

**OPERATION**



**SEABIRD**

## **Framework**



Operation Seabird is a partnership initiative originally developed around the Flamborough Head European Marine Site (EMS) due to the volume of wildlife disturbance caused by recreational activities. Operation Seabird aims to engage and educate the public about the sensitivities of the coastline, and how simple changes in their behaviour could reduce pressure on our unique wildlife. This framework lays out the aims, objective and methods for Operation Seabird, based on activities along the Yorkshire coast, which can be adapted for different regions, species and disturbance issues.

This framework is intended to be used by coastal managers and regulatory bodies as a guide for establishing Operation Seabird activities in other regions.

Compiled by Rachel Riddell

Flamborough Head European Marine Site Management Scheme Project Officer

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In partnership with:



Yorkshire  
Wildlife Trust



EAST RIDING  
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# Introduction

The UK coast draws thousands of visitors each year; whilst tourism is important to many local economies, the rise in recreational activities taking place along the coast can increase pressure on important marine wildlife. Any recreational activity has the potential to disturb wildlife if not conducted in a safe and responsible manner, and with the increasing popularity of coastal visits, wildlife disturbance is a growing problem in a number of regions. Many areas of our coastline are part of the UK's network of Marine Protected Areas (MPAs) and are protected by national and international designations. These designations exist to protect and conserve important and sensitive marine species and habitats, many of which are under pressure from international issues such as climate change. The impacts of disturbance are often difficult to quantify, however it is clear that disturbance from recreational activities only adds to these wider pressures.



Wildlife disturbance has long been monitored in many regions by coastal partnerships and on a site-specific basis. Consistent monitoring in this way helps to determine the scale and impacts of recreational activities on sensitive sites, whilst also providing a mechanism for developing and implementing new management measures. Operation Seabird aims to build on this work and enable

enforcement agencies to proactively and effectively respond to disturbance issues. Bringing together the knowledge and expertise of various organisations and enforcement bodies promotes partnership working and a collaborative approach to tackling disturbance and antisocial behaviour on the coast.

## Objectives:

Operation Seabird aims to raise awareness of the issue of wildlife disturbance around the coast. Operation Seabird's objectives are to:

- Protect important marine and coastal habitats and wildlife, and raise awareness of environmental sensitivities.
- Combine the resources of coastal partnerships, management schemes and regulating/enforcement agencies (such as the Police, the RSPCA and other statutory bodies), to form a network that provides local knowledge and enforcement powers to help combat recreational disturbance issues.
- Educate the public, user groups and businesses on better practices to avoid wildlife disturbance.
- Promote and encourage the recording and reporting of disturbance incidents, to enable effective and informed decision-making;



Image: Heather Davison-Smith

## Wildlife Disturbance

Operation Seabird focusses on activities carried out within the marine and coastal environment, which have the potential to cause disturbance to sensitive wildlife and habitats. Activities that take place on both land and in the water have the potential to cause disturbance to marine wildlife, and these issues are often hard to manage and the level of disturbance caused by a recreational activity is often linked to proximity of that activity. Impacts of disturbance can differ between species and the level of disturbance; some examples of disturbance to wildlife based on the Yorkshire coast are as follows:

**Collision:** A vessel collision is any impact between any part of a watercraft and a live marine animal. Collisions often result in physical trauma or death of marine wildlife. Marine mammals can often be hard to spot in the water; motorised vessels travelling at speed risk disturbance and injury to whales, dolphins and seals through collision. Similarly, some seabirds are at risk of collision from fast-moving watercraft, particularly auk species. Later in the breeding season, many juvenile seabirds can be found in small groups around the cliffs and out into the North Sea. These birds cannot fly and so cannot move out of the path of fast moving vessels, increasing the risk of collision between these birds and watercraft. Collisions are most common where activities involve motorised watercraft that can travel at speed.

**Noise disturbance:** Excess noise can disturb wildlife causing detectable changes in behaviour. It can also interfere with an animal's ability to communicate, navigate, avoid danger and find food, ultimately impacting the health and survival of many marine species. For marine mammals sound is their primary means of communication and noise from motorised vessels has the potential to disrupt their normal behaviours and negatively impact their health and wellbeing.

Seabirds nesting on cliffs are often startled by noise causing changes in behaviour such as fleeing their nests and leaving chicks and eggs vulnerable to predation and adverse conditions. This is especially problematic for auk species (guillemots and razorbills) as they do not build nests and lay their eggs directly onto ledges along the cliff; if an auk is startled, there is a significant risk of their egg falling from the cliff. Equally, a significant disturbance event can cause juvenile birds to leave the nest before they are ready to fledge, significantly reducing their chances of survival. Noise disturbance is most common in motorised watercraft based activities however it can be caused by any loud noise in close proximity to marine wildlife.

**Visual disturbance:** There is evidence that marine animals negatively change their behaviour in the presence of human activity. Any activity has the potential to cause visual disturbance and can cause distress, reduced resting time and avoidance or aggression behaviours in wildlife. The effects of visual disturbance on seabirds can be similar to that of noise disturbance; unfamiliar sights can cause nesting seabirds to be startled, forcing them to leave their nests leaving chicks and eggs vulnerable to predation and adverse conditions.

Visual disturbance can also cause problems for animals who venture onto land. Seals 'haul-out' onto land between foraging trips to rest and nurse their young. Recreational activity close to a group of seals on land can startle them, causing them to return to the water. Disturbing seals that are 'hauled out' risks interrupting nursing and mating as well as risking separating young from their mothers. Visual disturbance has the potential to be caused by any activity taking place around marine wildlife, even those activities that are not usually thought of as causing disturbance such as paddle boarding and kayaking.

## Methods of Delivery

### **Open Communication:**

Operation Seabird is an opportunity to work in partnership with those who have an interest in conserving and preventing the disturbance of marine wildlife. The first step is to recognise a common goal which will help to identify priorities and objectives for Operation Seabird. Open communication and regular meetings between site managers, regulators and enforcement bodies allows for sharing of expertise, information and resources that can contribute to effective management of wildlife disturbance. This also helps to identify aims and objectives, as well as organise time and resources. Open communication allows a more holistic approach to management of disturbance issues and creates more opportunity and resources to tackle wildlife disturbance.

### **Action Days:**

Throughout the seabird breeding season on the Yorkshire coast, Operation Seabird carries out action days, these action days aim to provide a uniformed presence at launch sites and around the coast to engage, educate and raise awareness of the sensitivities of the coastline through building positive relationships between enforcement officers and user groups. Action days are organised between site managers, regulators and enforcement bodies involved in Operation Seabird and allow for face to face engagement, monitoring of recreational disturbance and patrols of the coast by enforcement officers.

During action days, all organisations involved initially meet at a suitable location to conduct necessary briefings, share information about the day and discuss any priority areas or issues. It can often be helpful to invite local and regional media teams to these briefings, in order to raise awareness and develop positive engagement with the public. Following this, enforcement bodies will conduct patrols of the coast, engage with user groups, businesses and the public, and monitor recreational activities. Where available, Police marine units are also invited to take part in the action day, giving them the ability to engage with vessels on the water. In conjunction with the active patrols, and where resources allow, site managers, regulators and wider partners, are also able to establish static engagement areas where materials and advice can be offered to the general public.

### **Consistent reporting and monitoring:**

Since 2013, the public and volunteers for local organisations have been encouraged to record and report wildlife disturbance to the Flamborough Head European Marine Site (EMS) Management Scheme. These reports have provided data that has informed management of recreational disturbance around the site. Since the start of Operation Seabird, the Management Scheme and the Police have worked together to build on the existing system that allows a collaborative approach to reporting instances of wildlife disturbance along the Yorkshire coast.

Through Operation Seabird volunteers are encouraged to record wildlife disturbance and report it to either the management scheme or the police via 101. This system allows for police investigation if necessary whilst allowing the management scheme to collect data that inform management decisions. Many areas of the UK coast have similar management schemes and partnerships collecting data on disturbance. By joining forces with the police and other enforcement bodies Operation Seabird provides opportunities for greater resourcing to manage recreational disturbance.

## Methods of Delivery

### Media:

The media can play a big role in public engagement and raising awareness for Operation Seabird, and cohesive and consistent messaging is important to ensure our message is clear and effective. Consistent messaging aims to eliminate any uncertainty surrounding wildlife sensitivities and the potential for disturbance. Examples of consistent messaging used around the Yorkshire Coast include:

- **Any activity** has the potential to cause disturbance to wildlife, if not conducted in a responsible and safe manner.

To reduce disturbance to sensitive wildlife whilst on the water, we advise the following:

- **Keep your distance:** Keep a safe distance (at least 100m) from the cliffs, rafting seabirds and marine mammals, allowing space for animals to move away from you.
- **No-wake speed:** Motorised vessels and personal watercraft should travel at a no-wake speed within 300m of the cliffs or shore.
- **Avoid enclosed spaces:** All motorised and non-motorised vessels should avoid entering caves and travelling through archways where breeding seabirds or resting seals are present.
- **Be aware:** If an animal's behaviour changes in response to your presence, move away quickly and quietly.



Consistent messaging has been developed to be included on resources such as posters and leaflets which provide simple steps to minimise disturbance to marine wildlife. These messages are shared through social media, face to face engagement and press coverage. As part of consistent messaging, a logo for Operation Seabird has been developed for use nationally and will help Operation Seabird to be more easily recognised; this logo is for use on media and printed resources.

The content of media and messaging will depend on the nature of disturbance, habitats and species around different areas of the coast. As part of Operation Seabird we encourage working in partnership with organisations in your region to establish effective, consistent messaging relevant to your area.

## Methods of Delivery

### Encouraging Active Engagement:

Operation Seabirds primary aim is to actively encourage engagement and education on wildlife disturbance around our coasts. With engagement being the key tool in Operation Seabird, it is important that we encourage active engagement with the right people in order for the message to be most effective. Key targets for engagement include:

User Groups: Engaging with user groups allows us to share messages directly with those who have the potential to cause disturbance. Educating those who regularly take part in recreational activities, in a positive and collaborative way, will ensure they have the knowledge to avoid causing disturbance to wildlife.

Local Businesses: Speaking to local businesses around the coast is vital for building relationships within a community. Local businesses, especially those on the sea front interact most with tourists and therefore can be a great asset in sharing information. It is especially important to engage with businesses that rent equipment such as paddle boards, kayaks and jet skis as these recreational activities are capable of causing disturbance.

Public: Visitors to the coast can sometimes be unaware of the importance of marine wildlife and habitats. Through action days and social media, Operation Seabird uses consistent messaging and active engagement to educate and inform members of the public and ensure our message is wider reaching.



Image: Stuart Baines

Volunteers: Operation Seabird also works with local volunteers from key partners such as the RSPB, the Yorkshire Wildlife Trust and local Bird Observatory groups to encourage members to record and report incidents of disturbance to the Flamborough Head EMS Management Scheme or the Police via 101. Training is carried out to ensure volunteers are able to effectively identify and record incidents to ensure we have the correct data. Recording of disturbance incidents allows police to carry out investigations if necessary and provides data to monitor the effects of disturbance around the coast.

Long term engagement helps to develop and build positive relationships with people and businesses in local coastal communities. Building good working relationships with local coastal communities and businesses provides opportunities for communities to meaningfully contribute to Operation Seabird by helping to share consistent messaging, encouraging reporting of disturbance instances and being involved in decision making processes which will help to reduce wildlife disturbance along our coastline.

## Responding to Disturbance

When disturbance events occur, organisations with enforcement powers will follow 'The Four E's'. These steps are a common-sense approach developed for policing, but applied to Operation Seabird provide a logical guideline for dealing with cases of wildlife disturbance. Using the 'The Four E's', Operation Seabird looks to engage, explain, educate and, as a last resort, enforce.



Image: Stuart Baines

**Engage:** Initial engagement with an individual or group causing disturbance to encourage voluntary compliance with Operation Seabird guidelines. Engagement is the first step in raising awareness for wildlife disturbance and brings the issue into the public eye.

**Explain:** Explain the Operation Seabird guidelines and stress the risk of disturbance and antisocial behaviour to important marine wildlife and public safety.

**Educate:** Explain why following these guidelines is important and educate on the impacts of disturbance on wildlife.

**Enforce:** In the event of repeat incidents or significant disturbance events from an individual or group, as a last resort, police will use relevant enforcement powers to move the individual from the area. Enforcement powers will depend on the level of disturbance and type of recreational activity.

However, it is important to note that the police are not the only organisation with enforcement powers. Launch sites run by local authorities or launch authorities can prohibit individuals from launching their water craft, if they have been identified as causing disturbance to marine wildlife. Under certain legislation Natural England, the Marine Management Organisation and the RSPCA also have powers to prosecute individuals who are in breach of legislation. Relevant legislation may differ between areas and will be dependent on species and site designations.

Engagement and education is a preferable method to enforcement, and in many areas partnerships and site managers have implemented voluntary codes of conduct. These codes of conduct have been developed by actively engaging and working with activity specific user groups to create a mutually-agreed set of guidelines for common recreational activities that take place in the marine and coastal environment. These voluntary codes of conduct have been a successful and valuable tool for awareness raising and education. By involving user groups in the development of these codes of conduct it has helped to build positive working relationships and allows users to be involved in decision making processes, meaning they are more likely to follow the guidelines set out in these voluntary codes of conduct.

## Legislation

Some main legislative drivers for Operation Seabird include:

### **Wildlife and Countryside Act 1981:**

The Wildlife and Countryside Act 1981 is the primary piece of legislation which protects animals, plants and habitats in the UK. Under section 9 of the Wildlife and Countryside Act, in reference to all species of dolphin, porpoise, whales and basking sharks, it is an offence to:

- Intentionally kill, injure or take any wild animal.
- intentionally or recklessly disturb any wild animal.
- Sell, be in possession of, or transport for selling animals.

Wild birds, their nests and eggs are protected under section 1 of the Wildlife and Countryside Act 1981. Under this section it is an offence to:

- Kill, injure or take any wild bird.
- Take, damage or destroy the nest of a wild bird.
- Take, damage or destroy the nest of any wild bird while that nest is in use or being built.
- Take or destroy an egg of any wild bird.

### **Conservation of Habitats and Species Regulations 2017**

Under the Conservation of Habitats and Species Regulations 2017 it is offence under this act to:

- Deliberately capture, injure or kill any wild animal of a European protected species.
- Deliberately disturb wild animals of any such species.
- Deliberately take or destroy eggs of such an animal.
- Damage or destroy a breeding site or resting place of such an animal.

### **Animal Welfare Act 2006**

Under the Animal Welfare Act 2006, any vertebrate other than man is offered protection. Under this act, a person commits an offence if:

- An act of his, or a failure of his to act, causes an animal to suffer.
- They knew, or ought reasonably to have known, that the act, or failure to act, would have that effect or be likely to do so.
- The animal is a protected animal.
- The suffering is unnecessary.

## Summary

Operation Seabird has been a successful campaign along the Yorkshire coast, bringing together various groups with a common goal. It has created a platform to share ideas, resources and opportunities to combat wildlife disturbance on a larger scale and has allowed those parties involved to improve working relationships. Through positive engagement and active partnership working, Operation Seabird has raised the profile of wildlife disturbance and provided a recognisable platform to work with user groups, businesses and the public on sharing information and reporting incidents of wildlife disturbance. Whilst species and disturbance issues across the UK coastline are diverse adapting the aims and objectives for different regions of the UK will help to build a nationally recognised operation and ensure our efforts are further reaching.



**Operation Seabird**  
Please respect and enjoy our amazing stretch of coastline



For more information about Operation Seabird please contact:

Rachel Riddell (Flamborough Head European Marine Site Management Scheme) -  
rachel.riddell@eastriding.gov.uk

Heather Davison-Smith (Yorkshire Marine Nature Partnership) - heather.davison-smith@eastriding.gov.uk

Geoff Edmonds (RSPCA Inspectorate National Wildlife Coordinator) - geoffrey.edmond@rspca.org.uk

**OPERATION**



**SEA BIRD**

**Appendix**



## Additional Legislation

### SSSI Offences from Part 2 of the Wildlife and Countryside Act :

A person who without reasonable excuse –

- intentionally or recklessly destroys or damages any of the flora, fauna, or geological or physiographical features by reason of which land is of special interest, or intentionally or recklessly disturbs any of those fauna
- knew that what he destroyed, damaged or disturbed was within a SSSI,

is guilty of an offence and liable on summary conviction to a maximum fine of £20,000 or on conviction on indictment to a fine.

A person who without reasonable excuse –

- intentionally or recklessly destroys or damages any of the flora, fauna, or geological or physiographical features by reason of which a SSSI is of special interest
- (b) intentionally or recklessly disturbs any of those fauna

is guilty of an offence and is liable on summary conviction to a fine not exceeding £2,500.

Any activities undertaken within an SSSI need the consent of Natural England and one of those consents required would be : “Recreational or other activities likely to damage or disturb vegetation or nesting seabirds”.

### Seals

#### The Conservation of Seals (England) Order 1999:

Both Grey and Common Seals on the East and South-East coast of England (from Berwick to Newhaven) are protected all year from being killed, injured or taken – Conservation of Seals (England) Order 1999. This includes the counties of Durham, East Riding of Yorkshire, East Sussex, Essex, Hartlepool, Kent, Kingston-Upon-Hull, Lincolnshire, Medway Towns, Middlesbrough, Norfolk, North East Lincolnshire, North Lincolnshire, North Yorkshire, Northumberland, Redcar and Cleveland, Southend-on-Sea, Stockton-On-Tees, Suffolk, Thurrock, Tyne and Wear and the administrative area of Greater London.)

### Civil Enforcement:

- Civil sanctions via Natural England: Used to prohibit specific behaviours/activities and pursue appropriate repairs to any damage caused within a SSSI. This comes from the management of terrestrial environments however, so may not translate completely to the marine environment and has limited impact. Nevertheless, two members of the public received civil sanctions in 2014 after a number of significant incidents involving personal watercraft.

- Action via Local Authorities: East Riding of Yorkshire Council currently distribute advisory letters to members of the public identified as causing disturbance issues (where contact details can be obtained from launch sites), which inform people that they could be prohibited from launching and reported to the Police, if disturbance issues continue. If necessary, this could be expanded to include Community Protection Notices and the anti-social behaviour team.

- Byelaw via Marine Management Organisation: The MMO has powers to create byelaws for recreational disturbance issues. The Management Scheme has been exploring these options with the MMO and Natural England for some time, however issues around enforcement and measuring the impacts of disturbance on wildlife, remain. A byelaw to prevent certain activities at specific times of the year would be a last resort, but could be an effective tool for management.

# Operation Seabird Logo



For copies of the national Operation Seabird logo please contact:  
[rachel.riddell@eastriding.gov.uk](mailto:rachel.riddell@eastriding.gov.uk)

# Operation Seabird

Please respect and enjoy our amazing stretch of coastline



## Marine Mammals

The Yorkshire coast is important for marine mammals, including whales, dolphins and seals.

To avoid disturbing these animals:

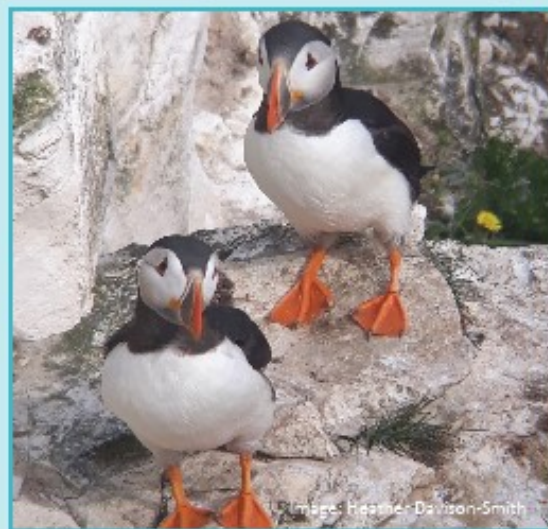
- Travel slowly and approach from the side, rather than head-on
- Observe them from a distance (more than 100m)
- Always allow space for the animal to move away from you and any other vessels
- Enjoy their company for a maximum of 15 minutes

## Seabirds

Over 250,000 seabirds nest around Flamborough and Filey each summer. All of the seabirds are sensitive to disturbance, which could reduce their chances of having a successful breeding season. The colony is protected through national and international legislation.

To avoid disturbing these animals:

- Travel at a no-wake speed within 300m of the cliffs
- Keep a safe distance from the base of the cliffs (more than 100m)
- If any birds respond to your presence, move away quietly
- If you see groups of birds on the sea, slow down and go around them
- Be aware that birds can sit on the sea in large groups for many miles beyond the protected area





## Call 101...

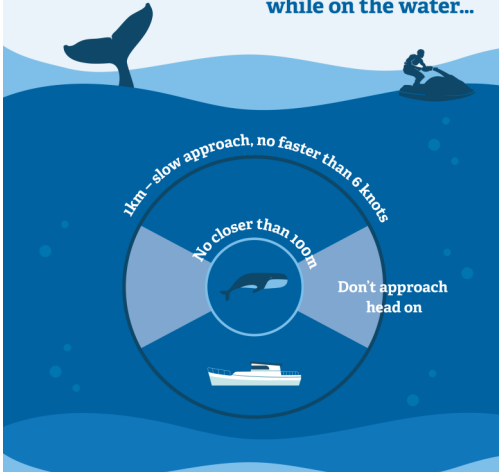
If you witness **significant disturbance** to wildlife please call the **Police on 101** and report the incident.

In partnership with:



**If you see a marine mammal while on the water...**



- Don't drive directly towards or through groups of animals
- Your movement should be constant, steady and predictable
- Maximum watching time **15 minutes**
- Travel at **'no wake'** speed
- Always allow animals an escape route and let them approach you
- Ensure there are no more than **2 vessels** around the animal at any one time
- Keep noise to a minimum and remain calm
- Don't chase, swim with or feed the animal

**Cetaceans and seals are protected by law making it illegal to disturb or harass them. Please report any such incidences to the local police.**

**Why is complying with the guidelines important?**

Disturbance to marine mammals can take different forms, including physical, physiological and noise disturbance. The guidelines above help us to cause the least amount of disturbance to them. For example the guideline 'Keep a minimum of 100 metres distance from the animal/s' reduces the risk of a vessel or watercraft striking an animal. The guideline 'Don't drive directly towards or through groups of animals' reduces the risk that animals, especially mothers and calves, become separated which can cause stress to the animals. Finally many marine mammals rely on sound to communicate and locate

prey and each other so loud noise can interfere with these critical functions and have wider impacts. The above guidelines have been developed to promote responsible and sustainable tourism and recreation as well as commercial operations on the water. All of the above recommendations can limit the impact that human activities have on marine mammals, ensuring that disturbance is kept to a minimum. It is in all our interests to ensure the long term protection of these special animals and the long-lasting enjoyment of them by generations.

ywt.org.uk



## Seabirds

- Travel at a **no-wake** speed within 300m of the cliffs.
- Keep a **safe distance** from the base of the cliffs (more than 100m)
- If any birds respond to your presence, **move away quietly**
- If you see groups of birds on the sea, **slow down** and **go around** them.
- **Be aware** that birds can sit on the sea in large groups for many miles beyond the protected area.

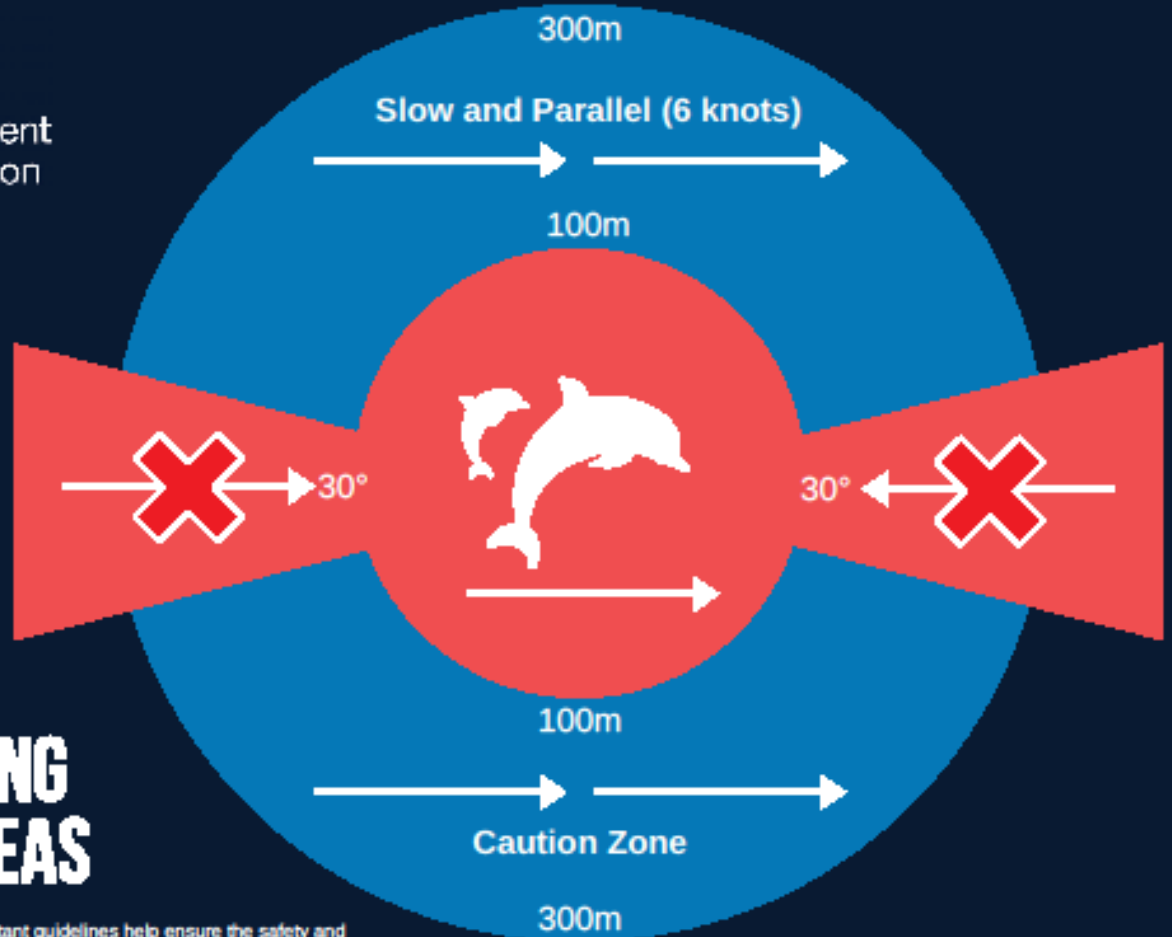


## Marine Mammals

- **Travel slowly** and **approach from the side**, rather than head-on
- Observe them from a **distance** (more than 100m)
- Always **allow space** for the animal to move away from you and any other vessels
- Enjoy their company for a **maximum** of 15 minutes



Marine Management Organisation



# SHARING OUR SEAS

The following important guidelines help ensure the safety and well-being of dolphins which can become easily stressed or injured in the presence of a vessel.