

## Chapter 1:

# Filey Brigg to Scarborough Spa

Coastal Access: Filey to Newport Bridge - Natural England's Proposals

## Part 1.1: Introduction

<b>Start Point:</b>	<b>Filey Brigg</b> (grid reference: TA 124 816)
<b>End Point:</b>	<b>Scarborough Spa</b> (grid reference: TA 044 879)
<b>Relevant Maps:</b>	<b>1a to 1h</b>

### Understanding the proposals and accompanying maps:

#### The Trail:

- 1.1.1 Our proposed alignment for the trail follows the existing route walked by users of the Cleveland Way. Usually this alignment coincides with an underlying public right of way but occasionally informal diversions have been established, marked out by the regular passage of feet. The main reason for this is that the cliffs along this length of coast are eroding and there are several places where the path people follow in practice along the cliff top has moved inland. Our proposed alignment follows the established walked route, and (subject to approval) would in due course secure it as the route of both National Trails, once we propose replacing the previously approved line of the Cleveland Way with that of the proposed line for England Coast Path.
- The existing route meets the criteria set out in the Coastal Access Scheme that Natural England should have specific regard to:
  - The safety and convenience of those using the route;
  - The desirability of it adhering to the periphery of the coast and providing views of the sea; and
  - The desirability of ensuring that, so far as is reasonably practicable, interruptions to it are kept to a minimum.
- 1.1.2 The trail follows the coastline quite closely and maintains good views of the sea, with the exception of Cayton Cliff, where the route turns landward to avoid an extensive area of erosion. See map 1f.
- 1.1.3 This part of the coast includes the following sites, designated for nature conservation (See map C of the Overview):
- Filey Brigg Site of Special Scientific Interest (SSSI)
  - Gristhorpe Bay & Red Cliff SSSI
  - Cayton, Cornelian & South Bays SSSI
  - Filey Brigg to Scarborough South Bay proposed SSSI

- Flamborough and Filey Coast potential Special Protected Area (pSPA).

(Note that as a matter of best practice, we have treated Flamborough and Filey Coast pSPA in the same way as a classified SPA.)

Protecting the features for which these sites are designated is taken account of in our proposals. There was possible concern associated with cliff nesting seabirds in the Cunstone Nab to Filey Brigg area. Our proposals will avoid any risk of increased disturbance by aligning the England Coast Path along the route of the established Cleveland Way National Trail.

In addition, we note that:

- The British Mountaineering Council operates a voluntary code to avoid climbing in sensitive areas on this section of coast during the bird breeding season.
- The Filey Brigg Angling Society Ltd operates seasonal access for anglers to the foot of the cliff by means of fixed ropes. They have agreed to a code of practice which limits cliff access to specified times and areas in order to minimise bird disturbance.

**See part 5b of the Overview 'Natural Environment' for more details about the appraisal process described above, or refer to our published Access and Sensitive Features Appraisal for more information about the conclusions of the appraisal.**

## **Accessibility**

- 1.1.4 Generally, there are few artificial barriers to accessibility on the proposed route, which makes use of existing surfaced paths wherever these meet the criteria in the Coastal Access Scheme.

However, there are places where it may not be entirely suitable for people with reduced mobility because;

- The trail would follow an uneven grass or bare soil path along the cliff top, and/or
- There are steps in places where it would be necessary to ascend and descend steeply.

**See part 5a of the Overview - 'Recreational issues' - for more information.**

## **Where we have proposed exercising our discretion**

The discretions referred to below are explained in more detail in the Overview.

- 1.1.5 Landward boundary of the coastal margin: We have used our discretion on some sections of the route to map the landward extent of the coastal margin to an adjacent physical boundary such as a fence line, pavement or track to make the extent of the new access rights clearer. See Table 1.2.1 below.
- 1.1.6 At Tenants Cliff, Cayton Bay and Filey Brigg, we have used our discretion to propose the inclusion of additional, more extensive landward areas within the coastal margin, to secure or enhance public enjoyment of this part of the coast. The owners of this land are content for us to propose this.

**See also part 3 of the Overview - 'Understanding the proposals and accompanying maps', for an explanation of the default extent of the coastal margin and how we may use our discretion to adjust the margin, either to add land or to provide clarity. See also Annex C of the Overview - 'Excepted land categories'.**

- 1.1.7 The new access rights would also be subject to the excepted land types summarised in Annex C of the Overview, and the national restrictions on activities listed in Annex D. This would be so throughout the coastal margin, but these restrictions would not apply to the existing public rights of way.

**See part 9 of the Overview - 'Restrictions and exclusions' - for details.**

- 1.1.8 Establishment: Most of this length of trail is in very good condition. Some minor repairs and upgrades will be carried out to the path surface and trail furniture prior to opening.
- 1.1.9 Ongoing management: Ongoing management and maintenance would be necessary in accordance with the general approach described in part 7 of the Overview. The overall need for this is likely to be greater than on some other parts of the stretch, recognising that it will be necessary for the route to roll back from time to time in response to coastal processes, as described below.

**See parts 6 - 'Physical establishment of the trail' and 7 - 'Maintenance of the trail' of the Overview for more information.**

### **Future Change**

- 1.1.10 All the route of the trail on this length of coast would be able to change without further approval from the Secretary of State in response to coastal erosion or other geomorphological processes, or encroachment by the sea. This would happen in accordance with the criteria and procedures for 'roll back' set out in part 8 of the Overview. See tables 1.2.1 & 1.2.2 below for details of the sections likely to be affected in the foreseeable future.
- 1.1.11 At the time of preparing the report, we do not foresee any other need for future changes to the access provisions proposed for the length of coast described in this chapter.

**See parts 5e - 'Coastal processes' and 8 - 'Future changes' of the Overview for more information.**

## Part 1.2: Commentary on Maps

See Part 3 of the Overview for guidance on reading and understanding the table below

### 1.2.1 Section Details – Maps 1a to 1h: Filey Brigg to Scarborough Spa

Notes on table:

Column 5 – ‘Yes – normal’ means roll-back approach is likely to follow the current feature (e.g. cliff edge/beach) for the foreseeable future.

Column 5 – ‘Yes – see table 1.2.2 means refer to that table below about our likely approach to roll-back on this part of the route.

1	2	3	4	5	6a	6b	7
Map(s)	Route section number(s)	Current status of this section	Current surface of this section	Roll-back proposed? (See Part 8 of Overview)	Landward boundary of margin (See maps)	Reason for landward boundary discretion	Proposed exclusions or restrictions (see Part 9 of Overview)
1a	FNG-1-S001	Public Footpath	Grass	Yes: Normal	Fence line	Additional landward area	None
1b	FNG-1-S002	Public Footpath	Grass	Yes: Normal	Landward edge of trail	Not used	None
	FNG-1-S003	Public Footpath	Grass	Yes: Normal	Landward edge of trail	Not used	None
	FNG-1-S004	Public Footpath	Grass	Yes: Normal	Landward edge of trail	Not used	None
1c	FNG-1-S005	Public Footpath	Grass	Yes: Normal	Landward edge of trail	Not used	None
	FNG-1-S006	Public Footpath	Grass	Yes: Normal	Landward edge of trail	Not used	None
1d	FNG-1-S007	Public Footpath	Stone: Aggregate	Yes: See table 1.2.2	Landward edge of trail	Not used	None
	FNG-1-S008	Public Footpath	Grass	Yes: See table 1.2.2	Fence line	Clarity and Cohesion	None
	FNG-1-S009	Public Footpath	Grass	Yes: Normal	Fence line	Clarity and Cohesion	None
	FNG-1-S010	Public Footpath	Grass	Yes: Normal	Fence line	Clarity and Cohesion	None
	FNG-1-S011	Public Footpath	Steps: Timber	Yes: Normal	Fence line	Clarity and Cohesion	None
	FNG-1-S012	Public Footpath	Grass	Yes: Normal	Fence line	Clarity and Cohesion	None
1e	FNG-1-S013	Public Footpath	Grass	Yes: See table 1.2.2	Landward edge of trail	Not used	None
	FNG-1-S014	Public Footpath	Grass	Yes: See table 1.2.2	Landward edge of trail	Not used	None
	FNG-1-S015	Public Footpath	Steps: Timber	Yes: See table 1.2.2	Landward edge of trail	Not used	None
	FNG-1-S016	Public Footpath	Grass	Yes: See table 1.2.2	Landward edge of trail	Not used	None
	FNG-1-S017	Public Footpath	Grass	Yes: Normal	Various	Clarity and Cohesion	None
	FNG-1-S018	Other existing walked route	Steps: Stone	Yes: Normal	Various	Clarity and Cohesion	None
	FNG-1-S019	Other existing walked route	Grass	Yes: Normal	Various	Clarity and Cohesion	None
	FNG-1-S020	Other existing walked route	Steps Timber	Yes: Normal	Various	Clarity and Cohesion	None
	FNG-1-S021	Other existing walked route	Grass	Yes: Normal	Various	Clarity and Cohesion	None
	FNG-1-S022	Other existing walked route	Steps Timber	Yes: Normal	Various	Clarity and Cohesion	None

1	2	3	4	5	6a	6b	7
Map(s)	Route section number(s)	Current status of this section	Current surface of this section	Roll-back proposed? (See Part 8 of Overview)	Landward boundary of margin (See maps)	Reason for landward boundary discretion	Proposed exclusions or restrictions (see Part 9 of Overview)
1f	FNG-1-S023	Public Footway (pavement)	Tarmac	Yes: Normal	Landward pavement edge	Clarity and Cohesion	None
	FNG-1-S024	Public Footpath	Tarmac	Yes: See table 1.2.2	Fence line	Clarity and Cohesion	None
	FNG-1-S025	Public Footpath	Grass	Yes: Normal	Fence line	Clarity and Cohesion	None
	FNG-1-S026	Public Footpath	Stone: Aggregate	Yes: Normal	Landward edge of trail	Not used	None
	FNG-1-S027	Public Footpath	Steps: Stone	Yes: Normal	Landward edge of trail	Not used	None
1g	FNG-1-S028	Public Footpath	Grass	Yes: Normal	Landward edge of trail	Not used	None
	FNG-1-S029	Public Footpath	Stone: Aggregate	Yes: Normal	Landward edge of trail	Not used	None
	FNG-1-S030	Other existing walked route	Stone: Aggregate	Yes: Normal	Landward edge of trail	Not used	None
1h	FNG-1-S031	Other existing walked route	Tarmac	Yes: Normal	Landward pavement edge	Clarity and Cohesion	None

### 1.2.2 Roll-back implementation – more complex situations: Maps 1a to 1h: Filey Brigg to Scarborough Spa

Map(s)	Section numbers(s)	Feature or site potentially affected	How we will manage roll-back in relation to this feature or site
1d	FNG-1-S007 to FNG-1-S008	Caravan Site	If it is no longer possible to find a viable route seaward of the caravan site we will choose a new route after detailed discussions with all relevant interests, either (a) to pass through the site or (b) if this is not practicable, to pass somewhere on the landward side of it. In reaching this judgement we will have full regard to the need to seek a fair balance between the interests of potentially affected owners and occupiers and those of the public.
1e	FNG-1-S013 to FNG-1-S016	Buildings and curtilage Caravan Site.	Adjacent to section FNG-1-S013 the cliff is eroding, which has resulted in the disappearance of the public right of way. The occupier of the private garden directly affected by this erosion has moved his boundary back in order to allow room for the Cleveland way to remain seaward of his property. If it is no longer possible to find a viable route seaward of the private garden, we will choose a new route after detailed discussions with all relevant interests, either (a) to pass through the caravan site behind this property, or (b) if this is not practicable, to pass somewhere on the landward side of it. In reaching this judgement we will have full regard to the need to seek a fair balance between the interests of potentially affected owners and occupiers and those of the public.
1f	FNG-1-S024	Buildings and curtilage	If it is no longer possible to find a viable route seaward of the specified excepted land (e.g. buildings, curtilage, gardens etc), we will choose a route landward of it, following discussions with owners and occupiers.

In relation to all other sections where roll-back has been proposed, the trail is likely to be adjusted to follow the current feature (e.g. cliff edge/beach) for the foreseeable future.

## Part 1.3: Chapter 1 - Formal Proposals

- Below are our formal proposals to the Secretary of State for the length of coast shown on maps 1a to 1h.
- They should be read in conjunction with the relevant maps.
- The commentary above explains the practical effect of these proposals.

### Formal Proposals – Filey Brigg to Scarborough Spa

#### Proposed route of the trail

- 1.3.1 In relation to route sections FNG-1-S001 to FNG-1-S031, the route, as initially determined at the time the report was prepared, is to be at the centre of the line shown on maps 1a to 1h as the proposed route of the trail.
- 1.3.2 If at any time any part of a route section listed in the previous paragraph needs, in Natural England's view, to change as a result of coastal erosion or other geomorphological processes or encroachment by the sea, in order for the overall route to remain viable, the new route for the part in question will be determined by Natural England without further reference to the Secretary of State. This will be done in accordance with the criteria and procedures described under the title 'Roll-back' in part 8 of the Overview and section 4.10 of the Coastal Access Scheme. If this happens, the new route will become the approved route for that section for the purposes of the Order which determines where coastal access rights apply.

#### Landward boundary of coastal margin

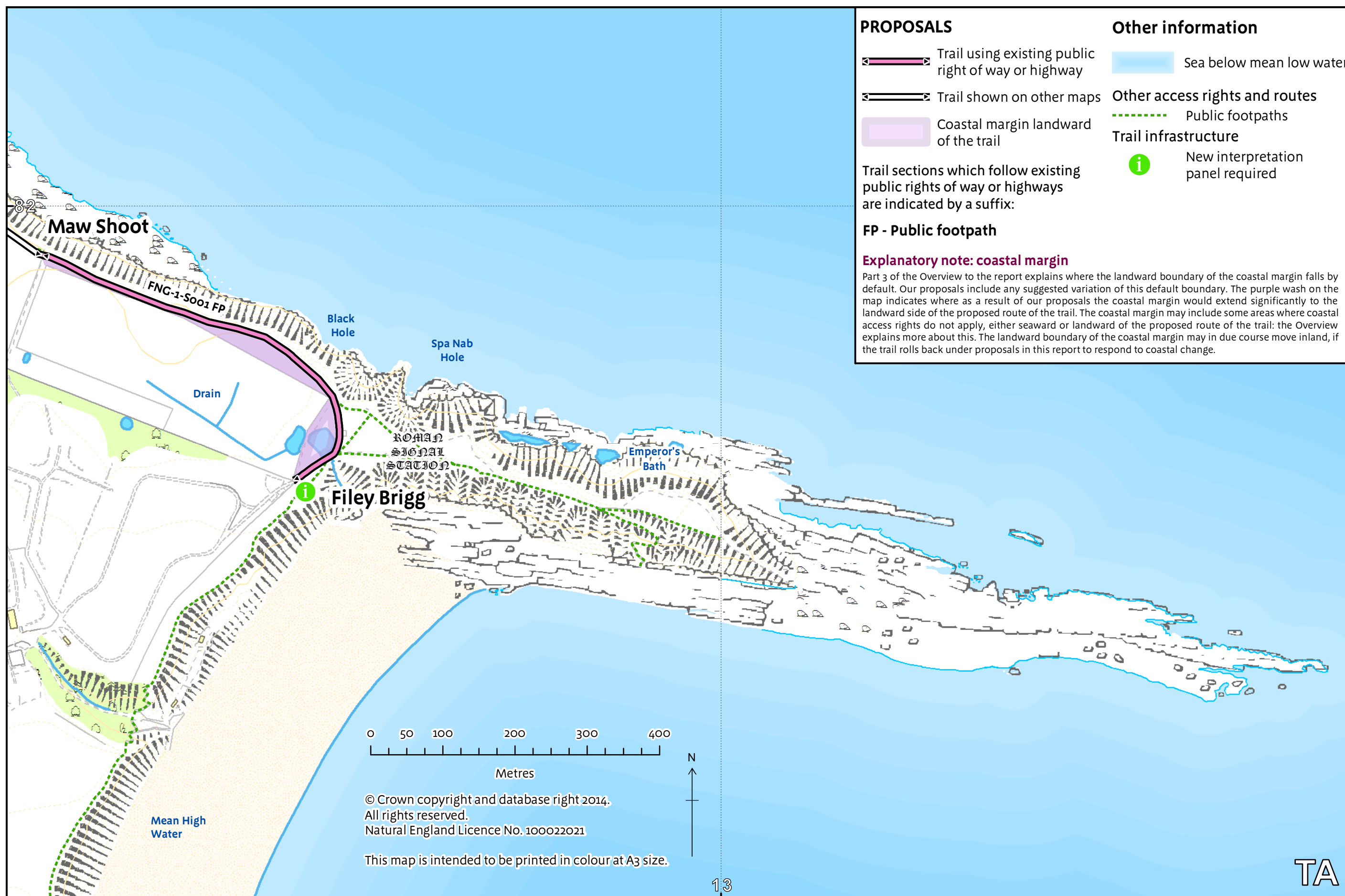
- 1.3.3 Adjacent to route sections FNG-1-S001, FNG-1-S008 to 012, FNG-1-S024 and FNG-1-S025, the landward boundary of the coastal margin is to coincide with the existing boundary fence which, at the time of writing this report, is landward of the public footpath shown as the trail on maps 1a,1c,1d, 1e and 1f.
- 1.3.4 Adjacent to route sections FNG-1-S023 and FNG-1-031 the landward boundary of the coastal margin is to coincide with landward edge of the pavement shown as the trail on map 1f.
- 1.3.5 Adjacent to route sections FNG-1-S017 to FNG-1-S022, the landward boundary of the coastal margin is to coincide with the fence and landward edge of the coastal slope to the seaward side of Filey Road as indicated by the coastal margin landward of the trail on map 1e.

#### Local restrictions and exclusions

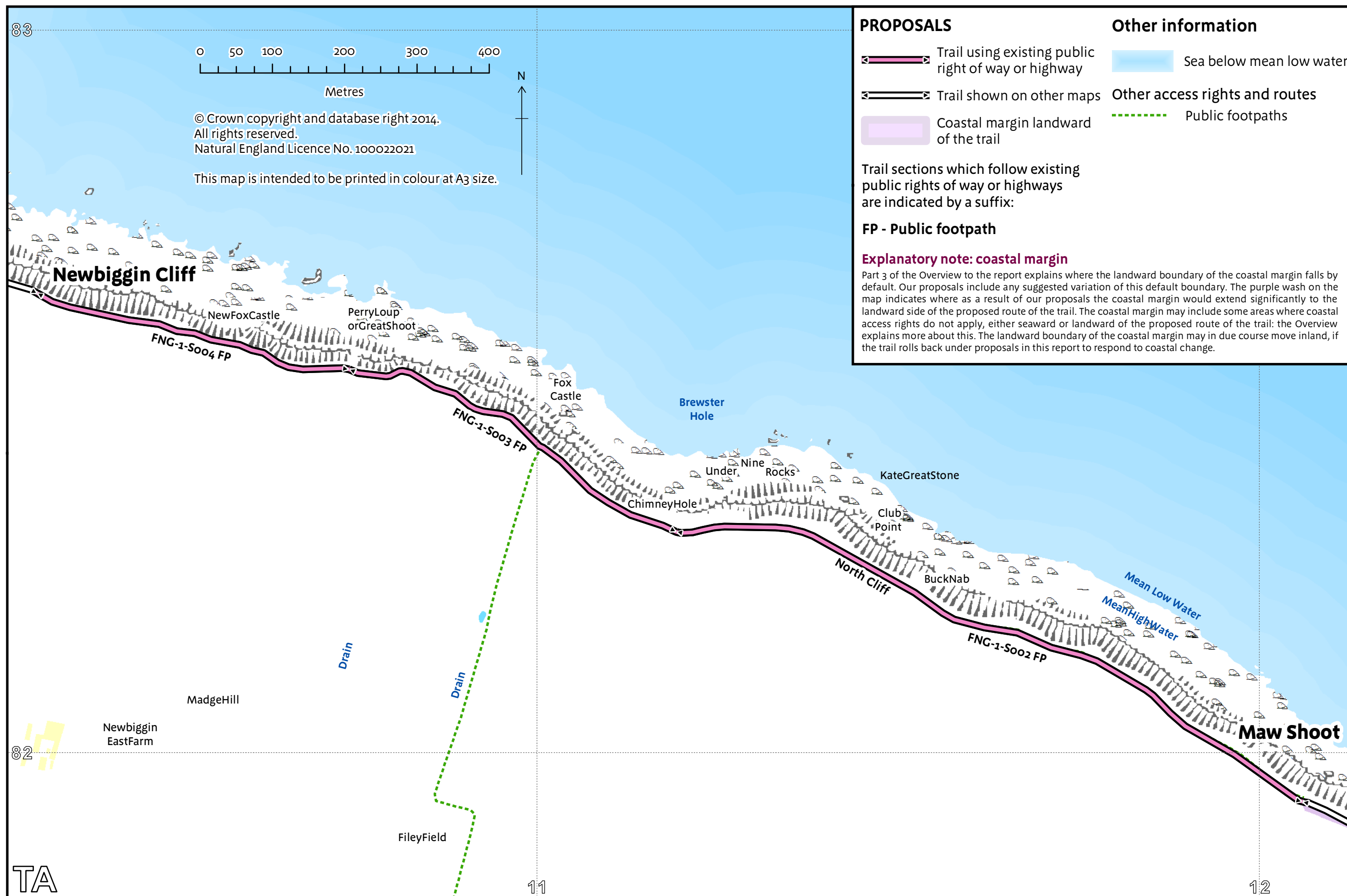
- 1.3.6 At the time of writing this report, there are no proposals for local restrictions or exclusions in relation to this length of coast.



## Map 1a Filey Brigg to Maw Shoot

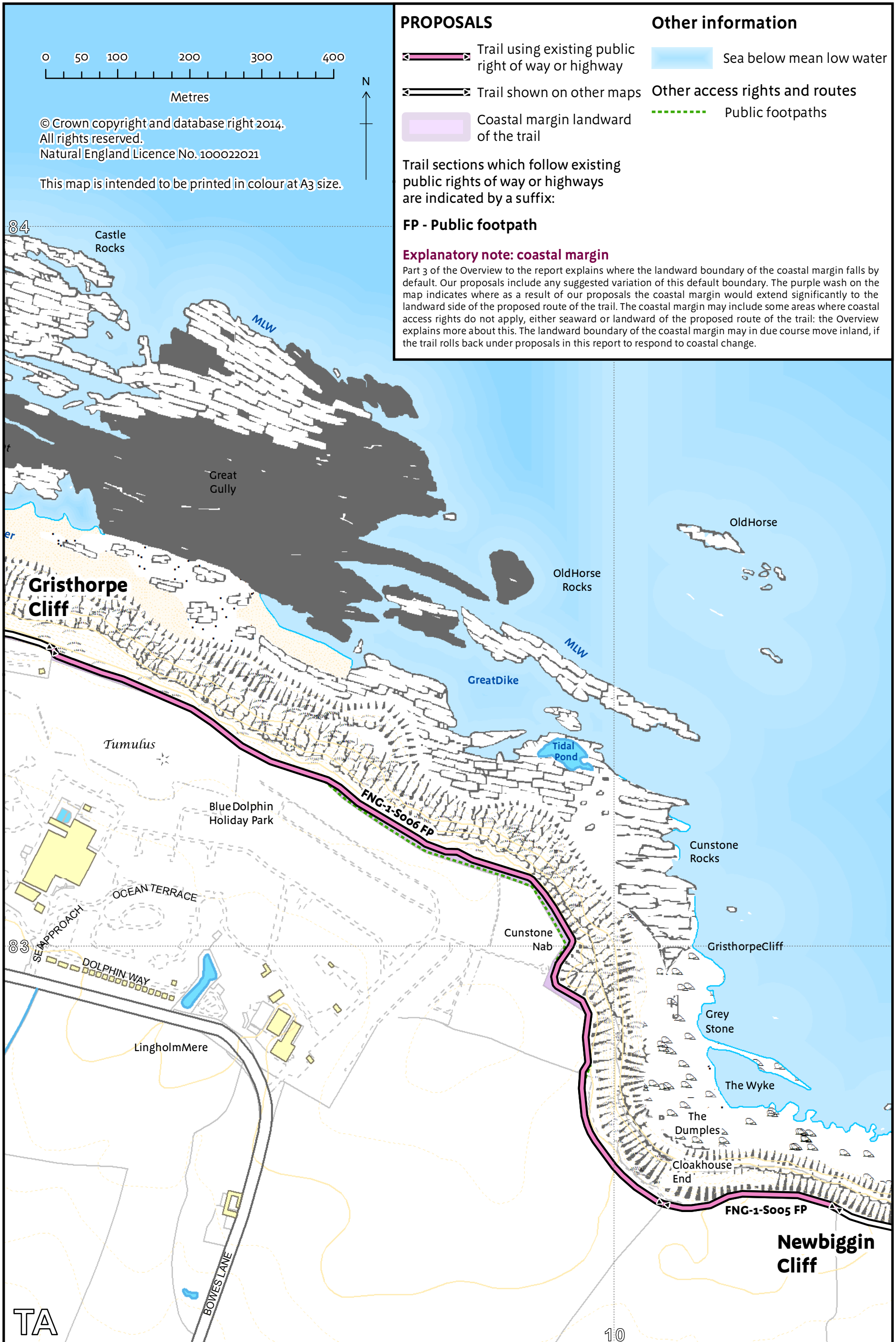


## Map 1b Maw Shoot to Newbiggin Cliff

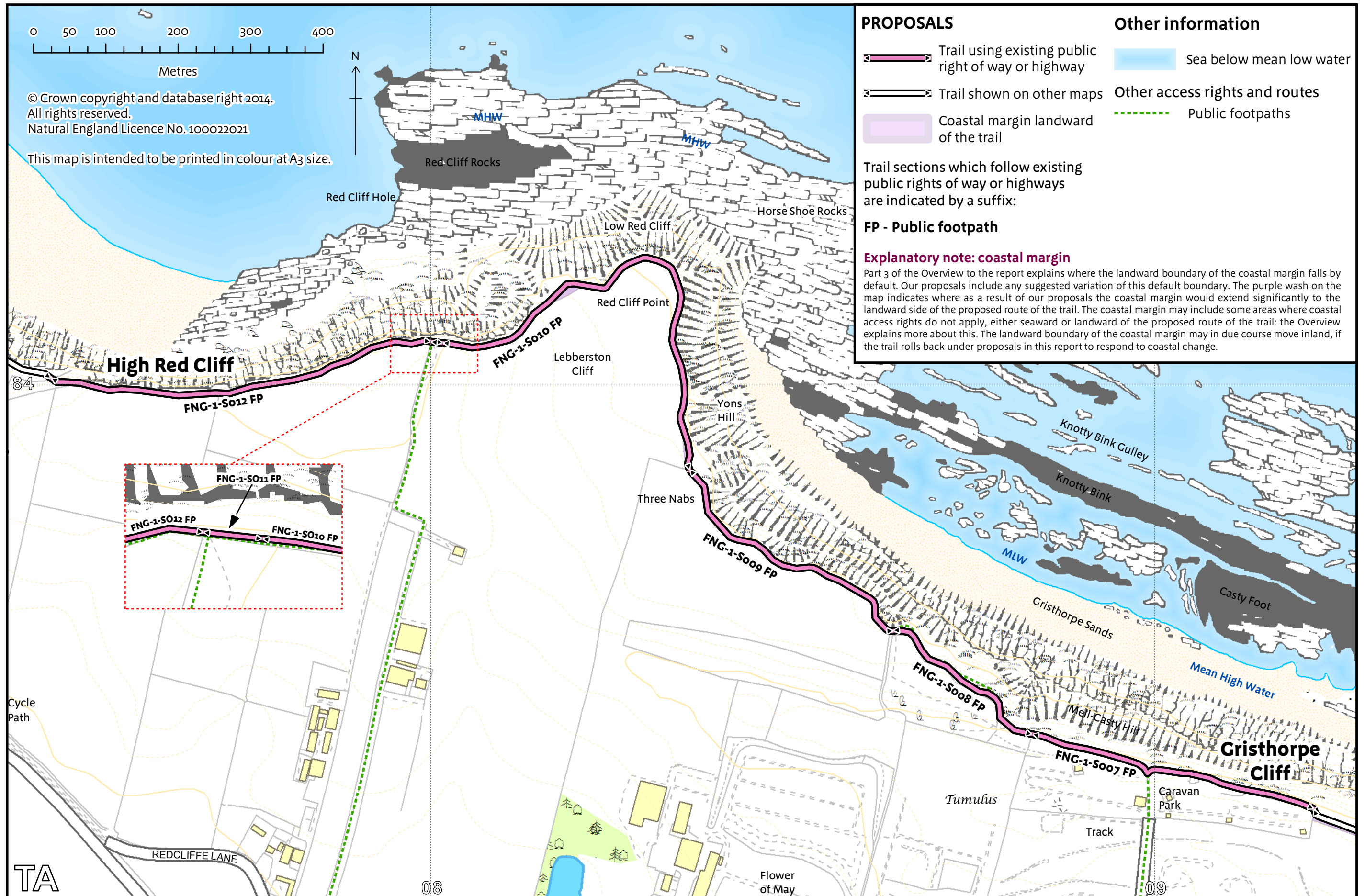




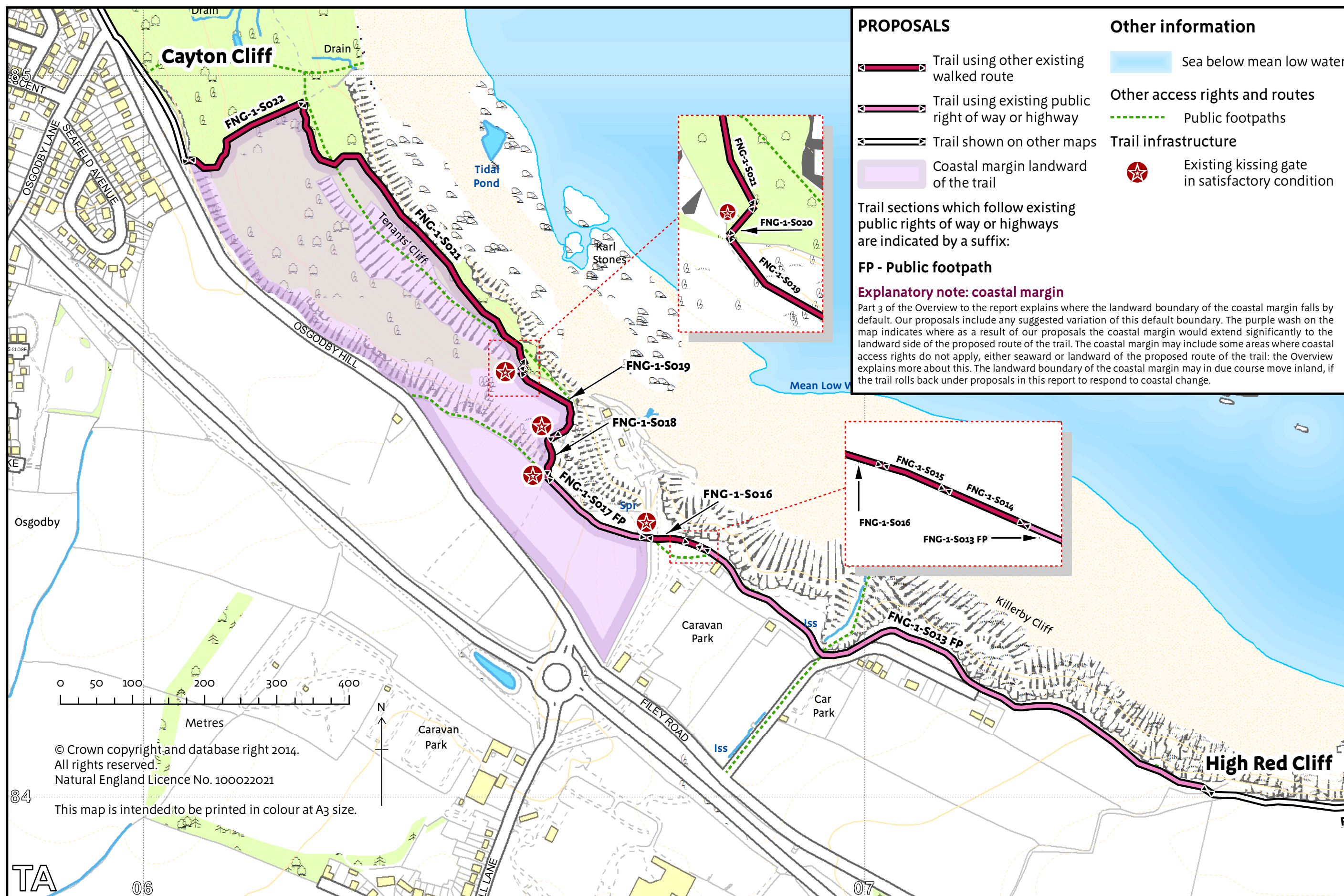
## Map 1c Newbiggin Cliff to Gristhorpe Cliff



## Map 1d Gristhorpe Cliff to High Red Cliff









### Map 1f Cayton Cliff to South Cliff Golf Course

