

Coastal Access Report – *Cumbria, Gretna to Allonby*



Representations with Natural England's comments

1. Introduction

This document records the representations Natural England has received on the proposals in Part 1 (GAL-1-S001 to GAL-1-S097 and GAL-2-S001 to GAL-2-S0031), Part 2 (GAL-2-S075 to GAL-2-S076 and GAL-3-S001 to GAL-3-S026) and Part 3 (GAL-4-S028 to GAL-4-S117 and GAL-5-S001 to GAL-5-S065) 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 Gretna to Allonby they are included here in so far as they are relevant to sections referenced above only.

2. Background

Natural England's report setting out its proposals for improved access to the coast between Gretna and Allonby was submitted to the Secretary of State on 25th July 2016. This began an eight-week period during which formal representations and objections about the report might be made.

In total, Natural England received 15 representations that are relevant to parts 1, 2 and 3 of the proposals, of which 6 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 submitted in their entirety here, together with Natural England's comments where relevant. Also included is a summary of the nine representations made by other individuals or organisations, referred to as 'other' representations. The appendix contains the supporting documents referenced against the representations.

1. Representation and comment record

Full Representations

Representation number

MCA/Gretna to Allonby/R/4/GAL0012

Organisation/ person making representation

Open Spaces Society ([REDACTED])

Report chapter

All/entire report

Route section(s)

All

Representation in full

General:

We welcome a positive report made covering an area of coast known for its extensive salt marshes and of which most are important for breeding and/or overwintering birds. Therefore where s26 has been used to prohibit access to these sensitive areas we are content to accept such restrictions. However, we would seek a clearer statement from NE that the traditional and historic cross-estuary routes (the Solway waths) are still available for public access.

However, we should make a strong representation that we object to the use of s25a restrictions where NE (and those such as the county council and the inshore-rescue organisations) have decreed such areas are “unsuitable for public access”. Such a restriction, whilst unlikely to be significantly affecting walkers, could have a significant adverse effective on members of kindred conservation organisations who may want to study the natural history of such areas. We are unsure if NE should be telling the public be keep away from nature because some public bodies think they incapable of making a judgement as to the safety issues that may arise during times of high tides.

It could be that NE will simply replace s25a with a s26 restriction. If the evidence for such controls is necessary then we can accept this. We recommend that NE review it’s policy of using s25a.

Mostly, with perhaps one exception due the length of the path on coastal salt marshes with little escape routes, we think the alternative routes are superfluous as planning a coastal walk is part of the pleasure of the ECP. It would be, in any case preferable to encourage walkers and other users of the ECP to be fully aware of the times and heights of tides. You will note this approach in some guidebooks to coastal walks including the Cumbria Coastal Way.

There is another issues which may be a more nationwide issue although we assume NE will have policy to already ensure our concern is well covered. All boundaries are crossed by gates and kissing-gates i.e. there are no stiles. The ECP route is therefore more enticing to more senior walkers and the less mobile. In theses proposals there are two sets of steps (e.g. para 2.1.21 of chapter 2). If the steps are badly designed they could cause an obstruction to less mobile walkers and we express the hope that steps will be designed with less ambulant people in mind, especially for their descent.

The route:

Chapter 1 Gretna to Knockupworth Bridge.

GAL-1- S001 to 006 welcome.

S007 to 020 this is a disappointing section adjacent to the motorway and the main railway line and with little chance of viewing the estuary and possibly not meeting the requirements of the approved Scheme. We note that operation works are taking place on the sea wall (which will have no access on its

embankment top for s26 reasons) and the route can be little different from what is proposed. However, we ask for a re-consideration of this part of the route once the sea-wall works have been completed.

S021 to 032 welcome.

S033 to 046 we find disappointing but understand the reasons. We ask that s046 be reconsidered for an off-road route due the narrowness of the road used by cattle and agricultural vehicles. Sufficient passing places may solve the problem be we would prefer to see the route at the edge of the adjacent fields or woodland.

S047 to 087 welcome.

S088 to 096 is a confusingly complex route to gain the bridge over the River Eden however, at this stage, we see little opportunity for changing the proposal.

Chapter 2: Knockupworth Bridge to Bowness of Solway

GAL-2- S001 to S057 welcome.

S058 to 065 is a disappointing choice of route but we understand why the cost and logistics of the necessary footbridge make this the preferred route.

S066 to 099 welcome.

S100 to 101 We are unhappy that the road walking along this stretch of the route notwithstanding its use by the Hadrian's Wall Trail. We believe the route should be reconsidered to go into the fields adjoining the landward side of the road.

S102 welcome.

We note the seasonal restriction on sections Gal-2-S076 to S089 but find the alternative route (Hadrian's Wall trial) to be excessively long and ask that a route in the fields adjacent to the road be considered. Even the road would be preferable. as there are buildings of vernacular interest to be seen from the road along with some views of the estuary. We note that part of the route to be seasonally closed in also a public footpath and it may be that this col de sac route was not fully mapped.

Bowness-on-Solway to Whitrigg Bridge

GAL-3-S001 to 004 welcome and we record our thanks to the RSPB for their work in ensuring the route through the scrub means that road walking can be avoided.

S005 to 006 We are disappointed with this section of tedious road walking and ask that an off-road route be again considered.

S007 to 014 We note this section is off road but we find the route disappointing.

S015 to 027 We note this section of the route is on an urban footway and would ask that an estuary side route be re-considered.

S028 to 036 welcome.

S037 to 039 Again we note this is road walking and are disappointed that an off-road route cannot be found.

We do not think there is need for an alternative route in this section.

Whitrigg Bridge to Silloth

GAL-4-S001 to 117 welcome.

We note the alternative route, which provides an option against a long stretch of tidal salt marsh, is largely road walking. We note that NE have limited powers to find an off-road alternative in an area exceedingly short of public rights of way. Given that we note the alternative route.

Silloth to Allonby

GAL-5-S001- 065 welcome.

Again we do not believe an alternative route is necessary for this stretch.

We would caution against the provision of information boards in car parks on the Solway coastal commons. It is our view that these car parks may be illegal under the law applicable to commons. We would not wish to see any expenditure from NE going to such locations.

Natural England's comments *Enter Natural England's comments here with as much detail as possible.*

Note: NE welcomes the constructive nature of the representation, and the general support for the principle of enhanced coastal access. Each of the issues raised within the representation are duplicated by the representations submitted by The Ramblers.

With regard to the comments on nature conservation, NE has taken full account of advice provided by nature conservation specialists within the organisation and only proposed restrictions or exclusions where it is felt that other access management measures would not work or be appropriate. Any existing rights of access will not be affected by the proposed directions to exclude or restrict coastal access rights (other than CROW rights, which will be replaced by new coastal access rights, where land affected will fall within the coastal margin).

Under s25A of CROW, we have a power to exclude access from areas of saltmarsh or flat within the coastal margin if we consider that the land is unsuitable for public access.

The Coastal Access Scheme clearly states that we will often use this power, but with due regard to the land. Each of the areas of saltmarsh or flats on this stretch of coast were considered separately during the route planning stage and we also sought advice from landowners, marsh committees, the RNL and the H.M. Coastguard.

As we are creating new rights of access on the coast, it is quite possible that the general public may have no understanding of the extreme dangers often presented by unpredictable tide movements and terrain factors in areas like this. The danger to the general public may therefore be substantially greater than the danger to local people with a historical knowledge of their local areas of salt marsh or flat. Existing public and private rights would not be affected by any S25A restriction we have proposed. These might include activities such as livestock management, wildfowling, fishing etc. Some may take place under a separate legal right, while others may simply be customary on the land or traditionally tolerated by the land owner, often in connection with the exercise of actual legal rights such as fishing or navigation in the sea.

Many parts of the coast will experience change, caused by factors such as periodic flooding or regular tidal action, which can affect the continuing ability of people to walk around the coast; the 2009 Act includes powers that enable our proposals to adapt to such circumstances. Due to the nature of the coast on the Solway estuary, where extensive saltmarshes cover large parts of the stretch covered by this report, we wanted to align the ordinary route as close to the coast as possible in order to give people a better experience of this unique habitat. Where practical, we have proposed an optional alternative route, to be available to walkers when the 'ordinary' route becomes unsuitable due to tidal inundation. In all cases, the optional alternative routes will be signed / waymarked and follow existing public rights of way and public highways

In respect of design of specific infrastructure, Cumbria County Council will be managing establishment works on behalf of NE and we are confident that the concern raised can be mitigated by careful design.

Please also refer to the separate NE comments provided against each of these representations (Ref: MCA\Gretna to Allonby\R\5\GAL0200; MCA\Gretna to Allonby\R\16\GAL0200; MCA\Gretna to Allonby\R\17\GAL0200; MCA\Gretna to Allonby\R\18\GAL0200; MCA\Gretna to Allonby\R\19\GAL0200; MCA\Gretna to Allonby\R\20\GAL0200).

Representation number

MCA/Gretna to Allonby/ R/5/GAL0020

Organisation/ person making representation

The Ramblers ([REDACTED])

Report chapter

All/entire report

Route section(s)

All

Representation in full

We welcome a positive report made through an area of coast known for its extensive salt marshes and of which most are important for breeding and/or overwintering birds. Therefore where s26 has been used to prohibit access to these sensitive areas we are content to go along with such restrictions. However, we would seek a clearer indication from NE that the traditional and historic cross-estuary routes (the Solway waths) are still available for public access.

We object to the use of s25a restrictions where NE (and those such as the county council and the inshore-rescue organisations) have decreed such areas are “unsuitable for public access”. Such a restriction, whilst unlikely to be significantly affecting walkers, could have a significant effective on our kindred members of conservation organisations who may want to study the natural history of such areas.

We are pleased to note that there are no stiles on this route, only gates and kissing-gates. The England Coast Path route is therefore more enticing to more senior walkers and the less mobile. However, there are proposals for two sets of steps (e.g. paragraph 2.1.21, chapter 2). If steps are badly designed they could cause an obstruction to less mobile walkers and we express the hope that steps will be designed with less ambulant people in mind.

Natural England’s comments *Enter Natural England’s comments here with as much detail as possible. NE welcomes the general support for the principle of enhanced coastal access.*

With regard to the comments on nature conservation, then NE has taken full account of advice provided by nature conservation specialists within the organisation and only proposed restrictions or exclusions where it is felt that other access management measures would not work or be appropriate. Existing access rights will not be affected by the direction to exclude or restrict access (other than CROW rights, which will be replaced by new coastal access rights, where land affected will fall within the coastal margin).

Under s25A of CROW, we have a power to exclude or restrict access to any land which is coastal margin consisting of salt marsh or flat if we consider that it is unsuitable for public access. Following discussions with landowners, marsh committees, the RNL and the H.M. Coastguard we have concluded that certain areas of saltmarsh and flats within the inner parts of the Solway estuary (from Gretna to Grune Point) pose dangers that are neither well understood nor readily apparent to visitors. Where there is already a limited form of historic or existing right of access that takes place on areas of marsh and mudflats, these access rights will not be affected by this exclusion. Paragraph 7.15.5 of the approved Scheme states that we ‘will often use this power, but with due regard to the nature of the land’. The types of activities mentioned in this representation may still be possible with the consent of the owner or occupier of the land.

In respect of design of specific infrastructure, Cumbria County Council will be managing establishment works on behalf of NE and we are confident that the concern raised can be mitigated by careful design.

Representation number

MCA/Gretna to Allonby/R/16/GAL0020

Organisation/ person making representation

The Ramblers ([REDACTED])

Report chapter

1 – Gretna to Carlisle

Route section(s)

GAL-1- S001 to GAL-1-S096

Representation in full

GAL-1- S001 to 006 – We welcome these proposals.

S007 to 020 - this is a disappointing section adjacent to the motorway and the main railway line and with little chance of viewing the estuary. We note that operation works are taking place on the sea wall (which will have no access on its embankment top for acceptable reasons) and the route can be little different from what isn't proposed. However, we ask for a re-consideration of this part of the route once the sea-wall works have been completed.

S021 to 032 – We welcome these proposals.

S033 to 046 - We find disappointing but understand the reasons. We ask that s046 be reconsidered for an off-road route due the narrowness of the road used by cattle and agricultural vehicles. Sufficient passing places may solve the problem be we would prefer to see the route at the edge of the adjacent field or woodland.

S047 to 087 - We welcome these proposals.

S088 to 096 – This is a confusingly complex route to gain the bridge over the River Eden however, at this stage, we see little opportunity for changing the proposal.

Natural England's comments *Enter Natural England's comments here with as much detail as possible.*

NE welcomes the constructive nature of the representation, and the general support for the principle of enhanced coastal access.

GAL-1-S007 to GAL-1-S020: All directions to exclude or restrict access must be periodically reviewed and would only be renewed if they were still proven to be necessary.

GAL-1-S033 to GAL-1-S046: Natural England has taken full account of the advice provided by nature conservation specialists within the organisation as well as seeking advice from other external organisations.

We believe that the alignment of the route along the footpath and then public highway is the best option given the nature conservation concerns that lie seaward of the trail at this point. Livestock and agricultural vehicles do currently use the road, but we do not believe this is frequent enough to cause any major inconvenience to users of the trail. We have discussed the possibility of creating wider refuges within the verge at various locations on this part of the trail, for the benefit of walkers when vehicles are passing along the road. We understand that the land owners are content to make such changes. We considered a route through adjoining woodland, but found that the ground is typically waterlogged in much of this area and would not provide opportunities for a satisfactory path.

Representation number

MCA/Gretna to Allonby/R/17/GAL0020

Organisation/ person making representation

The Ramblers ([REDACTED])

Report chapter

2 – Carlisle to Bowness-on-Solway

Route section(s)

GAL-2-S001 to Gal-2-S102

Representation in full

GAL-2- S001 to S057 - We welcome these proposals.

S058 to 065 - This is a disappointing choice of route but we understand the cost and logistics of the necessary footbridge make this the preferred route.

S066 to 099 - We welcome these proposals.

S100 to 101 - We are unhappy the road walking along this stretch of the route notwithstanding its use by the Hadrian's Wall Trail. We believe the route should be reconsidered to go into the fields adjoining the landward side of the road.

S102 - We welcome these proposals.

Gal-2-S076 to S089 - We note the seasonal restriction on sections but find the alternative route (Hadrian's Wall trail) to be excessively long and ask that a route in the fields adjacent to the road be considered. We note that part of the route to be seasonally closed in also a public footpath and it may be that this col de sac route was not fully mapped.

Specialist input *Cumbria County Council (highways authority)*

Unsuitability of minor road through Drumburgh as a national trail, due to narrowness, lack of verges in places and reduction of visibility caused by bends in road.

Natural England's comments *Enter Natural England's comments here with as much detail as possible. NE welcomes the constructive nature of the representation, and the general support for the principle of enhanced coastal access.*

GAL-1-S100 to GAL-1-S101: The approved Scheme requires that we strike a fair balance between the public interest and the interests of owners and lawful occupiers of land. We believe that the proposed route which follows the line of the existing Hadrian's Wall National Trail provides a direct route between Port Carlisle and Bowness-on-Solway whilst also offering good views of the coast. This alignment follows the guidance set out in the scheme which indicates that where there is already an existing national trail along the coast we would normally adopt it as the line for the England Coast Path. Cumbria County Council (the highways authority) are content that the route may be proposed on the minor road.

GAL-1-S076 to GAL-1-S089: As the proposed route between these sections will be restricted at certain times of the year, we did consider a number of possible options for an alternative route. Other nature conservation concerns in this area between the main trail and the road prevented us from creating an alternative route through the fields to the landward of the trail. We therefore consider it most appropriate to align the alternative route on the existing, well maintained and waymarked Hadrian's Wall National Trail, slightly inland from the road.

We confirm that part of the main route is aligned on an existing public right of way (GAL-2-S084) which would not be affected by our proposed seasonal exclusion. However in order to ensure that a continuous and sensible alternative route is available for walkers when access along the main trail is excluded, we have proposed that the alternative route re-joins the main trail at the junction of GAL-2-S084 and GAL-2-S085 where walkers can then continue their onward journey. The highways authority was consulted on the use of the road in this area as part of the alternative route; their view was that it is not suitable for walkers due to narrowness, lack of verges in places and many bends (with consequent shortness of sight-lines).

Representation number

MCA/Gretna to Allonby/R/18/GAL0020

Organisation/ person making representation

The Ramblers ([REDACTED])

Report chapter

3 - Bowness-on-Solway to Whitrigg Bridge

Route section(s)

GAL-3-S001 to GAL-3-S039

Representation in full

GAL-3-S001 to 004 - We welcome and we record our thanks to the RSPB for their work in ensuring the route through the scrub means that road walking can be avoided.

S005 to 006 - We are disappointed with this section of tedious road walking and ask that an off-road route be again considered.

S007 to 014 - We note this section is off road but we find the route disappointing.

S015 to 027 - We note this section of the route is on an urban footway and would ask that an estuary side route be re-considered.

S028 to 036 – We welcome these proposals.

S037 to 039 – Again, we note this is road walking and are disappointed that an off-road route cannot be found.

We do not think there is need for an alternative route in this section.

Natural England's comments *Enter Natural England's comments here with as much detail as possible.*

NE welcomes the constructive nature of the Representation, and the general support for the principle of enhanced coastal access.

GAL-3-S005 to GAL-3-S006: During the route planning phase we considered a number of options along this section of the trail including aligning a route on the landward edge of the marsh. Following several visits to this section of coast and advice provided by nature conservation specialists within the organisation as well as discussions with external organisations, we could not identify any other obvious routes in the area that would be suitable for public access and would not be in conflict with nature conservation concerns. The Highways Authority are content that the route may be proposed on the minor road. Along much of its length, the road does provide good views of the estuary and beyond. In some places it will be possible to walk on the verge rather than the road itself.

GAL-3-S015 to GAL-3-S027: The proposed route between these route sections follows the pavement on the landward side of the road. This provides a direct and continuous route with good views over the estuary. There is some evidence of informal paths in use on Anthorn Marsh, and as a result of the alignment of the trail, the marsh will now fall within the coastal margin. Access rights are not restricted on the marsh so that, should people wish to walk closer to the estuary, they will be able to do so.

GAL-3-S037 to GAL-3-S039: Although there is some anecdotal evidence for informal use by walkers along the edge of the river, we have proposed the route between these sections on the road following advice from by nature conservation specialists within the organisation as well as discussions with external organisations.

Representation number

MCA/Gretna to Allonby/R/19/GAL0020

Organisation/ person making representation

The Ramblers ([REDACTED])

Report chapter

4 – Whitrigg Bridge to Silloth

Route section(s)

GAL-4-S001 to GAL-4-S117

Representation in full

GAL-4-S001 to 117 – We welcome these proposals.

We note the alternative route, which provides an option against a long stretch of tidal salt marsh, is largely road walking. We note that NE have limited powers to find an off-road lacerative in an area exceedingly short of public rights of way. Given that we note the alternative route.

Natural England's comments

Natural England is grateful for the support expressed in the representation.

Representation number

MCA/Gretna to Allonby/R/20/GAL0020

Organisation/ person making representation

The Ramblers ([REDACTED])

Report chapter

5 – Silloth to Allonby

Route section(s)

GAL-5-S001 to GAL-5-S065

Representation in full

GAL-5-S001- 065 We welcome these proposals.

Again we do not believe an alternative route is necessary for this stretch.

Specialist input *Record the input received. It is not necessary to record the input in full. If no specialists were consulted or responded, leave the field blank.*

England's comments *Enter Natural England's comments here with as much detail as possible.*

NE welcomes the general support for the principle of enhanced coastal access.

We expect that at times, the main route along the coast will become unsuitable for use at certain times due to tidal action and flooding. As there are no powers to exclude access for these purposes, and in accordance with the approach set out in the Coastal Access Scheme, we have identified an optional alternative route that people can use to avoid these areas.

Other Representations**Organisation/ person making representation:**

[REDACTED]

Unique reference number:

MCA/Gretna to Allonby/R/6/GAL0654

Route section(s):

None specifically indicated.

Summary of representation:

The representation raises several issues and concerns that the individual feels need to be answered and publicised nationally prior to the commencement of coastal access rights.

These concerns relate to all parts of the report which deal with estuaries or tidal grazing land and include specific reference to the following issues: public safety (related to the natural dangers posed by saltmarsh and flats), public health, animal health, environmental damage and the long term maintenance & management of the trail.

A letter sent in supporting the representation has been appended to this report.

Natural England's comment:

The representation is not seeking any specific change to our proposals.

We agree that certain areas of saltmarsh and flats within the inner parts of the Solway estuary pose dangers that are neither well understood nor readily apparent to visitors and, for that reason, we are proposing that coastal access rights to these areas will be excluded under s25A of CROW. This decision was taken after extensive discussion with local interests including landowners, marsh committees, the RNL and the H.M. Coastguard. In some locations, where we expect that the main route will become unsuitable for use at certain times due to tidal action and flooding, and as there are no powers to exclude access for these reasons, we have identified an optional alternative route that walkers might use to avoid tidally affected areas. We will also be working with the local access authority to ensure that appropriate information (through on-site signage) is provided that will advise walkers to check the tide times and heights before using certain parts of the trail.

There are existing rights of access over some saltmarshes and flats around the Solway estuary; these access rights will not be affected by our proposed exclusions.

Whilst we can see the benefits to walkers from a provision of toilet facilities, such developments are beyond the scope of the coastal access programme. We will continue to work closely with access authorities and others to promote any existing facilities that would be useful to walkers.

In respect of animal health, contamination and spread of disease, we acknowledge that there may be some risks but we do not consider that these are generally of a magnitude that would warrant exclusion of public access. We will work with the local access authority to ensure that appropriate information (through on-site signage) is provided that will help reduce the risk of disease by encouraging owners to keep dogs on leads in the vicinity of livestock, to pick up after dogs and to dispose of waste carefully. Dog fouling, littering and other forms of anti-social behaviour are always to be discouraged and are clearly not part of any rights granted under the Marine and Coastal Access Act.

Once the coastal access rights are in place, there will be an ongoing need for maintenance of the trail and, in some cases, additional access management for specific purposes. We will continue to work with local access authorities to meet these maintenance and management requirements. The England Coast Path will be part of the family of National Trails and the long-term arrangements relating to their funding and management will apply to it as appropriate.

Supporting Documents: A1 - Letter supplied by [REDACTED]

Organisation/ person making representation:

National Grid ([REDACTED])

Unique reference number:

MCA/Gretna to Allonby/R/9/GAL0812

Route section(s):

GAL-1-S004, GAL-1-S005, GAL-1-S015, GAL-1-S039, GAL-1-S040, GAL-1-S071, GAL-1-S072, GAL-1-S073, GAL-1-S074, GAL-1-S075, GAL-1-S076, GAL-1-S077, GAL-1-S078, GAL-1-S079, GAL-1-S080, GAL-1-S081, GAL-1-S082, GAL-2-S023, GAL-2-S030

Summary of representation:

National Grid (NG) are broadly supportive of the project and the proposals for this stretch of coast.

The concerns raised in this representation focus on public safety and security of their infrastructure, how the alignment of the trail might impact on existing or future National Grid infrastructure and the practicalities of managing public access when any maintenance or development of new infrastructure is required.

Various assets are mentioned and identified on attached maps, together with details of a recent consultation about routes for new power transmission infrastructure. No specific conflicts are identified in terms of proposed route, although there is a suggestion that, in general, it would be preferable to route the trail away from pylons or other installations, above or below ground.

The representation also mentions that it may well be necessary to seek exclusions or restrictions in the future, in order to allow NG or other bodies to carry out works safely. Maps and an accompanying letter have been appended to this report.

Natural England's comment:

NE welcomes the constructive nature of the representation, and the general support for the principle of enhanced coastal access.

The representation is not seeking any specific change to our proposals and during the route planning stage we have not been made aware of any potential conflicts between power transmission infrastructure and proposed new access.

The establishment of the route, once approved, will typically entail very little work on the ground, so the potential for this phase to cause issues for NG infrastructure is very limited. Cumbria County Council will be responsible for carrying out the establishment works that are required, and are familiar with the normal requirements to check and consult with utilities companies before commencing works.

Following commencement of new access rights, any NG operations can still take place on land where the new rights are in place. It will normally be possible to undertake small-scale works alongside public access by adopting informal management techniques. If informal management cannot meet operational needs then exclusions or restrictions will be available on various grounds, including land management and public safety, where shown to be necessary.

Coastal access rights do not prevent any land from being developed or redeveloped in the future. If this happens, the developed land is likely to become excepted land where coastal access rights would not apply. We would need to submit a variation report recommending a change to the trail or landward boundary of the coastal margin if either is affected by the development.

Supporting Documents: A2 - Letter/Maps supplied by National Grid plc

Organisation/ person making representation:

United Utilities ([REDACTED])

Unique reference number:

MCA/Gretna to Allonby/R/15/GAL0064

Route section(s):

None specifically indicated.

Summary of representation:

The representation contains important advice about the need to protect United Utilities (UU) assets when any establishment works are undertaken, and the need to secure prior approval when undertaking work in specific locations.

No specific conflicts are identified, in terms of proposed route, but the proposed establishment works for the trail both within UU easements and properties and on or close to UU infrastructure are listed in the supporting documents.

A letter submitted with the representation has been appended to this report.

Natural England's comment:

The representation is not seeking any specific change to our proposals.

Cumbria County Council will be managing establishment works on behalf of NE, and will be obliged to comply with legislation and best practice whilst carrying out this work. Before any works are undertaken, they will ensure that any consents for works are in place and specific discussions about access, construction and timing of the works are held with the owners and occupiers of land affected.

Following commencement of new access rights, UU operations can still take place on land where the new rights are in place. It will normally be possible to undertake small-scale works alongside public access by adopting informal management techniques. If informal management cannot meet operational needs then exclusions or restrictions will be available on various grounds, including land management and public safety, where shown to be necessary.

Coastal access rights do not prevent any land from being developed or redeveloped in the future. If this happens, the developed land is likely to become excepted land where coastal access rights would not apply. We would need to submit a variation report recommending a change to the trail or landward boundary of the coastal margin if either is affected by the development.

Supporting Documents: A3 - Letter supplied by United Utilities

Organisation/ person making representation:

[REDACTED]

Unique reference number:

MCA/Gretna to Allonby/R/14/GAL0477

Route section(s):

GAL-1-S055 to GAL-1-S070

Summary of representation:

The representation is submitted by an individual but includes a statement to the effect that it is supported by 20 horse owners in the village of Cargo.

Due to dangerous conditions on the highway between Rockcliffe and Cargo, there is a request that horse riders be permitted to use the proposed trail between route sections GAL-1-S055 (Map 1f) to GAL -1-5070 (Map 1h). The representation suggests that this might be achieved by upgrading the proposed route to bridleway status.

It is suggested that the provision of such a route for horse riders would improve safety for both horse riders and other road users.

Natural England's comment:

Whilst we can see the potential benefits to providing additional access rights along this part of the proposed trail, our focus has been on meeting the statutory duty under the Marine and Coastal Access Act 2009 which is to improve access to the English coast by creating clear and consistent public rights along the English coast for open-air recreation on foot.

Under s16 of CROW, a landowner may use a dedication to remove or relax specific national restrictions that would otherwise apply to CROW access rights. There are no other powers in the 2009 Act to allow horse riders to use coastal access rights although in some areas other recreational activities such as horse riding or cycling may already be permitted where coastal access rights are proposed.

We will pass this information to Cumbria County Council, the access authority for this area, so that they are aware of this issue as they may wish to pursue this opportunity through delivery of their Rights of Way Improvement Plan. We will also be willing to contact the owners of the land in question and offer to initiate discussions around access for equestrians.

Organisation/ person making representation:

[REDACTED] (H&H) on behalf of [REDACTED]

Unique reference number:

MCA/Gretna to Allonby/R/13/GAL0123

Route section(s):

GAL-1-S012 to GAL-1-S017

Summary of representation:

The representation seeks clarification over the proposed infrastructure along various sections of the trail to ensure that, once work has been carried out, existing land management practices are not affected / disrupted.

Natural England's comment:

Cumbria County Council will be managing establishment works on behalf of NE, and before any works are undertaken we will ensure that new infrastructure is discussed with the owner or occupier of land.

Provision has already been made within the proposals to ensure that any drain outlets near route section GAL-1-SO12 will have new 'head walls' constructed.

Following the route planning phase, it became clear that the section of the proposed trail between GAL-1-SO13 and GAL-1-SO14 can get waterlogged in the winter months. In order to ensure that walkers will remain on the path rather than straying from it to find a drier route, we can confirm that it is our intention to construct this section of the proposed trail using compacted aggregate.

We also accept that there may be occasions where, following further discussions with the landowner or occupier, it might be necessary and to adjust the type of infrastructure proposed but we are confident that any concerns raised can be mitigated by further discussion and careful design.

Organisation/ person making representation:

[REDACTED]

Unique reference number:

MCA/Gretna to Allonby/R/21/GAL0397

Route section(s):

GAL-1-S066

Summary of representation:

The representation makes reference to the landowner's future plans to erect livestock fencing on part of the proposed trail and that there will be a need to install a new access gate through this fencing to allow users to walk along the route. The need to ensure that any infrastructure installed along this part of the river bank (which is prone to flooding and erosion) is robust and durable is also suggested.

To note: This representation was inadvertently submitted on an objection form, whilst clearly stating that it wasn't to be viewed as an objection. [Redacted] has subsequently confirmed that she wishes her submission to be treated as a representation.

Natural England's comment:

The representation is not seeking any specific change to our proposals.

Cumbria County Council will be managing establishment works on behalf of NE, and before any works are undertaken we will ensure that new infrastructure is discussed with the owner or occupier of land. We are confident that the concerns raised about durability can be mitigated by careful design.

We also accept that there may be occasions where, following further discussions with the landowner or occupier, it might be necessary to adjust the type infrastructure proposed.

Organisation/ person making representation:

Burgh by Sands Parish Council ([REDACTED])

Unique reference number:

MCA/Gretna to Allonby/R10/GAL0826

Route section(s):

None specifically indicated.

Summary of representation:

The representation by Burgh by Sands Parish Council raises several concerns about the quality, durability and location of the infrastructure needed on the marsh and concerns about the dangers associated with walking on saltmarshes.

The representation does make a suggestion about a different alignment for the trail away from Burgh marsh and the need for a lowered speed limit on the road, to make it safer for walkers.

The representation also highlights the sensitive habitat of the marsh and is concerned that increased use by walkers will disturb existing wildlife and potentially cause risks to cattle through spread of disease.

Natural England's comment:

In respect of concerns raised about the dangers of walking on the marsh and the suggestion that the route be realigned (to the 'old Railway/Canal bund), we do agree that certain areas of saltmarsh and flats within the inner parts of the Solway estuary (from Gretna to Grune Point) pose dangers that are neither well understood nor readily apparent to visitors. In many locations along this stretch of coast, we have proposed that coastal access rights to many of these areas will be excluded under s25A of CROW. In reaching these decisions we have consulted local interests including landowners, marsh committees, the RNLi and the H.M. Coastguard.

Burgh Marsh is already accessible by the public and well-used, by virtue of it being designated as CROW access land and Registered Common Land; we do not feel it is necessary or appropriate to restrict any new right of access to the same area. We agree with the comments made in the representation that, at times, the main route will become unsuitable for use due to tidal action and flooding. As there are no powers to exclude access for these reasons, we have identified an optional alternative route that walkers might use to avoid affected areas. The Optional Alternative Route (that may be used when the main trail is not suitable) will, as suggested, run along the top of the embankment on the landward side of the road at the back edge of Burgh Marsh.

We acknowledge the concerns raised around speeding traffic and will pass this information to the relevant body (the highway authority) to consider. However, as outlined in part 5a of the Overview, we intend to propose changes to the alignment of the existing Hadrian's Wall National Trail in places where it is close to but not coincident with the England Coast Path. We will manage this by means of a separate variation report to the Secretary of State which is likely to include a proposal to realign the existing Hadrian's Wall National Trail away from the road and onto the embankment on the landward side of the road.

Regarding the comments on infrastructure, Cumbria County Council will be managing establishment works on behalf of NE, and we are confident that the concerns raised about

durability can be mitigated by careful design. We will also work closely with the local access authority to ensure that appropriate information (through on-site signage) is provided that will advise walkers to check the tide times and heights before using certain parts of the trail.

NE has taken full account of advice provided by nature conservation specialists and concluded that there should be a long-term restriction on new access rights over Burgh Marsh, requiring owners to keep their dogs on a lead all year round.

We acknowledge that there may be some risks of contamination and spread of disease, but we do not consider that these are generally of a magnitude that would warrant exclusion of public access. We will however work with the local access authority to ensure that appropriate information (through on-site signage) is provided that will reduce the risk of disease by encouraging owners to keep dogs on leads in the vicinity of livestock, to pick up after their dogs and to dispose of waste carefully.

Whilst we can see the benefits to walkers from a provision of toilet facilities, such developments are beyond the scope of the coastal access programme. We will continue to work closely with access authorities to promote any existing facilities that would be useful to walkers.

Organisation/ person making representation:

Cumbria Wildlife Trust ([REDACTED])

Unique reference number:

MCA/Gretna to Allonby/R/7/GAL0941

Route section(s):

None specifically indicated.

Summary of representation:

The representation focuses on the possible risk to the important honeycomb worm reefs (*Sabellaria alveolata*) primarily at Dubmill Point, although the habitat does extend around the whole Bay. A suggestion is made that relevant information and signage should be erected to make people aware of these habitats and avoid damage.

The representation also highlights the absence of the Allonby Bay MCZ from the maps in the Overview report.

Natural England's comment:

The representation is not seeking any specific change to our proposals.

Although the Allonby MCZ has not been listed in the Overview Report, this important designated area has been considered as part of the accompanying Access and Sensitive Features Appraisal (ASFA) for this stretch of coast.

The ASFA was published after taking full account of the advice provided by nature conservation specialists within Natural England as well as seeking advice from other external organisations.

The ASFA document acknowledges that these reef habitats are sensitive to trampling damage that can be caused by walkers or vehicles/machinery. Large areas of Allonby Bay are already well used by the public for a range of different recreational activities and we would not expect levels of access to increase significantly once coastal access rights commence. The appraisal

concludes that, as this feature tends to be located in extreme seaward edge of the intertidal zone, it is located well away from the main coastal access route and is not always easily accessible. We therefore conclude that it is unlikely that increased levels of access would have an effect on this feature.

In accordance with the approach taken previous stretches of coast where coastal access proposals have been approved (Allonby to Whitehaven and Whitehaven to Silecroft), there are no plans to install specific signage relating to this feature, however with the local access authority we will look at opportunities to include appropriate messages on other planned interpretation.

Appendix A: Information provided by those submitting representations

- A1 - Letter supplied by [REDACTED]

This supporting evidence was simply a restating of the representation and so has been removed.

What is a route corridor?



A route corridor is a broad ribbon of land through which a new connection could potentially be routed.

The route corridor varies from around 1 km to 3 km in width.

The Route Corridor

The route corridor is illustrated in green. This route, in the main, follows the path of the existing 132kV power lines which are operated by ENW.

The route corridor we've chosen to continue developing for the NWCC Project is made up of two parts:

- a route going north from Moorside to a point on the existing grid network at Harker substation, near Carlisle and;
- a route going south from Moorside across the Furness peninsula then under Morecambe Bay to connect in at a point on the existing grid network at Middleton substation near Heysham in Lancashire.

Moorside
The site of the new power station proposed by NuGeneration Ltd. The site was designated for nuclear newbuild by the Government in 2011.

Harker Substation near Carlisle, Cumbria

Crossing under Morecambe Bay

The new Middleton Substation at Heysham, Lancashire

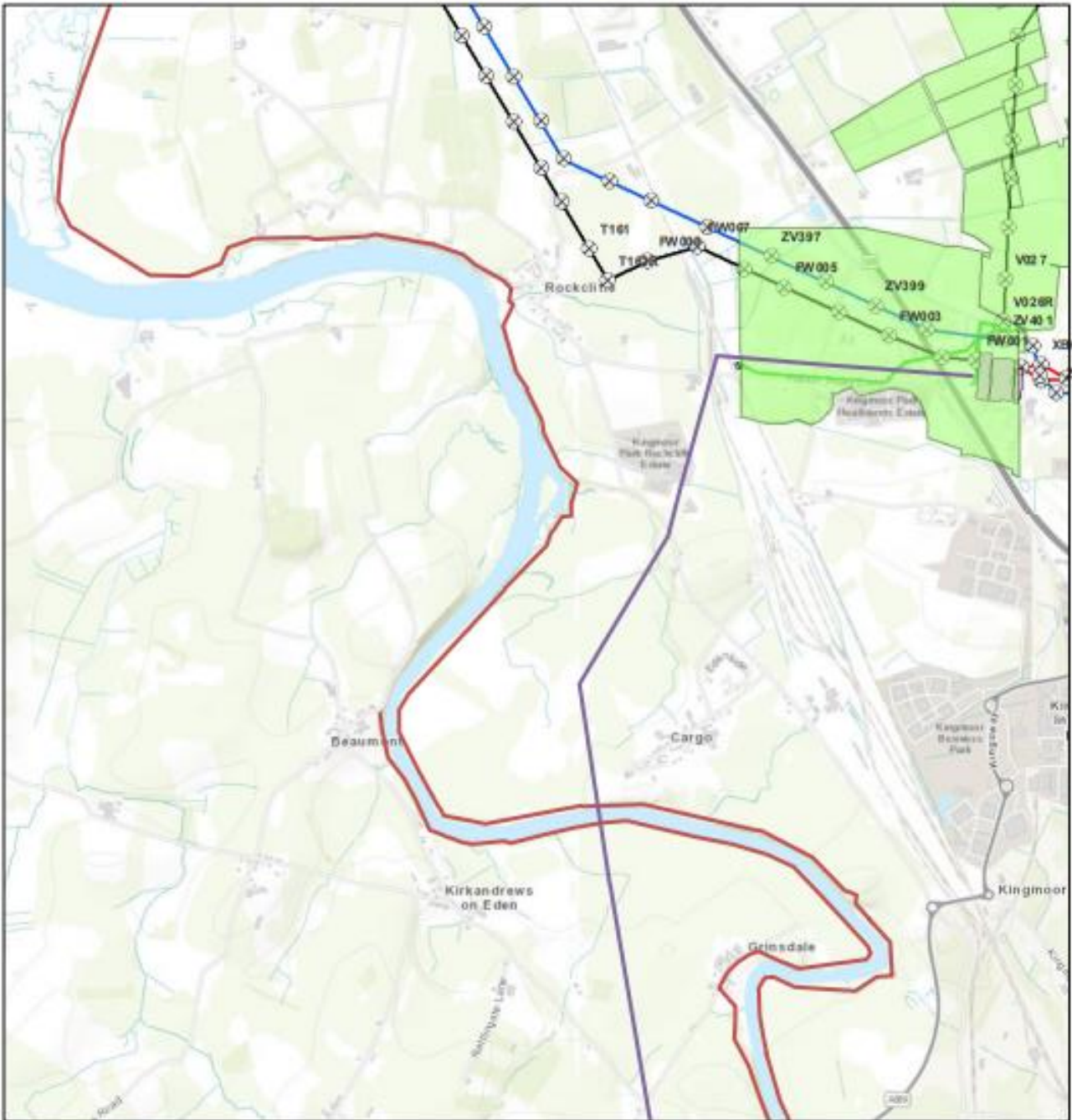
Key

- Existing ENW 132kV power lines
- Existing National Grid 400kV electricity network
- Existing National Grid 275kV electricity network
- Lake District National Park boundary
- Existing ENW Substation
- National Grid electricity substation
- Moorside



Responsible for 2010-2011: ENW. ENW is a member of the British Energy Group. ENW is a member of the British Energy Group. ENW is a member of the British Energy Group.

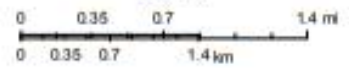
ArcGIS Web Map



September 16, 2016

- Land_Registry
- Substation_Site
- Towers
- LINE**
- 400
- 275
- 132
- 400/275
- CABLE
- Joint Bay

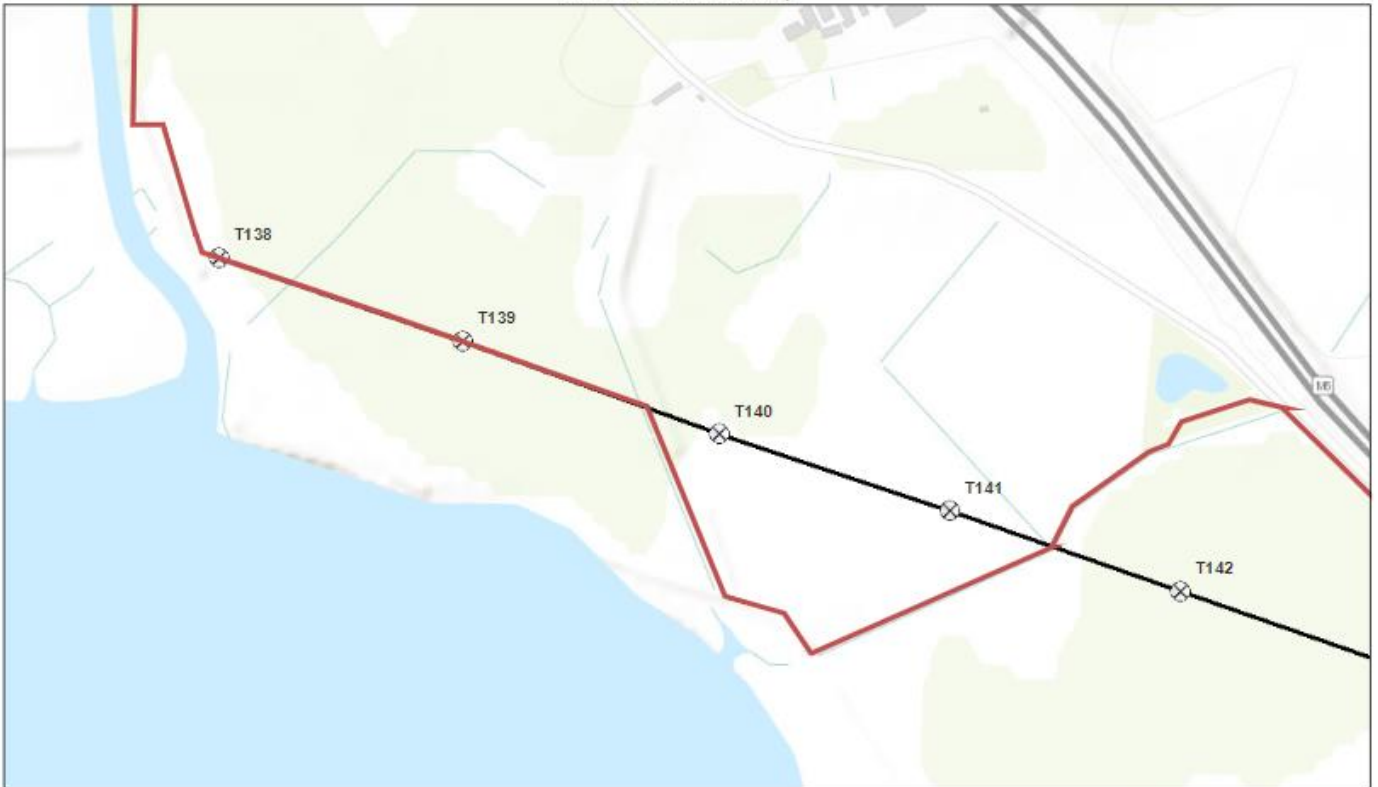
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Source: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox, © OpenStreetMap contributors, and the GIS User Community

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ArcGIS Web Map

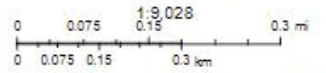


September 16, 2016

⊗ Towers

LINE

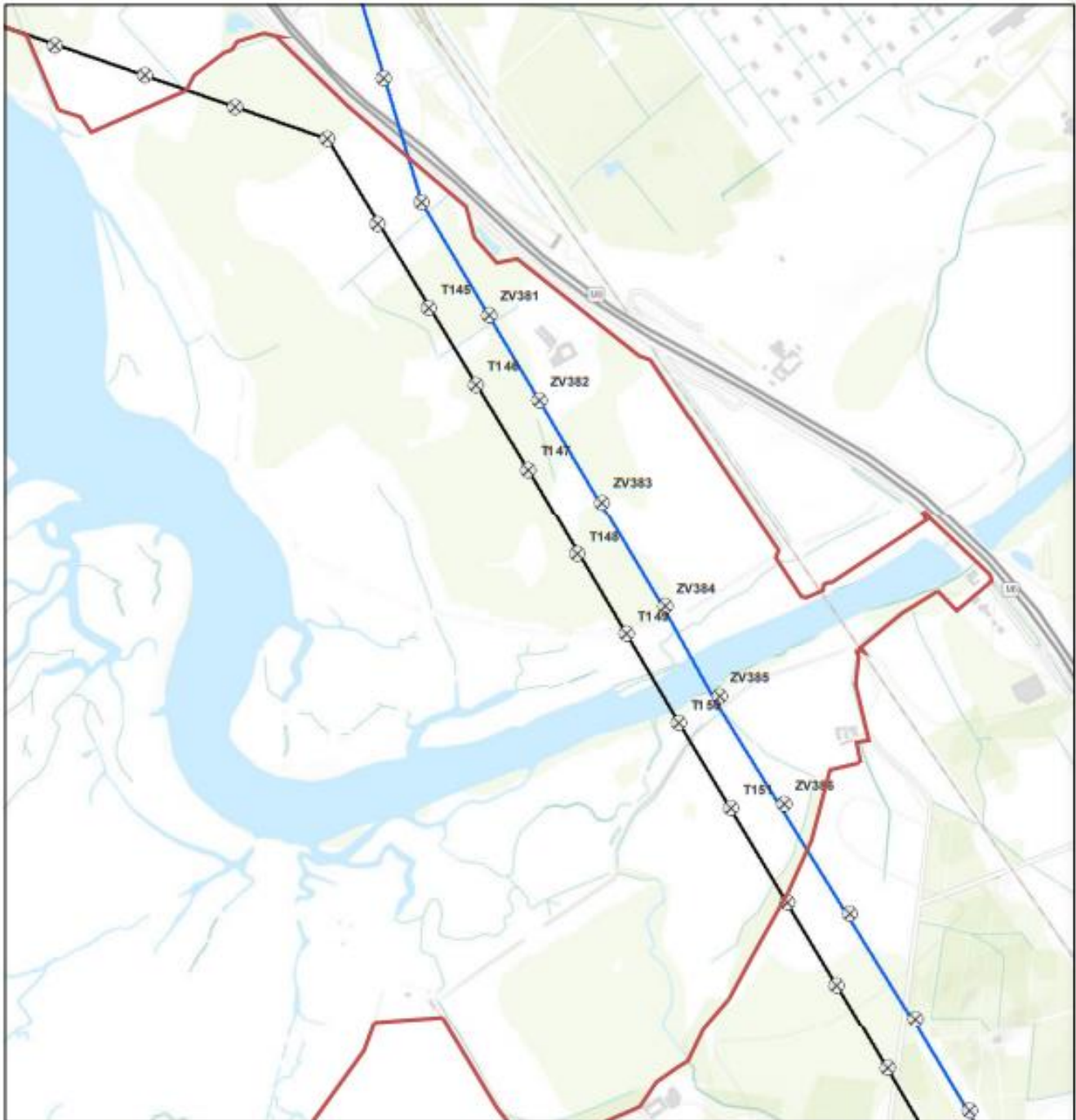
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Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, PNO, NPS, NRCAN, GeoBasis, IGN, Receptor, NL, Ordnance Survey, Esri, Japan, METI, Esri, China (Hong Kong), Swisstopo, Mapbox India, OpenStreetMap contributors, and the GIS User Community

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ArcGIS Web Map



September 16, 2016

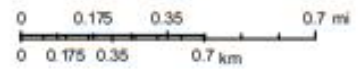
⊗ Towers

LINE

— 132

— 400/275

1:18,056



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

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- A3 - Letter supplied by United Utilities

[LETTER REDACTED DUE TO PERSONAL INFORMATION THROUGHOUT]