



Recommendation of the working group on Fast Leisure Craft in the Taw Torridge Estuary

Feb 2006

Background

The Taw Torridge Estuary is the only major estuary on the North Devon Coast. It is an important site for conservation particularly for wintering wading birds, recognised by its designation as a Site of Special Scientific interest. The Estuary is part of the core area and buffer zone of the UNESCO Biosphere Reserve.

The Estuary is an important recreational resource for both local people and visitors. There has been a growing concern in recent years that an increase in the numbers and types of Fast Leisure Craft using the Estuary has led to an increase in the likelihood of problems occurring within the Estuary including accidents at slipways and on the water as well as increased conflict between different user groups, possible disturbance to local residents and negative impacts on the environment.

What are “fast leisure craft”?

This term has been adopted by the Working Group to describe all recreational craft capable of operating at speeds of over 10knots, whether powered by internal or outboard engine, impeller and jets, or wind. Fast leisure craft include personal water craft, rigid inflatable boats (RIBS), “speedboats”, and sail powered vessels. It excludes commercial operators such as fishing boats, and cargo vessels and other vessels operated by MOD, HM Coastguards, Bideford Port Authority or the RNLI.

Summary:

These are the findings of the working group convened by the Northern Devon Coast and Countryside Service at the request of Torridge District Council and North Devon District Council to resolve the issues of fast leisure craft within the Estuary.

The scope of the group was agreed as follows:

“To define the recommended combined local authority response to the issues of managing fast leisure craft in the Estuary whilst considering the impacts on the surrounding coastline.”

Members of the Group ultimately included: representation at officer and member level of the District Councils, the Northern Devon Coast and Countryside Service, the Taw Torridge Estuary Forum, HM Coastguard and the RNLI.

Activities of the group included:

- Meetings to consider the range of options and to define the actual problems,
- Consultation with other authorities and lead agencies, and slipway owner/operators.
- The group also commissioned surveys at slipways and a monitoring procedure for events on the estuary.

The recommendations in this report are based on the Best Practice Guidance issued by DEFRA titled “**Managing Coastal Activities: A guide for Local Authorities**”. These recommendations are made in the current state prior to the publication of a Marine Bill and make suggestions where such an Act might assist in the management of special areas such as this.

this document can be found on the internet at

<http://www.defra.gov.uk/wildlife-countryside/issues/coastal/coastal-guidance.pdf>

Background Information

The need for management:

There has been an increase in the volume of motorised traffic using the estuary especially in Personal Watercraft, Rigid Hull Inflatable Boats, and Caesar Thundercats (Zap Cats). Currently there are no arrangements to ensure that the operators of these craft have either insurance or qualifications to use them safely. The same often applies to sailing craft. It has been observed that the irresponsible behaviour is not confined to the leisure sector. It was reported to the group that fishing boats have also given some cause for concern. The Harbour Pilot also noted concerns with boats from the Rowing clubs obstructing larger clay vessels from using the fairway.

The area under consideration is part of the core area and buffer zone of the UNESCO Biosphere Reserve. This seeks to ensure that sustainable development is practised in these areas.

Since 1995, a Zoning scheme has been in place which has in the greater part worked well, with most craft knowing their zones and the code of conduct. Information on this has been given through strategically-placed information panels and a leaflet. It was noted that compliance with the scheme was greatly increased when a warden was employed at Appledore Slipway.

Ancillary concerns:

- Unregulated mooring facilities creeping into the deepwater channels.
- Unregulated development of house-boats, giving rise to access, landscape and pollution issues.
- Abandoned craft at Barnstaple, Fremington and Bideford

Supporting Data:

A data-base was set up to record incidents and observations regarding craft generally on the water. The most frequent reports were regarding personal leisure craft, and water-ski craft, mainly between Instow and Appledore. A total of 46 incidents have been reported in the log; 28 since 2004. Most incidents have been sent in about Personal Water Craft (formerly known as Jet skis). However there are other craft causing problems as set out earlier. Congestion at Appledore Slipway was witnessed by Torridge District Council staff, which was deemed to be dangerous and to place the authority itself at risk.

A student carried out a survey of users at Appledore Churchfield slipway as a comparative study to one done in 1999 under the previous implementation of a slipway warden scheme. The survey this year was done over 1 week only. Therefore the conclusions one can draw will not be very certain.

Over that 6-year period, attitudes have changed. Nearly all the people launching claimed to have insurance in 2005, compared to very few in 1999. The attitude to paying for access to the estuary has also changed.

Type/make of craft	Amount prepared to pay for use of Slipway? (£)					Grand Total
	0	£2	£2.5	£3	£4	
Angler 21			1			1
Canoe				1		1
Dinghy					1	1
Fishing boat				1		1
Jetski		1		1		2
Rib	1			1	1	3
Sailing Boat	1	1				2
Sailing boat					1	1
Small sailing boat		1				1
Small speedboat	1					1
Speedboat	1	2		1		4
Speedboat	1			1		2
Grand Total	5	5	1	6	3	20

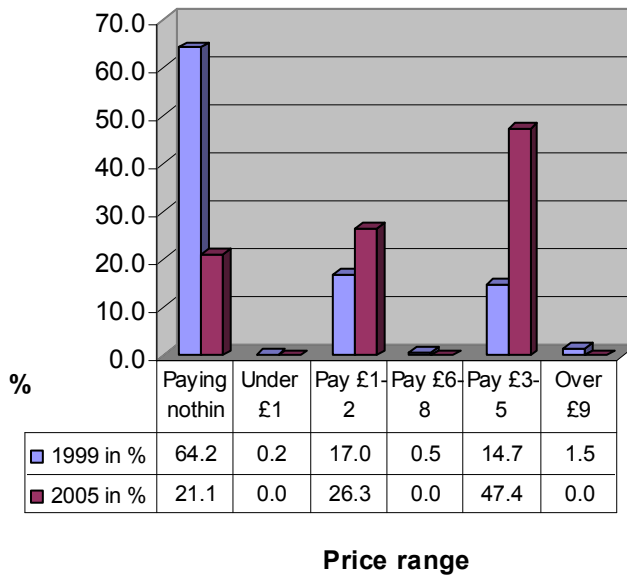
Three quarters of the people were prepared to pay a fee. The modal or most popular suggested price was £3.

Comparison with Survey of 1999.

It is difficult to make a direct comparison between the two surveys. There are differences such as tide and weather and the months when the surveys were conducted; in 2005 it was done on 20th to 27th July and for the 1999 survey data was collected from 01 August, also not the exact same questions were asked in both years. However the following results are of interest.

- In 2005 – all respondents claimed to have 3rd party liability insurance, while in 1999 the figure for a similar week was more like 50 %.
- In 1999 the number of Jet Skis launching was as shown below.
- There is an increase of 16.7% more children in groups in 2005
- There is an increase of 9.8% more people using the Estuary who live outside Devon
- The % of people canoeing and jet-skiing has stayed the same but 15.1% more people are sailing in 2005
- The majority of people using the Estuary in 2005 seem to use it about once a week compared to 1999 when the highest % of people were using it twice a week (see graph below)
- In 2005 nearly half of all people surveyed were prepared to pay between £3-4 for each use compared to 14.7% who said £3-5 each use
- In 1999 64.2% of people wanted to pay nothing but this drops to 21.1% in 2005 (see graph below)

What people were prepared to pay 1999 v 2005



The Objectives for managing the craft on the water should be as follows:

- 1 To allow for a range of recreation on the water for visitors and locals and does not detract from the natural assets of the estuary.
- 2 To ensure that water users are respectful of the needs of others and conflict between users is reduced to a minimum.
- 3 To reduce the risk of accidents to people and property as far as is consistent with their enjoyment of the water.
- 4 To ensure that any measures put in place are as cost effective as possible.

Key recommendations:

Work being done already that should be continued:

1. **The Zoning scheme set up 10 years ago is still fit for purpose and should be continued, though the advisory speed limits should be rationalised to be consistent.**

Pro's – Limited resource implications, system is widely accepted, voluntary approach, set the frame work for a future introduction of legislation should it be deemed necessary, it takes into account all interest groups, rationalised voluntary and statutory speed limits, and will reduce confusion.

Con's – Lacks legislative teeth, there is evidence that voluntary limit is ignored by a minority of users. Success is reliant on availability of information about the scheme (no more than statutory scheme), current information needs updating.

Cost – Replace and update information panels = £20K

2. The Registration scheme administered by Northern Devon Coast and Countryside Service on behalf of all of the authorities should be continued and expanded to cover all craft. It will include photographic ID of the craft and the annual record of proof of full insurance cover.

Pro's – Engages users groups, provides a unified method of compliance, Information to support a monitoring programme and encourages self policing.

Con's – Needs to be an annual scheme, limited uptake to date, resource requirement will increase as and when the scheme is widened, still relies on good will and scheme needs to be more rigorously endorsed.

Cost – Produce the registration and processing information = £500 per year

3. Data should be continue to be gathered through surveys and recording events/incidents to build a body of evidence to inform any future actions and the efficacy of current ones. An incident line and website should be established to make it easier for incidents to be recorded.

Pro's – Provides support information and provides objective data for decision making.

Con's – Needs wide acceptance of participation and dedicated time to achieve sufficient results

Cost – Process data from the survey and instant report system = £2K per year

Recommendations requiring more resources/ development:

Control should be administered jointly by the authorities.

1 Increase the control on the water users

This can be done through a range of methods.

1.1 A water based patrol in a RIB, the personnel have clear authority to apply the relevant byelaw(s) for the authorities across administrative boundaries.

Cost – Salary/ insurance/ equipment = £25k per year

1.2 The water based patrol above can be supported by volunteers.

1.3 Information systems at the slipway access points need to be updated and kept in good order. Information can be further distributed through the web and through TIC's and the North Devon Tourism Brochure. Care has been taken to ensure that the information does not attract more attention from the craft that cause most concern in the estuary. This should continue.

Cost – as above recommendation 1

1.4 Information on the scheme and information about the area should be produced to accompany the registration scheme. The pack will include personal safety information, launching sites, speed limits, etc.

Cost – Design and print = £1K per year

2 A scheme of slipway control and charging should be drawn up with the owners of these slipways.

2.1 Uniformed presence on the slipways enforcing a charging policy to pay for the provision of such as service and educating the users about the zoning scheme.

Cost – Salary/ insurance/ equipment = £7 K per slip way per year

2.2 Details of the slipway enforcement will vary from site to site. However the main ones are Appledore Slipway, Bideford Bank End and the White house at Braunton. The Marsh Inspectors at Braunton own the toll road and are prepared to enforce the scheme, of registered craft only. A reasonable period of presence needs to be identified at Appledore. A barrier on the slipway is deemed to be not a safe option unless the controlled area allowed to for vessels to be brought up to dry in an emergency. A time window on the water would assist the bird and fish conservation within the estuary.

Pro's – Control over slipway usage, opportunity to educate estuary users, uniform presence will encourage better behaviour and promote safer use of slipway areas.

Con's – Possible confrontation, cost seasonal nature of employment and can't guarantee a presence at all times.

Cost – to be advised

3 The Legal Approach

3.1 The Voluntary Scheme should be supported by the application of Byelaws. Devon County Council Byelaw 15 is sufficient for the purposes of controlling craft driven without due care for other users and can be applied by any authority (officers or volunteers of North Devon District Council, Torridge District Council, Devon County Council, Environment Agency, English Nature, HM Coastguard and the RNLI, etc) outside of the Port of Bideford. (it applies on estuarine waters where there is no existing harbour authority). Rigorous application of byelaws has been shown to be effective at underpinning the voluntary approach.

3.2 All Authorities should be advised that they have the powers to prosecute under this byelaw and should be given support in terms of the interpretation of the byelaw (i.e. what constitutes an offence) and where it can be applied.

Pros – There is sufficient legislation in theory, a wide range of enforcement bodies, consistent legislation, encouragement for partnership working, and occasional prosecutions will act as deterrent and raise awareness thereby supporting the voluntary zoning scheme.

Cons – Practicalities of enforcement, the need for resources and technical knowledge to enforce the byelaw.

Cost - £3k approximate per prosecution plus resource cost.

4 With regard to the mooring of vessels, the increase in the numbers of moorings in Appledore and Instow has caused concern. The constant problem of abandoned craft at Fremington, Barnstaple and Bideford is an aesthetic and practical problem causing hazard to navigation, this is however costly for the authorities to tackle.

4.1 Areas for mooring should be established and agreed and it must be made clear that that mooring will not be tolerated anywhere outside of these zones. Where the authority has the holding lease for the foreshore and the seabed, these areas should be negotiated with the Crown Estate so that there is a reduced fee for maintaining a clear area and an appropriate fee for managing a moored area which should aim to be cost neutral for the

authority. A recent meeting at North Devon District Council on 7th December 2005 resolved that mooring issues should be considered with the stakeholder participation to agree a code for mooring and maintaining the estuary free from abandoned craft.

5 Co-ordination: the group felt that a dedicated person was required to:

- Co-ordinate the implementation of the control schemes
- Be a first point of contact on the issues
- Ensure dissemination of the information
- Handle the data and monitoring
- Support the other agencies and volunteers in the implementation of the scheme
- Ensure liaison between the stakeholders.

Cost – Salary/ insurance/ equipment = £26k per year