Coastal Access – Newquay to Penzance, lengths NQP3, NQP4, NQP7 and NQP8

NATURAL ENGLAND

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1. Introduction

This document records the representations Natural England has received on lengths NQP3, NQP4, NQP7 and NQP8 of this compendium of reports from persons or bodies. It also sets out any Natural England comments on these representations.

Where representations were made that relate to the entire stretch for Newquay to Penzance they are included here in so far as they are relevant to lengths NQP3, NQP4, NQP7 and NQP8.

2. Background

Natural England's compendium of reports setting out its proposals for improved access to the coast from Newquay to Penzance, comprising an overview and eight separate length reports, was submitted to the Secretary of State on 20 June 2019. This began an eight-week period during which representations and objections about each constituent report could be made.

In total, Natural England received thirty-seven representations pertaining to length reports NQP3, NQP4, NQP7 and NQP8 of the Newquay to Penzance stretch, of which eighteen were made by organisations or individuals whose representations must be sent in full to the Secretary of State in accordance with paragraph 8(1)(a) of Schedule 1A to the National Parks and Access to the Countryside Act 1949. These 'full' representations are reproduced in Section 4 in their entirety, together with Natural England's comments. Also, included in Section 4 is a summary of the nineteen representations made by other individuals or organisations, referred to as 'other' representations. Section 5 contains the supporting documents referenced in the representations.

3. Layout

The representations and Natural England's comments on them are separated below into the lengths against which they were submitted. Each length below contains the 'full' and 'other' representations submitted against it, together with Natural England's comments. Where representations refer to two or more lengths, they and Natural England's comments will appear in duplicate under each relevant length. Note that although a representation may appear within multiple lengths, Natural England's responses may include length-specific comments which are not duplicated across all lengths in which the representation appears. The supporting documents in section 5 are also separated into the lengths against which they were submitted.

4. Representations and Natural England's comments on them

Length 3

Full Representations

Representation number:	MCA/NQP3/R/1/NQP1585	
Organisation/ person making	Cornwall Countryside Access Forum	
representation:		
Route section(s) specific to this	NQP-3-S036	
representation:		
Other reports within stretch to which this	N/A	
representation also relates:		
Representation in full		
(Lighthouse Hill, Portreath) Ideally, a route closer to the cliff top would be used, but the geological concerns are acknowledged and it is accepted the proposed line is probably the best and most suitable available.		
Natural England's comments		
We welcome the positive engagement from Cornwall Countryside Access Forum during the development of our proposals and the supportive comments expressed in their representation.		
Relevant appended documents (see Section 5): N/A		

Representation number:	MCA/NQP3/R/2/NQP1585
Organisation/ person making representation:	Cornwall Countryside Access Forum

Route section(s) specific to this representation:	NQP-3-S101 to NQP-3-S106
Other reports within stretch to which this	N/A
representation also relates:	
Representation in full	

(Godrevy)

Although the proposed route is longer and more convoluted than the existing line, the precarious nature of the current route is acknowledged. The views and standard of the environment differ very little between the old and new lines, while the new line offers the possibility of use by buggies and wheelchairs, which is welcomed at this popular location, as well as being more future-proofed. The line of the new route is therefore supported.

Natural England's comments

We welcome the positive engagement from Cornwall Countryside Access Forum during the development of our proposals and the supportive comments expressed in their representation.

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP3/R/5/NQP1592
Organisation/ person making	Ramblers Association, Cornwall
representation:	
Route section(s) specific to this	NQP-3-S038 to NQP-3-S040
representation:	
Other reports within stretch to which this	N/A
representation also relates:	
Representation in full	

The SWCP through Portreath follows a road, some of which has no footway and which has few sea views. We had hoped that the ECP route would be closer to the harbour, which would give a marine related character to the path with good views of the harbour and be free of vehicular traffic. Although the report states that there are areas around the harbour that are subject to statutory undertakings, the limits are not shown. In practice the whole harbour side is available to walk around, there are Cornwall Council street lights in places and the public is rarely if ever excluded. The front doors of some houses and the garden gates of others open direct onto the harbour side. Part of the north quay is designated CRoW Access Land.

We strongly recommend that the path is rerouted around the harbour, set back a few metres from the quay wall if necessary and where possible to accommodate harbour operations. If this is not possible, we recommend information signs at appropriate points on the ECP route showing a harbour side route as a recommended alternative to the ECP which is available at most times.

Natural England's comments

In discussions with Cornwall Council's Maritime Manager it was confirmed that the harbour area falls under the excepted land category 'land covered by works used for the purposes of a statutory undertaking'. These 'works' take place in various locations around the harbour at various times on a daily basis and therefore the exact details both in terms specific areas and timings cannot be easily predicted. Natural England would not be able to align a route around the harbour which would be open at all times, due to the unpredictable nature of the works. Similarly an alternative route is impracticable because there would be no way for walkers to know when the harbour route was unavailable.

In addition, significant safety concerns were expressed in relation to aligning the coast path around the harbour.

While we agree that a more seaward route would be desirable, and that many people already walk around the harbour, for the reasons above Natural England is not able to align the England Coast Path around the harbour at Portreath.

Under our proposals the entire harbour area will fall within the seaward coastal margin. The area on the North Quay designated as Open Access land will continue to be accessible and the remaining working harbour area will be accessible to walkers within the coastal margin when the statutory undertaking activities are not taking place.

Relevant appended documents (see section 5):

5A- Google streetview of the harbour at Portreath

Other Representations

Representations containing similar or identical points		
Representation number:	Organisation/ person making representation:	
MCA/NQPStretch/R/2/NQP1580	[Redacted]	
MCA/NQPStretch/R/3/NQP1583	[Redacted]	
MCA/NQPStretch/R/5/NQP1586	[Redacted]	
MCA/NQPStretch/R/6/NQP1589	[Redacted]	
MCA/NQPStretch/R/8/NQP1594	[Redacted]	
Name of site:	Whole stretch	
Report map reference:	All	
Route sections on or adjacent to the land:	Whole stretch	
Other reports within stretch to which this representation also relates:	NQP1 to NQP8	

Summary of point:

The respondents are concerned about reported plans to widen the coast path to 4 metres and promote access to cyclists and horse riders.

Natural England's comment:

There are no plans to physically widen the coast path to four metres on any part of this stretch of coast. The legislation allows for the path to be up to four metres total width, however in practice we have worked with the walked line of the existing South West Coast Path and topography of the land. Where possible we specify the boundary of the coastal margin on the landward side and therefore make clear the extent of people's access rights, for example this might be a boundary fence or hedge close to the route, and this is very often within two metres of the walked path. Where we are not able to do this, because there is no suitable physical feature, the access rights would extend to two metres on the landward side of the trail by default, however there will not be any physical widening or resurfacing of the walked path.

Part 9 of the Marine and Coastal Access Act 2009 aims to improve public access to, and enjoyment of, the English coastline by creating clear and consistent public rights along the English coast for open-air recreation on foot. Our proposals do not create any additional rights of access for cyclists or horse-riders above those that already exist.

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQPStretch/R/1/NQP1577
Organisation/ person making	[Redacted]
representation:	
Name of site:	Whole stretch
Report map reference:	N/A
Route sections on or adjacent to the land:	N/A
Other reports within stretch to which this	NQP1 to NQP8
representation also relates	

Summary of representation:

The coast path should not be renamed the 'England Coast Path' in Cornwall. Cornwall is covered by the provisions of the Framework Convention for the protection of National Minorities. The proposed name is in contravention of Article 5.1 of the Convention because it imposes a false English identity, and thus fails to preserve the identity of the national Cornish minority.

Natural England's comment:

There is no intention to retitle the coast path within Cornwall. Page 6 of the Newquay to Penzance stretch Overview Report states: 'The 2009 Act refers to the continuous trail with its associated margin and other access rights as being the 'England Coast Path'. Where appropriate we have used existing established coastal trail routes already known by local and regional names, such as the South West Coast Path. It is recognised and welcomed that other local established route names will continue to be used on the ground. Natural England will continue to work closely with Cornwall Council and others in extending the use of Cornish as appropriate on new or replacement signing.'

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP3/R/3/NQP1591
Organisation/ person making	South West Coast Path Association
representation:	
Route section(s) specific to this	NQP-3-S036
representation:	
Other reports within stretch to which this	N/A
representation also relates:	
Summary of representation:	

(Lighthouse Hill, Portreath)

Ideally, a route closer to the cliff top would be used, but the geological concerns are acknowledged and it is accepted the proposed line is probably the best and most suitable available.

Note - This is identical to the 'full' representation submitted by Cornwall Countryside Access Forum (MCA/NQP3/R/1/NQP1585)

Natural England's comment:

We welcome the positive engagement from the South West Coast Path Association during the development of our proposals and the supportive comments expressed in their representation.

Representation number:	MCA/NQP3/R/4/NQP1591
Organisation/ person making representation:	South West Coast Path Association
Route section(s) specific to this representation:	NQP-3-S101 to NQP-3-S106

Other reports within stretch to which this	
representation also relates:	
Summary of representation:	

(Godrevy)

Although the proposed route is longer and more convoluted than the existing line, the precarious nature of the current route is acknowledged. The views and standard of the environment differ very little between the old and new lines, while the new line offers the possibility of use by buggies and wheelchairs, which is welcomed at this popular location, as well as being more future-proofed. The line of the new route is therefore supported.

Note - This is identical to the 'full' representation submitted by Cornwall Countryside Access Forum (MCA/NQP3/R/2/NQP1585)

Natural England's comment:

We welcome the positive engagement from the South West Coast Path Association during the development of our proposals and the supportive comments expressed in their representation.

Relevant appended documents (see Section 5): N/A

Length 4

Full Representations

Representation number:	MCA/NQPStretch/R/4/NQP1584
Organisation/ person making representation:	RSPB
Route section(s) specific to this representation:	NQP-4-S043 to NQP-4-S063
Other reports within stretch to which this representation also relates:	NQP1, Nature Conservation Assessment, Habitats Regulations Assessment
Representation in full*	

Two reasons:

- To ensure wildlife is adequately considered in the decision-making for this project
- Concerns relating to the viability of part of the current network

*These are the details included on the representation form. A letter with annex accompanied the form with full details of the specific issues raised. These are included in full in section 5 of this document and the issues relevant to this section of coast are addressed in our comments below. See supporting document 5B - Letter and annex from RSPB.

Natural England's comments

We welcome the positive engagement from RSPB during the development of our proposals and the supportive comments expressed in the representation. During the preparation of our proposals and the drafting of the Nature Conservation Assessment and Habitats Regulations Assessment, representatives from Natural England discussed issues with RSPB, the Cornwall county bird recorder and South West Peregrine Group and gathered relevant evidence to inform our assessments of any potential impacts of coastal access along this stretch of coast.

In their representation the RSPB raised a number of issues relating to this length of coast which are addressed below. Issues were also raised in relation to NQP 1: Newquay Station to Penhale Point; these are addressed in the relevant 'Natural England's comments' document.

Functional Linkage between Hayle Estuary and other SPAs

RSPB suggest we should have considered whether our access proposals for the Hayle Estuary might impact on the conservation objectives for Isles of Scilly SPA (and other SPAs in Wales and North West England, for which lesser black backed gull are a qualifying feature). They give an example of a lesser black-backed gull colour-ringed at a nest on the Isles of Scilly in 1998 having been observed in the Hayle estuary in 2015. We agree this demonstrates movements by lesser black-backed gulls over a wide area, however we don't consider the evidence presented suggests there could be a credible risk to the conservation objectives of Isles of Scilly SPA from the proposals (for example if birds raising chicks on the Isles of Scilly were thought to make regular foraging trips to the Hayle Estuary).

Natural England fully supports action to reduce the risk of disturbance from recreational activities to gulls and other bird species using the upper Hayle Estuary. As a result of our meetings and discussions with RSPB and review of the available evidence we have proposed a permanent exclusion of coastal access rights within the upper Hayle Estuary intertidal area to reinforce current visitor management measures to prevent disturbance to birds.

Provision of 50 additional signs around the coast for chough, peregrine and seabird colonies

We consulted the Project Officer for the Cornwall Chough Project and the local Peregrine group for this area during the preparation of our proposals and no particular sites were flagged up for signage of the type suggested in the representation. Concerns were raised by both parties in relation to putting up signs as it was felt this would advertise key locations and potentially increase instances of disturbance to nest sites. We would be happy to talk to the RSPB about this further if the situation has changed.

NQP4 - Hayle Estuary exclusion and signage

Additional signage is suggested at Hayle estuary and Porthkidney beach to advertise the permanent exclusion. A number of signs are currently present at the Hayle estuary highlighting the existing dog control order and SSSI designation, as well as some small interpretation boards at Carnsew Pool. We will work with the Hayle Estuary Reserve Manager to review the current signage and identify where improvements can be made and new signage is required.

NQP4 - Continued use and promotion of section of path along the south east section of Carnsew Pool

The section of the trail referred to is a public right of way (footpath number 102/43/2) running along the landward edge of Carnsew Pool. Natural England is aware of the erosion issues in this area.

Cornwall Council are currently exploring solutions to repair this section of the coast path, and the public right of way along which it runs, in consultation with all the relevant landowners and interested parties. Any works required will fall outside of the scope of the coastal access project. Should repair of this part of the trail be unachievable or further erosion occur in the future, a new route will be identified in discussion with all interested parties and implemented using the rollback provision.

Relevant appended documents (see Section 5):

• 5B – Letter from RSPB 'RSPB response' dated 29/07/19 and Annex

Representation number:	MCA/NQP4/R/1/NQP1585
Organisation/ person making representation:	Cornwall Countryside Access Forum
Route section(s) specific to this representation:	NQP-4-S024 to NQP-4-S026
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

(North Quay, Hayle)

The current route uses the higher quay level for this entire length, at its "seaward" side (ie the side nearest the harbour.) It is acknowledged that the lower guay comprises a working harbour where areas are subject to statutory undertakings and safety issues and is not suitable for a National Trail. However, it should be noted that the green line showing the SWCP route at sections NQP-4-S024 and NQP-4-S025 is incorrectly drawn, the current walked line following the line annotated by grey dashes on map 4c (still on the higher quay). (Note – no map was supplied with the representation). The proposed line (NQP-4-S024 and NQP-4-S025) is landward of this line and would be potentially landward of possible development which would mask any views of the harbour and estuary. Further, at the eastern end of NQP-4-S026, the proposed line is landward of the current walked line, which is again on the higher quay level. Again, this proposed line would be potentially landward of possible development which would mask any views of the harbour and estuary. It is noted that the Approved Scheme section 4.6 indicates that the trail should normally offer views of the sea. Since the current line does exactly this, without impinging on the harbour area, it does not seem appropriate for the proposed route to give a potentially worse experience than that currently enjoyed. It is therefore urged that the current line of the SWCP be retained here. **Natural England's comments**

Planning permission has been granted for a mixed use development at North Quay, Hayle. The official route of the South West Coast Path follows a public right of way along the pavement landward of the development site. However, as the representation correctly states the current walked and signed route passes along the edge of the upper quay at the seaward edge of the site as shown on map NQP 4c.

In accordance with paragraphs 5.5.4 to 5.5.7 of the Coastal Access Scheme, coastal access rights do not prevent any land from being developed or redeveloped in the future. Natural England met with the developer's representative, David Locke Associates (DLA), to discuss the development proposal for North Quay and how the coast path route may be accommodated within the scheme.

In discussion with DLA we agreed a route following as much of the seaward edge of the upper quay area as possible within the confines of the latest development proposal. Where our proposed route is inland of the existing walked route, the development includes plans for construction to the edge of the upper quay area, and therefore there was no space for a seaward route in these locations. Although sea views will be obscured in these areas at either end of the development site, we believe that the proposed route provides the best fit with the Coastal Access Scheme.

Natural England will continue to liaise with David Locke Associates and should the layout of the development at North Quay change and a more favourable route for the England Coast Path become viable, we will submit a variation report to recommend the route is altered.

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP4/R/2/NQP1585
Organisation/ person making representation:	Cornwall Countryside Access Forum
Route section(s) specific to this representation:	NQP-4-S036 to NQP-4-S043
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

(South Quay and Carnsew Pool)

The current route of the SWCP over this length is unsatisfactory, being urban fringe and offering no sea or estuary views. The proposed route takes the line away from its current alignment next to the busy B3301 road at lengths NQP-4-S036 to NQP-4-S042 inclusive, which is an improvement. However, this route is still urban fringe, much of it alongside industrial fencing, still offering no view of sea or estuary. Further, length NQP-4-S043, following the existing line, is unsatisfactory, there being no sea or estuary views from this length, it being urban fringe in character, adjacent to the rear of properties and with constant traffic noise from the nearby B3301 road. It is also in danger of erosion and if so lost, would mean the route having to retreat to the footway alongside the busy B3301, an unsatisfactory route for a National Trail. Its only benefit is to provide views over the tidal Carnsew Pool.

It is possible to provide a much better route by using lengths NQP-4-S036 and NQP-4-S037 then heading north on existing public footpath no.102/16/2 along South Quay then south-west and south-east on existing public footpath no.102/16/1 around Carnsew Pool, joining the proposed route at the junction of lengths NQP-4-S043 and NQP-4-S044.

Natural England have raised concerns about the use of this suggested route in that:-

(a) There are areas subject to statutory undertakings and public safety issues on South Quay.

- (b) There are potential issues of disturbance of breeding and roosting birds at the northwest corner of Carnsew Pool.
- (c) It is 1.2km longer.
- (d) It does not provide significantly improved views.

In response to these claims it must be pointed out that:-

- (a) There is an existing public right of way on South Quay (public footpath no.102/16/2), so any such concerns as raised above will have already been addressed.
- (b) The nature conservation assessment included as part of the overall report indicates that the areas of importance for birds are on the intertidal marshes; restrictions are currently in place banning people and dogs from using the intertidal areas, with appropriate signage. The exclusion of access to the intertidal areas thus addresses the issue of disturbance to birds.
- (c) The suggested route is less than 0.5km longer, not 1.2km as claimed. In any event, while the route should, according to the Approved Scheme, be "reasonably direct", that does not mean that the most direct route should be chosen if the result is that the best route for the enjoyment of the coastal environment is not followed.
- (d) As indicated above, Natural England's proposed route is urban fringe, partly alongside industrial fencing and partly behind the rear of residential properties, with the constant noise of traffic from the nearby B3301 road. While there are views over Carnsew Pool, there are none over sea or estuary. The alternative suggestion is distant from the urban environment, running alongside the estuary while still giving views over Carnsew Pool – indeed, its position between estuary and Pool gives the experience of being almost surrounded by water. There are views over the estuary to the mouth of the river and the sea beyond. It is a far better, more maritime environment, more worthy of a National Trail. It also offers the possibility of interpretation of Hayle's industrial heritage at South Quay (this is part of a World Heritage Site) and, if appropriate, the ornithological value of the estuary.

Given the above, it is strongly suggested that the route on existing public rights of way along South Quay then circumnavigating Carnsew Pool provides a far better line.

Natural England's comments

In the preparation of our proposals we carefully considered the potential to align the England Coast Path around Carnsew Pool as suggested by Cornwall Countryside Access Forum and South West Coast Path Association.

Areas subject to statutory undertakings

It is acknowledged that there is a public right of way passing along the western edge of South Quay. Although the wider quay area falls under the excepted land category 'land covered by works used for the purposes of a statutory undertaking' this designation would not apply to the public footpath.

Disturbance to birds

The proposed public access exclusion covers part of the upper Hayle Estuary and includes areas of intertidal habitat outside and inside Carnsew Pool. These areas are important for birds year round, as foraging and resting habitat for overwintering and migratory birds and roosting and feeding sites for other species.

Bird disturbance is an issue not just from people and/or dogs accessing the intertidal areas but also as a result of noise and movement from those using the public footpath passing around Carnsew Pool. This is particularly the case at the south western end of the Pool where the public footpath is adjacent to mixed sand and mudflat intertidal habitat used by a variety of bird species.

It is likely that the increased footfall associated with the alignment of a National Trail could result in more instances of bird disturbance in this area. As this potential increase in disturbance could not be eliminated within our proposals, it was not appropriate to propose that the England Coast Path follow the public right of way around Carnsew Pool.

Length of route around Carnsew Pool

The route around the seaward edge of Carnsew Pool is 1.2km, however as the representation points out our proposals incorrectly state that this route is an additional 1.2km, when in fact it is around 630m longer than the proposed route.

Urban fringe and views from proposed route

We agree that the proposed route could be described as urban fringe, however, we feel that there are coastal views across Carnsew Pool and out towards the mouth of the estuary, though it is acknowledged that these are somewhat more remote than from the seaward side of Carnsew Pool.

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP4/R/4/NQP1585
Organisation/ person making representation:	Cornwall Countryside Access Forum
Route section(s) specific to this representation:	NQP-4-S084 to NQP-4-S089
Other reports within stretch to which this representation also relates:	N/A
Representation in full	·

(Porthminster)

The proposed route over this length is seaward of the existing route and is superior in its views and general environment. Use of this line is therefore welcomed and supported. However, it is noted that it is a less direct route, less easy walking and involves more gradients. It will be noted that the current route is used by many non-Coast Path walkers, especially visitors walking between Carbis Bay and St Ives for purely access reasons, many of whom wish to take the quickest and easiest rather than the most coastal and scenic route. Given this, the existing route should continue to be signed as the direct path, though not the Coast Path, so that users can pick the route most appropriate for them.

Natural England's comments

We welcome the positive engagement from Cornwall Countryside Access Forum during the development of our proposals and the supportive comments expressed in their representation.

We will pass the comments regarding signage on to Cornwall Council.

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP4/R/8/NQP1592
Organisation/ person making representation:	Ramblers Association, Cornwall
Route section(s) specific to this representation:	NQP-4-S004 to NQP-4-S013
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

We welcome the designation of coastal margin landward of the ECP sections NQP-4-S004 to 13 at Upton, Phillack, Common and Mexico Towans. We agree that these are sand dunes worthy of designation. They have mostly had public access on foot for many years and we welcome the security of this persisting for years to come.

Natural England's comments

We welcome the positive engagement from Ramblers Association during the development of our proposals and the supportive comments expressed in their representation.

Representation number:	MCA/NQP4/R/9/NQP1592
Organisation/ person making representation:	Ramblers Association, Cornwall
Route section(s) specific to this representation:	NQP-4-S024 to NQP-4-S027
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

The proposed route at Hayle North Quay is very disappointing. It is recognised that the quay itself and the working area immediately behind is subject to harbour operations from which the public may be excluded from time to time. However a couple of years ago a walkway open to the public was built a few metres back from the quay, at a higher level and separated from it by a parapet. As far as we are aware, this has worked satisfactorily for both walkers and harbour operators for the last couple of years. The middle part of proposed section NQP4-S026 uses this walkway which is acceptable as it meets the aspirations included in the Scheme while avoiding harbour activities. However sections NQP-4-S024, 25, 27 and the two ends of 26 have been moved further from the sea, partly along public road U6033, and no longer have a close relationship with the marine environment. We strongly recommend retaining the route along the higher level walkway throughout its length, thereby maintaining a closeness to the sea and a good view of it while not interfering with harbour operations and meeting the criteria set out in the scheme better than the proposal set out in the Report.

Natural England's comments

Planning permission has been granted for a mixed use development at North Quay, Hayle. The official route of the South West Coast Path follows a public right of way along the pavement landward of the development site. However, as the representation correctly states the current walked and signed route passes along the edge of the upper quay at the seaward edge of the site as shown on map NQP 4c.

In accordance with paragraphs 5.5.4 to 5.5.7 of the Coastal Access Scheme, coastal access rights do not prevent any land from being developed or redeveloped in the future. Natural England met with the developer's representative, David Locke Associates (DLA), to discuss the development proposal for North Quay and how the coast path route may be accommodated within the scheme.

In discussion with DLA we agreed a route following as much of the seaward edge of the upper quay area as possible within the confines of the latest development proposal. Where our proposed route is inland of the existing walked route, the development includes plans for construction to the edge of the upper quay area, and therefore there was no space for a seaward route in these locations. Although sea views will be obscured in these areas at either end of the development site, we believe that the proposed route provides the best fit with the Coastal Access Scheme.

Natural England will continue to liaise with David Locke Associates and should the layout of the development at North Quay change and a more favourable route for the England Coast Path become viable, we will submit a variation report to recommend the route is altered.

Representation number:	MCA/NQP4/R/10/NQP1592
Organisation/ person making	Ramblers Association, Cornwall
organisation, person making	
representation:	
representation.	
Route section(s) specific to this	NQP-4-S043
Roule Section(S) specific to this	NQF-4-3043
ranzaantation	
representation:	

Other reports within stretch to which this representation also relates: Representation in full

N/A

(Carnsew Pool)

At grid reference SW5527 3703 the stone pitching protecting footpath 102/43/2 has been washed out over a length of about 10m, resulting in a drop in level of the public path. This results in flooding of the path at high spring tides. This can catch westbound walkers unawares and they have a considerable distance retracing their steps to use the road instead. We strongly recommend the repair of the stone pitching and restoration of the path to its original level. Timber steps up the steep bank at one end of the washed out length are collapsing. Cornwall Council, the highway authority, is aware of the problem as shown on the photograph of the notice below which was taken in July 2017 and is still in place in August 2019. No remedial work has been done in those 2 years. There are other locations on this path where there is continuing erosion of the bank and local maintenance of the stone pitching and path surface is needed and cutting back the vegetation would make it easier for walkers to avoid the defects and restore the path to a width closer to the 4m default width of the England Coast Path.

Natural England's comments

The section of the trail referred to is a public right of way running along the landward edge of Carnsew Pool. Natural England is aware of the ongoing erosion issues in this area.

Cornwall Council are currently exploring solutions to repair this section of the coast path, and the public right of way along which it runs, in consultation with all the relevant landowners and interested parties. Any works required will fall outside of the scope of the coastal access project.

Should suitable repair of this part of the trail be unachievable or further severe erosion occur in the future, a new route will be identified in discussion with all interested parties and implemented using the rollback provision.

- 5C Photograph of site notice
- 5D Photograph of the tidal part of path 102/43/2 where the embankment has been washed out
- 5E Photograph of The tidal part of path 102/43/2 where the embankment has been washed out and the steps are collapsing

Representation number:	MCA/NQP4/R/11/NQP1592
Organisation/ person making representation:	Ramblers Association, Cornwall
Route section(s) specific to this representation:	NQP-4-S084 to NQP-4-S089
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

We welcome the alignment proposal at Porthminster Point. It is a more interesting route than that followed by the SWCP, is closer to the sea and has better views of it. For those wanting a direct, level and more straightforward route, public footpath 113/3 remains available.

Natural England's comments

We welcome the positive engagement from Ramblers Association during the development of our proposals and the supportive comments expressed in their representation.

Relevant appended documents (see Section 5): N/A

Other Representations

Representation number:	Organisation/ person making representation
MCA/NQPStretch/R/2/NQP1580	[Redacted]
MCA/NQPStretch/R/3/NQP1583	[Redacted]
MCA/NQPStretch/R/5/NQP1586	[Redacted]
MCA/NQPStretch/R/6/NQP1589	[Redacted]
MCA/NQPStretch/R/8/NQP1594	[Redacted]
Name of site:	Whole stretch
Report map reference:	All
Route sections on or adjacent to the land:	Whole stretch
Other reports within stretch to which this representation also relates:	NQP1 to NQP8

The respondents are concerned about reported plans to widen the coast path to 4 metres and promote access to cyclists and horse riders.

Natural England's comment:

There are no plans to physically widen the coast path to four metres on any part of this stretch of coast. The legislation allows for the path to be up to four metres total width, however in practice we have worked with the walked line of the existing South West Coast Path and topography of the land. Where possible we specify the boundary of the coastal margin on the landward side and therefore make clear the extent of people's access rights, for example this might be a boundary fence or hedge close to the route, and this is very often within two metres of the walked path. Where we are not able to do this, because there is no suitable physical feature, the access rights would extend to two metres on the landward side of the trail by default, however there will not be any physical widening or resurfacing of the walked path.

Part 9 of the Marine and Coastal Access Act 2009 aims to improve public access to, and enjoyment of, the English coastline by creating clear and consistent public rights along the English coast for open-air recreation on foot. Our proposals do not create any additional rights of access for cyclists or horse-riders above those that already exist.

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQPStretch/R/1/NQP1577
Organisation/ person making representation:	[Redacted]
Name of site:	Whole stretch
Report map reference:	N/A
Route sections on or adjacent to the land:	N/A
Other reports within stretch to which this representation also relates	NQP1 to NQP8

Summary of representation:

The coast path should not be renamed the 'England Coast Path' in Cornwall. Cornwall is covered by the provisions of the Framework Convention for the protection of National Minorities. The proposed name is in contravention of Article 5.1 of the Convention because it imposes a false English identity, and thus fails to preserve the identity of the national Cornish minority.

Natural England's comment:

There is no intention to retitle the coast path within Cornwall. Page 6 of the Newquay to Penzance stretch Overview Report states: 'The 2009 Act refers to the continuous trail with its associated margin and other access rights as being the 'England Coast Path'. Where appropriate we have used existing established coastal trail routes already known by local and regional names, such as the South West Coast Path. It is recognised and welcomed that other local established route names will continue to be used on the ground. Natural England will continue to work closely with Cornwall Council and others in extending the use of Cornish as appropriate on new or replacement signing.'

Relevant appended documents (see Section 5): N/A

Representation number:	Organisation/ person making representation:
MCA/NQPStretch/R/7/NQP0073	Lichfields on behalf of Bourne Leisure Limited
MCA/NQP4/R/12/NQP0073	Lichfields on behalf of Bourne Leisure Limited
Route section(s) specific to this representation:	NQP-4-S014 to NQP-4-S015
Other reports within stretch to which	NQP2, Overview document
this representation also relates:	

Summary of point:

The proposals do not specifically state that Natural England will contact and consult with landowners in determining a new route when making use of the rollback provision.

Lichfields request that the Overview report is amended to specifically state that Natural England will contact and consult with owners and occupiers in relation to any rollback – including where the trail is being adjusted to follow the current feature, e.g. the beach or foreshore. This is important in order to ensure that landowners are kept informed, so that any issues can be raised with Natural England and that landowners' views are taken into account if rollback needs to take place.

Natural England's comment:

We welcome the positive engagement from Lichfields during the development of our proposals.

We confirm that if rollback is required new route options will be discussed with Bourne Leisure Ltd prior to implementation.

Representation number:	MCA/NQP4/R/3/NQP1579	
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Organisation/ person making representation:	[Redacted]
Name of site:	Land Spit between Lelant and Harvey's Towans
Report map reference:	NQP 4c and NQP 4e
Route sections on or adjacent to the land:	NQP-4-S054 to NQP-4-S054
Other reports within stretch to which	N/A
this representation also relates	
Summary of representation:	

Suggestion that a footbridge could be installed from the land spit in the Hayle Estuary over to Lelant to allow walkers to get across the estuary without having to walk around using inland and residential streets.

Natural England's comment:

England did not propose the installation of a footbridge at this location due to the impact on watercraft using this area of the estuary.

The proposition of installing a footbridge was discussed with Hayle Harbour Master. It was his opinion that a footbridge would restrict navigation on the channel to the west of the sand spit. This would impact upon:

- Small craft using this channel to access Lelant Water
- Some larger vessels using these waters including those moored at Dynamite Quay
- The use of moorings at the foreshore below the golf course, mostly for overwintering boats.
- Penzance water-ski club who use this channel as well as jet skiers and paddle boarders

For these reasons we did not feel it was appropriate to pursue this option as a potential route for the England Coast Path. We also acknowledge that there are additional factors which would have been taken into account had this option been considered further, for example visual impact and the effect on the nature conservation interest of the Site of Special Scientific Interest.

- 5F Map of area proposed for a footbridge
- 5G Photographs x 3 of disused Dynamite Quay and view of Hayle from the spit of land opposite the quay.

Representation number:	MCA/NQP4/R/5/NQP1591
Organisation/ person making representation:	South West Coast Path Association
Route section(s) specific to this representation:	NQP-4-S024 to NQP-4-S026
Other reports within stretch to which this representation also relates:	N/A

Summary of representation:

(North Quay, Hayle)

The South West Coast Path Association is disappointed that the proposed route does not follow the current signposted route of the South West Coast Path along the seaward edge of North Quay, Hayle.

Note - This representation is identical to the 'full' representation submitted by Cornwall Countryside Access Forum (MCA/NQP4/R/1/NQP1585)

Natural England's comment:

Planning permission has been granted for a mixed use development at North Quay, Hayle. The official route of the South West Coast Path follows a public right of way along the pavement landward of the development site. However, as the representation correctly states the current walked and signed route passes along the edge of the upper quay at the seaward edge of the site as shown on map NQP 4c.

In accordance with paragraphs 5.5.4 to 5.5.7 of the Coastal Access Scheme, coastal access rights do not prevent any land from being developed or redeveloped in the future. Natural England met with the developer's representative, David Locke Associates (DLA), to discuss the development proposal for North Quay and how the coast path route may be accommodated within the scheme.

In discussion with DLA we agreed a route following as much of the seaward edge of the upper quay area as possible within the confines of the latest development proposal. Where our proposed route is inland of the existing walked route, the development includes plans for construction to the edge of the upper quay area, and therefore there was no space for a seaward route in these locations. Although sea views will be obscured in these areas at either end of the development site, we believe that the proposed route provides the best fit with the Coastal Access Scheme.

Natural England will continue to liaise with David Locke Associates and should the layout of the development at North Quay change and a more favourable route for the England Coast Path become viable, we will submit a variation report to recommend the route is altered.

Representation number:	MCA/NQP4/R/6/NQP1591
Organisation/ person making representation:	South West Coast Path Association
Route section(s) specific to this representation:	NQP-4-S036 to NQP-4-S043
Other reports within stretch to which this representation also relates:	N/A

Summary of representation:

(South Quay and Carnsew Pool)

The route should follow the public footpath around the seaward edge of Carnsew Pool for a number of reasons;

- Any public safety issues at South Quay have already been addressed due to the presence of a public right of way
- Bird disturbance issues have already been addressed by the NCA and HRA and are confined to the intertidal areas
- The additional length of the route around Carnsew Pool has been incorrectly stated in the proposals
- The proposed route is urban fringe with inferior views

Note - This is representation is identical to the 'full' representation submitted by Cornwall Countryside Access Forum (MCA/NQP4/R/2/NQP1585)

Natural England's comment:

In the preparation of our proposals we carefully considered the potential to align the England Coast Path around Carnsew Pool as suggested by South West Coast Path Association.

Areas subject to statutory undertakings

It is acknowledged that there is a public right of way passing along the western edge of South Quay. Although the wider quay area falls under the excepted land category 'land covered by works used for the purposes of a statutory undertaking' this designation would not apply to the public footpath.

Disturbance to birds

The proposed public access exclusion covers part of the upper Hayle Estuary and includes areas of intertidal habitat outside and inside Carnsew Pool. These areas are important for birds year round; as foraging and resting habitat for overwintering and migratory birds and roosting and feeding sites for other species.

Bird disturbance is an issue not just from people and/or dogs accessing the intertidal areas but also as a result of noise and movement from those using the public footpath passing around Carnsew Pool. This is particularly the case at the south western end of the Pool where the public footpath is adjacent to mixed sand and mudflat intertidal habitat used by a variety of bird species.

It is likely that the increased footfall associated with the alignment of a National Trail could result in more instances of bird disturbance in this area. As this potential increase in disturbance could not be eliminated within our proposals, it was not appropriate to propose that the England Coast Path follow the public right of way around Carnsew Pool.

Length of route around Carnsew Pool

The route around the seaward edge of Carnsew Pool is 1.2km, however as the representation points out our proposals incorrectly state that this route is an additional 1.2km, when in fact it is around 630m longer than the proposed route. We apologise for this error.

Urban fringe and views from proposed route

We agree that the proposed route could be described as urban fringe, however, we feel that there are coastal views across Carnsew Pool and out towards the mouth of the estuary, though it is acknowledged that these are somewhat more remote than from the seaward side of Carnsew Pool.

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP4/R/7/NQP1591
Organisation/ person making representation:	South West Coast Path Association
Route section(s) specific to this representation:	NQP-4-S084 to NQP-4-S089
Other reports within stretch to which this representation also relates:	N/A
Summary of representation:	

(Porthminster)

The proposed route over this length is seaward of the existing route and is superior in its views and general environment. Use of this line is therefore welcomed and supported. However, it is noted that it is a less direct route, less easy walking and involves more gradients. It will be noted that the current route is used by many non-Coast Path walkers, especially visitors walking between Carbis Bay and St Ives for purely access reasons, many of whom wish to take the quickest and easiest rather than the most coastal and scenic route. Given this, the existing route should continue to be signed as the direct path, though not the Coast Path, so that users can pick the route most appropriate for them.

Note - This is identical to the 'full' representation submitted by Cornwall Countryside Access Forum (MCA/NQP4/R/4/NQP1585)

Natural England's comment:

We welcome the positive engagement from the South West Coast Path Association during the development of our proposals and the supportive comments expressed in their representation.

We will pass the comments regarding signage on to Cornwall Council.

Full Representations

Representation number:	MCA/NQP7/R/1/NQP1585
Organisation/ person making representation:	Cornwall Countryside Access Forum
Route section(s) specific to this representation:	NQP-7-S057
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

The route uses very steep and exposed steps on the cliff between the Minack Theatre and the beach at Porthcurno. These steps can be very challenging, and particularly so for those who suffer from vertigo when descending. Numerous examples are known of walkers turning back for these reasons. While there is no call to change the route here, a formal signed alternative is ideally required to cater for those walkers who find the steps too daunting. No such provision is set out in the Report.

Natural England's comments

We agree that the steps at this location are steep and exposed and can be challenging for some walkers. The Coastal Access Scheme (Figure 17) states that an optional alternative route may be created when the 'ordinary' route is at times unsuitable for use because of flooding, tidal action, coastal erosion or other geomorphological processes. This definition does not apply to the situation on this part of the trail and therefore was not considered further in the preparation of our proposals.

In addition, a formal alternative route can only come into operation when the ordinary route is either (a) closed by direction or (b) during any specified period. Neither of those apply to this scenario [2009/55C(3)].

Although it is not possible to create a formal alternative route or optional alternative route under the coastal access legislation we will investigate improving the signage for the existing inland public right of way, which avoids the steep steps referred to in the representation.

During the preparation of our proposals we explored the possibility of installing handrails alongside the steep stone steps to make this area safer and easier to walk particularly in wet weather. Although these works were not included in our proposals we will revisit this to assess the viability and costs involved and will liaise with the relevant landowners with a view to taking this idea forward.

Representation number:	MCA/NQP7/R/2/NQP1585
Organisation/ person making representation:	Cornwall Countryside Access Forum
Route section(s) specific to this representation:	NQP-7-S067 and NQP-7-S068
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

(Treen Cliff)

The proposed route here is seaward of the existing route; it is environmentally better and provides excellent, much better views. This proposal is therefore welcomed and supported, so long as the couple of rugged stretches which currently make this length awkward for some walkers are appropriately addressed.

Natural England's comments

We welcome the positive engagement from Cornwall Countryside Access Forum during the development of our proposals and the supportive comments expressed in their representation.

Natural England acknowledges that there are some rugged areas which at present are difficult to traverse. Our proposals include works such as ground clearance and the installation of steps to bypass these areas and make the clifftop route easier to walk (see point 7.2.24 in Report NQP 7: Land's End to Carn Barges)

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP7/R/2/NQP1585
Organisation/ person making representation:	Cornwall Countryside Access Forum
Route section(s) specific to this representation:	NQP-7-S107 to NQP-7-S111
Other reports within stretch to which this representation also relates:	N/A
Representation in full	·

This length is seaward of the existing route, passing close to Tater Du lighthouse. It constitutes a considerable improvement, giving better and more consistent sea views and the added interest of the lighthouse. This change is therefore supported and welcomed.

Natural England's comments

We welcome the positive engagement from Cornwall Countryside Access Forum during the development of our proposals and the supportive comments expressed in their representation.

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP7/R/7/NQP1592
Organisation/ person making representation:	Ramblers Association, Cornwall
Route section(s) specific to this representation:	NQP-7-S004 to NQP-7-S005
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

(Land's End)

We believe that the proposed route is an improvement on the present SWCP being nearer the sea and having a more natural feel than the over-engineered route of the SWCP. For those wishing to have a smoother, wider path surface, the SWCP route using a public path will still be available.

Natural England's comments

We welcome the positive engagement from Ramblers Association during the development of our proposals and the supportive comments expressed in their representation.

Representation number:	MCA/NQP7/R/8/NQP1592
Organisation/ person making representation:	Ramblers Association, Cornwall
Route section(s) specific to this representation:	NQP-7-S038 to NQP-7-S040
Other reports within stretch to which this representation also relates:	N/A
Representation in full	·

To seaward of the published route there is public footpath St Leven 115/17/4 which runs around the headland Carn Scathe. This is closer to the coast than the published route, probably has better sea views and possibly less steep gradients. The path is presently closed by temporary order, which has been extended by the Secretary of State for Transport to 25.9.20, the reason given being "owing to engineering difficulties". The reason given for the closure is "…the likelihood of danger to the public during due to a collapsed path." (sic). The implication of the order is that the Council intends repairing and reopening of the path. The Report makes no mention of this path being an alternative considered. We consider that while the route proposed in the Report is acceptable in the short term while the alternative is closed, footpath 115/17/4 will meet the requirements of the Scheme better when the path has been reopened.

Natural England's comments

It is Natural England's understanding that the cliff erosion event which resulted in the diversion of the coast path and the closure of footpath 115/17/4 left the public right of way impassable at the west side of the headland adjacent to the property known as 'Pol Venton'.

A reinstated clifftop route did not form part of our proposals as there is insufficient space to establish the trail seaward of the adjacent garden.

Cornwall Council have served a Temporary Closure Notice on this public footpath until 25th September 2020 and it is unclear whether this will be extended. Should Cornwall Council succeed in reopening the public right of way in this location in the future we would consider whether to vary the route of the England Coast Path to pass around the headland.

Relevant appended documents (see section 5):

• 5H - Temporary closure order path St Leven 17

Other Representations

Representations containing similar or identical points	
Representation number:	Organisation/ person making representation:
MCA/NQPStretch/R/2/NQP1580	[Redacted]
MCA/NQPStretch/R/3/NQP1583	[Redacted]
MCA/NQPStretch/R/5/NQP1586	[Redacted]
MCA/NQPStretch/R/6/NQP1589	[Redacted]
MCA/NQPStretch/R/8/NQP1594	[Redacted]
Name of site:	Whole stretch
Report map reference:	All

Route sections on or adjacent to the	Whole stretch
land:	
Other reports within stretch to which	NQP1 to NQP8
this representation also relates:	
Summary of point:	

The respondents are concerned about reported plans to widen the coast path to 4 metres and promote access to cyclists and horse riders.

Natural England's comment:

There are no plans to physically widen the coast path to four metres on any part of this stretch of coast. The legislation allows for the path to be up to four metres total width, however in practice we have worked with the walked line of the existing South West Coast Path and topography of the land. Where possible we specify the boundary of the coastal margin on the landward side and therefore make clear the extent of people's access rights, for example this might be a boundary fence or hedge close to the route, and this is very often within two metres of the walked path. Where we are not able to do this, because there is no suitable physical feature, the access rights would extend to two metres on the landward side of the trail by default, however there will not be any physical widening or resurfacing of the walked path.

Part 9 of the Marine and Coastal Access Act 2009 aims to improve public access to, and enjoyment of, the English coastline by creating clear and consistent public rights along the English coast for open-air recreation on foot. Our proposals do not create any additional rights of access for cyclists or horse-riders above those that already exist.

Representation number:	MCA/NQPStretch/R/1/NQP1577
Organisation/ person making representation:	[Redacted]
Name of site:	Whole stretch
Report map reference:	N/A
Route sections on or adjacent to the land:	N/A
Other reports within stretch to which this representation also relates	NQP1 to NQP8

Summary of representation:

The coast path should not be renamed the 'England Coast Path' in Cornwall. Cornwall is covered by the provisions of the Framework Convention for the protection of National Minorities. The proposed name is in contravention of Article 5.1 of the Convention because it imposes a false English identity, and thus fails to preserve the identity of the national Cornish minority.

Natural England's comment:

There is no intention to retitle the coast path within Cornwall. Page 6 of the Newquay to Penzance stretch Overview Report states: 'The 2009 Act refers to the continuous trail with its associated margin and other access rights as being the 'England Coast Path'. Where appropriate we have used existing established coastal trail routes already known by local and regional names, such as the South West Coast Path. It is recognised and welcomed that other local established route names will continue to be used on the ground. Natural England will continue to work closely with Cornwall Council and others in extending the use of Cornish as appropriate on new or replacement signing.'

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP7/R/4/NQP1591
Organisation/ person making	South West Coast Path Association
representation:	
Route section(s) specific to this	NQP-7-S057
representation:	
Other reports within stretch to which this	N/A
representation also relates:	
Summary of representation:	

The route uses very steep and exposed steps on the cliff between the Minack Theatre and the beach at Porthcurno. These steps can be very challenging, and particularly so for those who suffer from vertigo when descending. Numerous examples are known of walkers turning back for these reasons. While there is no call to change the route here, a formal signed alternative is ideally required to cater for those walkers who find the steps too daunting. No such provision is set out in the Report.

Note - This is identical to the 'full' representation submitted by Cornwall Countryside Access Forum (MCA/NQP7/R/1/NQP1585)

Natural England's comment:

We agree that the steps at this location are steep and exposed and can be challenging for some walkers. The Coastal Access Scheme (Figure 17) states that an optional alternative route may be created when the 'ordinary' route is at times unsuitable for use because of flooding, tidal action, coastal erosion or other geomorphological processes. This definition does not apply to the situation on this part of the trail and therefore was not considered further in the preparation of our proposals.

Although it is not possible to create a formal optional alternative route under the coastal access legislation we will investigate improving the signage for the existing inland public right of way, which avoids the steep steps referred to in the representation.

During the preparation of our proposals we explored the possibility of installing handrails alongside the steep stone steps to make this area safer and easier to walk particularly in wet weather. Although these works were not included in our proposals we will revisit this to assess the viability and costs involved and will liaise with the relevant landowners with a view to taking this idea forward.

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP7/R/5/NQP1591
Organisation/ person making	South West Coast Path Association
representation:	
Route section(s) specific to this	NQP-7-S067 and NQP-7-S068
representation:	
Other reports within stretch to which this	N/A
representation also relates:	
Summary of representation:	

Summary of representation:

(Treen Cliff)

The proposed route here is seaward of the existing route; it is environmentally better and provides excellent, much better views. This proposal is therefore welcomed and supported, so long as the couple of rugged stretches which currently make this length awkward for some walkers are appropriately addressed.

Note - This is identical to the 'full' representation submitted by Cornwall Countryside Access Forum (MCA/NQP7/R/2/NQP1585)

Natural England's comment:

We welcome the positive engagement from the South West Coast Path Association during the development of our proposals and the supportive comments expressed in their representation.

Natural England acknowledges that there are some rugged areas which at present are difficult to traverse. Our proposals include works such as ground clearance and the installation of steps to bypass these areas and make the clifftop route easier to walk (see point 7.2.24 in Report NQP 7: Land's End to Carn Barges)

Representation number:	MCA/NQP7/R/6/NQP1591
Organisation/ person making representation:	South West Coast Path Association
Route section(s) specific to this representation:	NQP-7-S107 to NQP-7-S111
Other reports within stretch to which this representation also relates:	N/A

Summary of representation:

This length is seaward of the existing route, passing close to Tater Du lighthouse. It constitutes a considerable improvement, giving better and more consistent sea views and the added interest of the lighthouse. This change is therefore supported and welcomed.

Note - This is identical to the 'full' representation submitted by Cornwall Countryside Access Forum (MCA/NQP7/R/3/NQP1585)

Natural England's comment:

We welcome the positive engagement from the South West Coast Path Association during the development of our proposals and the supportive comments expressed in their representation.

Relevant appended documents (see Section 5):

N/A

Length 8

Full Representations

Representation number:	MCA/NQP8/R/1/NQP1585
Organisation/ person making representation:	Cornwall Countryside Access Forum
Route section(s) specific to this representation:	NQP-8-S036 to NQP-8-S038
Other reports within stretch to which this representation also relates:	N/A
Representation in full	-

(Mousehole)

This length is seaward of the existing route, with better views and avoiding use of the road. It is thus a better line for the National Trail, and is welcomed and supported. It being noted that this is a very popular length, and that the proposed route involves the use of steps, it might be useful to indicate the old route as an option for those unable to negotiate steps.

Natural England's comments

We welcome the positive engagement from Cornwall Countryside Access Forum during the development of our proposals and the supportive comments expressed in their representation.

We note the reference to the steps at the eastern end of the proposed route and will recommend to the Access Authority that signage is included to direct walkers along the road route avoiding the steps.

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP8/R/4/NQP1592
Organisation/ person making representation:	Ramblers Association, Cornwall
Route section(s) specific to this representation:	NQP-8-S036 to NQP-7-S038
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

We strongly support the new route for the ECP which is far preferable to the presently designated route of the SWCP. The new route will be free of vehicular traffic, be in very close proximity to the sea and have far better views of the sea. The road alternative will be available and easy to divert to in adverse tide and weather conditions.

The proposed route was subject to a definitive map modification order application to add a footpath in 2007 but has not yet been determined by Cornwall Council 12 years later, despite the Council assigning it to the higher of two priority categories. We believe the evidence shows that the way is already a public footpath, albeit as yet unrecorded on the definitive map and statement.

Natural England's comments

We welcome the positive engagement from Ramblers Association during the development of our proposals and the supportive comments expressed in their representation.

Relevant appended documents (see Section 5): N/A

Other Representations

Representations containing similar or identical points	
Representation number:	Organisation/ person making representation:

MCA/NQPStretch/R/2/NQP1580	[Redacted]
MCA/NQPStretch/R/3/NQP1583	[Redacted]
MCA/NQPStretch/R/5/NQP1586	[Redacted]
MCA/NQPStretch/R/6/NQP1589	[Redacted]
MCA/NQPStretch/R/8/NQP1594	[Redacted]
Name of site:	Whole stretch
Report map reference:	All
Route sections on or adjacent to the land:	Whole stretch
Other reports within stretch to which	NQP1 to NQP8
this representation also relates:	

Summary of point:

The respondents are concerned about reported plans to widen the coast path to 4 metres and promote access to cyclists and horse riders.

Natural England's comment:

There are no plans to physically widen the coast path to four metres on any part of this stretch of coast. The legislation allows for the path to be up to four metres total width, however in practice we have worked with the walked line of the existing South West Coast Path and topography of the land. Where possible we specify the boundary of the coastal margin on the landward side and therefore make clear the extent of people's access rights, for example this might be a boundary fence or hedge close to the route, and this is very often within two metres of the walked path. Where we are not able to do this, because there is no suitable physical feature, the access rights would extend to two metres on the landward side of the trail by default, however there will not be any physical widening or resurfacing of the walked path.

Part 9 of the Marine and Coastal Access Act 2009 aims to improve public access to, and enjoyment of, the English coastline by creating clear and consistent public rights along the English coast for open-air recreation on foot. Our proposals do not create any additional rights of access for cyclists or horse-riders above those that already exist.

Representation number:	MCA/NQPStretch/R/1/NQP1577
Organisation/ person making representation:	[Redacted]
Name of site:	Whole stretch
Report map reference:	N/A

Route sections on or adjacent to the land:	N/A
Other reports within stretch to which this representation also relates	NQP1 to NQP8

Summary of representation:

The coast path should not be renamed the 'England Coast Path' in Cornwall. Cornwall is covered by the provisions of the Framework Convention for the protection of National Minorities. The proposed name is in contravention of Article 5.1 of the Convention because it imposes a false English identity, and thus fails to preserve the identity of the national Cornish minority.

Natural England's comment:

There is no intention to retitle the coast path within Cornwall. Page 6 of the Newquay to Penzance stretch Overview Report states: 'The 2009 Act refers to the continuous trail with its associated margin and other access rights as being the 'England Coast Path'. Where appropriate we have used existing established coastal trail routes already known by local and regional names, such as the South West Coast Path. It is recognised and welcomed that other local established route names will continue to be used on the ground. Natural England will continue to work closely with Cornwall Council and others in extending the use of Cornish as appropriate on new or replacement signing.'

Relevant appended documents (see Section 5): N/A

Representation number:	MCA/NQP8/R/2/NQP1587
Organisation/ person making representation:	David Jarvis Associates Ltd
Route section(s) specific to this representation:	NQP-8-S045 and NQP-8-S046
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

As Natural England is already aware, we are in liaison with Cornwall Council regarding the proposed development of Penlee Quarry into a new marina, hotel, employment and housing development ('Port Penlee').

Whilst not yet at planning application stage, the proposals would involve diverting a short section of the South West Coast Path between the two route points noted at question 2, above, onto a raised bridge which would be constructed in order to cross a proposed channel linking the existing quarry area to the sea.

It is important that this continues to be borne in mind as your proposals develop.

Natural England's comments

We thank David Jarvis Associates Ltd for bringing this potential future development to our attention. In accordance with paragraphs 5.5.4 to 5.5.7 of the Coastal Access Scheme coastal access rights do not prevent any land from being developed or redeveloped in the future. As the plans for the development at Port Penlee progress Natural England will liaise with stakeholders, planners and developers with the aim of maintaining a continuous and managed route along the coast in this area.

Relevant appended documents (see section 5):

• 5I - Port Penlee vision document

Representation number:	MCA/NQP8/R/3/NQP1591
Organisation/ person making	South West Coast Path Association
representation:	
Route section(s) specific to this	NQP-8-S036 to NQP-8-S038
representation:	
Other reports within stretch to which this	N/A
representation also relates:	
Summary of representation:	

Summary of representation:

(Mousehole)

This length is seaward of the existing route, with better views and avoiding use of the road. It is thus a better line for the National Trail, and is welcomed and supported. It being noted that this is a very popular length, and that the proposed route involves the use of steps, it might be useful to indicate the old route as an option for those unable to negotiate steps.

Note - This is identical to the 'full' representation submitted by Cornwall Countryside Access Forum (MCA/NQP8/R/1/NQP1585)

Natural England's comment:

We welcome the positive engagement from the South West Coast Path Association during the development of our proposals and the supportive comments expressed in their representation.

We note the reference to the steps at the eastern end of the proposed route and will recommend to the Access Authority that signage is included to direct walkers along the road route avoiding the steps.

5. Supporting documents

Supporting Document	Description and Ref number
5A	MCA/NQP3/R/5/NQP1592
	Google streetview of the harbour at Portreath
5B	MCA/NQPStretch/R/4/NQP1584
	Letter and annex from RSPB 'RSPB response'
5C	MCA/NQP4/R/10/NQP1592
	Photograph of site notice and path defects
5D	MCA/NQP4/R/10/NQP1592
	Photograph of the tidal part of path 102/43/2 where the embankment has been washed out
5E	MCA/NQP4/R/10/NQP1592
	Photograph of The tidal part of path 102/43/2 where the embankment has been washed out and the steps are collapsing
5F	MCA/NQP4/R/3/NQP1579
	Map of area proposed for a footbridge
5G	MCA/NQP4/R/3/NQP1579
	Photographs of disused Dynamite Quay and view of Hayle from the spit of land opposite the wharf.
5H	MCA/NQP7/R/8/NQP1592
51	Temporary closure order path St Leven 17
51	MCA/NQP8/R/2/NQP1587
	Port Penlee vision document

• 5A - MCA/NQP3/R/5/NQP1592 Google streetview of the harbour at Portreath



Google Streetview picture of the harbour at Portreath (2009)

• 5B - MCA/NQPStretch/R/4/NQP1584 - Letter and annex from RSPB 'RSPB response'



Coastal Access Delivery Team - South West Natural England Sterling House Dix's Field Exeter EX1 1QA southwestcoastalaccess@naturalengland.org.uk

29 July 2019

Dear Sir, Southwest Coastal Access (Newquay to Penzance) consultation - RSPB RESPONSE

The RSPB welcome the opportunity to comment on the south west coast path coastal access proposals for the section Newquay to Penzance.

The coast is very important for wildlife and the RSPB believe that access to the coast should be extended, as one mechanism for enhancing public awareness of birds and the value of the natural environment. The legislation associated with formalising access provides another tool for addressing problems arising from current de facto access and offers explicit safeguards for wildlife. The RSPB has worked closely with Natural England to ensure that wildlife protection is considered throughout the process along this stretch of coastline and welcome their approach.

The RSPB are interested in this stretch of coastline because of the potential impact of disturbance on the breeding seabirds at Newquay, St Agnes Head to Godrevy Site of Special Scientific Interest (SSSI), the water birds associate with the Hayle and Carrack Gladdens SSSI and RSPB Nature Reserve, the nationally important population of chough and schedule one breeding birds such as peregrine, and the functional linkage the area has to European protected sites (Special Protection Areas).

In summary the RSPB's main comments are:

• We query the lack of assessment of lesser black-backed gull in the Habitat Regulation Assessment (HRA), where there is evidence of functional linkage to SPAs e.g. Isles of Scilly SPA.

• We welcome the inclusion of the important wildlife features and sites included within the assessment including chough and other schedule one species.

• We strongly support the inclusion of a closed area to access on Lelant Water to protect water birds including SSSI and SPA (through functional linkage) features

We query the lack of assessment of impact on the kittiwake colonies at the Old Dane and the Tea Caverns resulting from access from the coast path across the cliff and slope, and the inclusion of measures to mitigate potential impacts

• We are concerned that the section of path along the south east section of Carnsew Pool

will continue to be promoted, because it is suffering from erosion with resulting safety issues.

More detailed comments are to be found in Annex 1

Yours sincerely

[REDACTED] Conservation Officer

No 2 The Old Smelting House Chyandour Coombe PENZANCE Cornwall TR18 3LP **rspb.org.uk** Cornwall Office Tel 01736 362 979

Patron: Her Majesty the Queen Chairman of Council: Professor Steve Ormerod, FIEEM Chief Executive: Dr Mike Clarke The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC03

4. Assessment of Coastal Access proposals under regulation 63 of the Habitats Regulations 2017 (as amended) ('Habitats Regulations Assessment') (HRA)

Summary I) Introduction

We welcome the inclusion of the HRA, but it is unclear how the issue of functional linkage has been addressed, specifically for lesser black-backed gull on the Hayle Estuary, which are known features of Special Protection Areas.

Lesser black-backed gull

Up to 1,000 or more individuals of this migratory species have been counted on the Hayle Estuary at various times of the year. Reading colour rings show that birds from the Isles of Scilly SPA use this site (e.g. GA09965 ringed as nestling Gugh, Isles of Scilly 16/07/98, colour ring read 02/03/2015 Hayle Estuary). There has been no thorough review of colour-ringed bird records for the Hayle Estuary, but this may highlight birds from other SPAs further north such as Skomer, Skokholm and the seas of Pembrokeshire SPA, and the Ribble and Alt Estuaries SPA.

5. Assessment of Coastal Access Proposals between Newquay and Penzance on sites and features of nature conservation concern

Porthgwarra to Pordenack Point SSSI page 11

This year closures were made to climbing routes to protected schedule one nesting birds and this indicates that the situation can change annually (see comments below re page 48/49).

Hayle Estuary and Carrack Gladdens SSSI page 21

We strongly support the conclusion of the assessment for non-breeding bird aggregations.

Schedule one and other breeding birds page 48/49

Chough and peregrine nest along the coast, as well as seabird colonies and these are vulnerable to disturbance during the nesting season. There has been a need at several locations in different years to provide guidance on site closures to people undertaking various activities along the coast including climbers and coasteerers. We would recommend that NE produce a set of standard metal A4 signs which are made available for land owners to advise the public on avoiding the disturbance to breeding birds. The initial production of 50 of these signs should be adequate for the coast path in this section.

Additional Information on sensitive species (page 48/49)

The breeding population of kittiwake at the Old Dane and Tea Caverns is one of four remaining sites for this rapidly declining species in Cornwall. This site is vulnerable to heavy disturbance from climbing and coasteering which is accessed from the coast path. We would recommend that there is a seasonal long-term access exclusion in place (March to Mid-July) at this site. There is currently a voluntary closure in place agreed with coasteering groups operating in the area and formalising this would strengthen the ability of the operators and non-government organisations in protecting these birds. We can share maps of the site, if required. (Report: NQP 1, map: NQP 1a, sections: NPQ1 SO14-19). This information should be included in the assessment.

6. Report NQP 1: Newquay Station to Penhale Point

Part 1.2: Proposals Narrative Establishment of the trail:

1.2.23 (page 6)

We recommend that signs are in place along the relevant section of the coast path (Map NQP 1a, sections: NPQ1 SO14-19) and an interpretation board in placed at Towan Head Car Park to help support the management of access at this site. The signs should highlight the sensitive times when disturbance of the birds should be avoided (March to mid – July).

7. Report NQP 4: Gwithian to Clodgy Point

Part 4.2: Proposals Narrative Establishment of the trail:

4.2.23 (page 5)

To ensure that the proposed long-term no access area (see directions map NQP 4A) is properly advertised to the public the RSPB would require Natural England to provide five A3 no access notice signs to be installed around the no access area and two A1 wildlife information signs to be installed at the access points to Lelant and Carnsew Pool. We are happy to provide more details.

Additional signs at Porth kidney (map NQP 4e, sections NQP 4 SO56-59) would also greatly benefit the public's understanding and enjoyment of the SSSI. We are happy to provide more details.

Part 4.4: Proposal maps Map NQP4d: Penpol Terrace to Lelant Station Path Section: NQP-4-

SO43FP

We query the continued promotion of the footpath along the south-east edge of Carnsew Pool

as this section is currently undergoing serious erosion which raises both safety issues and its

long-term viability. Directions Map NQP 4A

We strongly support the inclusion of the long-term access exclusion to Lelant Water due to its importance as a feeding and roosting area for water bird features of the SSSI, RSPB Nature Reserve and birds associated with SPAs. This area needs to be adequately signed to ensure people are made aware of the no access area.

8. • 5C - MCA/NQP4/R/10/NQP1592 - Photograph of site notice and path defects



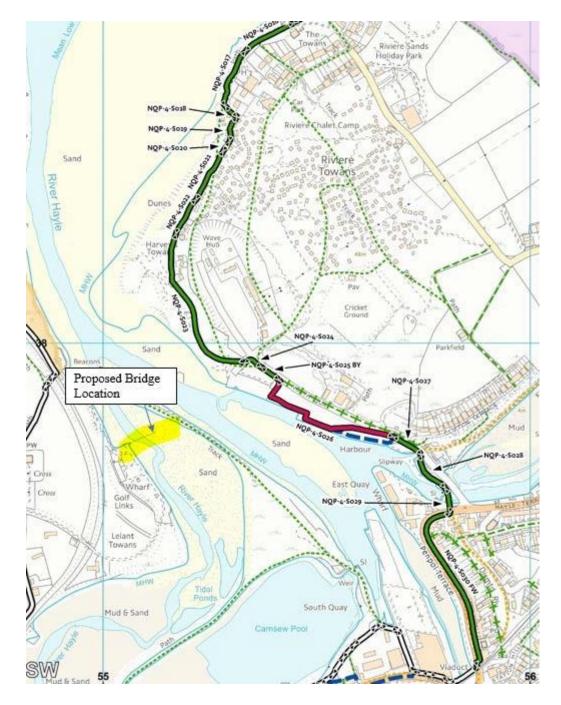
• 5D - MCA/NQP4/R/10/NQP1592 - Photograph of the tidal part of path 102/43/2 where the embankment has been washed out



• 5E - Photograph of The tidal part of path 102/43/2 where the embankment has been washed out and the steps are collapsing



5F - MCA/NQP4/R/3/NQP1579 - Map of area proposed for a footbridge



• 5G - MCA/NQP4/R/3/NQP1579 - Photographs x 3 of disused Dynamite Wharf and view of Hayle from the spit of land opposite the wharf.







• 5H - MCA/NQP7/R/8/NQP1592 - Temporary closure order path St Leven 17



Cornwall Council

Section 14(1) of the Road Traffic Regulation Act 1984 (RTRA 1984)

Temporary Prohibition of Traffic Order 2017

Notice is hereby given that Comwall Council is under the above Order dated 23rd March 2017 continuing to prohibit the use by through traffic under section 14(1) of the RTRA 1984 to prohibit the use by traffic over an area of highway being Footpath 17 St Levan between the junction of Footpath 33 and grid reference SW 37314 21761

The continuance of this order, which was to have expired on the 24th September 2017 has been approved by the Secretary of State for Transport and has been granted until the 25th September 2020 24 hours weekends included.

The Council is satisfied that this further restriction is necessary owing to engineering difficulties and the order is needed because of the likelihood of danger to the public during due to a collapsed path.

While the Order is in operation traffic, including bicycle movement, along the highway specified in paragraph 1, will be temporarily restricted. No personnel, except upon the direction of a police constable in uniform, cause or permit any vehicle or pedal cycle to enter on, proceed or wait in the length of highway described above.

Nothing in the Order will apply to:

Any vehicle being used for the purposes of an undertaker in an emergency, such as the loss of supplies of gas, electricity or water to premises in the area, which necessitate the bringing of vehicles into the section of highway to which this order applies.

Anything done with the permission of or at the discretion of a police officer.

Traffic associated with the works required within the highway specified above.

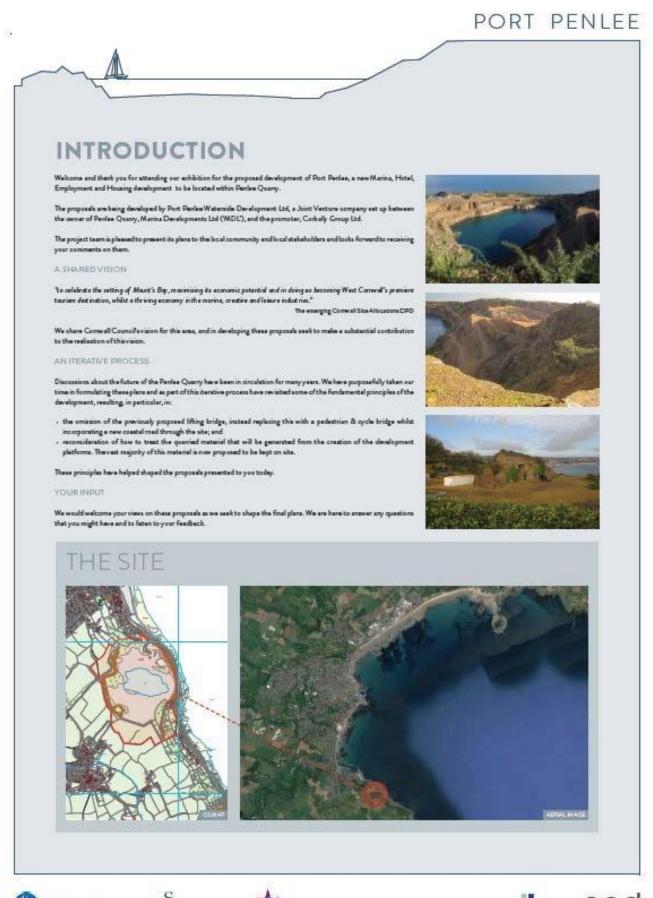
There is no alternative route.

Jon james, Head of Natural Environment Service

For further information please contact Colin Bayes, Cormec Solutions Ltd, Tel: 0300 1234 202



• 5I - MCA/NQP2/R/3/NQP1592 - Port Penlee vision document









DAVID JARVIS ASSOCIATES



PORT PENLEE

HISTORIC EVOLUTION

A Querry has extend on the size for over 10D years. It was recorded as General Querry on early OS maps and opened under the same of Parties Querry in about 1890. The name was adoped from a previous option yield name to Monsehole at Parties Point. Extraction however bagan long before this, in 1828, when a copper mise was sized bars. The remains of this failed mining versure are shown on the first edition of Orchanos Servey (OS) plane which due from 1876.

14

The quarry developed algorithmedy in the early 1900s, when the Quarry passed from the Perlies and Science Science Quarries Let us Langford Quarries List. The Second edition OS plans of 1908 show the mission callway and Quarry workings which thes, exampled to acrowed 2 hercores.

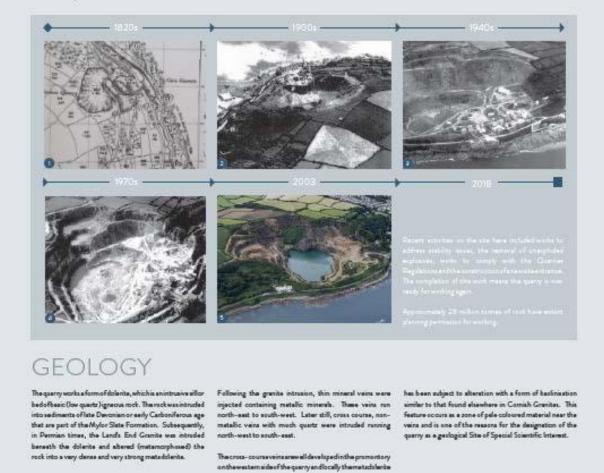
The crack to chevilage of Paul is shown to have been diversed at dis doe to ran over the archway dat remains on the site. The Archway has a layestone dated 1894 which is still just withit soday.

- Whiles the readscore from Parties Quarty has always been manaported by road, just before 1900 a fight relivey was installed, running from the land above the forestore-opposite the yearty to Newlyn South Plan, for ship loading.
- By 1936, the 3rd edition CIS map shows that the quarry was around 9 hectametic area.
- In the IS40's the Amalgamased Roadstone Company (ARC) cost or at the Quarry and from the 1950's onward demand for roadstone grav. The quarry excended to the west and south.
 - By 1962 it was shown on OS maps to be approximately 20he in ensers. The Quarty had also become a principal employer.
- The salivay was replaced in the 1970s with a conveyor belt. The conveyor belt was removed in the late 1980's following damage to the dacharge conveyor at the South Flet.

Harson Aggregation was the Quarry owners and operations up until the lass HHD safest which Charact operated the Quarry until 1993. In 1999 Harson - Out and glasming permittion that is walk and 2042 for the winning and/working of approximately 27 million somes of tools.

MDL Developments Lod purchased alle Quarry Reshold in 2002 and in 2005 obtained germission to work part of the southers side of alle Quarry for Amountons.

The quary, excluding the foreshore, currently exactly to around 28 hectares. There is now a verying platform alongoile the sometime of the preserve data advisory, near the entrance or the site. Much of the remainder of the site comprises of quary benches, socidpile of vorticel meaning and the quary void, which is partially filled with years. The former aggregates processing plates has been remained from the basis.





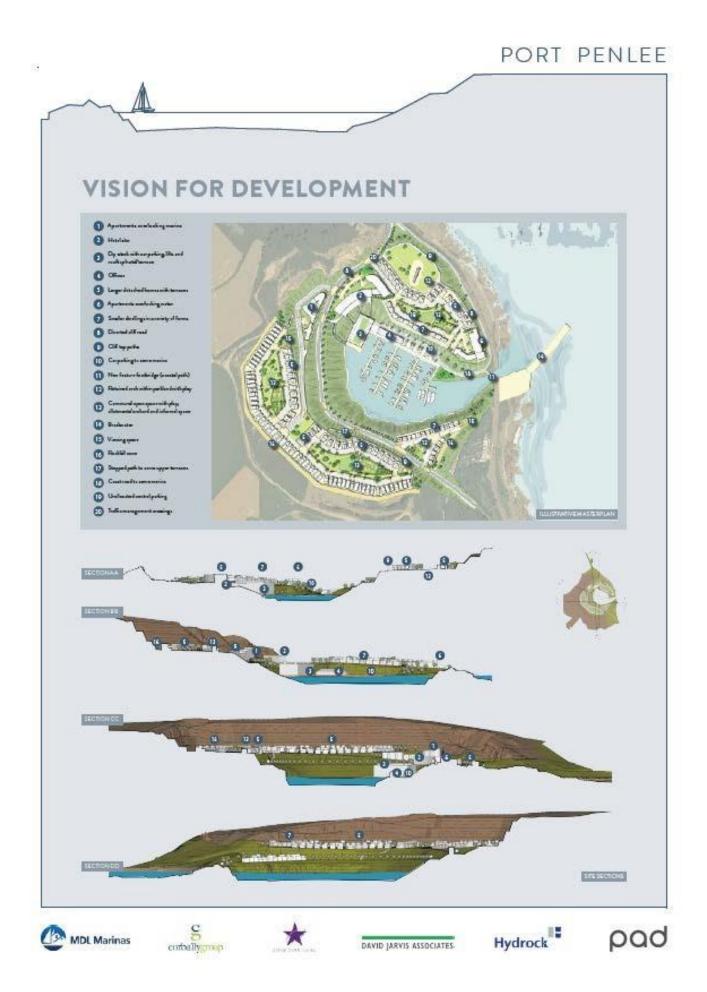


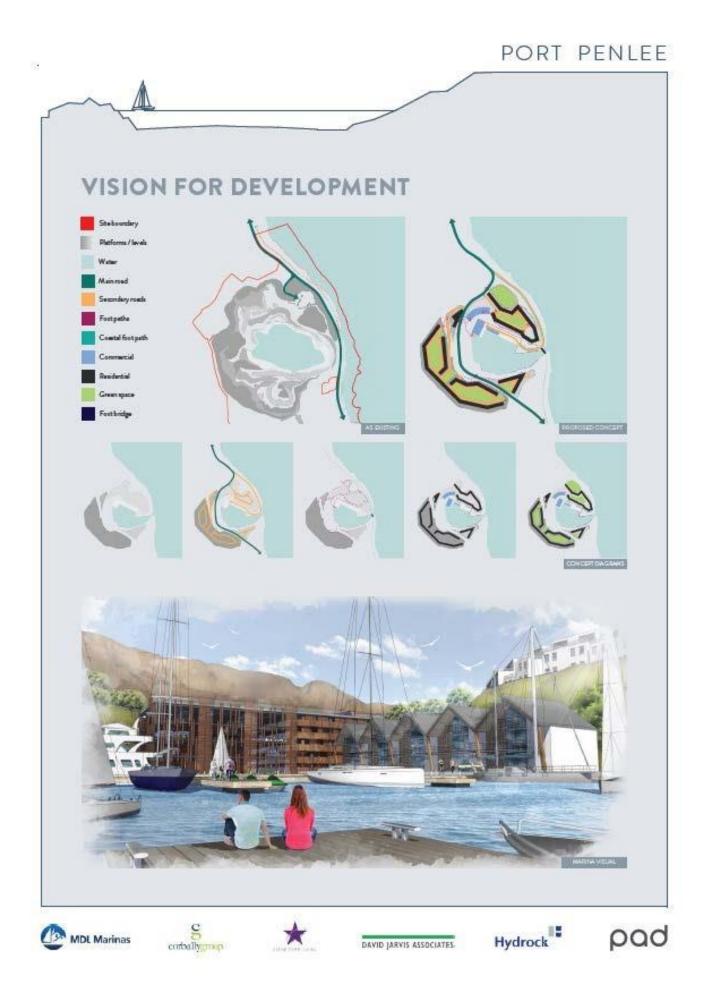


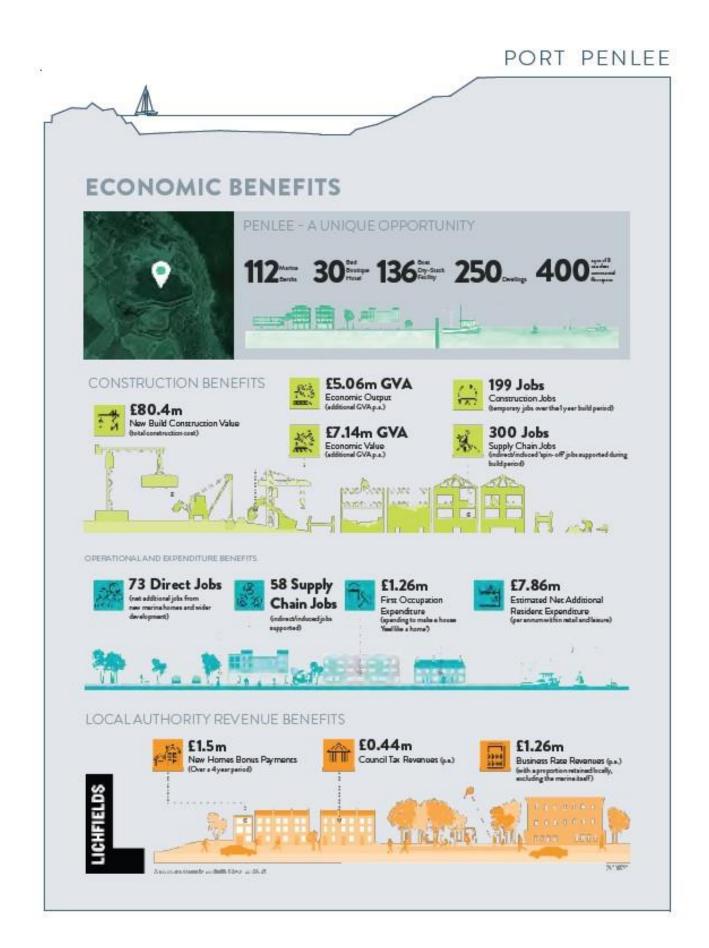
DAVID JARVIS ASSOCIATES











PORT PENLEE



KEY HIGHWAY MATTERS

An overview and assessment of the development proposals and preliminary review of the local highway network has been undertaken, and as scoping report has been submitted to Conwell Council to ascertain the exact detail of the assessment resourced.

EXISTING TRANSPORT CONDITIONS

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Access to the sits is curverily obtained via Fore Street which fronts the site along the cliff fice. The South West Coast Path rurs adjacent to Fore Street and a Footway exists adjacent to the access.

Fore Street, outside the site is subject to a SOmphilimit and is carrently unit. North of the site the road drops to 20mph and south of the site the speed limit rates to 40mph, where the road turns to Cliff Road.



PUBLIC TRANSPORT / RIGHTS

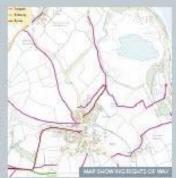
There is a network of Public Rights of Way constituting footpaths, indiseasys, byways and cycle notes which runs the immediate vicinity of the site, in addition to a number of quiet country lanes.

These routes provide access from the atte to Paul and Newlyn as well as access to the South West Coast Path which provides access to Mousehole and Persance.

The First Kannow M6 box service passes the site every 30 mentee providing sustainable travel options to Persona, Mossehole and Seyond as part of a linked trp.

The nearest train station is Pensance which is the terminus of the London - Pierzance line operated by Great Western Roberty and Cross Country.





TRANSPORT PROPOSALS

The proposal will be served off a new spine road which will connect to the existing road to the north of the site, at the same location as the existing site entrance, and to the south of the site, south of Doubly cottages, effectively diverting the existing coastal road through the site.

The existing road will be stopped up and a padestrian bridge provided over the new marine entrance, across the break through of CLIFF Road.

Pedestrian and cycle accessibility are key elements of the emerging development proposal. The internal road layout will be designed to reduce vehicle speeds and provide a high quality environment for all users.

It is proposed that a Site Wide Towel Plan will be carried out to provide a long-term strategy for reducing dependence on trevel by private car. It is intended that the plan will reduce private car milage in favour of more austamable mode of trevel.

The proposed periors strategy will be assessed against local guidence to determine the suitability for each of the elements of the site.

