a significant risks or cause long term damaging effects to the feature.

3.10 Seabed habitats (Intertidal sand and muddy sand, moderate energy circalittoral rock, high energy circalittoral rock, subtidal coarse sediment, subtidal mixed sediment, subtidal sand, subtidal mud and Spurn Head subtidal)

Composition of feature group - where applicable
The MCZ identifies the following protected features • Intertidal sand and muddy sand, • moderate energy circalittoral rock, • high energy circalittoral rock, • subtidal coarse sediment, • subtidal mixed sediment, • subtidal sand, subtidal mud • Spurn Head subtidal
Current conservation status and use of the site
The general management approach (GMA) is Maintain in Favourable Condition for all features.
Ecological sensitivities to changes in access
The intertidal sand and muddy sand in the MCZ is of low sensitivity, being highly mobile and supporting a generally impoverished infauna. Therefore there is nothing sensitive which might be affected by increased usage of the intertidal zone.

4 Potential for interaction

In this part of the document we identify places where sensitive features are present *and* there could, or will not, be an interaction with proposed changes in access.

4.1 Easington to Waxholme

Outline of changes in access
This part of the coast is sparsely populated with very little formal access therefore the ECP will improve and offer new access to the coast. The path follows a combination of 29 new sections of path, existing walked routes, promenades, public footpaths and public footways.
Potential for interaction (or lack of it)
No interaction because public access to this section of coast will not affect the geological feature at Dimlington or the red-throated diver or little terns north of Easington.

4.2 Waxholme to Hornsea

Outline of changes in access
There is little existing formal access to the coast therefore the ECP will offer new and improved access. The path follows a combination of 58 new sections of path, existing walked routes, promenades, public footpaths and public footways.
Potential for interaction (or lack of it)
No interaction because there are no designated features present.

4.3 Hornsea to Wilsthorpe

Outline of changes in access
There is little existing formal access to the coast therefore the ECP will offer new and improved access. The path follows a combination of 29 new sections of path, existing walked routes, promenades, public footpaths and public footways.
Potential for interaction (or lack of it)
No interaction because public access to this section of coast will not affect the geological feature at Withow Gap.

4.4 Wilsthorpe to Speeton Moor.

Outline of changes in access
The trail follows existing walked routes, multi user routes, promenades, public footpaths, public bridleway and public footways. It mainly follows the coastline quite closely and maintains good views of the sea.
Potential for interaction (or lack of it)
For most of this stretch of coast between Easington and Filey Brigg there are no nature conservation related concerns about the access proposal. For the large percentage of the stretch of the coast path between Filey Brigg and Bridlington a well used cliff top footpath is in place and causes few issues. There are however two exceptions to this, the cliffs at Bempton and the cliffs at Flamborough, where there is a possible interaction between the access proposal and a sensitive location for breeding seabirds. Here there is potential for interaction because the spreading room associated with the trail includes the cliff edge which supports internationally important colonies of breeding seabirds See 5.1

4.5 Speeton Moor to Filey Brigg

Outline of changes in access
The trail follows a combination of 19 new sections of path, existing walked routes, including public rights of way, promenades, public highways and public footways. It mainly follows the coastline quite closely and maintains good views of the sea.
Potential for interaction (or lack of it)
No interaction because public access to this section of coast will not affect the geological feature on the site.

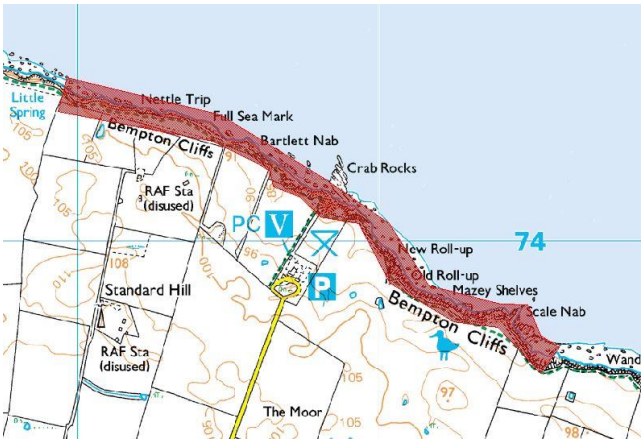
5 Assessment of any possible adverse impacts and mitigation measures

In this part of the document we look in more detail at sections of coast where there could be an interaction between the access proposal and sensitive features. We discuss possible risks to sensitive features and explain how these have shaped the design of our proposals and/or led to the inclusion of specific mitigation measures.

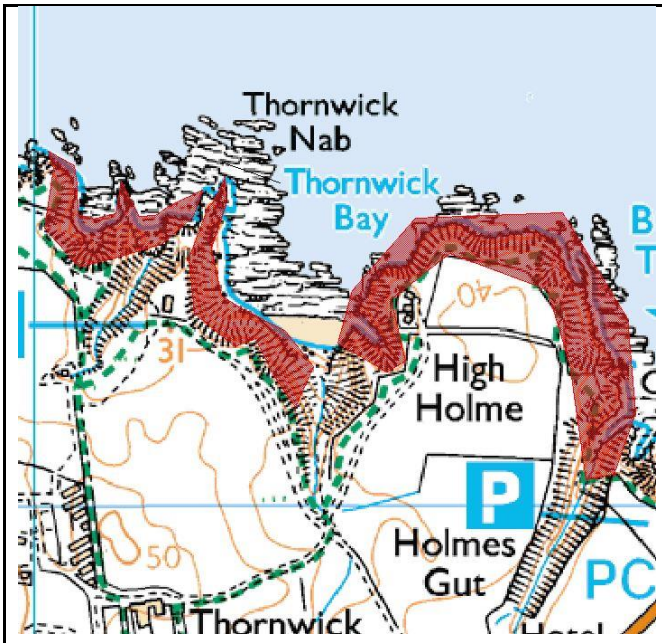
5.1 Flamborough Head and Bempton Cliffs (Wilsthorpe to Speeton Moor)

5.1.1 Ecological sensitivity

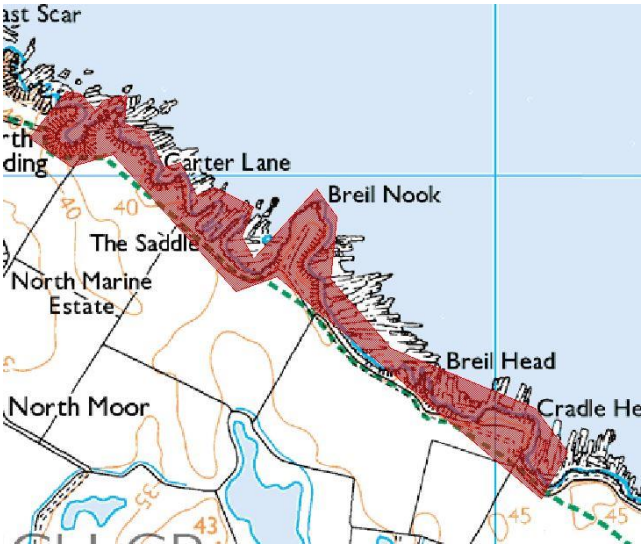
The sensitivities for the breeding seabirds relate to the north facing cliffs within the SPA specifically at Bempton and Flamborough, particularly in the core breeding colony areas as illustrated on the maps below. The rationale for selecting these sites at Bempton, Thornwick Nab and High Holme and Briel is based on a combination of where high levels of visitor recreation occurs in close proximity to areas which house the highest numbers of breeding seabirds. Data from RSPB long term study count plots has been assessed to identify the most populous areas during the bird breeding season. The three identified locations receive high numbers of visitors being located as they are, adjacent to the RSPB reserve at Bempton and the carpark and beach access at North Landing. It is acknowledged that seabirds will and do nest outside these areas on any available and suitable cliff however these locations are the most sensitive in terms of the proposal effecting the breeding seabird populations.



Bempton



Flamborough – Thornwick Nab & High Holme



Flamborough – Breil

5.1.2 Proposed improvements to accessibility
The line of the ECP at Bempton and Flamborough cliffs will follow the walked line of the existing Headland Way. Land seaward of the path would become spreading room. At Holmes Gut the existing path will be improved with new steps and a new pedestrian gate and at Flamborough Cliffs nature reserve we propose to improve the delineation of the path on the ground by regular mowing. Along the rest of the trail the England Coast Path logo will be added to existing signage.

5.1.3 Access assessment
Current situation

This coast is a popular tourism destination with a good existing public rights of way network. There are 3 car parks, cafes and toilets, a holiday park, a RSPB Reserve and a Nature Reserve along this stretch.

The Headland Way is a cliff top walk promoted by East Riding of Yorkshire council. It runs from Bridlington towards Speeton along the cliff top, and then from Speeton to Filey along the beach when the tide permits.

http://walkingtheriding.eastriding.gov.uk/find-walks/bridlington-area/?entryid30=44380

There is no open access land along this stretch.

Bempton

The cliffs at Bempton are part of an RSPB reserve and they manage visitors to the site. The reserve has a café, toilets, visitor centre and a carpark (including overflow) for 160 cars. It is a honey pot site with the

birds being the main attractor, There are 3 advertised routes with 6 viewing platforms spread along the cliff top. The Grandstand route is fully accessible with built in bays for wheelchairs at the viewpoints. Visitors walk from the visitor centre out to the cliff top PROW and walk along the top going either north or south. The path is fenced against the cliff top and people are requested to stay behind this and the majority comply but wardens report that very occasionally photographers have been observed climbing over to get close up pictures of the birds. There is a public footpath along the cliff top and through the reserve. The path is extensively promoted, it forms part of the Headland Way which runs from Bridlington to Speeton Village. It can be accessed via the RSPB reserve or from another public right of way that leads from the village of Buckton.

The main activities are walking and birdwatching. Fishing and Climbing are regulated via a codes of conduct.

http://www.whitbyseaanglers.com/code-of-conduct-for-bempton.html

http://www.ukclimbing.com/logbook/crag.php?id=11853

There is compliance by both groups.

The fishing code is a balanced compromise. It is mostly adhered to because fishing clubs are responsible and do not want to disturb wildlife and also because they want to retain good relationships with land owners who allow cliff top fishing in areas at Bempton and Speeton in the winter months. No cliff top fishing is allowed within the breeding season, 1st March to 30th September.
Spring and Summer are the busiest times with internationally important populations of breeding seabirds using the cliffs, which attract large numbers of visitors.
The local access authority report the current access at this site to be very high.

Flamborough
The cliffs at Breil, Holmes and Thornwick, form part of Flamborough Cliffs nature reserve managed by the Yorkshire Wildlife Trust (YWT). There is a café, toilets, a visitor centre, picnic facilities and parking located at North Landing. A public footpath runs through the site and dogs must be kept on leads at all times. Visitors walk along the Headland Way to either Flamborough Head or Bempton or use the existing and well established access down to the beaches at Thornwick Bay and North Landing. The cliff top path is generally well defined and walkers are asked to stick to the path when passing through the reserve. There are no wardens on this reserve.
The main activities are walking, bird watching and tourism activities. The Thornwick Bay Holiday Village is linked to the Headland Way via a public right of way and has static caravans, touring and tent pitches.
The local access authority report the current access at Thornwick Bay to be medium and at North Landing to be very high.

The Flamborough and Filey Coast pSPA Seabird Monitoring Programme - 2016 Report noted that recreational disturbance continues to be a threat to the breeding success of the colony. The Flamborough Head European Marine Site (EMS) partnership study of disturbance incidents across the SPA identified incidents involving jet skis, paragliders, civil aircraft and kayakers in 2016. A voluntary angling code of conduct for Bempton and Speeton Cliffs incorporating a closed season for cliff-top angling from 1 March to 30 September was introduced in 2015. It was developed with local angling groups and is supported by review meetings, it is respected by the anglers and is considered a success. In 2016 a voluntary code of conduct for personal watercraft was introduced and the Flamborough Head EMS Project Officer facilitated an agreement with the Chief Pilot of the Humberside Search and Rescue helicopter about training during the breeding season.

Predicted change

A meeting was held with the local access authority to assess the predicted change. For the route of the path it looked at existing access and then took into account factors such as the establishment of new access, trail improvements, national trail status, visitor facilities, pulling power and local displacement. For the spreading room it considered removal of barriers to access, attractors and detractors.

North of Bempton the Headland Way currently runs along the beach from Speeton to Filey. A new route will be established from the North Yorkshire County Council boundary to Filey. With this new path having national trail status the profile will be raised on this section. However, the remainder of the route will follow the walked line of the Headland Way, which is an existing promoted route with good visitor facilities, and very high existing usage figures at Bempton RSPB reserve, North Landing and Flamborough. Therefore we only expect to see a small increase on the trail with the introduction of the ECP proposal.

With the spreading room we expect there to be negligible change as the pattern of use will not be altered by the proposals. Walkers will continue to follow the cliff top path and although the birds and views may be an attractor, in the areas where the cliffs are particularly steep, the steepness of the cliffs will act as a detractor.

5.1.4 Possible adverse impacts

The cliffs between South Landing and Speeton Gap of the at Flamborough Head SSSI and Flamborough Head and Bempton Cliffs SPA are currently recorded as unfavourable declining. Black-legged kittiwake Rissa tridactyla, the feature failing the monitoring target for aggregations of breeding bird species have declined significantly and this is thought to be related to available food supply. Data is gathered through the Flamborough Head and Bempton Cliffs Seabird Monitoring Programme which is a partnership between the RSPB and Natural England. This census takes place annually and informs population trends.

The line of the ECP at Bempton cliffs will follow the existing walked line of the cliff top path. Land seaward of the path would become spreading room. At the Bempton Cliffs RSPB reserve a small stretch of cliff is fenced, to prevent people approaching the top of the cliff above where the seabirds are nesting, and incorporates viewing platforms. Areas outside those which have viewing platform facilities are not fenced. Dogs are welcome on the reserve however they must be kept on leads at all times. There is no access related establishment work proposed.

There is potential for disturbance to the seabirds that nest on the cliffs if people were to walk beyond the fence and viewing platforms during the breeding season as the birds are habituated to people being the other side of the fence. This is currently prevented when observed and enforced by RSPB staff and volunteers. The RSPB are hoping to increase the number of visitors to the site and are confident they can manage additional visitors to the reserve without it impacting on the breeding birds.

However, visitors are encouraged to come to this reserve to get the very best view of seabirds and, because of the nature of the wildlife spectacle there is the chance that an individual photographer may challenge the current management of the site, to go the other side of the fence citing coastal access rights. This could undermine the current visitor management during the breeding season. Therefore there is a risk disturbance to nesting seabirds at Bempton might be increased if the current management is compromised by the proposals for the ECP.

The line of the ECP at Thornwick Nab, High Holme and Breil will follow the existing walked line of the Headland Way. Land seaward of the path would become spreading room.

On this section of coast there are no viewing platforms and fenced areas as there are at the RSPB reserve at Bempton. Visitors are not concentrated at one location and the management of the site is much more informal. There are no wardens to prevent walkers or photographers from accessing the cliff edge. Discussions with the Yorkshire Wildlife Trust, owners and managers of Flamborough Cliffs Nature Reserve concluded that as part of the establishment and maintenance of the ECP a mown strip across the site would help keep visitors to the path. However there are signage boards on site which ask visitors to “Please take care along the cliff top and the shoreline. All the plants and the birds can be seen from the footpath. Please keep to the path to prevent disturbance to birds and other wildlife.”

Visitors are encouraged to come to the nature reserve to view the seabirds nesting on the cliffs, and because there is parking and visitor facilities nearby it makes the cliffs easily accessible to

photographers. The predicted change is a small increase on the path and negligible change to the spreading room however there is still potential for disturbance to the seabirds that nest on the cliffs as the implementation of ECP would secure a right of access to the land between the path and the cliff edge.

5.1.5 Mitigation measures included in the access proposal to address any possible impacts

There is a small risk that our proposals for the coastal margin might undermine visitor management at RSPB Bempton, where visitors are required to stay on the cliff top path or within the viewing areas provided. The project team has identified an area that requires some form of intervention and it therefore proposes that public access rights to parts of the coastal margin are excluded by direction:

- Under s26 of CROW, for the purpose of conserving nature conservation interests of the land in question.

This is indicated in the Overview and Chapter 4 of the report.

Under the terms of the s26 direction there would be no new access rights: To the coastal margin at RSPB Bempton from the safety fence on the seaward side of the trail to mean low water from 1 March to 30 September each year access will be excluded to reinforce existing management.

There is a small risk that our proposals for the coastal margin might undermine visitor management at Flamborough (Thornwick Nab, High Holme and Breil), where visitors are requested to view nesting seabirds from the path. The project team has identified an area that requires some form of intervention and it therefore proposes that public access rights to parts of the coastal margin are excluded by direction:

- Under s26 of CROW, for the purpose of conserving nature conservation interests of the land in question.

This is indicated in the Overview and Chapter 4 of the report.

Under the terms of the s26 direction there would be no new access rights: To the coastal margin at Thornwick Nab, High Holme and Breil as indicated on the associated maps from 1 March to 30 September each year access will be excluded to reinforce existing management.

5.1.6 Conclusion

Potential impacts on sensitive features at Bempton and Thornwick Nab, High Holme and Breil will be avoided by excluding access to areas of the coastal margin from 1 March to 30 September each year.

6 Establishing and maintaining the England Coast Path

In this part of the document we describe how the access proposal would be implemented and arrangements for ongoing management and maintenance once coastal access rights are in place.

Note that before the access proposal can be taken forward, the coastal access report must first be considered by the Secretary of State in light of any representations, any objections from affected owners or occupiers and the Appointed Person's recommendations as to how any objections should be determined.

6.1 Establishment

6.1.1 Works on the ground

Once approval for a coastal access report is received from the Secretary of State, works can be carried out on the ground to make the trail fit for use and prepare for opening. In this case, works on the ground would be carried out by East Riding of Yorkshire Council.

An estimate of the total cost of works needed to establish the trail is given in our coastal access report for the stretch. The cost of establishment works will be met by Natural England.

East Riding of Yorkshire Council is responsible for ensuring they take appropriate steps to protect sensitive features whilst works on the ground are carried out, in line with any recommendations or conditions agreed in advance.

We have held preliminary discussions with East Riding of Yorkshire Council about the works required and believe that it is feasible for them to be carried out without adverse effect on the designated sites considered in this appraisal.

East Riding of Yorkshire Council will instigate the SSSI assent process by writing to us to confirm the timing of works and how operations to be undertaken in line with these conditions. Natural England will provide further ecological advice as necessary.

6.1.2 Implementation of mitigation measures

The mitigation measures described in Part 5 of this document will be implemented as follows:

Measure	Implementation
Restriction Signage at Bempton, Thornwick Nab, High Holme and Breil RSPB and YWT reserves.	Natural England will liaise with East Riding of Yorkshire Council, the RSPB and Yorkshire Wildlife Trust to ensure appropriate signage is installed.

6.1.3 Local restrictions or exclusions

Where specific restrictions or exclusions have been included in the proposal, Natural England will give the necessary directions to give legal effect to these before the new public rights come into force.

6.2 Maintenance

The trail and associated infrastructure will be maintained by the relevant local authority in line with the national quality standards that apply to all National Trails. An overall estimate of the ongoing cost of maintaining stretches of the England Coast Path is given in the relevant part of our report for the stretch.

6.3 Monitoring

Monitoring of the protected sites will continue through established programmes including our common standards monitoring protocols. The access authority will be responsible for ongoing monitoring of trail condition. Natural England will be tracking general trends, including in the number of people using the path, as part of our evaluation of the coastal access programme nationally.

6.4 Future changes

The access proposals in this document are designed to ensure appropriate protection of sensitive features, taking account of any mitigation measures that are included. The coast is a dynamic environment and we have taken account of changes predicted by the Environment Agency as a result of coastal erosion or other geomorphological processes in the design of the access proposals. Should it be necessary in the future to identify a new alignment for the trail in line with 'roll back' proposals in the stretch report, due care will be taken at that stage to minimise any potential impacts of this change on sensitive features. The same will be true if any unforeseen other changes arise in the future that may require a variation of the access arrangements described in these proposals, following due procedures.

7 Conclusions

7.1 Overall conclusion – Natura 2000/Ramsar sites

7.1.1 Population level effects

Feature - or feature group	**Conclusion**
Breeding seabirds (black legged kittiwake, common guillemot, razorbill, northern gannet, fulmar, puffin, herring gull, cormorant and shag)	For the section of the path at the RSPB Reserve at Bempton a possible risk of increased disturbance to breeding nesting seabirds as a result of our proposals for England Coast Path was identified. Access to the cliffs from the visitor centre at Bempton is carefully managed by the RSPB. Visitor access is restricted to designated paths and viewing areas. There is a small risk that the current visitor management arrangements could be undermined by our proposals, if visitors chose to cite coastal access rights as a justification for their ignoring exiting restrictions on access to the cliff top. We have therefore proposed that no new access rights be established to the cliffs at Bempton during the breeding season. For the section of the path at the YWT Reserve and at Thornwick Nab, High Holme and Breil a possible risk of increased disturbance to breeding nesting seabirds as a result of our proposals for England Coast Path was identified. Visitors are encouraged to come to the nature reserve to view the seabirds nesting on the cliffs, and because there are parking and visitor facilities nearby it makes the cliffs easily accessible to photographers. Signage on site request visitors to keep to the footpath to prevent disturbance to birds however the implementation of ECP would secure a right of access to the land between the path and the cliff edge. We have therefore proposed that no new access rights be established to the cliffs at Thornwick Nab, High Holme and Breil during the breeding season. As a result, taking into account the design of our proposals and mitigation measures we conclude that our proposals for England Coast Path will not have an adverse effect on this feature.
Hard maritime cliff and slope, vegetated sea cliffs of the Atlantic and Baltic coasts.	No adverse effects from the access proposal (taking into account existing access levels) have been identified.
Reef Habitat	No adverse effects from the access proposal (taking into account existing access levels) have been identified.
Submerged & partially submerged sea caves	No adverse effects from the access proposal (taking into account existing access levels) have been identified.
Non- Breeding waterbirds (red-throated diver, little gull and common scoter.)	No adverse effects from the access proposal (taking into account existing access levels) have been identified.

Foraging seabirds (Little tern, Common tern and Sandwich tern)	No adverse effects from the access proposal (taking into account existing access levels) have been identified.

7.1.2 In combination assessment – where applicable

At the time of carrying out this appraisal, Natural England is not aware of any other qualifying plans or projects that need to be considered.

7.1.3 Overall screening decision

Mark with an X as appropriate

X	**No likely significant effect** - as the new access proposal is unlikely to have a significant effect on Flamborough Head and Bemton Cliffs SPA, Flamborough Head & Filey Coast pSPA, The Greater Wash pSPA, Flamborough Head SAC and Flamborough Head pSAC, either alone or in combination with other plans or projects, (taking into account any proposed mitigation measures) no further Habitats Regulations assessment is required;
	OR
	Likely significant effect - as the new access proposal is likely to have a significant effect on Flamborough Head and Bemton Cliffs SPA, Flamborough Head & Filey Coast pSPA, The Greater Wash pSPA, Flamborough Head SAC and Flamborough Head pSAC, either alone or in combination with other plans or projects (despite any proposed mitigation measures), appropriate assessment is required to consider whether the new access proposal may proceed.

7.2 Overall conclusion - SSSI

In the light of this appraisal, Natural England has concluded that the new access proposal:
(Mark one box only with an X below)

X	**complies** with Natural England's duty to further the conservation and enhancement of the notified features of the SSSI, consistent with the proper exercise of its functions[1] - and accordingly the new access proposal may proceed as finally specified in this template
	OR
	would not comply with the duty referred to in (a) – and accordingly permission/ authorisation/ assent should not be given for the new access proposal in the form finally specified in this template, for the following reasons:

[1] The reference in 7.2 above to Natural England's functions includes its balanced general purposes for access, nature conservation and landscape under the NERC Act 2006, any specific statutory duties it may have to deliver specific improvements to public access, and the access-related policies and priorities it periodically agrees with Defra.

Reasons (where second box is ticked):

7.3 Overall conclusion: Marine Conservation Zone

In respect of any duties that may arise under section 125 of the Marine and Coastal Access Act 2009, Natural England has concluded for Holderness Inshore MCZ that:

(Mark one box only with an X below)

X	The access proposal (including any special measures specified in this appraisal) is the one that, consistently with the proper exercise of its functions under section 296 of the same Act, is least likely to hinder the achievement of the conservation objectives for the Marine Conservation Zone - and accordingly may proceed

OR

	The above test is not met, and accordingly the access proposal should not be taken forward in this form, for the following reasons:

Reasons (where second box is ticked):

8 Certification

8.1 Certification – access proposal

I certify that the details of the access proposal are correct		
Signed: 	Name: Hillary Scott	Date: 4/12/2017
Signed: 	Name: Andrew Best	Date: 6/12/2017

8.2 Certification – ecological impacts

I certify the conclusions of this appraisal with regard to ecological impacts		
Name: A Armitstead	Signed: 	Date: 05/12/2017

9 References

1. NATURAL ENGLAND. 2013. Coastal Access Natural England's Approved Scheme 2013. Published by Natural England Catalogue Code: NE446
http://publications.naturalengland.org.uk/publication/5327964912746496?category=50007