

Coastal Access – Salcott to Jaywick



Representations on SCJ1, SCJ3, SCJ4, SCJ5 and SCJ6

November 2021

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1. Introduction

This document records the representations Natural England has received on this report from persons or bodies whose representations must be sent in full to the Secretary of State. It also sets out any Natural England comments on these representations.

2. Background

Natural England’s compendium of reports setting out its proposals for improved access to the coast from Salcott to Jaywick was submitted to the Secretary of State on 14 October 2020. This began an eight-week period during which representations and objections about each constituent report could be made. A representation about the report could be made during this period by any person on any grounds and could include arguments either in support of or against Natural England’s proposals.

In total Natural England received twenty-one representations relating to SCJ1, SCJ3, SCJ4, SCJ5 and SCJ6, of which seven were made by organisations 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 3 in their entirety together with Natural England’s comments. Also included in Section 3 is a summary of the fourteen representations made by other individuals or organisations, referred to as ‘other’ representations.

3. Record of 'full' representations and Natural England's comments on them

Representation number:

MCA/SCJ Whole Stretch/R/1/SCJ0019

Organisation/ person making representation:

The Ramblers Association

Route section(s) specific to this representation:

Whole report

Other reports within stretch to which this representation also relates:

Whole stretch

Representation in full

The Ramblers fully supports Natural England's proposals. We are very pleased to have a continuous coastal walking route which will give walkers a pleasant alternative to existing routes on busy roads. We would like to thank the Natural England team for their work.

Our only comment is that the road crossing on the Mersea Road B1025 is in a safe place but some walkers may want to access the Peldon Rose public house at the junction some 250 metres away. Some additional signage may be needed to ensure pedestrians can reach the public house safely.

Natural England's comments

Natural England thank the Ramblers Association for their supportive comments.

Establishment of the England Coast Path would not usually include direction to features of commercial interest away from the alignment of the Trail and does not normally signpost routes that may otherwise be available in the location.

Representation number:

MCA/SCJ1/R/4/SCJ1519

Organisation/ person making representation:

Historic England

Route section(s) specific to this representation:

Whole report

Other reports within stretch to which this representation also relates:

SCJ6

Representation in full

We support the coastal footpath and note the proposed route of this path passes close to several scheduled ancient monuments. Any groundworks that extend into the scheduled areas will require scheduled monument consent.

In terms of public benefit, the coastal footpath is an opportunity to promote, for public benefit, the monuments and we recommend that interpretation panels about these monuments and the historic environment are installed at appropriate locations along the route.

Natural England's comments

Natural England welcome the support of Historic England. Establishment of the trail requires all necessary consents and permissions to be obtained by Essex County Council and they are aware of the constraints in specific locations. Where necessary they will liaise with Historic England regarding works within or near areas scheduled for their historic interest.

The England Coast Path proposals include a range of information boards to help the public appreciate the trail and the local landscape. Where there is local historic interest this will be considered for inclusion. Historic England are welcome to provide additional signage on sites they have a particular interest in and to reference the ECP.

4. Summary of 'other' representations making non-common points, and Natural England's comments on them

Representation ID:

MCA/SCJ1/R/8/SCJ0008

Organisation/ person making representation:

The Disabled Ramblers.

Name of site:

Whole report

Report map reference:

Whole report

Route sections on or adjacent to the land:

Whole report

Other reports within stretch to which this representation also relates

All reports

Summary of representation:

The Disabled Ramblers noted that Natural England should ensure that, unless the natural terrain itself prevents access, any existing or new infrastructure along the Coast Path does not present a barrier to their ability to progress along the Coast Path. They note that certain structures such as kissing gates and bridges need to be constructed to allow the passage of larger mobility vehicles and to seek that consideration is given to ramps rather than steps.

They also note that wherever possible man-made infrastructure should be changed or adapted to enable users of mobility vehicles to have the same, legitimate, use and enjoyment of the main route of the England Coast Path that walkers have.

Natural England's Comments.

Natural England welcomes the Disabled Ramblers comments regarding infrastructure that may present as a barrier to many users of the England Coast Path and will work with Essex County Council as the access authority who have responsibility for establishing and maintaining the trail to ensure all users are considered and structures and surfacing meets all necessary legislation, including that designed to protect wildlife and the protection of the flood defence systems.

Natural England acknowledges its duties under the Equality Act 2010 and the Countryside and Rights of Way Act 2000, and also the extra responsibilities conferred by the Public Sector Equality Duty, under the former. An important element of equality law is that the needs of those with constrained or restricted mobility are taken into account throughout the planning, design and implementation processes, and that they are not simply treated as an 'add on'. We have endeavoured to achieve this as we have developed our proposals for the Salcott to Jaywick stretch, and, if our proposals are approved, will continue to do so through the implementation phase, working alongside Essex County Council, which shares the same responsibilities and duties.

We also recognise the importance of satisfying the relevant British Standards, and the desirability of complying with the advice contained in the Disabled Ramblers Notes on Infrastructure, and will consider these documents as we work with the Essex County Council.

We also note the Disabled Ramblers advice regarding the larger mobility vehicles and will ensure this is considered.

Representation ID:

MCA/SCJ1/R/2/SCJ1518

Organisation/ person making representation:

[Redacted]

Name of site:

Whole report.

Report map reference:

Whole report

Route sections on or adjacent to the land:

Whole report

Other reports within stretch to which this representation also relates

Report SCJ1.

Summary of representation:

Offering support for the proposals as currently trying to walk the Essex coast and is currently forced on to dangerous roads. "The proposals are excellent"

Natural England's Comments.

Natural England are grateful for the positive comments.

Representation ID:

MCA/SCJ1/R/7/SCJ1498

Organisation/ person making representation:

[Reacted]

Name of site:

Road crossings at Peldon

Report map reference:

SCJ1f

Route sections on or adjacent to the land:

SCJ-1-S025 and SCJ-1-S027

Other reports within stretch to which this representation also relates

n/a

Summary of representation:

It is currently too dangerous to have the path crossing Mersea Road and Colchester Road. The speed limit is 40mph but many drivers drive well in excess of the speed limit along our road.

There are no footpaths it is very dangerous to walk down the road due to the volume of traffic and speed of the vehicles. To make this safe there should be a proper crossing, the speed limit reduced and speed bumps or sleeping policeman put either side of the path where it crosses the roads.

Natural England's comment

Natural England recognised that there would be an unavoidable need to cross roads in this part of Peldon to allow for the onward journey along the coastline. We worked closely with Essex County Council Highways and Road Safety officers to determine the best location to align the trail, taking full regard of the types of local land uses that constrained the trail alignment and how this could be balanced with crossing the roads in locations determined to be of an acceptable safety standard to the road safety officers from the local Highway Authority. Some roadside signage, compliant with the Highway Code and road traffic regulations, is proposed to advise drivers of pedestrians but control of speeding vehicles is outside of the remit of the England Coast Path. We have proposed to align the trail at locations to allow good views of the roads to be crossed and to allow this crossing to be directly across the road to reduce the time spent on the road (an alternative being to cross the road at an angle, making the distance for walkers on the road longer).

Representation ID:

MCA/SCJ3/R/8/SCJ0008

Organisation/ person making representation:

The Disabled Ramblers.

Name of site:

Whole report

Report map reference:

Whole report

Route sections on or adjacent to the land:

Whole report but with specific regard to:
SCJ-3-S003 and SCJ-3-S006
SCJ-3-S010 and SCJ-3-S011
SCJ-3-S026,
SCJ-3-S030 and SCJ-3-S031

Other reports within stretch to which this representation also relates

All reports

Summary of representation:

The Disabled Ramblers noted that Natural England should ensure that, unless the natural terrain itself prevents access, any existing or new infrastructure along the Coast Path does not present a barrier to their ability to progress along the Coast Path. They note that certain structures such as kissing gates and bridges need to be constructed to allow the passage of larger mobility vehicles and to seek that consideration is given to ramps rather than steps.

They also note that wherever possible man-made infrastructure should be changed or adapted to enable users of mobility vehicles to have the same, legitimate, use and enjoyment of the main route of the England Coast Path that walkers have.

The proposed steps at SCJ-3-S003 and the existing steps at SCJ-3-S011 are a barrier to users of all-terrain mobility vehicles, preventing them from enjoying the pretty stretch between Fingringhoe and Rowhedge. The heights gained at both points are not great, so Disabled Ramblers would encourage Natural England to create alternative sloped paths near to the steps for users of mobility vehicles.

The footbridges at SCJ-3-S003 and SCJ-3-S010, and the board walk at SCJ-3-S006 should be adjusted if not sufficiently wide.

A diversion should be signed to avoid the steps at SCJ-3-S010.

There is a very good path from Rowhedge to Wivenhoe, via The Hythe; the terrain being especially good for users of mobility vehicles. Whilst users of wheelchairs can pass through standard sized kissing gates, users of all-terrain and large mobility vehicles cannot. There are 3 existing kissing gates (either end of section SCJ-3-S026 and at the start of section SCJ-3-S030) which should be replaced with large kissing gates to allow access to users of all mobility vehicles.

There is also a proposed barrier at the start of section SCJ-3-S031 which should have a sufficient clear gap of at least 1.1m.

Natural England's Comments.

Natural England welcomes the Disabled Ramblers comments regarding infrastructure that may present as a barrier to many users of the England Coast Path and will work with Essex County Council as the access authority who have responsibility for establishing and maintaining the trail to ensure all users are considered and structures and surfacing meets all necessary legislation, including that designed to protect wildlife and the protection of the flood defence systems.

Natural England acknowledges its duties under the Equality Act 2010 and the Countryside and Rights of Way Act 2000, and also the extra responsibilities conferred by the Public Sector Equality Duty, under the former. An important element of equality law is that the needs of those with constrained or restricted mobility are taken into account throughout the planning, design and implementation processes, and that they are not simply treated as an 'add on'. We have endeavoured to achieve this as we have developed our proposals for the Salcott to Jaywick stretch, and, if our proposals are approved, will continue to do so through the implementation phase, working alongside Essex County Council, which shares the same responsibilities and duties.

We also recognise the importance of satisfying the relevant British Standards, and the desirability of complying with the advice contained in the Disabled Ramblers Notes on Infrastructure, and will consider these documents along the whole route as we work with the Essex County Council. We will ask Essex CC to have particular regard for the comments raised at the noted locations.

We also note the Disabled Ramblers advice regarding the larger mobility vehicles and will ensure this is considered.

Representation ID:

MCA/SCJ3/R/6/SCJ1520

Organisation/ person making representation:

Falcon Properties

Name of site:

Land north of Fingringhoe

Report map reference:

SCJ 3a

Route sections on or adjacent to the land:

SCJ-3-S003 to SCJ-3-S012

Other reports within stretch to which this representation also relates

n/a

Summary of representation:

More information requested on surface type of path and information boards and signposting for the public.

Natural England's comment

Sections SCJ-3-S003 to SCJ-3-S012 are existing public rights of way that pass over a range of land uses and surfaces. Natural England is aware the surface in this area can suffer damage from existing pressures of use and will be working with Essex County Council to review the best approach to maintaining these countryside routes with a countryside feel whilst improving the experience for users.

As explained in section 3.2.25 of the SCJ3 report, Essex County Council will liaise with affected land owners and occupiers about relevant aspects of the design, installation and maintenance of the new signs and infrastructure that are needed on their land once the establishment stage

is confirmed. It is not possible to confirm the surface type and other infrastructure at this point as further discussion with the landowner will allow this to be developed.

Representation ID:

MCA/SCJ3/R/8/SCJ0332

Organisation/ person making representation:

[Redacted]

Name of site:

West Quay, Wivenhoe

Report map reference:

SCJ 3e

Route sections on or adjacent to the land:

SCJ-3-S062 – S064

Other reports within stretch to which this representation also relates

n/a

Summary of representation:

The representation notes that whilst there is an existing Public Footpath through their front garden, there has been a problem with pedestrians straying beyond the path's boundary and into their private space. They anticipate that the Coast Path will increase this problem and propose the installation of fencing to better direct pedestrians away from their house and along the correct promenade edge. Any assistance with this proposal will be very welcome.

There is an added problem that despite the promenade being a paved footpath, meaning cycling is both illegal and unauthorised, cyclists frequently speed through pedestrians and the path is becoming increasingly unsafe. With additional pedestrian traffic, it is recommended that the entrance to the promenade should be blocked to cyclists by way of a pushchair/wheelchair friendly gate.

Finally, the representation seeks clarity regarding who will be responsible for the maintenance and safe keeping of the path?

Natural England's comment

These properties are immediately adjacent to the promenade and do not obviously have front gardens, although we note that the area immediately outside the properties are marked by different paving from that found on the promenade. Some residents have placed plant pots and benches on these areas and we would expect that walkers would naturally avoid those areas; indeed we believe that most people would feel uncomfortable accessing them.

The promenade is already well used because it hosts a public right of way. This public right of way is not demarcated in any way, but the fact that it follows a purpose built public walkway, means that it wouldn't need to be. We do not believe that extra fencing in this area is necessary.

The introduction of the ECP does not bring with it new cycling rights. People using the walkway will continue to do so using Public Right of Way rights. The maintenance arrangements for this Right of Way remain unchanged. The consideration of whether to pursue cycling calming measures is a decision for the owners of the right of way ensuring any obstruction to the right of way has the necessary legal consent from the Highway Authority.

Representation ID

Organisation/ person making representation:

MCA/SCJ4/R/2/SCJ0329

[Redacted]

MCA/SCJ4/R/3/SCJ0567

[Redacted]

MCA/SCJ4/R/4/SCJ0566

[Redacted]

MCA/SCJ4/R/5/SCJ0233

[Redacted]

MCA/SCJ4/R/1/SCJ1086

[Redacted]

Name of site:

Land known as Alresford Creek, specifically the southern seawall boundary of Alresford Creek.

Report map reference:

SCJ4a to SCJ4d

Route sections on or adjacent to the land:

SCJ-4-S039 to SCJ-4-S042

Other reports within stretch to which this representation also relates

n/a

Summary of point:

Alresford Creek provides habitat for a number of protected or notable fauna groups, including otters, water voles, seals and birds and is particularly important for its assemblage of wintering, breeding migrant bird populations. The proposal has had scant regard to the potential adverse impacts on wildlife populations through increased human recreational activity and disturbance above the existing baseline level. Further detailed ecological survey information is necessary to ensure all potential effects of the new Coastal Path route along the southern shoreline of Alresford Creek have been considered and it is hoped that Natural England could continue with the Ecology Assessment initiated by [redacted].

An existing public route along Ford Lane, Movers Lane and the B1029 Brightlingsea Road would ensure that the ecological interest of Alresford Creek is safeguarded, and that the southern bank remains a wildlife refuge in an area of moderate to high use for recreation. It is questioned as to why the route would not follow the B1029, Moverons Lane and Ford Lane. No road traffic accident data has been provided, and it is expected it hasn't been investigated. The fact that the B1029 Brightlingsea Road, Moverons Lane and Ford Lane are already used on a daily basis and has public Byway status (PROW161_1) is ignored.

The Creek already has good access with a footpath on the northern side and the addition of the southern loop will put further pressure on this haven for wildlife. Numbers of walkers with dogs

(sometimes not on leads) and cyclists have risen greatly in recent years and especially in 2020. The large number of cyclists using and damaging footpaths will increase with this change. As I understand it, there is no requirement in legislation for the path to continue into an estuary.

Natural England's comment:

In line with the statutory duties of Natural England we have considered the impact of the trail alignment on the wildlife of this area through our reports published as supporting documents to the proposals:

- A single Habitats Regulations Assessment of any potential impact on the conservation objectives of affected European sites. This assessment considers any potential impacts in relation both to the individual length of coast covered by each report, and to the whole related stretch of coast.
- Our Nature Conservation Assessment for the stretch, in which we document our conclusions in relation to any other potential impacts on nature conservation, for example SSSI features not covered by a European designation.

The Approved Coastal Access Scheme 2013 at sections 4.9.2 and 4.9.3 set out our approach in relation to sensitive features

4.9.2 The key principle in our approach will be to find the best outcome that secures these opportunities for engagement so far as practicable while ensuring appropriate protection of key sensitive features. This principle is in keeping with our statutory purpose to conserve, enhance and manage the natural environment for the benefit of present and future generations.

4.9.3 There are two key considerations here:

- *on the one hand, the various statutory obligations in respect of sites and*
- *on the other hand, our duty to deliver coastal access rights.*

Each is set in the context of the more general statutory responsibilities under our founding legislation to pursue such imperatives in an integrated way.

In respect of sensitive natural features, we use an iterative process for developing our proposals for coastal access, assessing the potential effects of various options and further refining them and assessing them as necessary to help us decide on the best outcome. Appropriate separation of duties within Natural England is in place to ensure that impartial judgements can then be made in the light of the available evidence about any potential impacts of particular options on key sensitive features before reaching our final decision.

Alresford Creek is an important part of the designated site as a continuation on the estuarine habitats. Due to its limited area of intertidal mudflat, its narrow profile and the extent and popularity of the public right of way along the north side and some access (right of way, boat owners and trespass) on the southern side it is appreciated that the creek is highly unlikely to support significant numbers of important bird species and this supports the information from the respected local ornithologists. (The British Trust for Ornithology WeBS Counters)

The habitats of the creek are themselves important but can withstand a degree of public access on foot. The access restriction on the saltmarsh and flat is proposed as a protective measure to ensure the safety of the public who are unaware of the danger it presents, but it has a secondary benefit of reducing footfall on these areas and reducing any risks of disturbance to birds.

Natural England considered aligning the England Coast Path along Moverons Lane and commissioned an independent road safety report. This highlighted several dangerous aspects to this route reducing its viability as a National Trail. We balanced the consideration of enhancing the route along Moverons Lane against the expectations for delivering the England Coast Path. The reasons we opted for the proposed route are explained at section 4.3.2 of the Coastal Access report SCJ4.

This summarises that we considered the option of undertaking improvements to pedestrian safety of using the Moverons Lane route but one of the impacts of this would have been to create a much larger area of spreading room between the trail alignment and Alresford Creek opening a significant expanse of farmed land for the public to access (including opening the seawall where the route is proposed). Creating a trail closer to the water's edge, allows the England Coast Path to meet one of its key criteria of adhering to the periphery of the coast and has considered the extend of spreading room that would otherwise have been available. The proposed route was discussed with the landowner and tenant farmers and developed with their input.

The England Coast Path creates a right of access on foot. Dogs would be allowed to accompany walkers and must be kept under effective control by keeping the dog on a lead or if off lead within sight and must remain on the coastal access land. This means dogs are effectively restricted to the seawall along this stretch of farmed land and on a lead when livestock are present. Signage is suggested within the report proposals to explain the proposed route and constraints to the public.

Cycling is not proposed as part of the England Coast Path. Where cyclists may already be using a public right of way footpath, the land owners are responsible for managing this access to their land. Where footpaths also form the line of the England Coast Path this will remain the case. In this location for the new route along the southern side of Alresford Creek follows unmade route through farmed land. Signage will be provided to advise users about the route. It is noted that a well made and promoted cycle route exists in the area that would allow users to progress in an onward journey with much more ease and enhanced safety for cyclists than trying to navigate the unmade alignment of the England Coast Path.

Representation ID:

MCA/SCJ4/R/8/SCJ0008

Organisation/ person making representation:

The Disabled Ramblers.

Name of site:

Whole report

Report map reference:

Whole report

Route sections on or adjacent to the land:

Whole report with specific regard to:

SCJ-4-S026,

SCJ-4-S029,

SCJ-4-S042 to SCJ-4-S044,

SCJ-4-S039 and SCJ-4-S040

SCJ-4-S055

Other reports within stretch to which this representation also relates

All reports

Summary of representation:

The Disabled Ramblers noted that Natural England should ensure that, unless the natural terrain itself prevents access, any existing or new infrastructure along the Coast Path does not present a barrier to their ability to progress along the Coast Path. They note that certain structures such as kissing gates and bridges need to be constructed to allow the passage of larger mobility vehicles and to seek that consideration is given to ramps rather than steps.

They also note that wherever possible man-made infrastructure should be changed or adapted to enable users of mobility vehicles to have the same, legitimate, use and enjoyment of the main route of the England Coast Path that walkers have.

People using all-terrain mobility vehicles should be able to use the route from Wivenhoe to Thorington Mill and beyond. However there are existing structures which present barriers, and proposed structures which could become barriers to access for these people.

At SCJ-4-S026 there is an existing footbridge – this should be checked and widened if needs be to allow large mobility vehicles to cross it.

At either end of SCJ-4-S029 there are existing kissing gates. It is thought that these are not large kissing gates, so are a barrier to progress along the route for those using all-terrain and other large mobility vehicles. These should be replaced preferably with pedestrian gates, or large kissing gates.

At SCJ-4-S042 to SCJ-4-S044 the narrow footpath is thought to be wide enough for users all-terrain mobility vehicles. However the existing barrier beside the road does not allow access. Disabled Ramblers suggests this barrier is removed and replaced with a gap.

It is expected that the proposed pedestrian gates shown on map SCJ 4c will be chosen in accordance with British Standard BS5709: 2018 Gaps Gates and Stiles and therefore accessible to those with limited mobility using all-terrain mobility vehicles, but it is also important that the barrier chosen at SCJ-4-S039 is also suitable for these users - a pedestrian gate would be preferred.

Section SCJ-4-S040 is expected to be suitable terrain for users of all-terrain mobility vehicles. It will be important to provide a way for these vehicles to access the sea wall by building up slopes where necessary. The proposed kissing gates must all be large kissing gates to enable everybody to progress along the route.

The cycle chicane at the end of section SCJ-4-S051 should be suitable for users of all-terrain and large mobility vehicles, however the steps at the end of SCJ-4-S055 prevent progress along the route, so a detour must be signed to enable them to be bypassed, rejoining the route at a later point such as at SCJ-5-S005 .

Natural England's Comments.

Natural England welcomes the Disabled Ramblers comments regarding infrastructure that may present as a barrier to many users of the England Coast Path and will work with Essex County

Council as the access authority who have responsibility for establishing and maintaining the trail to ensure all users are considered and structures and surfacing meets all necessary legislation, including that designed to protect wildlife and the protection of the flood defence systems.

Natural England acknowledges its duties under the Equality Act 2010 and the Countryside and Rights of Way Act 2000, and also the extra responsibilities conferred by the Public Sector Equality Duty, under the former. An important element of equality law is that the needs of those with constrained or restricted mobility are taken into account throughout the planning, design and implementation processes, and that they are not simply treated as an 'add on'. We have endeavoured to achieve this as we have developed our proposals for the Salcott to Jaywick stretch, and, if our proposals are approved, will continue to do so through the implementation phase, working alongside Essex County Council, which shares the same responsibilities and duties.

We also recognise the importance of satisfying the relevant British Standards, and the desirability of complying with the advice contained in the Disabled Ramblers Notes on Infrastructure and will consider these documents as we work with the Essex County Council.

We also note the Disabled Ramblers advice regarding the larger mobility vehicles and will ensure this is considered.

Representation ID:

MCA/SCJ4/R/1/SCJ1086

Organisation/ person making representation:

[Redacted]

Name of site:

Land known as Alresford Creek, specifically the southern seawall boundary of Alresford Creek.

Report map reference:

SCJ4a to SCJ4d

Route sections on or adjacent to the land:

SCJ-4-S039 to SCJ-4-S042

Other reports within stretch to which this representation also relates

n/a

Summary of representation:

Natural England has proposed a year-round exclusion from spreading room under public safety S25(1)(b) over my land. Section 4.3.2 of the report notes that a route alongside the gallop and rehabilitation paddocks was considered (SCJ4c) but Natural England concluded that the route would impact on the safe use of gallops due to walkers spooking horses. I believe this same consideration should be applied to the proposed path section SCJ-4-S039 which runs along the western side of the gallops. How can Natural England apply a common-sense approach along one side of the land, but not apply the same principle to the other? Any proposed route should be situated away from the boundary of the gallop to allow unencumbered use of the area as originally intended.

Natural England's comment

Initially we investigated whether we could align the trail through the paddocks and on the very edge of the gallops, with horses and users of the England Coast Path separated by only a fence line along a very thin strip of land that may have required the realignment of the gallops and fences. After discussions with the landowner we concluded it was not acceptable to bring people into contact with this equine operation and that the path would have to be aligned on Brightlingsea Road. However, under our proposals the land currently used as a horse gallop and rehabilitation paddocks would fall within the coastal margin. We therefore concluded that it would be necessary to exclude the site from coastal access rights using a public safety direction. See 4.2.16 of our report for further details of this direction to exclude access.

[Redacted] asks why we have ruled out an alignment through the eastern side of the gallops, but have felt able to align the trail along Brightlingsea Road and through an adjacent field under separate ownership on the western side?

We note that some of the paddocks are used for rehabilitation of horses and [redacted] has concerns that the presence of people in the area may spook horses. Whilst we are not down-playing the concern, it should be noted that our direction has been given on public safety grounds, rather than for animal welfare purposes. We believe that our proposals provide adequate separation from the horses which fully mitigates the welfare concern. We have included three photographs below that help to demonstrate this:

This land fell into spreading room by the very nature that one of its boundaries adjoins the busy public highway of Brightlingsea Road, with its heavy vehicles, emergency services and incorporates a pavement and cycle path adjacent to a low hedge on the very edge of the gallops. This existing pavement is proposed as the England Coast Path.

The proposed alignment SCJ-4-S039 is on adjacent farmland which is screened from the gallops by a 4 metre-wide tall hedge and ditch, that acts as a significant screen even in winter as shown in the following photo.



These Google Street View screen captures show our alignment along Brightlingsea Road (SCJ-4-S037 and S038). The paddocks and gallops are located on the other side of the hedge. Note the existing public use of the cycleway by both cyclists and pedestrians and the heavy vehicular use of the lane, which is the only access route to Brightlingsea. The alignment of the ECP along this pavement will not significantly alter the way in which it is used.





Representation ID:

MCA/SCJ5/R/8/SCJ0008

Organisation/ person making representation:

The Disabled Ramblers.

Name of site:

Whole report

Report map reference:

Whole report

Route sections on or adjacent to the land:

Whole report with specific regard to:

SCJ-5-S016.

SCJ-5-S020 to SCJ-5-S022

SCJ-5-S021

SCJ-5-S039

SCJ-5-S043

SCJ-5-S045

SCJ-5-S048

SCJ-5-S051,

SCJ-5-S055 to SCJ-5-S058

SCJ-5-A001

SCJ-5-A003

SCJ-5-S062

SCJ-5-S071

SCJ-5-S090

SCJ-5-S092

Other reports within stretch to which this representation also relates

All reports

Summary of representation:

The Disabled Ramblers noted that Natural England should ensure that, unless the natural terrain itself prevents access, any existing or new infrastructure along the Coast Path does not present a barrier to their ability to progress along the Coast Path. They note that certain structures such as kissing gates and bridges need to be constructed to allow the passage of larger mobility vehicles and to seek that consideration is given to ramps rather than steps.

They also note that wherever possible man-made infrastructure should be changed or adapted to enable users of mobility vehicles to have the same, legitimate, use and enjoyment of the main route of the England Coast Path that walkers have.

The proposed boardwalk at SCJ-5-S016 should be suitable for users of all-terrain mobility scooters.

It is expected that the sections comprising the planned new path at SCJ-5-S020 to SCJ-5-S022 will be suitable terrain for users of all-terrain mobility vehicles. To enable these people to progress along the route at the end of section SCJ-5-S021, the proposed kissing gate should be a large kissing gate, and a ramp be built to provide access onto the sea wall beside, or instead of, the proposed steps.

Proposed kissing gates at SCJ-5-S039, SCJ-5-S043 and SCJ-5-S045 should be large kissing gates to enable access by users of all-terrain and large mobility vehicles. Existing kissing gates at SCJ-5-S045 and SCJ-5-S048 should be replaced with large kissing gates if not already so. The existing board walk at SCJ-5-S051 should be reappraised, and if not sufficiently wide for use by off-road mobility vehicles, extended.

If the terrain along the sea wall on the new route between SCJ-5-S055 and SCJ-5-S058 is suitable for users of all-terrain mobility vehicles, the proposed kissing gates should be large kissing gates. If it is not suitable, there should be signage warning these users to take the alternative route. The kissing gates at junction with SCJ-5-Ao01 and SCJ-5-Ao03 should be replaced with large kissing gates, if not already so.

The proposed board walk at SCJ-5-S062, and the footbridge at SCJ-5-S071 should be suitable for users of all-terrain mobility vehicles.

The two existing barriers at SCJ-5-S090 and SCJ-5-S092 may need to be replaced with other, suitable, structures if they do not allow access to for users of all-terrain mobility vehicles. If necessary these could be avoided by a short diversion which should be signed.

Natural England's Comments.

Natural England welcomes the Disabled Ramblers comments regarding infrastructure that may present as a barrier to many users of the England Coast Path and will work with Essex County Council as the access authority who have responsibility for establishing and maintaining the trail to ensure all users are considered and structures and surfacing meets all necessary legislation, including that designed to protect wildlife and the protection of the flood defence systems.

Natural England acknowledges its duties under the Equality Act 2010 and the Countryside and Rights of Way Act 2000, and also the extra responsibilities conferred by the Public Sector Equality Duty, under the former. An important element of equality law is that the needs of those with constrained or restricted mobility are taken into account throughout the planning, design and implementation processes, and that they are not simply treated as an 'add on'. We have endeavoured to achieve this as we have developed our proposals for the Salcott to Jaywick stretch, and, if our proposals are approved, will continue to do so through the implementation

phase, working alongside Essex County Council, which shares the same responsibilities and duties.

We also recognise the importance of satisfying the relevant British Standards, and the desirability of complying with the advice contained in the Disabled Ramblers Notes on Infrastructure, and will consider these documents for the whole route as we work with the Essex County Council. We will ask Essex County Council to have particular regard at the locations identified.

We also note the Disabled Ramblers advice regarding the larger mobility vehicles and will ensure this is considered.

It should be noted that the alternative route is a seasonally available route and not available for use year round. The main route that would follow the seawall is closed to all users from 1st September until 30th April to protect wintering bird populations. Only when this main route (SCJ-5-S055 and SCJ-5-S058) is seasonally closed is the alternative route seasonally open. The general comments regarding ensuring that infrastructure is not restrictive will be considered for both normal and alternative seasonal routes, but it will not be possible to signpost the alternative route as an optional alternative if the main route were not suitable for less able users.

Representation ID:

MCA/SCJ5/R/1/SCJ0125

Organisation/ person making representation:

Bourne Leisure

Name of site:

The Orchards Holiday Village/Haven

Report map reference:

SCJ 5A (directions) SCJ5f and SCJ 5g (alignment)

Route sections on or adjacent to the land:

SCJ-5-S089 to SCJ-5-S093

Other reports within stretch to which this representation also relates

SCJ6

Summary of representation:

Further to our discussions with Natural England, Bourne Leisure confirms that the proposed Coast Path route at the noted sections of Map SCJ 5f and SCJ 5g to be acceptable.

Furthermore, the proposed restrictions to the areas of saltmarsh and mudflat are as discussed. As is the application of coastal access rights to the areas of former shoreline, slipways and parking area.

Natural England's comment

Natural England thank Bourne Leisure for their comments in support of the proposals.

Representation ID:

MCA/SCJ6/R/8/SCJ0008

Organisation/ person making representation:

The Disabled Ramblers.

Name of site:

Whole report

Report map reference:

Whole report

Route sections on or adjacent to the land:

Whole report but with specific regard to:

SCJ-6-S001

SCJ-6-S005

SCJ-6-S028

SCJ-6-S051

SCJ-6-S067

SCJ-6-S075

SCJ-6-S097

Other reports within stretch to which this representation also relates

All reports

Summary of representation:

The Disabled Ramblers noted that Natural England should ensure that, unless the natural terrain itself prevents access, any existing or new infrastructure along the Coast Path does not present a barrier to their ability to progress along the Coast Path. They note that certain structures such as kissing gates and bridges need to be constructed to allow the passage of larger mobility vehicles and to seek that consideration is given to ramps rather than steps.

They also note that wherever possible man-made infrastructure should be changed or adapted to enable users of mobility vehicles to have the same, legitimate, use and enjoyment of the main route of the England Coast Path that walkers have.

At SCJ-6-S001, SCJ-6-S005, SCJ-6-S028, SCJ-6-S051 and SCJ-6-S067 the 5 existing barriers and bollards identified should have sufficiently wide clear gaps to allow access to users of all-terrain and large mobility vehicles, and be replaced with suitable alternatives if not.

The proposed footbridge at SCJ-6-S075 should be sufficiently wide for users of off-road mobility vehicles and should have ramped access at either end, not steps.

The barrier at the beginning of section SCJ-6-S097 should be replaced to allow a clear gap of 1.1m to allow access to users of all-terrain and large mobility vehicles.

Natural England's Comments.

Natural England welcomes the Disabled Ramblers comments regarding infrastructure that may present as a barrier to many users of the England Coast Path and will work with Essex County Council as the access authority who have responsibility for establishing and maintaining the trail to ensure all users are considered and structures and surfacing meets all necessary legislation, including that designed to protect wildlife and the protection of the flood defence systems.

Natural England acknowledges its duties under the Equality Act 2010 and the Countryside and Rights of Way Act 2000, and also the extra responsibilities conferred by the Public Sector Equality Duty, under the former. An important element of equality law is that the needs of those with constrained or restricted mobility are taken into account throughout the planning, design and implementation processes, and that they are not simply treated as an 'add on'. We have endeavoured to achieve this as we have developed our proposals for the Salcott to Jaywick stretch, and, if our proposals are approved, will continue to do so through the implementation phase, working alongside Essex County Council, which shares the same responsibilities and duties.

We also recognise the importance of satisfying the relevant British Standards, and the desirability of complying with the advice contained in the Disabled Ramblers Notes on Infrastructure, and will consider these documents in relation to the whole stretch as we work with the Essex County Council. Natural England and Essex CC will have particular regard to the infrastructure at the locations identified in the representation.

We also note the Disabled Ramblers advice regarding the larger mobility vehicles and will ensure this is considered.

Representation ID:

MCA/SCJ6/R/1/SCJ0125

Organisation/ person making representation:

Bourne Leisure

Name of site:

The Orchards Holiday Village/Haven

Report map reference:

SCJ 6A (directions), SCJ 6a (alignment)

Route sections on or adjacent to the land:

SCJ-6-S001 to SCJ-6-9 and SCJ-6-S040 to SCJ-6-049

Other reports within stretch to which this representation also relates

SCJ5

Summary of representation:

Further to the discussions with Natural England, Bourne Leisure confirms the proposed Coast Path route at the noted sections on Map SCJ 6a to be acceptable.

Furthermore, the proposed restrictions to the areas of saltmarsh and mudflat are as discussed.

Natural England's comment

Natural England thank Bourne Leisure for their comments in support of the proposals.