

Coastal Access – Eastbourne to Camber length EBC2



Representations with Natural England’s comments

March 2022

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1. Introduction

This document records the representations Natural England has received on the proposals in length report EBC2 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 Eastbourne to Camber they are included here in so far as they are relevant to length EBC2 only.

2. Background

Natural England’s compendium of reports setting out its proposals for improved access to the coast from Eastbourne to Camber, comprising an overview and seven separate length reports, was submitted to the Secretary of State on 27 February 2020. This began an eight-week period during which representations and objections about each constituent report could be made.

In total, Natural England received 11 representations pertaining to length report EBC2, of which three were made by organisations or individuals whose representations must be sent in full to the Secretary of State in accordance with paragraph 8(1)(a) of Schedule 1A to the National Parks and Access to the Countryside Act 1949. These ‘full’ representations are reproduced in Section 4 in their entirety, together with Natural England’s comments. Also included in Section 4 is a summary of the eight representations made by other individuals or organisations, referred to as ‘other’ representations. Section 5 contains the supporting documents referenced against the representations.

3. Layout

The representations and Natural England's comments on them are set out below with the three 'full' representations first and the 'other representations' after them.

4. Representations and Natural England's comments on them

Length Report EBC2

Full representations

Representation number:

MCA/EBC Stretch/R/2/EBC1939

Organisation/ person making representation:

Historic England – [redacted]

Route section(s) specific to this representation:

Whole Stretch, with specific comments about EBC1, EBC 4, EBC 5

Other reports within stretch to which this representation also relates:

EBC 1, EBC 3, EBC 4, EBC5, EBC 6, EBC 7

Representation in full

Would like to make comments about this scheme in general, and also specifically about a number of designated assets (scheduled monuments and listed structures) on certain maps. These are:

EBC 1:

- Eastbourne Redoubt (scheduled monument, list entry: 1017358)
- Martello Tower 66 (scheduled monument, list entry: 1017356)

EBC 4:

- Carlisle Parade car park (grade II listed, list entry: 1400579)

EBC 5:

- Iron Age Cliff Castle and site of St Georges Churchyard on East Hill (scheduled monument, list entry: 1011086).

Historic England has no objections to the scheme. We understand that the proposal will be a relatively low-key scheme which will involve re-using a lot of existing paths and therefore require minimal change; and thus there is likely to be little change to the historic environment.

We understand that there may be a need for some ground works (e.g. to improve existing or lay new paths, or install infrastructure). This could have some impact on undesignated archaeology; and you should therefore consult the County Archaeologist in this regard.

The path does pass through a number of scheduled monuments. These include:

- Eastbourne Redoubt (scheduled monument, list entry: 1017358) (EBC 1)
- Martello Tower 66 (scheduled monument, list entry: 1017356) (EBC 1)

- Iron Age Cliff Castle and site of St Georges Churchyard on East Hill (scheduled monument, list entry: 1011086) (EBC 5)

Both of the former two monuments include the built structures themselves, but also some land around them, hence why the path does still pass through the scheduled areas.

If any ground works are proposed within these scheduled areas (e.g. for laying new paths, restoring/renewing/resurfacing existing ones, or introducing infrastructure) then a prior application for Scheduled Monument Consent (SMC) will be required; and such works may not take place until SMC has been obtained. The applicant would need to apply to Historic England for SMC.

The path will also pass through a number of Conservation Areas and through the grade II listed Carlisle Parade Car Park (EBC 4). You should consult the local Conservation Officer with regard to the impacts of the proposal on these assets.

Natural England's comments

Whilst developing our proposals we have considered the potential effects of improved coastal access, construction and maintenance works on key heritage features. We have consulted with Historic England (HE) regarding Scheduled Monuments (in line with para 4.9.5 Coastal Access Scheme) to ensure that our proposals would not have a detrimental effect on heritage assets.

Scheduled Monuments (SM)

The proposals for report EBC 2 do not affect any Scheduled Monuments.

Undesignated archaeology

The Public Rights of Way Team at East Sussex County Council is responsible for both the establishment works and future maintenance of the proposed trail. They will consult the County Archaeologist, so that prior to carrying out any ground disturbance work, all necessary precautions, permissions, authorisations and consents are in place, to ensure any undesignated archaeology is unaffected by the proposed trail.

Conservation Areas

The proposed route in report EBC 2 does not pass through or close any conservation areas.

Relevant appended documents (see section 5):

N/A

Representation number:

MCA/EBC2/R/3/EBC0018

Organisation/ person making representation:

Ramblers – [redacted]

Route section(s) specific to this representation:

Maps 2b-d, EBC-2-S053 and EBC-2-S074

Other reports within stretch to which this representation also relates:

None

Representation in full

It is disappointing that the route continually diverts inland from the beach onto a mixture of roads, tracks and pavements, most of which are below the sea defences and therefore remove the sea views. This has resulted in an uninspiring proposed route which does not maximise the potentially available sea views or create a true coast path. The section between EBC-2-S053 and EBC-2-S074 on pavements through Normans Bay is particularly long and boring.

We fully support the need to make the Coast Path as accessible as possible, so that everyone can enjoy exploring the coast. However, we would like to see clear signage and maps provided to show that people can, should they wish to, walk along the beach enjoying the view, and re-join the marked coastal trail further on.

Natural England's comments

When developing our route in this area we considered section 7.12.4 of The Coastal Access Scheme, which states that 'F is difficult to walk on for any distance We therefore normally avoid aligning the trail along it. We would only propose a route along shingle for a short distance, and only then where there are no other viable route options or if this offers the best 'fit' with the statutory criteria'. The nature of the coast in this area means that if the route was to be completely located on the beach between Sovereign Harbour (Report EBC 1) and Cooden (Report EBC 3), walkers would have to walk on shingle for approximately 8km / 5 miles. We therefore looked at options to allow walkers off the shingle onto better walking surfaces, where there was a viable option to do so.

The shingle beach along this stretch of coast would become part of the accessible coastal margin. It would be marked as coastal margin on the 1:2500 OS Explorer maps and people could choose to use the beach instead of the coast path, if they so wish.

Between sections EBC-2-S024 and EBC-2-S053, the proposed route diverts off the beach intermittently, where the existing walked carriageways of Norman Road, The Promenade and The Parade provide a better walking surface. The trail here still maintains views of the sea and a coastal feel, while it is also obvious to walkers in this location that they can continue along this shingle beach, if they so wish.

Natural England recognises that the stretch along Coast Road (between section EBC-2-S053 and EBC-2-S074) does not provide views of the sea, as it lies inland of residential properties. The proposed alignment offers a viable option to avoid a protracted length (approximately 1.7km) of shingle-walking, while also passing four obvious connecting routes to the beach, so walkers can also choose to re-join or leave the beach at these points. We do not normally way-mark from the trail into the coastal margin, and as these access points to the beach are clear to walkers, in our opinion, they would not need specific signs.

Between sections EBC-2-S082 and EBC-2-S095 we also aligned the route off the shingle beach onto more consolidated surfaces, including along roads through the hamlets of Norman Bay. Again, the beach would remain accessible as part of the coastal margin.

Coast path walkers will therefore be able to choose from following a well signed route inland on firm ground, staying on the shingle next to the sea or on firmer sand exposed at low tide, or a combination of these options.

Relevant appended documents (see section 5):

N/A

Representation number:
MCA/EBC2/R/5/EBC0015

Organisation/ person making representation:
[redacted]/Open Spaces Society

Route section(s) specific to this representation:
Report EBC 2, Map EBC 2b-d

Other reports within stretch to which this representation also relates:
EBC 1, EBC 3, EBC 4, EBC 5, EBC 6, EBC 7

Representation in full

Details and reasons are as per Ramblers' comments EBC 2. OSS endorses and concurs with the Ramblers' representation in full - please see OSS covering letter of 08 June 2020.

Content of letter:

I am responding on behalf of the Open Spaces Society to the Coastal Access Report for Eastbourne to Camber.

On behalf of the society, I would like to thank the Coastal Access Delivery Team for all the work that has gone into progressing this section of the ECP.

I have been in consultation with representatives of the Ramblers when considering this matter and have made several site visits to the proposed route. The OSS is in total agreement with all the representations made on behalf of the Ramblers by Inga Chapman. The Society's representation forms accompanying this letter confirm this.

The society would like to state here its serious disappointment at the cessation of the path at the River Rother Estuary – stopping the path at Rye Harbour and then restarting at Camber Beach leaving an inexplicable gap.

The society considers this missing link in the English Coast Path at Rye to be a disgraceful neglect of Natural England's "legal duty to secure a walking route around the whole coast of England" and to keep interruptions to a minimum to the extent necessary to enable users to continue on their journey.

I must therefore refer you to, and highly commend, the detailed and carefully thought out proposal put forward by the Ramblers in their representation form EBC 7.

The society urges Natural England to revise the report to include this route so as to provide the public with a proper and continuous route at this location as intended by the legislation.

Thank you for this opportunity to make these representations.

Natural England's comments

We thank the Open Spaces Society for its comments on our proposals.

The OSS representation on EBC Report 2 replicates the views of the Ramblers. Please see Natural England's comments on the Ramblers representation MCA/EBC2/R/3/EBC0018

Our comments regarding the River Rother are set out in our response to the representations received on EBC 7.

Relevant appended documents (see section 5):

N/A

Other representations

Representations containing similar or identical points

Representation ID

Organisation/ person making representation:

MCA/EBC Stretch/R/3/EBC2338

[redacted]

MCA/EBC Stretch/R/1/EBC2336

[redacted]

Name of site:

Whole stretch

Report map reference:

All

Route sections on or adjacent to the land:

All

Other reports within stretch to which this representation also relates

EBC 1, EBC 3, EBC 4, EBC 5, EBC 6, EBC 7

Summary of point:

[Redacted] believes the path is a great idea – “well done – and thank you”. He suggests it will be a great asset to the area and the people who use it. More walking paths are always a good thing. However, he believes that it must also make accommodation for cyclists. He states that cycling is one of the greatest exercise activities we can undertake, and is so useful for all age ranges, from youngsters right through to older people. [Redacted] thinks the UK needs to encourage more cycling and provide more cycling opportunities whenever a new project is planned.

[Redacted]: I fully support this project. Please ensure the cycling facilities are kept too.

Natural England’s comment:

We welcome the supportive comments made from [redacted] and [redacted].

England Coast Path project comes under Part 9 of the Marine and Coastal Access Act 2009 (“the 2009 Act”) which aims to improve public access to, and enjoyment of, the English coastline by creating clear and consistent public rights along the English coast for open-air recreation on foot. The coast path will generally follow existing public rights of way or promoted routes where these meet the coastal access criteria. Whilst the coast path is principally aimed at those on foot, wherever possible we do take into account other users, and we consider how we can maximise access for these groups.

The legislation does not intend the ECP to be a promoted cycle route and coastal access rights do not normally include provisions for cycling. However, this does not prevent such recreational uses taking place by virtue of an existing right, with the landowner's permission or by traditional tolerance such as a shared cycleway/walking path. In addition, Natural England may relax any of these national restrictions in specific areas with the consent of the owner, or an owner may also voluntarily provide such rights by making a permanent access dedication under section 16 of CROW.

We understand that Sustrans is looking into cycling opportunities, particularly in areas where road cycling has been raised as a concern by cyclists – for example between Pevensey and Cooden Bay (reports EBC 1-3), where the nature of the shingle foreshore makes coastal cycling difficult. Their investigations may lead to improved facilities for cyclists.

We are not proposing altering or removing any existing cycling facilities.

Relevant appended documents (see Section 5):

N/A

Representations containing similar or identical points

Representation ID

Organisation/ person making representation:

MCA/EBC2/R/4/EBC1826

[Redacted]

MCA/EBC2/R/7/EBC1045

[Redacted]

Name of site:

The Parade, Pevensey Bay

Report map reference:

EBC 2b

Route sections on or adjacent to the land:

EBC-2-S049 to EBC-2-S054

Other reports within stretch to which this representation also relates

None

Summary of point:

The proposed trail will increase use by non-residents which will significantly impact the privacy & security of the landowners whose gardens are situated on both sides of the proposed trail. The trail should be aligned the short distance on the beach, which would better meet the objectives of a coast walk for sea views or diverted along Channel View Road, instead of Bay Avenue.

The trail along The Parade puts residents at risk during the Coronavirus pandemic, given the need to socially distance and the proximity of the trail to the gardens of vulnerable residents.

Natural England comments

Privacy

Sections EBC-2-S049 to S052 are aligned along The Parade, a grassed track. The proposals, if approved, would create coastal access rights along the trail and create associated coastal margin. The Parade is not registered with Land Registry and has existing pedestrian access. The formal or informal nature of this is explored further in section 3 of this document.

Pevensey Bay's shingle beach lies seaward of the trail and a run of gardens. Shingle makes for difficult walking, and the Coastal Access Scheme (7.12.4) advises to avoid walking across shingle for any great distance where a viable alternative is available, unless the shingle route provides the best 'fit' with the statutory criteria.

Along the ~5 miles of Pevensey Bay's shingle beaches (between Eastbourne and Bexhill), we have aligned onto firmer surfaces where possible, where the trail could be close to the coast and provide continued views of the sea, while avoiding significant impact on the affected private interests.

The Parade is ~200m of grassed surface thoroughfare, and offers a respite from shingle walking, where those walking the coast path can choose to leave the beach. It also provides views of the beach and coast.

Houses, such as [redacted] and [redacted], are located on the landward side of the thoroughfare and are separated from the proposed trail by low garden walls and small front gardens. On the seaward side of the proposed trail, the gardens are clearly marked out, for example with bollards or ropes. Gardens like these are excepted from coastal access rights under Schedule 1 to the CROW Act to help protect private interests and privacy.

We would expect an increase in the number of walkers using The Parade, as a result of aligning the England Coast Path here, although it is unlikely to be a high increase as some new visitors may well choose to walk along the shingle beach here and local people are unlikely to change their established patterns of use due to the trail alignment. The gardens that lie adjacent to The Parade will be clear to anyone walking this part of the trail, if approved, and their presence is also emphasised by some existing 'private land' notices. As such, we would expect visitors to continue to be respectful of the residents here, and naturally keep a distance from the homes landward of the trail. The Parade is a wide strip of land (>7m) which allows walkers to be mindful of residents using their gardens.

[Redacted] questions why an analysis of the privacy impacts relating to the 'spilt' gardens on The Parade was not fully explored in the Overview or Report EBC2. During the period prior to publication, we sought to identify the issues of the landowners and occupiers affected by our plans. In doing so, we were aware of the concerns of a number of residents along Pevensey Bay, Normans Bay and towards Cooden whose properties or gardens are close to the beach. Each area has been considered in relation to the principles of the MCA Act 2009, including residents' privacy in the gardens (whether 'spilt' or not) and the requirement to strike a fair balance between public benefits and private interest. We consider that the issues raised by landowners are appropriately summarised in the Overview, p25, under c) Interests of owners and occupiers.

Security: The Parade already has public access and there are currently very low recorded crime incidents for this area (<https://www.adt.co.uk/crime-in-my-area>). We do not have evidence that formal pedestrian access compromises security in the way predicted by [redacted]. Owners of

beachside properties are no doubt already alert to security risks and undertake basic security measures such as securing belongings or locking up equipment, where possible. Increased use of the trail may well have a positive, deterrent effect on criminal activities, by increasing the presence of law-abiding people in an area.

Ability to social distance Coronavirus

We appreciate the concerns raised in relation to social distancing – important in reducing the potential for viral transmission. Government guidance on behaviour outside applies to all open spaces, and we would consider that, due to the width of The Parade (>7m), visitors would continue to follow the guidance and maintain the recommended distance from other people, whether they are in their gardens or passing along the trail.

Relevant appended documents (see Section 6):

MCA/EBC2/R/4/EBC1826: [Redacted]'s accompanying statement (which replicates that in objection MCA/EBC2/O/17/EBC1826)

Representations making non-common points

Representation ID:

MCA/EBC2/R/4/EBC1826

Organisation/ person making representation:

[Redacted]

Name of site:

The Parade, Pevensey Bay

Report map reference:

EBC 2

Route sections on or adjacent to the land:

EBC-2-S049 to EBC-2-S054

Other reports within stretch to which this representation also relates

Summary of representation:

No attempt was made to contact the owner of [redacted], The Parade to discuss the proposed route. The report should be rewritten explaining what has been done and why and re-consulted upon so that a meaningful consultation can take place.

The Report has inaccuracies including: the wrong classification of The Parade as a public Highway; the proposal to specify landward boundary to the “landward of edge of road” which does not exist, and the lack of depiction of gardens on the Proposal Maps.

The owners maintain The Parade, and could choose to use shingle instead making it a less firm surface.

Carbon emissions associated with increased travel to reach the Coast Path have not been assessed as part of the Habitats Regulations Assessment, regarding air quality effects on European Designated Sites and climate change.

A trail along the beach would better meet the objectives for coastal walk

Natural England's comment:

Natural England made no attempt to discuss the proposed route with the owner.

The Approved Coastal Access Scheme lays out a process for developing the coastal access proposals, which includes dialogue with local landowners in potentially affected land. Sharing our initial thinking regarding the route alignment and providing an opportunity for discussion about where the route may go is fundamental to developing the final proposals (paras 3.4.5 – 3.4.6).

During January 2018, letters went out to landowners in Pevensey, inviting them to contact Natural England about coastal access and later to share our initial thinking of the route here. We subsequently met a number of residents individually and in groups and also arranged public 'drop-in' meetings in Pevensey and Parish Council meetings to give owners and other local people the opportunity to raise issues that may need to be addressed. We circulated a mapped summary of our thinking to affected landowners and others in Jan 2019.

As part of this process, we met with the previous owners of [redacted] on 4 July 2018 (see Annex 1 - file note of meeting). We also met with two other residents on this part of The Parade who raised concerns about the proximity of the trail to their houses.

Unfortunately, we were unaware of the change of ownership at [redacted] until the objection was received, after publication. However, before publishing our proposals to align on The Parade, we were made aware by other residents of the concerns about privacy, as well as opinions about the access status of the track. We took these into account when publishing our final proposals.

Inaccuracies in the report

Highway status: The Parade is an existing walked route along a grassed track, which is maintained by the residents. In the Proposals table 2.3.1 and on Map EBC 2b, we have stated that it is a public highway 'RD' as when we requested its status from East Sussex County Council's Highways Team, they informed us that their records showed, at the time, that The Parade is likely to be classified as an unadopted highway i.e. a way over which the public have full highway rights but is not maintainable at the public expense. We recognise that the classification of roads in the Pevensey area is unusually complex, with some uncertainty over their status. However, we are clear that The Parade is not excepted land and we are therefore comfortable proposing alignment of the trail over it. This would be the case even if the objector is correct in her assertion that it is not in fact unadopted highway.

[Redated] also raises that the residents could choose to maintain The Parade as shingle, rather than as grass – making it less suitable for off-shingle walking. The thoroughfare is underlain with shingle, however this is more consolidated than on the beach, where shingle is regularly disturbed as part of the local flood defence maintenance programme. Even if parts of The Parade were maintained as shingle, we consider the off-beach route between sections EBC-2-S049 and S053 likely to be more consolidated and easier to walk than the open beach.

Landward boundary of coastal margin: Natural England has the discretionary power to align the landward boundary of the coastal margin with a recognised physical feature. The landward edge of the grassed thoroughfare was chosen as the landward boundary for reasons of making the access rights across the width of The Parade clearer on the ground.

Various features also follow this proposed landward boundary, which include walls, fences and bushes. If the proposed landward boundary along EBC-2-S050 to EBC-2-S052 were to be changed from 'landward edge of road' to 'Various: meaning fence line and wall', this would also provide the clarity required to identify the proposed landward extent of coastal access rights.

Mapping: The maps used in our proposals are based on OS maps. These do not specifically identify gardens, but reflect existing physical boundaries, e.g. walls and fences

Carbon emissions and air pollution

With regard to the direct impact of vehicle emissions on European designated sites, it is the NOx emissions from road traffic that can represent a risk to sensitive vegetation where critical levels might be exceeded. Traffic emissions can also be a short-range contributor to nitrogen deposition. The usual distance criteria considered when assessing the impact of road traffic emissions on European sites is 200m and the rule of thumb for change in the average annual daily traffic flow that might be impactful is 1,000 or more. Coastal access proposals are concerned with providing a walking route and whilst we expect there will be some increased visits to coastal sites by visitors travelling by car, we do not believe there is an appreciable risk of there being an impact on European Sites even approaching these threshold levels, as to some extent visits to the coastal path will replace recreational journeys that might otherwise have been made.

Plans for promotion of the Coast Path once it is completed and open are still in development at this stage, but sustainable transport and encouragement to explore area close to where people live will be a consideration – helping to reduce carbon emissions and tackle climate change.

A trail along the beach would better meet the objectives for coastal walk

The Approved Coastal Access Scheme provides guidance that the route should normally be close to the sea, but does not mean the trail must pass along the land closest to the sea, especially where the surface elsewhere is more convenient for walking (para 4.5.2). Given the existing use of the grassed route, the width of trail and the benefit for walkers to be able to take breaks from shingle walking along a clearly marked National Trail, we considered this alignment meets the key principle of 'proximity of the trail to the sea'.

Annex 1: File Note of [redacted] Site Visit 4 July 2018 – with [redacted], [redacted], [redacted] (NE) & [redacted] (NE)

- [redacted] and [redacted] said there is a public right-of-way on when the tide is low.
- The Parade is thought to be private, unregistered land.
- Some historical house deeds say that a gate needs to be put in place until the council adopt it as a road.
- People walk up and down The Parade all the time.
- Dog-walkers are a problem as some of them do not control their dogs properly and [redacted] and [redacted] have had a dog in their house as a result of this lack of control.

- [redacted] and [redacted] would like a sign asking that dogs be kept on leads because of the risk of damage to residents' gardens.
- [redacted] & [redacted] suggested that unlike some houses - they had a secluded outside space as well as the seaward facing gardens.
- Sometimes locals stood on Bay Avenue outside one of their windows and talked for a long time - disturbing.

Relevant appended documents (see Section 5):

MCA/EBC2/R/4/EBC1826: [redacted]'s accompanying statement (which replicates that in objection MCA/EBC2/O/17/EBC1826)

MCA/EBC2/R/4/EBC1826: Natural England's File Note of [redacted] Site Visit 4 July 2018 – with [redacted], [redacted], [redacted] (NE) & [redacted] (NE)

Representation ID:

MCA/EBC2/R/1/EBC2337

Organisation/ person making representation:

[Redacted] - Bespoke Cycle Group

Name of site:

Pevensey Bay

Report map reference:

Map 2b

Route sections on or adjacent to the land:

EBC-2-S002 RD to EBC 2-S054 FW

Other reports within stretch to which this representation also relates

None

Summary of representation:

Bespoke Cycle Group are concerned that any improvements are not synchronised with Sustrans. The most dangerous section of the Sustrans Route 21 between Eastbourne and Cooden, is the one way traffic flow in Pevensey Bay on the A259. This route is also part of the Coastal Cultural Trail joining the 3 art galleries in Eastbourne Bexhill and Eastbourne. Bespoke suggests a cycle route from the A259 to the proposed trail between Norman Road (section EBC-2-S024) and Bay Avenue (section EBC-2-S054) – using surfacing across shingle area, should be a priority. Ideally this approach should be considered for other sections of the coast – such as Normans Bay to Cooden (Report EBC 3).

Natural England's comment:

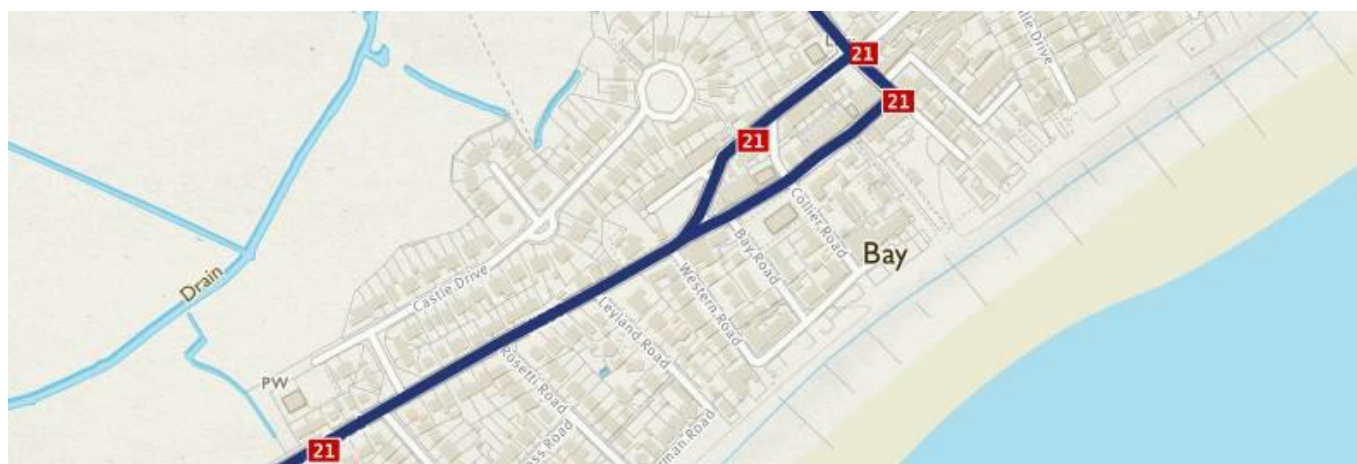
As explained in our comments on representations MCA/EBC Stretch/R/3/EBC2338 and MCA/EBC Stretch/R/1/ EBC2336, the England Coast Path project is principally aimed at those on foot, and while higher rights may exist along the trail, new higher rights would be dependent on landowners permission.

We work with groups and councils to share mixed use surfaces and routes, where it is appropriate and safe to do so, and it does not affect us achieving our aims. We consulted with Sustrans whilst we were developing the proposed trail route. We are aware that they were producing their own feasibility report for cycling between Pevensey Bay and Cooden and looking into cycling opportunities, particularly in areas where road cycling has been raised as a concern by cyclists and where the nature of the shingle foreshore makes coastal cycling difficult. Their investigations may lead to improved facilities for cyclists and we would be happy to discuss any ideas that link to the coast path. However we are not proposing to alter any of the existing grass or shingle surfaces currently found in this area.

Relevant appended documents:

Link to the Coastal Cultural Trail: <https://www.visiteastbourne.com/things-to-do/coastal-culture-trail.aspx>

Location of Sustrans NCN 21 leading to NCN2



Representation ID:

MCA/EBC2/R/2/EBC0295

Organisation/ person making representation:

[Redacted]

Name of site:

Pevensey Bay

Report map reference:

EBC 2b, 2c and 2d

Route sections on or adjacent to the land:

EBC-2-S053 RD and EBC-2-S096

Other reports within stretch to which this representation also relates

None

Summary of representation:

[Redacted] is supportive of the Coastal Footpath Project and welcomes the proposals along Norman Road (EBC-2-S033). He is astonished that the trail is aligned inland of the sea between EBC-2-S053 and EBC-2-S096 and suggests it should follow the foreshore, especially as the shingle is compacted by Pevensey Coastal Defence Ltd shingle movement operations between Sovereign Harbour and Herbrand Walk.

Natural England's comment:

Natural England welcome [redacted]'s supportive comments in relation to the route following Norman Road.

When developing our route in this area we considered section 7.12.4 of The Coastal Access Scheme, which states that 'Shingle is difficult to walk on for any distanceWe therefore normally avoid aligning the trail along it. We would only propose a route along shingle for a short distance, and only then where there are no other viable route options or if this offers the best 'fit' with the statutory criteria'. The nature of the coast in this area means that if the route was to be entirely located on the beach between Sovereign Harbour (Report EBC 1) and Cooden (Report EBC 3), walkers would have to walk on shingle for approximately 8km / 5 miles without respite. We therefore looked at options to allow walkers off the shingle onto better walking surfaces, where there was a viable option to do so.

The shingle along this stretch of beach is variable in nature and while compacted tracks from the Pevensey Coastal Defence Ltd machinery can be present, these are not always evident, and the shingle is hard to walk along for any distance.

Where it is possible to divert off the shingle onto more compacted surfaces, while retaining sea views we have done so, such as at Norman Road, The Promenade and The Parade in Pevensey Bay. Between sections EBC-2-S053 and EBC-2-S074, we recognise that the proposed route along Coast Road does not provide views of the sea, however the proposed alignment offers a viable option to avoid a protracted length (approximately 1.7km) of shingle-walking. It also passes four obvious connecting routes to the beach, so walkers can choose to re-join or leave the beach at these points. Between sections EBC-2-S082 and EBC-2-S095 we aligned the route off the shingle beach onto more consolidated surfaces, including along roads through the hamlets of Norman Bay.

If our proposals are approved, the beach would become part of the accessible coastal margin. It would also be marked as coastal margin on the 1:2500 OS Explorer maps. Coast path visitors will therefore be able to choose from following a well signed route inland on firm ground, staying on the shingle next to the sea or on firmer sand exposed at low tide, or a combination of these options.

Relevant appended documents (see Section 5):

N/A

Representation ID:

MCA/EBC Stretch/R/4/EBC008

Organisation/ person making representation:

[Redacted] - Disabled Ramblers

Name of site:

Whole Stretch

Report map reference:

EBC 2

Route sections on or adjacent to the land:

Whole Stretch

Other reports within stretch to which this representation also relates

EBC 1, EBC 3, EBC4, EBC 5, EBC 6, EBC7

Summary of representation:

Much of the route along this stretch follows shingle beach which can be difficult terrain for those with limited mobility, especially for those using mobility vehicles. However, there are places along the route where mobility vehicles should be able to go, and in these instances Natural England should ensure that, wherever possible, there are no man-made barriers that would prevent access. In a few instances it would be appropriate to sign short diversions (such as around the docks at Sovereign Harbour, Report ECB 1 sections ECB-1-S020 to ECB-1-S035).

Disabled Ramblers requests that, wherever possible, Natural England adhere to the advice in the attached document Man-made Barriers and Least Restrictive Access.

Natural England's comment:

For those with limited mobility, the coast of Report EBC 2 has its challenges, as the extensive shingle beaches here offer limited consolidated surfaces for the trail near the sea.

When developing our route for this area we considered section 7.12.4 of The Coastal Access Scheme, which states that 'Shingle is difficult to walk on for any distance ... We therefore normally avoid aligning the trail along it. We would only propose a route along shingle for a short distance, and only then where there are no other viable route options or if this offers the best 'fit' with the statutory criteria'.

Though there is a substantial section of proposed shingle trail between Pevensey Bay and Bay View Caravan Park, we have opted to align on consolidated surfaces, where a viable route is available. This includes the proposed trail along the pavement of Coast Road in Pevensey Bay, where the trail does not benefit from sea views. This will enable visitors to choose between a well-marked route on firmer surfaces or to continue walking on the shingle beach, which will remain accessible as part of the coastal margin.

We welcome the guidance that the Disabled Ramblers have provided to Natural England. We will share this with East Sussex County Council, the relevant access authority for this stretch of coast, and have regard to any opportunities to further increase accessibility during the establishment stage of the coast path. We will also highlight where extensive sections of shingle beach is used for the England Coast Path, on the National Trails' website which gives information on all National Trails, so that those with limited mobility are able to decide in advance where they choose to visit.

Relevant appended documents (see Section 5):

MCA/EBC Stretch/R/4/EBC008 Disabled Ramblers: Man-made Barriers and Least Restrictive Access.

Representation ID:

MCA/EBC2/R/6/EBC1216

Organisation/ person making representation:

[Redacted]

Name of site:

EBC 2 - Optional Alternative Route Pevensey Bay

Report map reference:

EBC 2a

Route sections on or adjacent to the land:

EBC-2-OA001

Other reports within stretch to which this representation also relates

None

Summary of representation: EBC-2-OA001 is shown in notes under current status of route selection as 'Other existing walked route'. The land from the high tide line on the beach to the alleyway is privately owned. A section, approximately 2m wide, nearest to Cadogan Court, Grenville Road, is the only section not owned by [redacted], but is impassable due to a severe slope and overgrown scrub and brambles. Therefore, anyone using the optional route show at EBC-2-OA001 will be walking across her land.

An area immediately adjacent to [redacted] has been fenced. The land has mostly been left untouched to allow residents of Innings Drive to walk through the beach. This was discussed during consultation and whilst willing for this land to be used as an optional alternative route she wishes for the notes to reflect that the land is privately owned, as opposed to 'other existing walked route'.

With regards to the signage, as discussed during the initial consultation, placing signs showing an alternative route will indicate a path that is currently only known by local residents, Whist she appreciates the need for an alternative route when a very high tide makes the beach line impassable, using signs to indicate a path is also likely to attract walker from the existing caravan sites that are west of this location, including the large holiday camp at Pevensey Bay Holiday Park, who are walking to the village and do not wish to do so on the beach. This would significantly increase the footfall beyond those specifically walking the coast path. She wishes to consult about signage, with preference for not having any, but if required, for the wording to include reference to the land being privately owned so that those using it do so in a respectful manner.

Natural England's comment:

Our proposals do not routinely include details about land ownership along the trail. However, issues relating to the interests of landowners are considered during the development of the trail, as Section 297 of the 2009 Act requires us in discharging the coastal access duty to aim to strike a fair balance between the occupier's interests and the public's interest in having access rights over land.

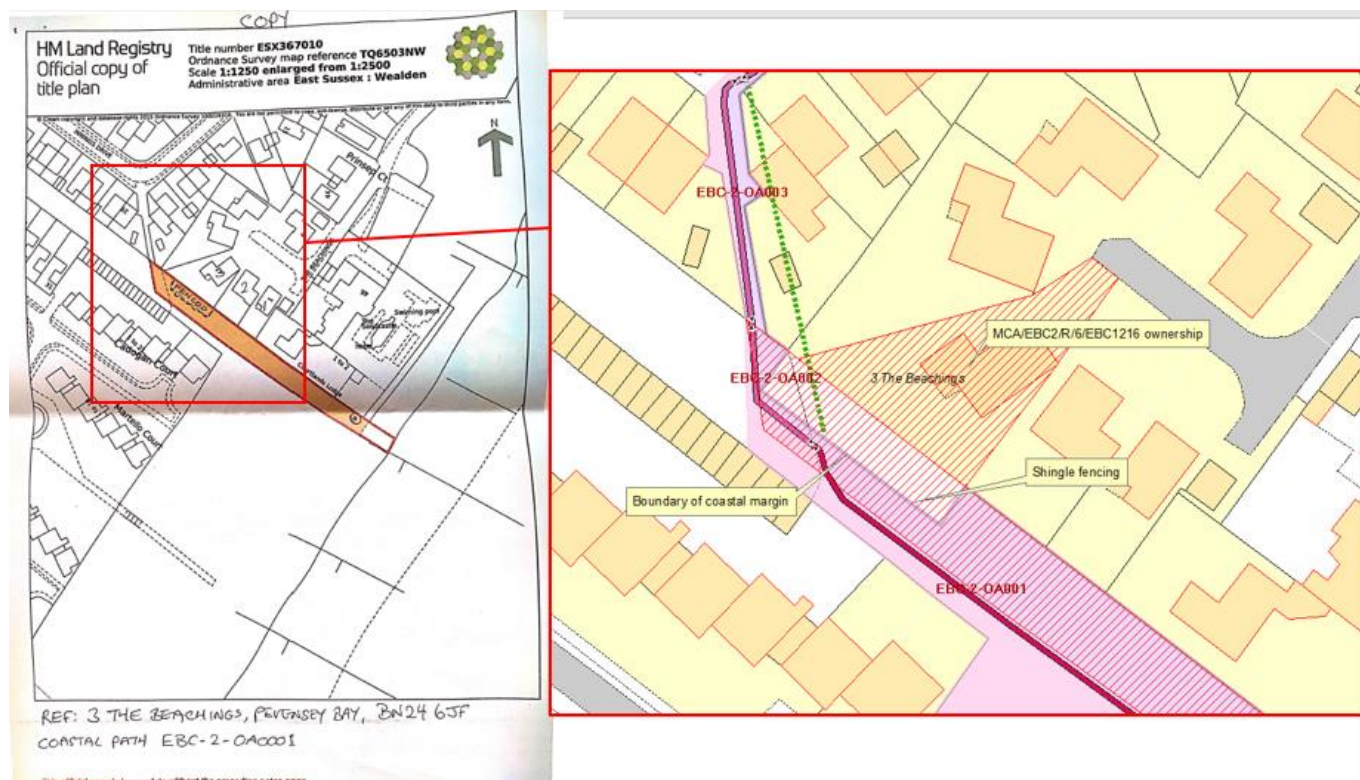
After discussion with [redacted], we aligned the proposed Optional Alternative Route away from both her garden fence and the fencing she erected on the shingle. Our proposals, in Tables 2.3.1 and 2.3.2, also specify that the landward boundary of the coastal margin for route section EBC-2-S019 extends only to her fencing, which marks the top of the beach: a default coastal land type. Our detailed proposals for this area of coastal margin are shown in Annex 2 – Proposals for Optional Alternative Route and Coastal Margin).

The status of ‘other existing walked route’ assigned to section EBC-2-OA001 indicates that this route is currently walked (most likely by local people) and does not have any bearing on the ownership status of the land.

We are aware of [redacted]’s desire for minimal signage of the optional alternative route. However, waymarking is necessary to ensure that when visitors cannot continue along the beach seaward of sections EBC-2-S019 to EBC-2-S021, during particularly high tides, it is clear where the diversion goes. During the establishment of the trail infrastructure, we will share details of the proposed signage with [redacted].

We do not have evidence that pedestrian access along such a route would cause anti-social behaviour as walkers are also likely to continue to respect the residential nature of the area. However, there is nothing in the MCA 2009 legislation that would prevent [redacted] from erecting signs to remind visitors to walk through the area in a respectful manner.

Annex 2: Proposals for Optional Alternative Route and Coastal Margin around [redacted]’s ownership (hatched)



Relevant appended documents (see Section 5):

MCA/EBC2/R/6/EBC1216 - HM Land registry document ESK367010

5. Supporting documents

MCA/EBC Stretch/R/4/EBC008 The Disabled Ramblers document: *Man-made Barriers and Least Restrictive Access*



Disabled Ramblers Ltd
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<https://disabledramblers.co.uk>

Registered Charity Number 1103508

Man-made Barriers & Least Restrictive Access

There are a significant and steadily increasing number of people with reduced mobility who like to get off tarmac onto natural surfaces and out to wilder areas to enjoy great views and get in touch with nature whenever they are able to. There are many ways they achieve this, depending on how rough and steep the terrain is. A determined pusher of a manual wheelchair can enable access to a disabled person across grass and up steep hills. An off-road mobility scooter rider can manage rough terrain, significant slopes, cross water up to 8" deep, and depending on their battery type and the terrain they are on, they can easily run 8 miles or more on one charge. Modern batteries are now available that allow a range of up to 60 miles on one charge!

Many more people too are now using mobility vehicles in urban areas, both manual and electric. 'Pavement' scooters and powerchairs often have very low ground clearance, and some disabilities mean that users are unable to withstand jolts, so well placed dropped kerbs and safe places to cross roads are needed.

Modern mobility vehicles can be very large, and many man-made barriers that will allow a manual wheelchair through are not large enough for all-terrain mobility vehicles, or for 'pavement' scooters and prevent legitimate access.

Users of mobility vehicles have the same rights of access that walkers do. Man-made structures along walking routes should not be a barrier to access for users of mobility vehicles. New structures should allow convenient access to mobility vehicle riders as standard, and should comply with British Standard BS5709: 2018 Gaps Gates and Stiles which places the emphasis on Least Restrictive Access. Suitability of structures should always be considered on the assumption that a person with reduced mobility will be going out without more-mobile helpers, so will need to operate the structure on their own, seated on their mobility vehicle.

When it is impossible to avoid man-made structures which are a barrier to mobility vehicles, wherever feasible a nearby alternative should be provided. For example, a slope adjacent to steps or a signed short diversion.

Whilst BS5709:2018 does not automatically apply retrospectively to most existing structures, Disabled Ramblers would like to see existing structures removed and replaced if they prevent access to users of mobility vehicles. Some structures can have a 'life' of 15 years – it would be a crying shame if those with limited mobility have to wait this long before they can be afforded the same access that walkers have to those areas where the terrain is suitable for mobility vehicles.

Disabled Ramblers campaign for:

- Installation of new structures that are suitable for those who use large mobility vehicles, and that comply with British Standard BS5709: 2018 Gaps Gates and Stiles.
- Review of existing man-made structures that are a barrier to those who use mobility vehicles, and where possible removal and replacement with suitable structures to allow access to these people
- compliance with the Equality Act 2010 (and the Public Sector Equality Duty within this act)
- compliance with the Countryside Rights of Way Act 2000
- adherence to the advice from Disabled Ramblers as set out below.

Useful figures

- **Mobility Vehicles**
 - **Legal Maximum Width of Category 3 mobility vehicles: 85cm.** The same width is needed all the way up to pass through any kind of barrier to allow for handlebars, armrests and other bodywork.
 - **Length:** Mobility vehicles vary in length, but **173cm is a guide minimum length.**
- **Gaps** should be 1.1 minimum width on a footpath (BS5709:2018)
- **Pedestrian gates** The minimum clear width should be 1.1m (BS5709:2018)
- **Manoeuvring space** One-way opening gates need more manoeuvring space than two-way opening ones and some mobility vehicles may need a three metre diameter space
- **The ground** before, through and after any gap or barrier must be flat otherwise the resulting tilt effectively reduces the width

Gaps

A Gap is always the preferred solution for access, and the least restrictive option (BS 5709:2018). The minimum clear width of gaps on footpaths should be 1.1metres (BS 5709:2018).

Bollards

On a footpath, these should be placed to allow a minimum gap of 1.1metres through which large mobility vehicles can pass.

Pedestrian gates

A two-way, self-closing gate closing gate with trombone handle and Centrewire EASY LATCH is the easiest to use – if well maintained, and if a simple gap is unacceptable. Yellow handles and EASY LATCH allow greater visibility and assist those with impaired sight too:

<https://centrewire.com/products/easy-latch-for2-way-gate/> One-way opening gates need more manoeuvring space than two-way and some mobility vehicles may need a three metre diameter space to manoeuvre around a one-way gate. The minimum clear width of pedestrian gates should be 1.1metres (BS 5709:2018).

Field gates

Field gates (sometimes used across access roads) are too large and heavy for those with limited mobility to use, so should always be paired with an alternative such as a gap or pedestrian gate. However if this is not possible, a York 2 in 1 Gate:

<https://centrewire.com/products/york-2-in-1/> could be an alternative, with a self-closing, two-way opening, yellow handles and EASY LATCH.

Bristol gates

(Step-over metal gate within a larger gate: <https://centrewire.com/?s=bristol>) These are a barrier to mobility vehicles as well as to pushchairs and so should be replaced with an appropriate structure. If space is limited, and a pedestrian gate not possible, a York 2 in 1 Gate: <https://centrewire.com/products/york-2in-1/> could be an alternative, with a self-closing, two-way opening, yellow handle and EASY LATCH for the public access part of the gate.

Kissing gates

A two-way, self-closing gate is hugely preferable to a kissing gate, but in certain situations a kissing gate might be needed. Some kissing gates can be used by smaller pushchairs and small wheelchairs, but are impassable by mobility scooters and other mobility vehicles. Unless an existing kissing gate has been specifically designed for access by large mobility vehicles, it should be replaced, if possible with a suitable gate (see above). If a kissing gate really must be used, Disabled Ramblers only recommend the [Centrewire Woodstock Large Mobility](#) kissing gate. This is fitted with a RADAR lock which can be used by some users of mobility vehicles. NB this is the only type of kissing gate that is large enough to be used by all-terrain and large mobility vehicles.

Note about RADAR locks on Kissing gates

Often mobility vehicle riders find RADAR locks difficult to use, so they should only be used if there is not a suitable alternative arrangement. Here are some of the reasons why:

- Rider cannot get off mobility vehicle to reach the lock
- Rider cannot reach lock from mobility vehicle (poor balance, lack of core strength etc.)
- Position of lock is in a corner so mobility vehicle cannot come alongside lock to reach it, even at an angle
- RADAR lock has not been well maintained and no longer works properly
- Not all disabled people realise that a RADAR key will open the lock, and don't know how these kissing gates work. There must be an appropriate, informative, label beside the lock.

Board walks, Footbridges, Quad bike bridges

All of these structures should be designed to be appropriate for use by large mobility vehicles, be sufficiently wide and strong, and have toe-boards (a deck level edge rail) as edge protection. On longer board walks there may also be a need to provide periodic passing places.

Sleeper bridges

Sleeper bridges are very often 3 sleepers wide, but they need to be at least 4 sleepers wide to allow for use by mobility vehicles.

Steps

Whenever possible, step free routes should be available to users of mobility vehicles. Existing steps could be replaced, or supplemented at the side, by a slope or ramp. Where this is not possible, an alternative route should be provided. Sometimes this might necessitate a short diversion, regaining the main route a little further on, and this diversion should be signed.

Cycle chicanes and staggered barriers

Cycle chicanes are, in most instances, impassable by mobility vehicles, in which case they should be replaced with an appropriate structure. Other forms of staggered barriers, such as those used to slow people down before a road, are very often equally impassable, especially for large mobility vehicles.

Undefined barriers, Motorcycle barriers, A frames, K barriers etc.

Motorcycle barriers are to be avoided. Often they form an intimidating, narrow gap. Frequently put in place to restrict the illegal access of motorcycle users, they should only ever be used after very careful consideration of the measured extent of the motorcycle problem, and after all other solutions have been considered. In some areas existing motorcycle barriers are no longer necessary as there is no longer a motorcycle problem: in these cases the barriers should be removed.

If no alternative is possible, the gap in the barrier should be adjusted to allow riders of large mobility vehicles to pass through. Mobility vehicles can legally be up to 85 cm wide so the gap should be at least this; and the same width should be allowed all the way up from the ground to enable room for handle bars, arm rests and other bodywork. The ground beneath should be level otherwise a greater width is needed. K barriers are often less intimidating and allow for various options to be chosen, such as a shallow squeeze plate which is positioned higher off the ground: <http://www.kbarriers.co.uk/>

Stepping stones

Stepping stones are a barrier to users of mobility vehicles, walkers who are less agile, and families with pushchairs. They should be replaced with a suitable alternative such as a footbridge (which, if not flush with the ground should have appropriate slopes at either end, not steps). If there are good reasons to retain the stepping stones, such as being listed by Historic England, a suitable alternative should be provided nearby, in addition to the stepping stones.

Stiles

Stiles are a barrier to mobility vehicles, walkers who are less agile, and families with pushchairs. They should be replaced with a suitable alternative structure. If there are good reasons to retain the stile, such as it being listed by Historic England, then an alternative to the stile, such as a pedestrian gate, should be provided nearby in addition to the stile.

Urban areas and Kerbs

In urban areas people with reduced mobility may well be using pavement scooters which have low ground clearance. Where the path follows a footway (e.g. pavement) it should be sufficiently wide for large mobility vehicles, and free of obstructions. The provision and correct positioning of dropped kerbs at suitable places along the footway is essential. Every time the path passes over a kerb, a dropped kerb should be provided.

Disabled Ramblers March 2020

[MCA/EBC2/R/4/EBC1826: \[Redacted\]'s accompanying statement \(which replicates that in objection MCA/EBC2/O/17/EBC1826\)](#)

ENGLAND COAST PATH STRETCH: EASTBOURNE TO CAMBER REPORT EBC 2: Bay View Caravan Park, Pevensey Bay to Herbrand Walk, Cooden MAP REFERENCES: EBC-2-SO549; 50 TO 54

This is an objection/representation made by [redacted] (“the owner”) of [redacted]. The owner acquired [redacted] in December 2018 for her and her severely disabled mother and two carers to occupy. The home will be significantly affected by the proposed route. At no stage has any attempt been made by the promoters of this scheme to discuss the proposed route with the owner. It is unclear from the plan provided whether the proposed route or the coastal margin associated with the route includes part of the owner’s land as the stated nature of the route in this location is incorrect.

[Redacted] is a substantial property that is located overlooking its own garden and the beach beyond. Its title extends to the mean high water mark. The garden of this property (and the others along this stretch) is split in to two sections. There is an immediate garden with decking, a seating area and flower beds surrounding the property with a low brick wall and glass that overlooks an area of unregistered land, known as The Parade, which is permissively and lightly used. The house lies about 6 metres from the Parade and its immediate garden is adjacent to it. The remaining part of the house' garden, which is located beyond the Parade, is about 22 metres long and is cultivated with plants, flowers and grass and contains a summer house. The shingle beach and the sea lies beyond that.

Presently most pedestrians use the shingle beach beyond the gardens of the properties to walk along which lies on the seaward side of both garden areas of the properties and where spectacular uninterrupted views can be enjoyed of the whole of the Bay.

The Parade therefore comprises a short stretch of land that lies between the two sections of gardens of all the properties that front on to it, including [redacted]. It has bollards at each end. It is very lightly used on foot by the owners of the properties that front on to it (these residents have access to the rear of their properties from the roads that connect to Coast Road) and as a means of very localised pedestrian access for those visiting these properties and other properties in the locality. There is no vehicular use or access to the Parade which is presently grassed/vegetated/solid but uneven ground. Use of this Parade by those not living in the properties is highly intrusive from overlooking for the residents as the front gardens and front rooms are highly visible from the Parade. However this is tolerated at present by the residents given the localised low level of use of the Parade and the fact that almost all users are known by name to the residents that front on to it. Each part of the parade is maintained by the resident that fronts on to that part of it. It is currently grassed but the owners, who maintain it, could decide to use shingle instead which would provide easier maintenance.

Clearly the whole purpose of the coastal path is to encourage all walkers along a specific designated route. If the Coastal Path is designated on this part of its route along the Parade then those currently using the shingle beach will be encouraged to use it together with others attracted by the designation of the path. This will significantly increase use of the Parade which will be highly intrusive given that the path is immediately adjacent to the private gardens of the properties that front it. Indeed the whole purpose of the route is to encourage use along it. This objection/representation is based on the following:

1. The overview report is wholly inadequate and misleading in its description of this part of the proposed route, in particular the Parade and the considerations that relate to it. The obvious considerations in relation to privacy and intrusion for the residents that front on to it that will arise from its significantly increased use are completely ignored. The specific report EBC 2 provides no further light on this matter but rather compounds the problem. The Proposal Tables that relate to the Parade are incorrect. Column 3 provides "*a description of the current status of the route section*" in this location. In this column the Parade is referred to as "*Public Highway*", which it clearly is not. Also Column 5b which relates to "*Proposal to specify landward boundary of margin*" refers to a location as "*landward of edge of road*" which does not exist. Clearly there is a fundamental misunderstanding of the nature of the route in this location. It appears the route is based on the wrong assumption that the Parade forms part of the public highway. In addition the map is itself misleading at it does not reflect that on the ground there are gardens and built form on the south side of the proposed route only beach.

2. The overview report states that some residents own sections of the beach and refers to unspecified privacy issues that had been raised by residents along the entirety of the route which is several miles long in this location. Whilst both of these facts are correct the report gives no consideration or recognition of the specific circumstances of the Parade. The report is wholly

inadequate in this respect. The Parade essentially splits residents' gardens, which are not part of the beach, into two sections. This is nowhere mentioned. Nor is there any consideration of the proximity of the route to resident's gardens on both sides of the proposed route in this location. There is no analysis of proximity between properties and the route in the report whatsoever. In fact there is no mention of it at all. There is just a generalised account of the entirety of the route which is many miles long.

3. Moreover there is absolutely no explanation of how the privacy of the residents and the intrusive effect on them of visitors walking essentially through their gardens has been reconciled with the right to achieve greater access or whether the right to access can be achieved in a way that does not have this significant adverse effect. There is no explanation of why it is not appropriate to provide the route along the short section of shingle beach beyond residents' gardens (which remains part of their property) where most people currently walk, where the views are superior and where the intrusive effects on residents' gardens and enjoyment of their properties can be avoided. Whilst walking on shingle may be slightly more challenging, this is after all meant to be a coastal route along a stretch of beach that is made up of shingle. In any event if the route were to be realigned as suggested the section of the route that is actually on the shingle would still remain very short so as to be capable of being accommodated by all walkers.

4. In short there is no clear explanation or intelligible reasoning in any of the reports produced to justify how in arriving at the route along the Parade a fair balance between achieving greater public access and protecting legitimate interests of those affected by that greater access has been struck.

5. Moreover it appears that material considerations have been left out of account. Specifically the particular and peculiar circumstances of the Parade and its location between residents' gardens; the intrusive effect upon residents of the proposed location of the route; the ability of pedestrians to walk on a short section of shingle where the views of the sea are better and where people currently walk anyway. Nor is there any explanation as to why those walkers should now be encouraged away from what is truly a coastal walk to an area which is less good for that purpose and significantly intrusive for residents. Also no consideration has been given to the fact that the residents who maintain the Parade could use shingle to do so thereby negating what is in any event a negligible reason for its selection. Rather immaterial and wrong considerations have been taken into account namely that the Parade is a public highway when it is not.

6. Moreover in the current coronavirus crisis which is likely to continue for some time yet and possibly years it is putting residents' safety unnecessarily at risk by encouraging members of the public to walk along a route that is immediately adjacent to their gardens where the public may pass within feet of where they are sitting. There can be no guarantee that social distancing could be maintained. Many of the residents in this area due to its demographic are highly vulnerable to this virus.

7. I am also unclear how or whether carbon emissions have been taken into account in promoting the route generally. Clearly the purpose of the route is to encourage people to walk it. It does not appear that there has been any assessment in the HRA or otherwise of the additional cars that could be encouraged into the area or from how far in order to walk this route. The location is popular with a large hinterland including all of Kent and an assessment of likely vehicular trips attracted to the area should have been undertaken to assess the carbon effects of this proposal on the air quality of the European Protected Sites and upon air quality generally and the overall effect of the proposal on climate change. Whilst of course walking is to be encouraged the benefits could be negated and adverse effects produced if potential walkers

have driven long distances to walk along the path. It is wholly unclear how these material factors have been taken into account with the Eastbourne to Camber route.

8. Given that it is not possible from the reports produced to genuinely understand why this route has been selected nor to understand what factors have been taken into account in doing so, it is not possible to provide a meaningful consultation response to it. The report should be rewritten explaining what has been done and why and re-consulted upon so that a meaningful consultation can take place.

9. All these matters should be properly considered and explained. It would appear self-evident that if the exercise in the selection of the route had been properly undertaken then the proposed route would not be along the Parade but along the seaward side of the end of the residents' gardens.

10. Finally, vast sections of this proposed coastal route do not in fact provide a coastal walk at all. It is a route along a road that runs behind properties which are at a much higher level and which are on the coast. It is in essence a walk through built development in many places and cannot properly be described as coastal in nature. It seems tht the reluctance to

actually produce a coastal walk along shingle has in part led to the selection of the Parade albeit in the misunderstanding that it is public highway because the sea can be seen from it (although there is in fact a far better view on the shingle itself) There must be a serious issue as to whether the objective of the Marine and Coastal Access Act 2009 to provide a route of the English Coast is in fact being met here. It seems that the concerns over the ability of walkers to actually walk along the coast is trumping the creation of a coastal path. This undermines the statutory objective of the legislation and its purpose and its legality is therefore questionable.

11. Clearly this matter is highly controversial and any disputes should be considered by an independent inspector through a public inquiry and a site visit.

12. RESOLUTION OF OBJECTION/REPRESENTATION

REALIGNMENT OF COASTAL ROUTE FROM PARADE TO THE BEACH SO AS TO CREATE
A TRUE COASTAL WALK
4 JUNE 2020

MCA EBC2 R 6 EBC1216 – [redacted] - HM Land registry document ESK367010

[Redacted due to containing personal information]