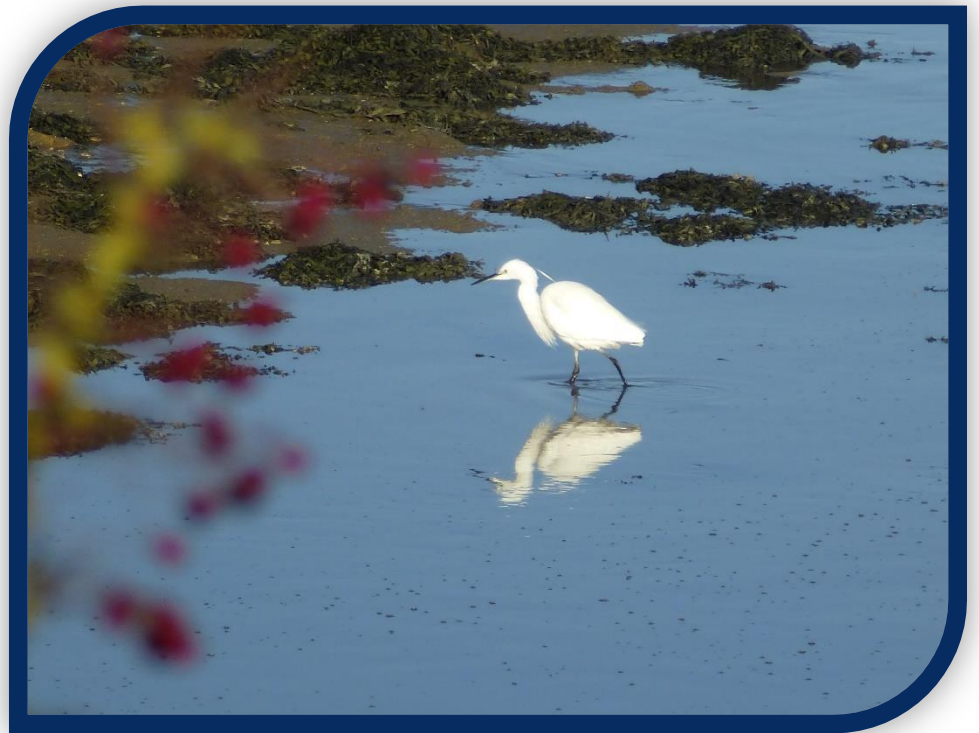




Bird Wise North Kent

Mitigation Strategy



North Kent SAMMS Project Board

January 2018

Foreword

Providing sufficient new housing to meet the demands of a growing population whilst protecting sensitive habitats for wildlife is a challenge being faced nationally, and north Kent is no exception.

With excellent transport links to London and major ports and airports, over 2000 new homes are planned to be built each year in north Kent.



Research conducted on behalf of the North Kent Environmental Planning Group (NKEPG) in 2011¹ suggests that cumulatively these homes could have a considerable impact on the birds that winter here on the internationally recognized Special Protection Areas (SPA).

Further work was undertaken in 2013 and the North Kent Strategic Access Management and Monitoring Strategy² (SAMMS) identified a series of measures to mitigate the disturbance to birds caused by an increase in visitor numbers.

The North Kent SAMMS Project Board, a partnership of five Local Authorities, Ebbsfleet Development Corporation, with Natural England, Royal Society for the Protection of Birds, Kent Wildlife Trust and The Kent Developers Group, was set up in 2015 to deliver a strategic approach to mitigating disturbance caused by additional recreational visitors.

This Strategy sets out the measures that will be implemented to ensure that existing and new residents of north Kent are able to enjoy the coast responsibly, and that the bird populations continue to winter and breed here for generations to come.

Councillor Alan Jarrett
Chair, North Kent SAMMS Project Board

¹ Bird Disturbance Study, North Kent 2010/11. Footprint Ecology, 2011

² Thames, Medway & Swale Estuaries – Strategic Access Management and Monitoring Strategy. Footprint Ecology, 2014

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Background and Introduction

- 1.1 This Strategy has been produced by the North Kent Strategic Access Management and Monitoring Scheme (SAMMS) Board, a partnership of the following organisations: Kent Wildlife Trust, The Kent Developers Group, Natural England, Royal Society for the Protection of Birds (RSPB), Canterbury City Council, Ebbsfleet Development Corporation, Kent County Council, Gravesham Borough Council, Medway Council and Swale Borough Council.
- 1.2 Significant development is planned for north Kent with growing demand for new homes to accommodate the increasing population in the administrative areas of Canterbury, Dartford, Gravesham, Medway and Swale.
- 1.3 Each winter, the continuous swathe of coastal habitat from Gravesend to Whitstable plays home to thousands of wading birds and waterfowl. Because of this, the Thames, Medway and Swale estuaries comprise of three Special Protection Areas (SPAs). All of these are also listed as Ramsar sites due to the international significance of the wetland habitats.
- 1.4 With additional homes, the number of recreational visitors to the coastal areas will increase. Research has suggested that the increasing numbers of visitors will have a negative impact on designated bird species.
- 1.5 A strategic approach is required to deliver a series of measures to mitigate any disturbance to birds caused by increasing numbers of recreational visitors. This document details the evidence base supporting the need for mitigation, along with the measures being implemented to reduce any negative impact.
- 1.6 These strategic mitigation measures will be funded by developer contributions, applied to all new dwellings built within 6km of the SPAs. Some larger developments, or those closer to the SPA may require additional mitigation.
- 1.7 The Bird Wise objectives include:
 - Raising awareness of the importance of the SPAs in north Kent
 - To provide information on the birds that rely on the SPAs to survive
 - To prevent additional bird disturbance caused by recreational activities on the coast
 - To encourage visitors to enjoy the north Kent coast in a responsible manner.

Protected Areas in North Kent

2.1 The north Kent coast, between Gravesend and Whitstable, contains three SPAs and Ramsar¹ sites. These consist of the Thames Estuary and Marshes SPA, the Medway Estuary and Marshes SPA and the Swale SPA (see Map 1). The Medway Estuary and The Swale are also designated Marine Conservation Zones (MCZs).

2.2 The SPA classification is in accordance with the European Birds Directive. This requires Member States to classify sites that are important for bird species listed in Annex 1 of the Directive, which are rare or vulnerable, and also critically important sites for migration. Annex I of the Birds Directive lists 193 species and sub-species which are:

- in danger of extinction;
- vulnerable to specific changes in their habitat;
- considered rare because of small populations or restricted local distribution;
- requiring particular attention for reasons of the specific nature of habitat.

For these species Member States must conserve their most suitable territories in number and size as Special Protection Areas.

2.3 All three of these sites are classified for their waders and waterfowl, both Annex 1 and migratory species. The designations provide protection for the significant numbers of wildfowl, waders and terns that overwinter or breed on the SPAs. The Thames, Medway and Swale Estuaries include mudflats, reedbeds, saltmarsh and grazing marsh, rich and diverse ecosystems that provide much needed food and high tide roosts for waders and wildfowl.

2.4 The coastal areas are popular with a variety of recreational users, including dog walkers, running groups and boating enthusiasts. The aim of this strategy is to encourage all visitors to use the coast responsibly through education and engagement.

¹ Convention on wetlands of international importance, especially as waterfowl habitat, Ramsar, Iran, 2/2/71, most commonly referred to as the 'Ramsar Convention'.

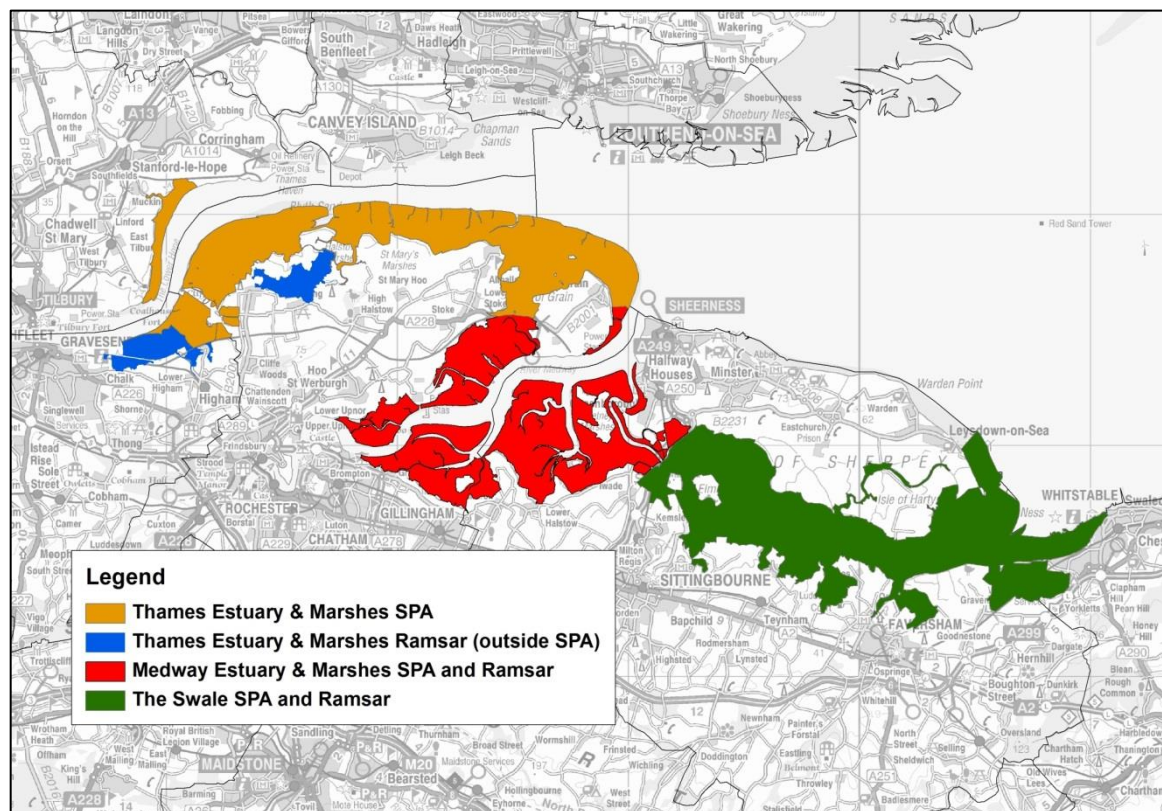
2.5 The National Planning Policy Framework (NPPF) para. 118 states:

'The following wildlife sites should be given the same protection as European sites:

- *potential Special Protection Areas and possible Special Areas of Conservation;*
- *listed or proposed Ramsar sites; and*
- *sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.'*

Map 1

The Thames, Medway and Swale SPA and Ramsar Designated Sites



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The Case for Mitigation

- 3.1 Following the South East Plan allocation of around 70,000 houses between 2006 and 2026, across the north Kent area, concerns were raised about the potential impact of recreational disturbance on bird populations of the three SPA and Ramsar sites.
- 3.2 In response to this, the North Kent Environmental Planning Group (NKEPG) commissioned a number of reports to assess the current and future levels of recreational activity on the north Kent Marshes SPAs and Ramsar sites.
- 3.3 The NKEPG comprises of Canterbury, Dartford, Gravesham, Kent, Medway and Swale local authorities, together with Ebbsfleet Development Corporation, Natural England, Kent Wildlife Trust and RSPB.
- 3.4 Evidence base/ reports include:
 - Bird Disturbance Study, North Kent 2010/11 (Footprint Ecology);
 - What do we know about the birds and habitats of the North Kent Marshes? (Natural England Commissioned Report 2011);
 - North Kent Visitor Survey Results (Footprint Ecology 2011);
 - Estuary Users Survey (Medway Swale Estuary Partnerships, 2011);
 - North Kent Comparative Recreation Study (Footprint Ecology 2012);
 - Phase 1 – Bird Disturbance Report (Footprint Ecology 2012) and
 - Thames, Medway and Swale Estuaries – Strategic Access Management and Monitoring Strategy (Footprint Ecology 2014).
- 3.5 In summary, the Footprint Ecology Bird Disturbance Report¹ key findings were:
 - The number of birds using the three SPAs has declined markedly, in particular on the Medway at locations with the highest levels of access;
 - A potential cause of the declines is disturbance. The study found that the presence of people prompted the greatest response from birds;
 - Access levels are linked to local housing. It is not possible to rule out likely significant effects on the integrity of the protected sites as a result of increased housing;
 - The current main cause of disturbance is dog walking, and in particular when dogs are walked off the lead. Other activities that cause disturbance include cycling, jogging and those that involve people on the mudflats or the water;
 - Development within 6km of access points to the SPAs is particularly likely to lead to increased recreational visitors. Visitors to the north Kent coast mostly originate from a zone north of the M2/A2 between Gravesend and Herne;
 - People may visit from further afield but these users are likely to be drawn to the area for dedicated features. These include nature reserves, boating

¹ Liley, D, Lake, S. & Fearnley, H. (2012). Phase 1 – Bird Disturbance Report. Footprint Ecology/GGKM/NE

activities and other watersports, bait digging and walking dogs off lead on the intertidal;

- Development beyond 6km, with the exception of large development schemes, could be screened out of assessments as it is assumed they are unlikely to have a significant effect on the protected sites;
- Mitigation measures have been suggested, and are detailed later in this report. They focus on education, awareness raising, and site enhancements to promote responsible use of the sites and
- Areas currently undisturbed, and in particular the main roost sites, should be protected from additional recreational pressure.

- 3.6 The health and wellbeing benefits that come from spending time on the Coast are well documented. This Strategy aims to promote responsible use of the coastal areas, and to change recreational visitors' behaviours to ensure that levels of bird disturbance do not increase.
- 3.7 Work is underway on the England Coast Path - a new National Trail around England's entire coast, which Natural England expects to complete in 2020.
- 3.8 There are four sections of the England Coast Path located within the north Kent marshes:
- Iwade to Grain – a 58km stretch of the Kent Coast expected to be ready in 2018;
 - Grain to Woolwich – a 78km stretch of the Kent Coast and Thames Estuary expected to be ready in 2019;
 - Isle of Sheppey – a 21km stretch of coast around the Isle of Sheppey expected to be ready in 2019 and
 - Whitstable to Iwade – a 58km stretch of the Kent Coast expected to be ready in 2018.
- 3.9 As part of this work a 'coastal margin' is being identified and can include all land between the trail and the sea. We will work with Natural England to ensure that careful consideration is given to sensitive sites that provide high tide roosts and feeding grounds for waders and waterfowl within the north Kent marshes.
- 3.10 A Trail Partnership is being set up to co-ordinate the management and promotion of the English Coastal Path in Kent and Sussex. Once the partnership is established we will engage with them to ensure that Bird Wise objectives and consistent messages are communicated.

What is Bird Disturbance?

- 4.1 Human disturbance to birds is essentially any activity that results in a change in a bird's behavior. A large volume of scientific literature and a wide range of studies consider the consequences of disturbance.
- 4.2 Depending on the nature, frequency and level of the disturbance, some birds may take flight temporarily, but return after the disturbance ends. Other birds may modify their feeding habits, whilst more sensitive species may suffer reduced breeding success or, ultimately, desert the site.
- 4.3 When a bird is forced to take flight, feeding ceases and energy expenditure greatly increases. At times of limited food supply and/or cold weather this could be life threatening for certain species.
- 4.4 Where disturbance causes a bird to leave a particular site, the availability of suitable alternative sites is critical for the bird's survival. The site in which it settles may already be populated or may be of lower quality resulting in lower rates of energy intake. This is especially critical in cases of major flight, when a bird flies further than 500 meters, as the energy spent in flight can be catastrophic for the bird.
- 4.5 In summary, the disturbance may result in:
 - Lack of feeding and resting time – which leads to deficiency in energy intake and overall fitness to migrate long distances or survive.
 - Deficient incubation period – which could decrease the breeding success of terns and cause population decline.



Mitigation Options

- 5.1 A number of mitigation measures were identified in the 2014 Footprint Ecology report, both essential and desirable. The measures that will be included in the north Kent scheme are detailed in this section.
- 5.2 All of the projects will be underpinned by a dedicated Bird Wise website containing information for developers, visitors, links to partner organisations, information on birds and other estuarine wildlife. Dedicated social media pages will be linked to the website and be regularly updated to ensure that the project provides ongoing information on events and activities.

Wardening / Visitor Engagement

- 5.3 The Bird Wise Rangers are fundamental to facilitating public engagement with the project.
- 5.4 Initially this will be one seasonal ranger employed over the winter. Their functions will include:
- Familiarisation with the area and identification of disturbance issues;
 - Actively patrolling sensitive areas and engaging with visitors, often as the first point of contact between the public and Bird Wise North Kent;
 - Education initiatives with local schools;
 - Engagement with local organisations and volunteer groups and
 - Monitoring disturbance and the effectiveness of mitigation measures.
- 5.5 In time, the team will be increased to two seasonal rangers working over the winter. This will allow greater involvement in developing and delivering site specific enhancement works, liaison with stakeholders, reporting to project meetings and ensuring a greater presence on site to encourage long term changes to visitor behavior.

A North Kent Coast Dog Project

- 5.6 The disturbance study (Liley & Fearnley 2011) evidenced that dog walking accounted for 55% of major flight events recorded during the study period. Dogs that were off-lead were a particular problem.
- 5.7 Other authorities have worked with organisations, such as the Kennel Club, to introduce projects focusing on positive messages promote responsible dog ownership and encourage dog walking in less sensitive sites. Successful projects that deliver similar messages to Bird Wise include Dorset Dogs and Humber Hounds.
- 5.8 We will link to Local Authority projects that are already in existence, working with their dog wardens to engage with dog owners and dog walking businesses across north Kent.

- 5.9 Our own Bird Wise Ranger will provide face to face engagement with dog walkers to promote awareness of bird disturbance and information on how they can help to reduce their impact on birds. This will include day to day patrols of the SPA sites and attendance at local dog specific events (e.g. Paws in the Park, Dogfest).
- 5.10 The Bird Wise North Kent website will have a dedicated page detailing responsible behaviors, sites where dogs are welcome off-lead and information on areas to avoid. It can also include opportunities for engagement via social media and details of vets, pet suppliers, kennels etc.

Codes of Conduct

- 5.11 Codes of conduct will be developed in consultation with the various user groups that spend their leisure time on the north Kent estuaries and marshes. This includes dog walkers, runners, ramblers, horse riding and water based activities.
- 5.12 One code of conduct will be created to avoid any duplication or dilution of the key messages the project needs to convey. This will be available online and via social media platforms.
- 5.13 The key messages of the code of conduct will be available on a printed leaflet that will be available from the seasonal ranger and at key sites with high visitor numbers.

Site Specific Access and Infrastructure Enhancements

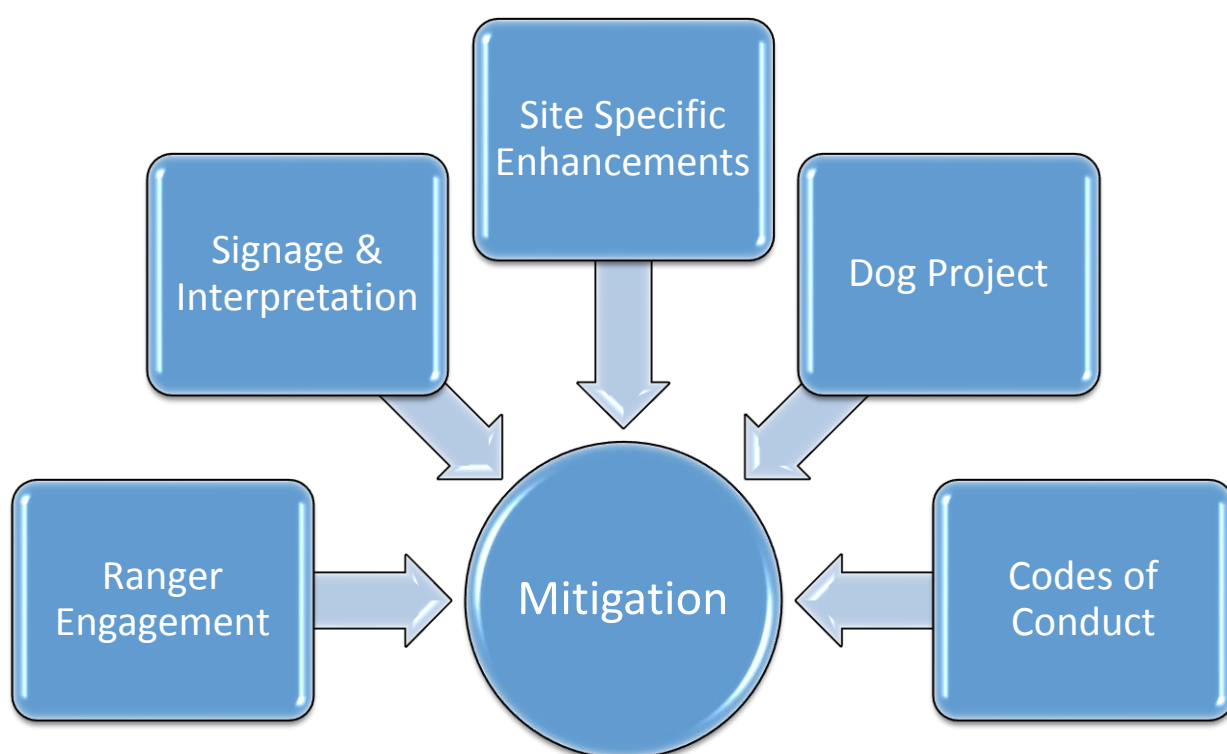
- 5.14 Several sites have been identified that could benefit from access and infrastructure enhancements. These include:
- Shorne Marshes and Fort
 - Cliffe Pools
 - Grain Foreshore
 - Lower Upnor
 - Copperhouse Marshes
 - Riverside Country Park
 - Otterham Creek
 - Bedlams Bottom
 - Elmley
 - Milton Creek
 - Conyer Creek
 - Oare Marshes
 - Seasalter Marshes
- 5.15 Enhancements can include improved signage and interpretation boards, screening of sensitive areas, footpath diversions and reviewing parking facilities. In particular, footpath diversions have the potential to make a

significant contribution towards mitigation measures in the prevention of bird disturbance.

- 5.16 Additional enhancements can be made at larger, more popular sites to provide fenced areas inland where dogs can be exercised off-lead without disturbance to birds on the shoreline.

Monitoring

- 5.17 Monitoring will be required to measure the success of the mitigation projects and determine whether adjustments are required. Annual monitoring will be undertaken by seasonal rangers, in addition to making use of the WeBS¹ counts that are carried out nationally.
- 5.18 External consultants will be engaged when full project monitoring is carried out. It is anticipated that this will be completed on a 5-yearly basis.



¹ WeBS is the Wetland Bird Survey, see Appendix 2

Funding

- 6 For the Bird Wise objectives to be delivered successfully, funding will be allocated to management, staffing, communications, equipment, projects and monitoring.
- 6.1 The Bird Wise projects will be funded via the tariff collected for new dwellings built within 6km of the SPA and Ramsar sites. The Bird Wise project could in part be funded by developments outside of the 6km distance if an impact is established.
- 6.2 The tariff is collected prior to commencement of development (or a phase of development) to enable mitigation measures to be in place prior to or close to first occupation. The development phasing is determined in the Section 106 agreements or the Unilateral Undertaking document.
- 6.3 The measures are required to mitigate the impact of new housing up to 2034 and for the duration of the life of the new dwellings. The 'in-perpetuity' period of 80 years will be funded by investing a percentage of the developer contributions received until 2034. As a guide, 40% of contributions received will be spent on mitigation measures and 60% will be invested for in-perpetuity funding.
- 6.4 The 2014 Footprint Ecology Report¹ costed a set of recommended mitigation measures to address disturbance impacts. The annual cost of these measures is detailed below:

Activity	Cost p/a	Notes
Head Ranger	£46,560	Includes on-costs
Seasonal Rangers x 2	£34,500	6 month posts includes on-costs
Operating Budget	£15,000	Web design, printing, communications, signage
Site Specific Projects	£20,000	Access management and improvements
Monitoring	£5,000	Annual accrual but full monitoring may only occur every 3-5 years
Management & Administration	£15,000	Paid to the accountable body to cover HR, ICT, financial support costs
Total Mitigation	£136,060	
In-perpetuity funding	£185,994	Calculated at 136.7% of annual mitigation costs
Total Annual Cost	£322,054	

¹ Liley, D. & Underhill-Day, J. (2013). Thames Medway and Swale Estuaries – Strategic Access Management and Monitoring Strategy. Unpublished report by Footprint Ecology

6.5 The scheme is designed to mitigate the impact of additional dwellings on the SPAs and can be scalable to take into account fluctuating levels of development. In essence, if less housing is delivered then less mitigation will be required and the schemes can be adjusted accordingly.

6.6 The tariff will be index linked in line with inflation and will be reviewed annually using the following formula:

$$\text{Indexed Sum} = \text{Initial Sum} \times \frac{\text{Inflation Index at Due Date}}{\text{Inflation Index at Base Date}}$$

6.7 The tariff was calculated using housing projections from Canterbury, Gravesham, Medway and Swale to provide a total number of new dwellings that will require mitigation until 2031. The total cost of providing this mitigation, allowing for this to continue in perpetuity, as suggested in the 2014 Footprint Ecology Report, provided an initial tariff of £223.58 per new dwelling.

6.8 New dwellings include those created under the General Permitted Development Order (including change of use from office to residential), and those created through the sub-division of existing dwellings.

6.9 Mitigation in relation to student accommodation, Houses in Multiple Occupation (HMOs), residential care homes, residential nursing homes, hotels, boarding and guest houses, hostels, holiday parks and all other residential institutions, will be considered on a case by case basis. Factors to consider will be proximity to the coastal areas, size of development and the likelihood of residents using the SPA for recreational activities. This is in keeping with advice received from Natural England in 2015.

6.10 Major developments outside of the 6km zone will need to be considered on a case by case basis, using the same factors discussed in the paragraph above.

6.11 Local Authorities will charge the tariff as follows:

Authority	Terms	Rate
Canterbury City Council	All new dwellings on commencement	
	1 bedroom	£127.08
	2 bedrooms	£178.67
	3 bedrooms	£240.78
	4+ bedrooms	£304.79
Gravesham Borough Council	All new dwellings on commencement	£223.58
Medway Council	All new dwellings on commencement	£223.58
Swale Borough Council	Developments of 10 or more dwellings on commencement	£281.00

Governance Arrangements

7.1 Bird Wise will be overseen on a strategic level by the Project Board. The Project Board will govern the development, implementation and commissioning of the Strategy. Membership of this board consists of the project partners as follows:

- Canterbury City Council (Councillor and Officer);
- Swale Borough Council (Councillor and Officer);
- Medway Council (Councillor and Officer);
- Gravesham Borough Council (Councillor and Officer);
- Ebbsfleet Development Corporation (Officer);
- Kent County Council (Officer);
- Royal Society for the Protection of Birds (Officer);
- Kent Wildlife Trust (Officer);
- The Kent Developers Group or an alternative appropriate development sector body (representative) and
- Any additional organisation which is employing staff on behalf of the Accountable Body (Officer).

7.2 Natural England will provide an advisory role to the Project Board, and will not have a voting role at the board meetings. Natural England will liaise with colleagues of the Environment Agency to coordinate technical advice on behalf of the wider governmental environmental bodies.

7.3 The Bird Wise Steering Group will comprise of an officer representative from each of the organisations mentioned above. The group will provide technical support to the Project Board and will produce reports for consideration. The Steering Group will work closely with the North Kent Environmental Planning Group, ensuring that Bird Wise objectives are consistent with other projects working in north Kent, and to enable joint working where possible.

7.4 Medway Council was appointed the Accountable Body for the North Kent SAMMS at the Project Board meeting on 30 August 2016. The role of the Accountable Body will be:

- To employ a Project Manager and other staff as agreed by the Project Board to establish and monitor the administration and operational procedures for Bird Wise;
- To hold and administer the funds collected by partner local authorities, and to provide advice and guidance on financial matters;
- To provide secretarial support to the Project Board and Steering Group;
- To action the commissioning of projects and survey work approved by the Project Board and monitor performance;
- To collate monitoring information to provide regular reporting on Bird Wise for the Steering Group and Project Board and
- To provide a financial protocol, this sets out the procedures for approving expenditure and for accounting for money handled by the Partnership.

- 7.5 The governance arrangements are captured in a Memorandum of Understanding document that was signed at the Project Board meeting in January 2018. This document covers the period 01 January 2018 to 31 December 2022.
- 7.6 The annual budget will be proposed by the Steering Group and agreed by the Project Board. An annual report will be produced, detailing measures implemented in the preceding year and progress made. It will also include details of spend to date and the budget for the coming year. This will be published once approved by the Project Board.

Communications & Marketing

8.1 The overarching aim of this Strategy is to reduce bird disturbance by encouraging behavioural change in coastal visitors. The approach will be positive engagement with visitors to raise awareness and create an understanding of the impacts that recreational visitors can cause to birds on the SPAs in north Kent.

8.2 A wide variety of people visit the north Kent coast for recreational purposes so our communication with them will need to be far reaching and targeted. Utilising a mixture of printed, digital and face to face methods will ensure that the Bird Wise messages are conveyed to as wide an audience as possible. This section of our Strategy details these methods.

Identifying the Audience

8.3 The background research conducted by Footprint Ecology between 2011 and 2014 identified recreational activity taking place on the estuarine coast as:

- Dog walking
- Walking without dogs
- Running / jogging / power walking
- Cycling
- Wildlife watching
- Fishing
- Bait digging / cockling / crab tilling
- Boating
- Family outing
- Wildfowling
- Photography
- Enjoying the scenery

8.4 Dog walking, in particular dogs off-lead, has been identified in the 2011 Bird Disturbance Report conducted by Footprint Ecology, as being responsible for the greatest number of major bird flights. Whilst Bird Wise will look to work with all recreational visitors to the coast, the greatest focus will need to be on visitors with dogs.

8.5 The introduction of parkrun in north Kent, at Shorne Woods Country Park in Gravesham, the Great Lines Heritage Park in Medway, at Milton Creek Country Park in Swale and at Whitstable has increased participation in running. This includes Canicross, the sport of running with dogs, with several groups forming in Kent. This has led to more people using the coast for both solo and organised runs, normally in areas with good parking and visitor facilities. We will engage with running clubs to raise awareness of disturbance issues and encourage them to use areas that are less sensitive.

Branding

- 8.6 The Bird Wise brand represents all of the activities of the North Kent SAMMS Project Board. It has been designed to focus on the core aims of the scheme whilst placing a level of responsibility on the audience.
- 8.7 It can be used in a variety of locations and when used with the tagline '*Wising up to bird disturbance*' it further emphasises the goal to raise awareness of bird disturbance issues.

Website

- 8.8 All of our activities will be underpinned by an informative, engaging and welcoming website. Information covered on the Bird Wise website will include:
- Home screen with basic information on the project and images from the SPAs
 - Links to partner organisations' websites
 - A page explaining bird disturbance & conservation
 - Images and information on the birds with links to RSPB pages
 - A page focusing on dog projects with information on dog friendly locations, businesses and events
 - Full Codes of Conduct aimed at specific user groups
 - The published Strategy document, business plan and annual reports
 - Frequently asked questions
 - Latest news – linking to Social Media updates
 - Links to all of the background research and reports
- 8.9 The website is designed to be a 'one stop shop' that provides information for developers, local authorities, recreational visitors and anybody that wants to know more about the Bird Wise projects.

Social Media

- 8.10 Communication via social media platforms will enable us to provide regular updates on activity, keeping the project live. These updates can be linked to show on the 'latest news' section of the main website, ensuring that the website contains current information.
- 8.11 Links to other similar organisations can be forged by following them, using tags and hashtags and sharing or retweeting posts. Interaction with these organisations will provide improve communication and encourage networking.
- 8.12 The use of Facebook, Twitter and Instagram will allow the Bird Wise projects to be interactive. We will do this by ensuring regular updates are posted by our rangers, encouraging visitors to post pictures they have taken when visiting the area and by holding photo competitions.
- 8.13 Many of our visitors use social media to organise their visits to the coast as part of a club or group. By interacting with these groups we can instantly share

the Bird Wise messages with them, and listen to any concerns or preferences that they have.

Ranger Engagement

- 8.14 The Bird Wise ranger team will provide the face to face engagement with visitors on site.
- 8.15 Their role will be one of educating and awareness raising rather than enforcement. Engaging in positive dialogue with visitors whilst offering information on the birds and advice on how to avoid disturbing them.
- 8.16 They will be provided with branded Bird Aware clothing and promotional material to reassure members of the public that they are being approached by a genuine organisation.
- 8.17 Targeted presentations can be given by the ranger and project manager to a variety of groups, clubs, local authorities and developer forums on request. This will allow any questions or fears to be addressed, providing positive reassurance that our aims are not to restrict activity but to promote more responsible behaviours.

Promotional Material

- 8.18 We recognise that not all of our visitors are using digital media and that some printed media will be required.
- 8.19 An information leaflet will be designed to provide a brief introduction to Bird Wise, along with pictures of the birds and code of conduct details. The aim of the leaflet is to spark initial interest and encourage the reader to find out more by visiting the website or following our social media accounts.
- 8.20 The leaflet will be handed out on site by Bird Wise rangers and will be available at visitor centres and other locations that provide facilities for recreational visitors on the coast, such as cafes and public houses.
- 8.21 The leaflet will also be offered to developers, for inclusion in the welcome packs they provide to people moving into new developments, within 6km of the SPAs.
- 8.22 In addition to the ranger patrols, we will attend relevant local shows and events to promote Bird Wise. Additional promotional materials will be required for this purpose, such as keyrings, dog tags, stickers, pens etc. These will be agreed by the Steering Group annually.

Measuring Success

9.1 New development will further exacerbate the existing disturbance issues to wintering and breeding birds on the north Kent marshes. The increase in recreational visitors to coastal sites is predicted to be approximately 15%. Robust solutions are required to ensure that this level of development does not have an adverse effect on the integrity of the SPA / Ramsar sites.

9.2 The aims of the Strategy are twofold:

- To support sustainable growth whilst safeguarding the integrity of the protected sites from impacts relating to recreational disturbance and
- To reduce the existing recorded recreational impact on bird populations on the protected sites to meet duties relating to the maintenance and restoration of the European sites, as required by Article 4(4) of the Birds Directive.

9.3 The Strategy will be deemed successful if the level of bird disturbance is not increased despite an increase in population and the number of recreational visitors to the coastal sites around the north Kent marshes.



Frequently Asked Questions

Q1: How does new housing in north Kent affect birds on the coast?

Every year, thousands of waders and wildfowl travel thousands of miles to over-winter in north Kent. This huge annual assemblage is internationally significant so the area is protected under International and European designations, the Thames, Estuary and Marshes SPA / Ramsar site, the Medway Estuary and Marshes SPA / Ramsar site, and The Swale SPA / Ramsar site. Recreational activity such as people walking with dogs off leads, cycling and jogging often disturbs the birds. The additional population from the building of new homes will mean an estimated 15% increase in recreational activity at the coast. Disturbance reduces the birds' feeding opportunities, meaning they have insufficient energy to survive the winter or to complete their migratory journey to their breeding sites, leading to a reduction in the bird population.

Q2: Why is there a need for mitigation measures?

The Conservation of Habitats and Species Regulations 2017 (known as the 'Habitats Regulations') set out how local planning authorities must deal with planning applications that have potential to impact on Special Protection Areas and other European protected sites. The legislation says that local planning authorities must not grant consent for a development that would, either alone or in-combination with other developments, have a likely significant effect on a European protected site, unless full mitigation is provided.

Q3: How can a developer provide mitigation?

Developers can provide mitigation by making a developer contribution to Bird Wise or by gathering their own evidence for a Habitat Regulations Assessment and implement the necessary mitigation measures in perpetuity. Bird Wise provides a way for new housing schemes to mitigate the impact of additional recreation on the north Kent SPA and Ramsar sites should the developer commit to paying the tariff set out by the Strategy. This makes it possible to conclude that a significant effect on the SPA or Ramsar site as a result of the development is unlikely and enables development to go ahead in compliance with the Habitats Regulations and enables developers to deal with the issue quickly and simply.

Alternatively, developers can gather their own evidence for a Habitats Regulations Assessment and implement the necessary bespoke mitigation measures in perpetuity (or demonstrate that none are required). Such an assessment would have to consider the impact of the proposal in combination with all other proposed development in north Kent. The cost of undertaking such assessment would be high and probably costlier than making a developer contribution to the implementation of Bird Wise. In most cases, it will not be viable for a development to provide its own bespoke mitigation package.

Q4: Which impacts are covered by Bird Wise?

The Strategy deals with the disturbance impact on birds caused by additional recreational visitors to the coast arising from the building of new homes within 6km of the three Special Protection Areas (SPAs) of the Thames Estuary, the Medway Estuary and the Swale.

Q5: My development is not on the coast, why do I need to provide mitigation?

The research undertaken by Footprint Ecology in 2012 found that 75% of coastal visitor travel 6km or less for their visit. This evidence showed that additional dwellings built within 6km of the three north Kent SPAs is likely to have a significant effect on them. Larger residential developments have a larger zone of influence and will be dealt with on a case by case basis. The 6km zone covers the northern parts of Gravesham, Medway and Swale, and the far western coastline of Canterbury.

Q6: Do all types of development need to provide mitigation?

A developer contribution is required for every net additional dwelling, including new dwellings created through the subdivision existing dwellings and new dwellings created as a result of approval granted under the General Permitted Development Order i.e changes of use to residential.

Q7: Is residential development allowed by permitted development covered?

Sections 73 to 77 of the Habitat Regulations explain the process for checking whether a Class O or other Permitted Development is likely to impact on a European wildlife site. If impact is likely, either alone or in-combination with other developments, then mitigation must be provided.

Q8: How much is the developer contribution?

The Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy sets the contribution at £223.58 per dwelling. This figure provides funds for immediate delivery of the mitigation actions plus a contribution to an endowment. The Strategy states that this figure will be updated on 1 April each year in line with the Retail Price Index. Swale Borough Council are charging a higher rate but only applying it to developments of 10 or more dwellings. Canterbury City Council are charging on a stepped basis linked to the size of each dwelling. Full details are in the table below:

Authority	Terms	Rate
Canterbury City Council	All new dwellings on commencement	
	1 bedroom	£127.08
	2 bedrooms	£178.67
	3 bedrooms	£240.78
	4+ bedrooms	£304.79
Gravesham Borough Council	All new dwellings on commencement	£223.58
Medway Council	All new dwellings on commencement	£223.58
Swale Borough Council	Developments of 10 or more dwellings on commencement	£281.00

Some schemes, particularly those located close to the boundaries of the SPAs or Ramsar sites, may need to provide other mitigation measures in addition to making that financial contribution in order to ensure effective avoidance/mitigation of impacts on the sites. The local planning authority, with advice from Natural England, will consider the mitigation requirements for such development proposals on a case-by-case basis. Developers are encouraged to hold early discussions with the local planning authority on the mitigation needed for their scheme.

Q9: How can one new dwelling have any impact on the birds?

Every year a lot of single dwellings are built in north Kent and cumulatively these will have a significant impact. Legislation requires that the impact of individual developments must be assessed in combination with other development proposed around the SPAs and Ramsar sites.

Q10: When deciding on a planning application, is mitigation being considered by the planning authority?

The local planning authority will consider whether the proposed development is legally compliant with the Habitats Regulations.

Q11: Can I see how contributions are being spent?

An annual report will be produced each year, detailing the spend for the preceding year and the budget for the coming year. This will be published on our website at www.birdwise.org.uk

Q12: If the contribution isn't spent after a certain period of time, will it be returned?

No, the impacts of additional recreational disturbance require in perpetuity mitigation and therefore 57% of every developer contribution is ring fenced to guarantee the longevity of the Bird Wise mitigation strategy.

Q13: How will the Special Protection Areas that are derived under European law be affected when Britain leaves the European Union?

The legislation which safeguards SPAs around the country is embedded in UK law and it will remain after Britain ceases to be an EU Member. The Thames, Medway and Swale Estuaries are also internationally protected under the Ramsar Convention; this is independent of the UK's membership of the EU.

Q14: Why are so many organisations involved in the north Kent initiative?

The Habitats Regulations require the impact of one development to be assessed in combination with other developments, some of which will be in neighbouring authorities. Consequently, the four local authorities of north Kent worked together as a sub group of the North Kent Environmental Planning Group to produce the interim mitigation strategy. The four local authorities are: Canterbury, Gravesham, Medway and Swale. The Ebbsfleet Development Corporation is also responsible for determining planning applications in its area. Natural England, Kent County Council, The Kent Developers Group, the Royal Society for the Protection of Birds and the Kent Wildlife Trust are also members of the Partnership, this ensures a consistent message across similar projects being delivered in north Kent.

Q15: Is the Strategy only focused on wintering birds?

The Thames, Medway and Swale SPA and Ramsar sites are designated predominantly for the large, internationally significant numbers of waders and wildfowl that winter in north Kent and therefore the majority of actions and activities underpinning the Bird Wise mitigation strategy will be focused on wintering birds. However, there will be ongoing activity throughout the summer to ensure that the Bird Wise message is communicated all year round. Our aim is that increased awareness and behavioural changes encouraged by the Strategy will benefit bird populations and other estuarine wildlife throughout the year. We will also promote related projects being delivered by partner organisations throughout the summer months.

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Appendix 1 – SPA / Ramsar Site Specifications

	Medway	Swale	Thames
Area (Hectares)	4696.74	6515	5589
Number of overwintering waterfowl.	65,496 (5yr peak mean 1991/92-1995/96)	77,501 (5yr peak mean 1998/99-2002/03)	45,118 (5yr peak mean 1998/99-2002/03)

Scientific Name	Common Name	Medway	Swale	Thames	Status
<i>Anas acuta</i>	Pintail	x			Amber
<i>Anas clypeata</i>	Shoveler	x		x	Amber
<i>Anas crecca</i>	Teal	x	x		Amber
<i>Anas penelope</i>	Wigeon	x			Amber
<i>Anas platyrhynchos</i>	Mallard	x			Amber
<i>Anas strepera</i>	Gadwall		x	x	Amber
<i>Anser albifrons albifrons</i>	White-fronted Goose		x		Red
<i>Arenaria interpres</i>	Turnstone	x			Amber
<i>Aythya ferina</i>	Pochard	x			Red
<i>Branta bernicla bernicla</i>	Brent Goose	x	x		Amber
<i>Calidris alpina alpina</i>	Dunlin	x	x	x	Amber
<i>Calidris canutus</i>	Knot	x	x	x	Amber
<i>Charadrius hiaticula</i>	Ringed Plover	x	x	x	Red
<i>Circus cyaneus</i>	Hen Harrier	x		x	Red
<i>Cygnus columbianus bewickii</i>	Bewick's Swan	x			Amber
<i>Egretta garzetta</i>	Little Egret	x	x	x	Green
<i>Falco columbarius</i>	Merlin	x			Red
<i>Gavia stellata</i>	Red-Throated Diver	x			Amber
<i>Haematopus ostralegus</i>	Oystercatcher	x	x	x	Amber
<i>Limosa limosa islandica</i>	Black Tailed Godwit	x		x	Red
<i>Numenius arquata</i>	Curlew	x	x		Red
<i>Numenius phaeopus</i>	Whimbrel		x		Red
<i>Phalacrocorax carbo</i>	Cormorant	x	x		Green
<i>Philomachus pugnax</i>	Ruff		x	x	Red
<i>Pluvialis apricaria</i>	Golden Plover		x		Green
<i>Pluvialis squatarola</i>	Grey Plover	x	x	x	Amber
<i>Podiceps cristatus</i>	Great Crested Grebe	x			Green
<i>Recurvirostrata avosetta</i>	Avocet	x	x	x	Amber
<i>Sterna albifrons</i>	Little Tern	x	x		Amber
<i>Sterna hirundo</i>	Common Tern	x			Amber
<i>Tachybaptus fuscicollis</i>	Little Grebe		x	x	Green
<i>Tadorna tadorna</i>	Shelduck	x	x	x	Amber
<i>Tringa nebularia</i>	Greenshank	x	x	x	Amber
<i>Tringa totanus</i>	Redshank	x	x	x	Amber
<i>Vanellus Vanellus</i>	Lapwing	x	x		Red

Appendix 2 – WeBS Count Data

The Wetland Bird Survey (WeBS) monitors non-breeding waterbirds in the UK. The principal aims of WeBS are to identify population sizes, determine trends in numbers and distribution, and identify important sites for waterbirds.

WeBS is a partnership between the British Trust for Ornithology (BTO), the Royal Society for the Protection of Birds (RSPB) and the Joint Nature Conservation Committee (JNCC) in association with the Wildfowl and Wetlands Trust (WWT).

Using the most recent count data, alerts have been issued at all three SPAs in north Kent.

On the Medway Estuary, 17 species were evaluated and alerts were issued for Brent Goose (Dark-Bellied), Shelduck, Wigeon, Pintail, Great Crested Grebe, Cormorant, Ringed Plover, Grey Plover, Dunlin, Curlew, Redshank and Oystercatcher.

On the Swale Estuary, 21 species were evaluated and alerts were issued for White-fronted Goose (European), Little Grebe, Cormorant, Shelduck, Shoveler, Grey Plover, Lapwing, Dunlin and Redshank.

On the Thames Estuary, 14 species were evaluated and alerts were issued for White-fronted Goose (European), Grey Plover, Knot, Shoveler, Ringed Plover, Lapwing and Dunlin.

For three species on the Swale and Thames Estuaries, European White-fronted Geese, Grey Plover and Knot, comparison of site trend with broad scale trends suggests that the declines underpinning Alerts status may be driven by site-specific pressures. On the Medway Estuary, the situation was more serious with declines on all alert species being driven by site-specific pressures.

WeBS data is detailed in the following tables.

WeBS count data for the three SPAs showing the 5 year average figure for each species at each site.

WeBS Data Average Count (5 year average)							
Site	Species	2011-2016	2006-2011	2001-2006	1996-2001	1991-1996	1986-1991
Medway	Dark-bellied Brent Goose	1770	1303	1352	2218	4133	3015
	Shelduck	1735	1556	1724	3359	5900	4351
	Wigeon	1449	2094	2017	3760	4465	5428
	Teal	1557	1284	1162	1664	1882	2007
	Pintail	569	500	624	955	830	797
	Little Grebe	15	56	48	37	53	39
	Great Crested Grebe	53	33	42	50	120	186
	Cormorant	33	80	158	191	252	302
	Oystercatcher	1717	2195	2225	3947	4153	3301
	Avocet	1068	868	689	540	435	235
	Ringed Plover	107	150	176	371	1177	1174
	Grey Plover	223	977	1170	3106	3999	4281
	Lapwing	4770	4687	2210	10940	5040	1376
	Dunlin	5037	7853	6382	24877	25936	22908
	Black Tailed Godwit	1881	769	393	513	1470	1344
	Curlew	565	653	1142	1693	2083	2455
	Redshank	948	684	1174	2343	5844	5986

WeBS Count Average Count (5 year average)

Site	Species	2011-2016	2006-2011	2001-2006	1996-2001	1991-1996	1986-1991
Swale	White Fronted Goose	161	422	443	973	1418	1802
	Dark-Bellied Brent Goose	2731	1933	1628	2326	2135	2469
	Shelduck	909	1728	2159	2756	2628	1583
	Wigeon	11297	14277	17877	19316	12605	8719
	Gadwall	104	133	135	126	84	63
	Teal	3051	5704	5089	2954	2996	1964
	Pintail	230	572	831	550	942	428
	Shoveler	162	306	370	488	473	303
	Little Grebe	52	56	65	218	127	44
	Cormorant	149	94	122	169	197	257
	Oystercatcher	4650	4681	6082	5057	4028	3701
	Avocet	561	572	638	322	244	87
	Golden Plover	2380	10566	10032	8089	2643	977
	Grey Plover	1177	1614	1835	3262	2821	1566
	Lapwing	6215	12414	15304	15974	10466	8050
	Knot	2278	3967	3010	4993	4620	2679
	Dunlin	5928	8387	9880	11505	11383	13099
	Black Tailed Godwit	1687	1660	1435	1543	1558	689
	Bar Tailed Godwit	779	1147	613	632	622	322
	Curlew	897	1695	1502	1474	1904	1970
	Redshank	1022	1202	1804	1474	1787	3103

WeBS Count Average Count (5 year average)

Site	Species	2011-2016	2006-2011	2001-2006	1996-2001	1991-1996	1986-1991
Thames	Dark-Bellied Brent Goose	16968	15486	10230	12245	15750	20268
	Shelduck	1637	1915	2419	2844	2888	2518
	Gadwall	573	642	546	350	175	121
	Pintail	214	142	193	131	322	328
	Shoveler	639	426	495	299	186	220
	Little Grebe	431	412	350	215	252	77
	Avocet	2142	1666	1152	587	344	39
	Ringed Plover	832	849	1591	1274	1672	1223
	Grey Plover	4203	4099	6003	6565	6818	5801
	Lapwing	12737	11148	13973	14965	13298	7351
	Knot	33301	41133	31727	38910	44391	24310
	Dunlin	30949	28409	45759	39509	31513	27801
	Black Tailed Godwit	6380	5097	4013	1813	905	281
	Redshank	3175	3805	4653	4525	3912	5415

