

# Coastal Access – Silecroft to Silverdale, lengths SCS2, SCS3 and SCS4



## Representations with Natural England’s comments

October 2022

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### 1. Introduction

This document records the representations Natural England has received on the proposals in length reports SCS2, SCS3 and SCS4 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 Silecroft to Silverdale they are included here in so far as they are relevant to lengths SCS2, SCS3 and SCS4 only.

### 2. Background

Natural England’s compendium of reports setting out its proposals for improved access to the coast from Silecroft to Silverdale, comprising an overview and six separate length reports, was submitted to the Secretary of State on 8 January 2020. This began an eight-week period during which representations and objections about each constituent report could be made.

In total, Natural England received 44 representations pertaining to length reports SCS2, SCS3 and SCS4, of which 22 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 22 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 separated below into the lengths against which they were submitted. Each length below contains the 'full' and 'other' representations submitted against it, together with Natural England's comments. Where representations refer to two or more lengths, they and Natural England's comments will appear in duplicate under each relevant length. Note that although a representation may appear within multiple lengths, Natural England's responses may include length-specific comments which are not duplicated across all lengths in which the representation appears. Where Natural England's comments and/or the text of the representation are the same for each length in which the representation appears, they will be produced in full only at the first occurrence. Thereafter, to save repetition Natural England's comments and/or the representation text will refer to the first occurrence.

### **4. Representations and Natural England's comments on them**

## **Length Report SCS2**

#### ***Full representations***

**Representation number:**

**MCA/SCS(W)/R/1/3452**

**Organisation/ person making representation:**

Environment Agency – [redacted]

**Route section(s) specific to this representation:**

All sections where there are local wildlife sites and sea defences – SCS1 to SCS6

**Representation in full**

Thank you for consulting us on the above proposals on 8 January 2020.

We have no objection to the proposed coastal access improvements, and we are generally supportive of the proposed powers to roll back the path in response to future coastal change.

The submitted nature conservation assessment does not include an assessment of the impacts to all local wildlife sites affected by the proposals and therefore we recommend this is included in the assessment. GIS layers of local wildlife sites are available from County Councils who oversee most local wildlife and biological heritage sites. The Environment Agency can provide GIS layers of these local wildlife sites. Local wildlife site information can also be obtained from the Local Record Centres for which there may be a charge.

In accordance with the Environmental Permitting (England and Wales) Regulations 2016, an environmental permit may be required for flood risk activities within 16 meters of a sea defence structure. However in this particular case,

as the Environment Agency do not own and/or maintain these defences, a permit would not be required. We have therefore not reviewed the proposals in relation to the impact on sea defences.

The Local Planning Authority should satisfy themselves that any new development does not affect the integrity of the sea defence, and the applicant should be aware that the consent of the owner/maintainer may be required and they should consult them as appropriate.

### **Natural England's comments**

Natural England is grateful for the general message of support for its proposals.

Natural England no longer has access to the digital data relating to Local Wildlife Sites and their boundaries. Instead, we made enquiries of Cumbria Wildlife Trust and the Arnsdale & Silverdale Area of Outstanding Natural Beauty team about any concerns that they might have in over such sites, in relation to our coastal access proposals, during the initial planning stages for the project. No concerns were advised to us at that time in relation to this stretch of coast.

We are also grateful for the advice about Environmental Permitting regulations and confirmation that no such permit will be required for works on this stretch. We would expect Cumbria County Council to liaise closely with all relevant authorities, including local planning authorities, prior to and during the establishment phase of this project.

### **Relevant appended documents (see section 5):**

None

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### **Representation number:**

**MCA/SCS(W)/R/3/3335**

### **Organisation/ person making representation:**

Cumbria & Lakes Local Access Forum – [redacted] **Route section(s) specific to this representation:**

### **Representation in full**

In the light of the unreliability of the train service on the Barrow to Carlisle line, we urge Natural England to reconsider their options on the estuary crossings. We ask that the bridge options are kept formally in place as a first choice solution if and when funds become available. If the rail crossings are adopted we urge that taxi contacts and bus timetables are prominently displayed at each railway station.

### **Natural England's comments**

Natural England is grateful to the Local Access Forum for the sensible advice within the representation. We will monitor the regularity and convenience of the railway service, as we approach commencement on this stretch of coast. As we have stated in our proposals, in the event of a significant reduction in convenience, we would expect to consider the need to vary our proposals.

Particularly with regard to the Duddon Estuary, we will continue to engage with other organisations, with a view to any potential for a new bridge to be delivered other than exclusively via the coastal access programme.

### **Relevant appended documents (see section 5):**

Cumbria & Lakes Local Access Forum Letter

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### **Representation number:**

**MCA/SCS(W)/R/6/3471**

### **Organisation/ person making representation:**

RSPB – [redacted]

## Route section(s) specific to this representation:

### Representation in full

#### Section SCS 1D, SCS-1-S028 to SCS-1-S033 – Haverigg Hawes and Bullstone Beds

Bullstone Bed/Haverigg Hawes – No coastal margin exclusion appears to be in place seaward of the trail on sensitive SAC habitat and SPA feature breeding habitat and supporting habitat despite LSE being identified within HRA. Limited areas landward of the trail have exclusions under s24 at Black Dub. However, the seaward extent of the trail containing the most sensitive embryonic dune and vegetated shingle habitats which support ground nesting bird species such as Ringed Plover and Little tern have no restrictions (Directions map SCS 1B).

**Exclusions under S26 should be in place seaward of the trail SCS-1-S028 to SCS-1-S033 to mitigate the impacts of the ECP and protect the area of SAC habitat and supporting SPA habitat from damage, trampling and disturbance.** Bullstone Bed/Haverigg Hawes is an accreting shingle point bar system and is likely the best example of a naturally pro-grading shingle (H1220) and embryonic dune habitat (H2110) in Cumbria. The area is seaward of the trail and not clearly marked on maps due to consisting of a complex transitional habitat with a large intertidal component but can be seen clearly on aerials/satellite photographs. Current patterns of access are informal and due to it being an accreting coastal habitat and relatively newly formed. This unpermitted access cannot be considered established or permissive.

In terms of ecological significance, this area has been identified within the HRA (section D2, p41 & p43) as being of importance. Trampling of feature groups; perennial vegetation of stony banks and sand dune – notably fore dune (embryonic dunes) is identified as an LSE within the HRA screening. The HRA (table 2a) asserts that the ECP avoids aligning (and by proxy avoids encouraging access via inclusion in coastal margin) in embryonic dune habitats in order to prevent damage/reduce risk to sensitive SAC/SSSI habitat features. This does not appear to have been the case when considering route proposals for areas seaward of the trail at Haverigg Hawes/Bullstone Bed. **I.E the pathways for impact are clear and have been identified within the HRA process but no mitigation has been proposed for these impacts.**

Table SCS 1.2 (p121) incorrectly asserts that Ringed Plover breed within the fenced grazing enclosures in Haverigg Bent Dunes and Black Dub. The core areas of breeding Ringed plover on the site are seaward of the trail on Bullstone Bed with a minimum of 8 pairs ringed plover and a pair of Little tern (SPA feature) in 2017 and 2018 (RSPB surveys - attached) nesting on the shingle and embryonic dune habitats within the proposed coastal margin. However, the nesting success and chick productivity of these species is known to be very low, likely due to disturbance. The site has been identified in the HRA (Table 7b, p60) as a nesting site for Little tern within the SPA. However, unlike the other Little tern nesting sites mentioned (Hodbarrow Lagoon, Foulney and South Walney) no mitigation measures have been put in place to protect this SPA species feature or the site as an important location for ground nesting birds.

More generally, mitigation for this section (HRA table 10a, p84) does not adequately cover the impacts to habitats and species for which an LSE has been identified. Instead, the mitigation and exclusions are concerned with livestock management landward of the trail and ensuring the ECP does not interfere with the “specialist campsite” activities assumed to be referring to the nudist beach at Black Dub. Little of the mitigation described is appropriate to the LSE identified within the HRA

**I.E Impacts on the European habitat and species features resulting from section SCS-1-S028 to SCS-1-S033 have not been adequately mitigated despite being screened as having potential LSE. This section of the route is not compliant with the HRA and will have likely significant impacts on the integrity of the European site.**

#### Section SCS 1G – 1 H, Borwick Rails

The RSPB strongly supports the s26 access exclusion at Borwick Rails to reduce risk of impact to ground nesting birds, post breeding aggregations of tern species and wintering wader roosts. Fully agree with the reasoning behind this exclusion.

#### Section SCS 3D , Foulney Island

The RSPB Strongly supports the proposed s26 and s25a exclusions on Foulney Island and the intertidal mud and skears down to Foulney Twist. However, the limited s26 exclusion allowing public access to Foulney Island during winter (16th August – 31st March) with dogs on leads is not considered adequate mitigation for impacts to nonbreeding (wintering) birds that roost on Foulney. The expected increase in use of the ECP route with the resulting increase in footfall and risk of disturbance does not appear to have been considered in this case. Given that higher recreational pressure is expected, the current limitations on access may no longer be appropriate. A year-round exclusion under s26 would be more appropriate and consistent with other nature reserves locally such as at South Walney which support similarly large numbers of non-breeding SPA birds.

**Exclusions under s26 should be in place year-round for Foulney Island Nature reserve. LSE has been identified within the HRA as a result of increased recreational use due to the ECP being established. The proposed mitigation is inadequate as it simply replicates the existing access management on site I.E simply maintaining existing access management will no longer be suitable given the expected increase in access and related impacts from the ECP.** SCS 4 – Directions Map 4E, Carter Pool

The RSPB supports the proposed s26 access exclusions for Carter Pool. This area has regional importance for moulting Shelduck along with being utilised by notable numbers of non-breeding waders as a winter roost. The reasoning behind the s26 exclusion is well evidenced and justified.

#### SCS 5 – Directions Map 5O, Chapel Island

The RSPB fully supports the s26 exclusion of Chapel island to protect the breeding Eider colony and breeding Little Egret from disturbance.

## **Natural England's comments**

Natural England is grateful for the message of support from the RSPB for parts of the proposals and for the extent of the information provided in the representation. We also acknowledge that there was a slight error in our HRA, in relation to the Haverigg Hawes/Bullstone Bed area; however, our conclusions were based on the correct information rather than on the way the information was set out in the HRA. We have subsequently rectified this error and an updated version of the HRA will be published shortly.

We note the additional concerns with regards to restrictions or exclusions and our responses are as follows: Firstly, we must consider the need for restrictions or exclusions carefully, on a case by case basis. On the one hand, we must ensure that our proposals won't have a significantly detrimental impact on protected sites and features, whilst on the other hand, we must always make use of the least restrictive option available, in terms of mitigation and access management. To do otherwise would be unreasonable. Secondly, a key part of our assessment is around the prediction of change to existing levels and patterns of use arising from our proposals; in some cases, we can conclude that there will be negligible change (if sites are already extremely popular and our proposals effectively make no difference to the access arrangements) – whilst we might also expect a reduction in footfall in some areas, as a result of careful path alignment, improvements to existing paths and more effective route marking (all of which will tend to steer visitors along the preferred routes). Such measures are often much more likely to be effective than barriers and formal restrictions.

The concerns that we have addressed at Haverigg Bent Dunes and Black Dub are around the effects on nature conversation that might be brought about by disruption to conservation livestock grazing.

We stand by the conclusions in our published Habitats Regulations Assessment and Nature Conservation Assessment; however, we should clarify that we are obliged to review any long-term restrictions on a regular basis, and may modify them as necessary. We can and will put further directions to exclude or restrict access in place at any time in the future, if the situation changes. As explained above, we will always aim to ensure that any such measures are necessary and proportionate – not least since this is key in persuading visitors to abide by such restrictions (the more wide-ranging and severe the access restrictions, the less likely we are to see full and effective compliance).

## **Relevant appended documents (see section 5):**

- Haverigg Survey 2017 (breeding bird survey of site 9/5/17 conducted by [redacted], RSPB Conservation Officer)
  - Haverigg Survey 2018 (breeding bird survey of site 26/4/18 conducted by [redacted], RSPB Conservation Officer)
- NB. Surveys have previously been supplied to Natural England Coastal Access team as part of the call for evidence process.

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**Representation number:**  
**MCA/SCS(W)/R/7/3475**

**Organisation/ person making representation:**  
Lake District National Park Authority – [redacted]

**Route section(s) specific to this representation:**  
Duddon & Kent estuaries (SCS2, SCS6); plus all areas within NP boundary.

**Representation in full**  
**Representations in relation to all sections of the proposed ECP within the Lake District National Park**

## **General comments**

The Lake District National Park Authority welcomes the opportunity to give representations on the above proposals. We fully support the creation of the English Coastal Path (ECP) within the Lake District National Park.

Our observations will be limited to the sections of ECP within the boundary of the Lake District National Park.

We appreciate the challenges of trying to deliver the ECP within this part of Cumbria due to the vast tidal range, associated hazards, high ecological status and inundation of the land by the water for extended periods of time.

### **Procedural observations**

With regard to the preparation of your report, we would like to ascertain the level of consultation that has taken place with regard to any potential impact of the historic and cultural environment along the proposed route, or by future "roll back". We provided Natural England with data layers within our possession but have not been informed as to how these have been utilised. Our specialist advisors are available for consultation.

As a Planning Authority we would also like to be informed as soon as possible if any of the proposed engineered access solutions which may require planning consent as we may be able to provide preliminary advice.

We are also designated as a UNESCO World Heritage Site so it may be prudent for Natural England to explore how this route will be accommodated on the ground and celebrated on this part of the ECP. Our World Heritage Officer will be able to give guidance.

### **Representations in relation to Report SCS A2a and Report SCS6 A2c**

#### **The English Coastal Path option decision to rely on the existing train service to provide crossing of the Duddon and Kent Estuaries.**

Clearly the reliance on a train service in order to undertake the route is far from ideal and is unlikely to meet user expectations. We note that Natural England have clarified they have opted to utilise the train service to provide two key estuarine crossings. However, they have stated, they will consider whether to review this option at a future point if the train service ceases or through a reduction in services or if other solutions can be delivered by future initiatives. We would wish to see a review option and associated process triggers and responsibilities clearly established and defined in any legal documentation before approval. Thus, not excluding future investment, land management opportunities or any possibilities provided by developments under the Cumbria Coastal Strategy.

In addition, we would wish to see Natural England work with ourselves, partners and other interested parties to actively seek and explore any future alternatives. Whether it be a new route, crossing points or additions to any existing infrastructure, we would expect to be able to accommodate multiuser interests in addition to meeting the requirements of the ECP. An estuarine cycle way and footpath would provide sustainable travel options and would be of economic, health and cultural benefit.

### **Natural England's comments**

Natural England is grateful to the National Park Authority for the information provided and for the general message of support within the representation.

A number of LDNPA officers were involved in the development and consultation processes prior to publication of the report, as well as historic environment staff from the county council and Historic England.

We are also grateful for the offer of continued engagement over the detail and in relation to future roll-back of the route, where necessary. We would expect Cumbria County Council to apply for planning consent where necessary, in the preparation for the establishment phase.

We note the concerns expressed over the reliance on train services and the consequent lack of continuous walking routes around both Duddon and Kent estuaries. The Secretary of State may well decide to draw attention to these points in any approval of the proposals - perhaps in relation to the need to review the convenience of the train service as we approach commencement on the stretch.

We confirm that we are keen to engage with potential partners over the opportunities that might arise by the delivery of new bridges, particularly over the upper Duddon Estuary, in the future.

### **Relevant appended documents (see section 5):**

None

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**Representation number:  
MCA/SCS(W)/R/12/3480**

**Organisation/ person making representation:**

Cumbria County Council – [redacted]

**Route section(s) specific to this representation:** Whole stretch but focus on estuaries.

**Representation in full**

The main concern of the Authority is that the guidance given by the planning inspectorate on section 2 of the route from Whitehaven to Silecroft hasn't been adhered to on the Silecroft to Silverdale section. Principally the route being proposed not being a continuous route, with the Duddon and Kent Estuaries being omitted from the route and a short train journey being proposed to cross them. In the council's opinion a limited train service is not a ferry.

Not only do the Authority think that this isn't in the spirit of a National Trail but it will also omit some of the finest coastal access in the county, something we are lead to believe is the main objective of the new England Coast Path.

The Authority support the development of the England Coastal Path as it is opening up previously inaccessible area of coast line in Morecambe Bay and will spread the economic value of the route throughout the Bay. However, the Authority is strongly opposed to the route not extending up the Duddon and Kent estuaries to the first bridging point or where the estuary can be bridged. This would greatly enhance the economic value of the trail in Cumbria and the approach being adopted presently by Natural England is an opportunity missed.

**Natural England's comments**

Natural England is grateful for the views of Cumbria County Council, in its role as Access Authority.

We acknowledge that a continuous walking route around both the Duddon and the Kent estuaries would have been preferable, all other factors taken into account. However, we believe that the proposed route, as far as the railway stations at Grange-over-Sands and Arnside in the case of the Kent, and as far as the stations at Green Road and Foxfield in the case of the Duddon, is entirely consistent with the advice in the approved Coastal Access Scheme. We will monitor the regularity and convenience of the railway service, as we approach commencement on this stretch of coast. As we have stated in our proposals, in the event of a significant reduction in convenience, we would expect to consider the need to vary our proposals. We have also made it clear that we are willing to work with other potential partners over initiatives to deliver greater access improvements (most obviously, a new cycle and footbridge over the upper Duddon Estuary) that might provide the basis on which to extend the benefits of the ECP. To date, no such plans are forthcoming.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

**MCA/SCS(W)/R/9/3477**

**Organisation/ person making representation:**

Cumbria County Council South Lakes Committee – [redacted]

**Route section(s) specific to this representation:****Representation in full**

Cumbria County Council's Local Committee for South Lakeland, which is made up of 18 elected councillors, has given Natural England's coastal access proposals due time and consideration. However, they have found the engagement process with Natural England extremely problematic with it being totally immovable; unwilling to listen, to consider alternative views or to find compromise.

Last year, a representative of Natural England attended a Local Committee meeting to discuss and share the proposals. During that session, the councillors raised their very valid concerns on a number of specific areas around the coastal route and discussed alternatives. Councillors also offered to meet Natural England on site. However, none of this was considered and the proposals were submitted to the Secretary of State with no regard for local knowledge and experience.

The Local Committee collectively represents all of the residents across South Lakeland and as individuals has detailed knowledge of the land, its people, the way the land is used and also travelled across.

Specific concerns expressed by the Local Committee include:

The Local Committee is particularly opposed to the Coastal Path relying on the rail service as the only way across the estuaries. Over a year ago when councillors met with your officer, [redacted], a request was made to address this but it continues to be included as a proposal with no amendment. This will prove a major disincentive to walkers of the path who would need to rely on infrequent and unreliable trains to continue their expedition. The train line is not an appropriate substitute for a path around the estuary which should be available to use any time of day.

It is very difficult to arrange a long-distance walk which relies on public transport connections which may not be met, which would result in people being stranded at unmanned stations without adequate updated information.

The effectiveness of the Coastal Path is seriously compromised and its use limited if this is not adequately addressed.

Greater imagination and thought could be put into the Coastal Path which would ensure the investment benefits many generations to come. This includes putting more effort into solving the problems around the estuaries would also be of benefit for cyclists.

For example at the Duddon estuary there is a quiet lane northeast from Hallthwaites that joins the busy A595. There are plenty of cycling options from Broughton-in-Furness but there is a missing link either side of Duddon Bridge where cyclists are forced to use the A595.

Similarly around the Kent Estuary - there are several quiet lanes either side of the River Kent that, if linked together, could provide miles of flat, easy cycling for families, especially if these could be tied into a cyclepath along the disused railway from Hincaster and Heversham to Arnside.

A footbridge attached to the short viaduct over the Duddon could be a viable option and would save on distance which would avoid steep hills, the busy road and the bridge on the A595 between Foxfield and Green Rd.

Morecambe Bay is a wider expanse of course but surely not without the bounds of possibility.

Of great concern to the Local Committee is the lack of meaningful and comprehensive consultation with a range of stakeholders but with landowners in particular. While no one is against the coastal path, the engagement has been perceived as a tick box exercise with the placement of the path predetermined and a 'fait accompli'.

Stakeholders want the best route which adheres to the original idea of hugging the coast and providing a true coastal route. Many of Natural England's proposals and land solutions are costly to deliver but will also create significant ongoing maintenance costs, which the Council may need to pick up.

For example, at Aldingham, the route is proposed to come in land across prime arable and dairy grazing ground. Some of the fields have bulls in as well as some crossing very boggy ground. Natural England proposes to drain this land at significant cost. However, at this location it is more than possible to use the beach as the main route, which is currently already used by walkers. Very high tides may prevent walkers from taking this route on occasion but this still remains the most viable, cost effective and appropriate solution. If the path were to come in land as proposed, walkers will need to navigate fencing, gating and it will require the construction of some very steep steps.

The impact on the farming community is significant as farmers in that area practice high animal welfare and are extremely worried about the impact of disease spread by dogs, sheep worrying etc.



Further to this there is great concern that the proposed path will take walkers directly in front of the windows of the homes on Lethey Lane.

In summary, with a new imaginative look at the Aldingham area a route can be identified that is not only the most accessible, easier to deliver and maintain, but has less impact on existing businesses and residents.

The Local Committee is requesting that all of the above points are given the due consideration they deserve and that the decision on the Silecroft to Silverdale proposal is deferred while all of these issues are fully explored and solutions sought with local stakeholders.

### **Natural England's comments**

Natural England acknowledges the various concerns expressed in the representation from the local area committee. Our response is as follows:

The alignment of the ECP is full of compromise, by necessity; there are a wide range of often conflicting views in relation to all but the least contentious parts of the proposals. We try to take all of these views into account, set against other constraints such as overriding obligations under environmental legislation. Our approach, including on matters of engagement and especially in relation to estuaries, is detailed in the Coastal Access Scheme, which is a statutory document and one that we are obliged to follow. In particular, in deciding whether and how to exercise our discretion in relation to estuaries, we must appraise the benefits of doing so against the costs and other considerations. The decisions relating to the estuaries of both the Duddon and the Kent are fully explained in our published reports - and are consistent with the intentions relayed to the local area committee in 2019. Furthermore, the County Council, as access authority, has been involved in the delivery of the ECP programme in Cumbria from the outset, with active input on many decisions from experts within the Countryside team and Cumbria Highways. Updates have been provided on a regular basis to those councillors in coastal wards, by the Countryside team manager.

In relation to some of the specific alignment concerns raised:

Natural England acknowledges that a continuous walking route around both the Duddon and the Kent estuaries would have been preferable, all other factors taken into account. However, we believe that the proposed route, as far as the railway stations at Grange-over-Sands and Arnside in the case of the Kent, and as far as the stations at Green Road and Foxfield in the case of the Duddon, is entirely consistent with the advice in the approved Coastal Access Scheme. We will monitor the regularity and convenience of the railway service, as we approach commencement on this stretch of coast. As we have stated in our proposals, in the event of a significant reduction in convenience, we would expect to consider the need to vary our proposals. We have also made it clear that we are willing to work with other potential partners over initiatives to deliver greater access improvements (most obviously, a new cycle and footbridge over the upper Duddon Estuary) that might provide the basis on which to extend the benefits of the ECP. To date, no such plans are forthcoming.

We completely reject the assertion of a 'tick box exercise' in relation to landowners. We are required to make reasonable efforts to identify and engage with all owners and occupiers of land likely to be affected - and this is something that we take very seriously. The overwhelming amount of officer time dedicated to each stretch project relates to meetings and site visits with owners and occupiers - in some cases, we may visit the same areas on multiple occasions, to listen to concerns and identify a solution that works for both walkers and owners/occupiers. This is not to say that we will remove those concerns entirely, but the success of this strategy is borne out by the relatively low numbers of objections that we receive, compared with the large numbers of those entitled to object to our proposals. The objections process is intended to ensure that our decisions and proposals can be considered independently (but still in accordance with the coastal access scheme) by an appointed inspector, prior to any decision by the Secretary of State.

**Relevant appended documents (see section 5):** None

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**Representation number:**  
**MCA/SCS(W)/R/10/3481**

**Organisation/ person making representation:**  
Cumbria County Council Copeland Committee – [redacted]

**Route section(s) specific to this representation:**

## **Representation in full**

Cumbria County Council's Local Committee for Copeland, which is made up of 12 elected Councillors, has given Natural England's coastal access proposals due time and consideration.

This year, Local Committee heard of the Natural England proposals and discussed them. During that session, the councillors raised their very valid concerns on a number of specific areas around the coastal route and discussed alternatives.

The Local Committee collectively represents all the residents across Copeland and as individuals has detailed knowledge of the land, its people, the way the land is used and also travelled across.

Specific concerns expressed by the Local Committee include:

The Local Committee is particularly opposed to the Coastal Path relying on the rail service as the only way across the estuaries. This will prove a major disincentive to walkers of the path who would need to rely on infrequent and unreliable trains to continue their expedition. The train line is not an appropriate substitute for a path around the estuary which should be available to use any time of day.

It is very difficult to arrange a long-distance walk which relies on public transport connections which may not be met, which would result in people being stranded at unmanned stations without adequate updated information.

The effectiveness of the Coastal Path is seriously compromised and its use limited if this is not adequately addressed.

Greater imagination and thought could be put into the Coastal Path which would ensure the investment benefits many generations to come. This includes putting more effort into solving the problems around the estuaries would also be of benefit for cyclists.

For example at the Duddon estuary there is a quiet lane northeast from Hallthwaites that joins the busy A595. There are plenty of cycling options from Broughton-in-Furness but there is a missing link either side of Duddon Bridge where cyclists are forced to use the A595.

A footbridge attached to the short viaduct over the Duddon could be a viable option and would save on distance which would avoid steep hills, the busy road and the bridge on the A595 between Foxfield and Green Rd.

The Local Committee is requesting that the above point is given due consideration and that the decision on the Silecroft to Silverdale proposal is deferred while the potential for this is fully explored and solutions sought with local stakeholders.

## **Natural England's comments**

Natural England acknowledges that a continuous walking route around both the Duddon and the Kent estuaries would have been preferable, all other factors taken into account. However, we believe that the proposed route, as far as the railway stations at Grange-over-Sands and Arnside in the case of the Kent, and as far as the stations at Green Road and Foxfield in the case of the Duddon, is entirely consistent with the advice in the approved Coastal Access Scheme.

As detailed in our SCS Overview, we considered other options for the Duddon; with expert advice from both the Countryside Team at Cumbria County Council and Cumbria Highways, we looked at the viability of either utilising the existing Duddon Bridge as part of an extended ECP route, or installing a new footbridge over the upper estuary. The possibility of a walkway attached to the railway viaduct was discounted due to the excessive costs that would have arisen as a direct result of project delivery via Network Rail. It is not possible to make modifications to railway structures other than via such an approach.

We will monitor the regularity and convenience of the railway service, as we approach commencement on this stretch of coast. As we have stated in our proposals, in the event of a significant reduction in convenience, we would expect to consider the need to vary our proposals. We have also made it clear that we are willing to work with other potential partners over initiatives to deliver greater access improvements (most obviously, a new cycle

and footbridge over the upper Duddon Estuary) that might provide the basis on which to extend the benefits of the ECP. To date, no such plans are forthcoming.

**Relevant appended documents (see section 5):** None

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**Representation number:**  
**MCA/SCS(W)/R/13/3229**

**Organisation/ person making representation:**  
Ramblers – [redacted]

**Route section(s) specific to this representation:**  
Directions/Restrictions/Exclusions

### **Representation in full**

We recognise the principle that some areas of spreading room along the proposed route of the ECP may have restrictions and exclusions. We accept also the principle that, where appropriate, some use may be made of saltmarshes for the route of the ECP in line with the guidance given in the Approved Scheme paras 7.8 pp77-79, and para 7.15 pp96-100.

We have not commented on the restrictions regarding dogs. However, because there are no provisions for monitoring or enforcement of these restrictions, in some areas this has led to undue and unfair restrictions being proposed on ECP walkers who do not have a dog. We are also concerned that the various documents in this consultation have an inconsistent approach to the wording of proposed notices. We would favour notices, when used, to be consistent along the ECP and for dog walkers to be provided with more detailed advice and information than 'dogs should be under control'.

The ECP will not only be used by walkers but the route will prove a substantial benefit to those, such as ornithologists, botanists and other people interested in natural history. This representation recognises the wider audience to benefit from the establishment of the ECP and the attendant spreading room.

One of the many benefits is putting people back into contact with nature, with associated improvements in health and wellbeing. Connection to coastal wildlife is one of the great benefits that could arise from walking the ECP. However, we are concerned that NE, through its proposed (in our view excessive) use of Directions, is constructing significant barriers and potentially leading to a widening gulf between humanity and nature.

We are fully supportive of the need to manage the coastal margin to protect, and support the recovery of, vulnerable bird species and other wildlife. However, as set out below, we consider that the proposed restrictions give a misleading impression of how these areas of land are currently used by a range of parties (not only walkers) and where the risks to wildlife originate. Addressing these damaging behaviours, rather than restricting access on foot to the coastal margin, would (in our view) provide better protection for wildlife while helping to tackle the problems brought about by a disconnection of our society from nature, including coastal habitats. We consider that NE is being forced to rely on exclusionary directions due to a lack of resource to promote the Countryside Code and responsible access, in a way that was not the intention of the Marine and Coastal Access Act.

We are concerned over consistency in using grazing and salt marshes for the route of the ECP (see references in first para above). We do not believe the Approved Scheme has been appropriately followed in parts of the proposals for this section of the ECP, especially around the Leven Estuary (SCS 3, 4, & 5). There are sections of the proposed route which are on terrain that would be more problematic to use in terms of potential safety and sustainability issues than some of the marshes NE deem inappropriate for the public to access as spreading room (please see our separate representation on the Leven estuary route). The balance of the saltmarsh on which exclusions apply and for which the route has been proposed appear to be based on speed of implementation of the route rather than consistent ecological advice or concerns over the well-being of users.

Most of the exclusion maps are qualified by the following statement in the consultation document (see p48 of the Silecroft to Silverdale Overview):

*“These (restriction) directions will not prevent or affect:*

- any existing local use of the land by right where such use is not covered by coastal access rights;*
- any other use people already make of the land locally by formal agreement with the landowner, or by informal permission or traditional toleration; or*
- use of any registered rights of common or any rights at common law or by Royal Charter etc.”*

In short walkers or naturalists using the ECP will be discriminated against whilst other people can continue to exercise disruptive activities, potentially so for wildlife. The restrictions proposed can only apply to bona fide users of the ECP. Some parish councils have also commented to us about this issue. Additionally, the use of Directions to exclude access will result in the loss of significant access to CROW Act 2000 s1 and s15 access land in this ECP proposal. In short we do not believe that, on this section of coast, the statutory duty on NE set by the Marine and Coastal Access Act, 2009 - *‘to improve access to the English coast’ [s301]* has been achieved; indeed ECP walkers are, in several places, potentially losing access gained under the CROW Act, 2000.

We consider cases where the proposed ECP aligns with existing PROWs, and these are adjacent to areas subject to Directions to exclude, impractical - particularly where the areas are accessed regularly from the PROW though local custom.

Further, NE have concluded, in their consultations, that some land is *‘Unsuitable for Public Access’*. Given that this was not a criterion for s1, s15 or s16 of CROW mapping, and that ECP path walkers would seldom diverge from main route, the use of this power appears disproportionate and inconsistent. Indeed, the use of these powers will exclude natural historians, who gain access to these areas when using the ECP, from carrying out their valid activities. Whilst we suspect most natural historians would ignore these restrictions, and given that no one is likely to monitor or prevent them from going in these areas, the proposals again appear discriminately and unfairly directed at ECP walkers.

The historic mapping basis used for many of these Directions is also out of date. The river channels have changed substantially, sand banks have moved position and continue to do so on an almost daily basis. Consequently, many of the Direction maps include semi-permanent stretches of water and omit sandbanks, adjacent to the Direction land, and therefore allows access to ECP walkers! The position at Arnside (Directions Map SCS 6C) is a classic example of this dilemma.

#### SPECIFIC DIRECTION & RESTRICTION PROPOSALS: SILECROFT TO SILVERDALE

SCS 1A: Most people avoid this nudist colony (i.e. land management issue); however, the fascinating botany of the sand dunes of this restricted area need to be accessed via the ECP. The nudists frequently wander out of this area and into the path of beach and, potentially, ECP walkers, which strongly suggests that there is no high degree of privacy needed and the Direction fails to meet the test given in the Approved Scheme para 8.19.9.

SCS1C: The area is suitable for those looking at the natural history of the saltmarsh. Cross bay walkers have a fixed point on each shore with a variable alignment of the PROW depending on the state of the substrate in the estuary. They will come ashore at variable places across the saltmarsh and thus to say this land is *‘unsuitable’* for public access is untenable. The ECP route was well used as a local *‘promenade’* by the people of Millom and some access to the saltings was frequently made. Although we appreciate that the users of the ECP may be a much wider cross-section of the walking public than the current local users of the saltings, we find the proposal is unfairly discriminatory to ECP walkers.

SCS1D: This area is well used by local dog walkers and, possibly increasingly, by naturalists. We understand this is an area where local residents take their dogs to chase rats! A breeding season for birds Direction would be more appropriate but would need to be monitored and enforced.

SCS2A: Existing published, although out of print, walking routes use this area. Geologists may find Angerton Point of interest. Comments in SCS1A above about cross bay walking PROWs can apply here. We note these PROW routes have been omitted from the consultation map. Given the largely sandy substrate of this estuary the conclusion that the land is *‘unsuitable’* for public access cannot be sustained. The land is also registered Common Land and therefore the removal of s1 Access Rights under CROW, 2000 is untenable.

SCS2B, and SCS2C: Same comments as 2A in respect of cross bay PROWs and a sandy substrate makes crossing this area a delight. Again, Map 2C fails to show cross bay PROWs. This is a widely used area by local

people and therefore very discriminatory to exclude ECP users. SCS2B covers some registered Common Land and the removal of s1 rights under CROW is unacceptable.

SCS2D: Hardly likely to be used by walkers except for some parts of the PRow which cross this area and where following the actual definitive line of the paths are not always possible.

SCS3A: Hardly of interest to most people. Some naturalists may wish to explore the fringes of this area but this can be achieved by using the PRow which forms the same route as the ECP.

SCS3B: Please note that landward extremity of this area by Rampside is well used by locals including dog walkers in places. Potential interesting area for naturalists particularly on the western and northern Exclusion areas.

SCS3C: We consider this Direction academic from a walkers and naturalists point of view. Indeed, the map base is many decades old and the existence of sand banks varies almost daily. The exclusion of some current intertidal land is a strong possibility making this mapping exercise inaccurate.

SCS3D: We offer no comments.

SCS3E: There is a regularly used walk through this area with existing and effective management controls in place during the bird breeding season provided by Cumbria Wildlife Trust (CWT). In fact a PRow could be readily claimed for this route based on historic usage. CWT encourage visits in all seasons, not least in the bird breeding season. The presence of people walking the narrow route could actually deter predators (fox, gulls, crow) which are affecting the success of tern breeding populations. This Direction is an unwelcome and disproportionate proposal that seeks to divorce ECP walkers from nature.

SCS3F: Apart from a few local fishermen this proposal is largely academic as far as walkers and naturalists are concerned. See our mapping comments under 3C above.

SCS4A: We consider this Direction to be academic and not to represent accurately the surface of the exposed substrate at low tide - as this varies from tide to tide. See also mapping concerns under 3C above.

SCS4B, & SCS4C: Difficulties of access make this a largely academic proposal.

SCS4D, & SCS4E: Although this land is awkward to access it would not be used by ECP walkers but may be of interest to botanists (so the access is suitable). The sought for protections would be naturally achieved without any Direction.

SCS4F & 4G: Unlikely to be accessed other than by natural historians and where the saltmarsh may need some future monitoring.

SCS5A; & SCS 5B; & SCS 5C: We offer no comment.

SCS5D: We expect the dates for shooting to be published and publicised early in each calendar year to allow people to plan their walking on this section of the ECP.

SCS5E: We offer no comment.

SCS5F: We have serious concerns with parts of this Direction, especially where access for natural historians seeking to enter Old Park Wood and the adjacent, (western side) interesting limestone grassland. This is one of the most fascinating and delightful areas of the Cumbrian coastline from which ECP walkers will be unduly excluded. We note the shooting area to the east of this site but believe the area of the restriction is far too extensive. A seasonal restriction could be applied when shooting may take place. We have made strong representations about the proposed route (SCS-5-S031 and S032) through this part of the Holker Estate (see separate representation).

SCS5G: We have no problem with the northern and western part of this restriction: it is of no interest to walkers or naturalists. However, we object to the eastern section near Mearness Point should NE's chosen line for the ECP be accepted by the Secretary of State. We have raised strong concerns about the proposed route in this locality. The selected route is difficult for people of limited mobility to walk, indeed it is often impassable. The low-tide option,

should the route of the ECP be confirmed, is for less able users to walk on the sands below the rocky outcrops and this area should not therefore be covered by a Direction.

SCS5H: The sandy area is of virtually no interest to walkers or naturalists and this proposed restriction is thus academic.

SCS5L: Again, whilst walkers will not use this area a few naturalists will find it of interest.

SCS5J: This area is used in cross-bay walks and the PROW, which has fixed points on either bank, cannot be followed accurately. The map fails to show this PROW. The need for flexibility for the walking route means that this restriction will be regularly flouted, and it is thus unreasonable a restriction to contemplate. ECP walkers and naturalists will hardly use this unless they are walking to Chapel Island. The proposal appears to be discriminatory to ECP users.

SCS5K: Again walkers are most unlikely to use parts of this unless they are to visit the sometimes exposed ancient fishing garths. Naturalists may want access to the grazed saltmarsh but this can be achieved by using the existing PROW. The proposed route of the Direction is thus discriminatory in respect of ECP walkers. In one case, north and east of Humphrey Head, published walking routes cross this area albeit close to the shore. Cross-bay walkers will also need the flexibility to cross to Kent's Bank station, depending on the state of the substrate, on parts of this area. It is unclear if the proposed exclusion area includes the railway embankment where there is a regularly used route. These concerns could be accommodated by redrawing the boundaries of the map. Indeed, the map of the inappropriately mapped sand banks (and which do not now exist exactly as mapped) and includes areas which are likely continuously covered by water.

SCS5L: We have no comments on the proposed dog restriction but strongly object to the long-term public access restriction as this severely compromises a previously agreed route for the ECP and which we are again suggesting in our consultation response. There is a walked route through this area and, we understand, the NE site manager had no objection to the route of the ECP coming through this area. Should our ECP route suggestion be accepted by NE then most of this land would no longer qualify as spreading room.

SCS5M: We object to the landward boundary. The exclusion zone should be such to allow geologists and botanists and other interested parties walking the ECP to visit the limestone cliffs - some of these are designated a SSSI for geological reasons. Other areas contain plants which can only be readily seen in one other place on the Cumbria coast and botanists need access from the ECP via the beach.

SCS5N: We object as this regularly accessed former sea defence wall will continue to be used by people staying at the caravan park with dogs yet walkers and naturalists will be excluded. We do not accept that this is an appropriate method of land management. The existing access by dog walkers should be addressed and public access to the coastal margin enabled.

SCS5O: We strongly object to this fascinating historic and natural site being restricted for access to ECP walkers. This limestone island is visited by many hundreds of people a year in a controlled fashion and just to stop ECP users the right to visit is hugely discriminatory.

SCS5P: We strongly object to this discriminatory proposal for land which is used by many hundreds of people a year. An adjustment of the boundary to the west of the embankment and from around point and removal of the eastern section would then make the proposal acceptable. We have made strong representations about the proposed route of the ECP in this area (see separate representation).

SCS6A: We strongly object as this area provides the opportunity for a significantly enhanced route, which is more in keeping with the aims of coastal access legislation than that proposed (see separate representation). If our route was adopted then this land would not be part of the spreading room and it would use a smaller area of these fields for the route of the ECP.

SCS6B: This Direction is largely academic as very few people use this area of sand. However, we note that the area of saltmarsh, currently receding, will (in a few years' time) start to cover this area again. Such areas are currently and frequently accessed by visitors and locals and the proposal for the Direction will become discriminatory on ECP users.

SCS6C: We consider that this Direction will be ineffective and a discriminatory restriction on ECP walkers given the number of day trippers and local dog walkers who use large parts of this area every day. This Direction relies on a base map which is out of date, the river channel having moved west. This means there is now a larger strip of spreading room between the river and the proposed Direction land, which ECP walkers can use for access!

SGS6D: We strongly object as this land is, at low tide, used by hundreds of people each year and provides an interesting, if in places rough, low tide coastal walk. Again, it is unfairly discriminatory against ECP walkers as it can be readily accessed by users of the PROW which is aligned on the same route as the ECP. This Direction relies on a base map which is out of date, the river channel having moved substantially west. This means there is no a larger strip of spreading room land between the river and the proposed Direction land, which ECP walkers can use for access!

## **Natural England's comments**

Natural England is grateful to the Ramblers for the detailed response in relation to the stretch proposals as a whole, including directions to exclude or restrict access.

Firstly, a response to more generic points:

The proposed directions to exclude or restrict access can only relate to any new coastal access rights under the legislation, which is why we include messages of clarification in our proposals. There is no intention to disadvantage any particular groups or individuals, but we are obliged to propose such directions as might be necessary, taking into account expert advice and the guidance in the approved coastal access scheme. In particular, when considering any directions under s25A, we must consider those visitors unlikely to have local knowledge about tides, location of quicksand etc.

In making such proposals for exclusions or restrictions under s25A, we aim to be as objective as possible and guided by evidence; however, we accept that this is not an exact science, either in terms of the degree of suitability or otherwise for access, or the geographical extent. We aim to balance a recognition of historic use and amenity value against the best information available to us.

We are aware that the OS base mapping does not reflect the situation on the ground; this is inevitable, given the constant change on many parts of the coast. Any such exclusions are mapped, as far as is possible, against recognisable features such as river channels - with the expectation that visitors will recognise those features as boundaries, even if they have subsequently migrated.

A response to any detailed points not addressed by the above:

SCS 1A: The proposed exclusion reflects discussions with the Lakeland Outdoor Club and is intended to reduce the risk of any distress to its members and visiting walkers.

SCS 2A: Any CROW access land that falls within the approved coastal margin will see rights of access under CROW being replaced by new coastal access rights, and consequent changes may occur in the regime of applicable restrictions and exclusions.

SCS 3E: As detailed in our proposals and published Nature Conservation Assessment/Habitats Regulations Assessment, the proposed direction at Foulney is intended to largely mirror existing arrangements and protect key populations of protected birds. CWT is able to continue inviting visitors to the area, irrespective of the proposed direction.

SCS 5F: The directions for land management at the Holker Estate, including those at Old Park Wood, were carefully considered against the legitimate land management activities of the Estate.

SCS 5O: There is no reason to suggest that organised visits will not continue, irrespective of any direction proposals by NE. Such measures are intended to protect sensitive features on the island.

SCS 6A: The exclusion and consequent inland diversion are intended to protect vulnerable flora within the Site of Special Scientific Interest, as explained in our published Nature Conservation Assessment. The measures seek to prevent both direct damage by trampling and also any reduction in the effectiveness of the conservation grazing regime in this area.

## **Relevant appended documents (see section 5):**

None

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**Representation number:  
MCA/SCS(W)/R/14/0016**

**Organisation/ person making representation:**

The Open Spaces Society – [redacted]

**Route section(s) specific to this representation:**

Directions/Restrictions/Exclusions

**Representation in full**

See text of the representation from the Ramblers at MCA/SCS(W)/R/13/3229

**Natural England's comments**

See Natural England's comments against the representation from the Ramblers at MCA/SCS(W)/R/13/3229

**Relevant appended documents (see section 5):** None

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**Representation number:**

MCA/SCS1/R/1/3229

**Organisation/ person making representation:**

Ramblers – [redacted]

**Route section(s) specific to this representation:**

Whole route SCS1

**Other reports within stretch to which this representation also relates:**

SCS 2

**Representation in full**

SCS 1 Silecroft to Green Road

We support Natural England's proposals for SCS-1-S001 to SCS -1-S080. However, we strongly suggest that the route should not go to Green Road station but continue to Duddon Bridge (west side) and then on to Foxfield Station (east side of estuary). Please see our separate representation on SCS 2 Green Road railway station to Jubilee Bridge.

**Natural England's comments**

Natural England is grateful for the message of support from the Ramblers.

The comments about the Duddon Estuary are deemed to relate to the adjacent length and report - SCS 2, and will be considered in the representation from the Ramblers relevant to that length.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

MCA/SCS1/R/2/0016

**Organisation/ person making representation:**

The Open Spaces Society – [redacted]



**Route section(s) specific to this representation:**

Whole route SCS1

**Other reports within stretch to which this representation also relates:**

SCS 2

**Representation in full**

SCS 1 Silecroft to Green Road

We support Natural England's proposals for SCS-1-S001 to SCS -1-S080. However, we strongly suggest that the route should not go to Green Road station but continue to Duddon Bridge (west side) and then on to Foxfield Station (east side of estuary). Please see our separate representation on SCS 2 Green Road railway station to Jubilee Bridge.

**Natural England's comments**

Natural England is grateful for the message of support from the Open Spaces Society.

The comments about the Duddon Estuary are deemed to relate to the adjacent length and report - SCS 2, and will be considered in the representation from the Ramblers relevant to that length.

**Relevant appended documents:**

None

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**Representation number:**

**MCA/SCS2/R/6/3364**

**Organisation/ person making representation:**

United Utilities – [redacted]

**Route section(s) specific to this representation:**

SCS-2-OA035

**Other reports within stretch to which this representation also relates:**

N/A

**Representation in full**

Soutergate Waste water Treatment Works - To ensure proposals does not cause an instant or future failure of our assets; results in harm to installation operatives; members of the public; United Utilities employees or loss of service to our customers; environmental damage to the surrounding community; SSI; AONB; local watercourses etc.

**Natural England's comments**

Natural England is grateful to United Utilities for their views. However, the proposed Optional Alternative Route (OAR) follows an existing public footpath, as is consistent with the approved Coastal Access Scheme (4.10.164.10.18, Fig 17). Whilst the public footpath is legally accessible at all times, it would only serve as the OAR when the main route is unavailable due to tidal inundation. On that basis, there should be no additional impact on UU's operations.

**Relevant appended documents (see section 5):**

Soutergate WwTW – Proposed Route Amendment pdf

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**Representation number:**  
**MCA/SCS2/R/10/3350**

**Organisation/ person making representation:**  
National Trust – [redacted]

**Route section(s) specific to this representation:**  
SCS-2-S077 & S078

**Other reports within stretch to which this representation also relates:**  
N/A

### **Representation in full**

The sign currently located between section SCS2 – S077, SCS2 – S078 would be better located by the kissing gate on section SCS2 – S076.

It is likely that some walkers, especially people walking local parts of the trail, will access the route from Sandscale Park and the track that leads to Lowsy Point. They will then walk the section heading north across Sandscale Haws. If the sign moved to the suggested location it would be seen by more people and would also be located closer to the main sensitive features (ground nesting birds, Natterjack toad and great crested newt breeding ponds).

### **Natural England's comments**

Natural England is grateful to the National Trust for the advice provided. We will ensure that the exact location of signs, and the messages contained, are discussed with the National Trust prior to the establishment phase.

**Relevant appended documents (see section 5):**  
None

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**Representation number:**  
**MCA/SCS2/R/14/3229**

**Organisation/ person making representation:**  
Ramblers – [redacted]

**Route section(s) specific to this representation:**  
Full Report

**Other reports within stretch to which this representation also relates:**  
N/A

### **Representation in full**

We accept that, under the Marine and Coastal Access Act, 2009 (the 2009 Act), there is no requirement for the England Coast Path (ECP) to extend up any estuary further than the seaward limit of estuarial waters. However, Natural England (NE) has a discretion to propose that the trail should extend from the seaward limit as far as the first bridge over which there is a public right of way or a public right of access (covered in detail in Part B and Chapter 10 of the Coastal Access Scheme). This is within the context of s296 of the 2009 Act that places a legal duty of NE and the SoS to secure a walking route around the whole of the coast of England.

s297 of the 2009 Act requires that, in discharging this duty, they should have regard (amongst other considerations) to keeping interruptions to the route at a minimum. In short, continuity is an important consideration. The Ramblers

considers that NE will not have fulfilled in their s297 duty if the route of the ECP between Green Road and Foxfield around the Duddon Estuary, Cumbria, is not completed. We request that NE urgently review the proposals to complete the route around the entire Duddon estuary.

We recognise that the Duddon Estuary is one of numerous estuaries around the Cumbrian coast, all of very differing character, and thus requiring an individual approach. Nonetheless there is an over-riding need to ensure consistency in order to uphold s297 of the 2009 Act.

We agree with NE there is no readily accepted definition of what constitutes the junction between estuary and seacoast in the locality of the Duddon estuary. The seaward limits of the Duddon estuary can only be approximated and we welcome NE's willingness to exercise their discretion to consider a route around the whole estuary. This is one of the most spectacular parts of the English coast and we note current local pressure to seek a southern boundary of the Lake District National Park to encompass this fine landscape. We note also the listed geographical limits of NE's discretion as stated on p19 in the Overview.

We have considered below the criteria in s301 of the 2009 Act and Chapter 10 of the Approved Scheme.

#### Ferry Service

We agree there is no existing ferry service.

We disagree there is a regular train service between Green Road and Foxfield station. There is a regular timetabled service; however, the trains on this route are noted for cancellations, indeed the operator has been characterised by a significant number of serious problems to the extent that government has removed the franchise to operate this service from Northern Trains. We have not had any response, as yet, to our request made to the operating company for the 2019 statistics for cancellations and delays on this line and we understand that the new train fleet is currently proving less reliable than the rolling stock that is being replaced.

Even allowing for an enhancement of services over the next few years, the service does not appear to provide the certainty walkers will need and there is no suitable bus service in this locality when the trains fail to run. We believe, in this case, that NE has not assessed the actual level of service that would be experienced by walkers having to use the train line to continue their journey along the ECP.

#### ESTUARY CHARACTER

##### a) Estuary Width

We note the width figures quoted in the Overview.

NE recognise the challenges of high-tide inundation of the saltmarshes but this factor is only of significant relevance for the lengths of their chosen proposed route out-with the Green Road to Foxfield section and need not apply to our case for a route between Green Road and Foxfield. We are perplexed as to why NE should single out one potential area of tidal inundation (between Lickle and Duddon) for comment when much of their proposed route south of Kirkby is more prone to such challenges. Indeed, parts of this section are already used by walkers on the Cumbria Coastal Way and without any reported problems.

We agree that much of the coastal character of the estuary continues above the railway viaduct and would add that almost half of this stretch of estuary lies within the designated Lake District National Park and is inscribed as a World Heritage Site. The well-supported campaign to have the remainder of this area also designated as such reflects the character and high quality of the landscape.

NE quote the normal tidal limit as more than half a kilometer below Duddon Bridge. The tide does reach to the A595 bridge, and will more frequently do so with the effects of sea-level rise and increased storm and rainfall events. In so doing, it holds water back in the river giving a tidal effect north of Duddon Bridge. Canoeists sometimes use this effect to reach north of the bridge on the river.

##### b) Topography of the Shoreline

Whilst we demur little from this paragraph (p. 21 of the Overview) we note also a public right of way (PROW) going east from Duddon Bridge is already used by walkers along the Cumbria Coastal Way. This route, at the eastern end meets the A595 by higher ground. Between here and Greety Gate there are around five fields above high tide limits and adjoining the estuary. From Greety Gate to Foxfield there is a combination of old sea wall and fields similar to those north of Greety Gate. It is our submission that a route of significant value to walkers could be

determined with little effect of tidal inundation between Green Road and Foxfield. (Please see our appendix below where we add to the topographical description.)

c) Nature of affected land

We note this brief summary of the nature of affected land. (Please see our appendix below.)

d) Features of Interest

We note this brief summary. (Please see our appendix below.) We would add that in the area not covered by the currently proposed route there is a former quay which played an important part in the development of early industry of the area. Just north of Duddon Bridge lies one of the finest examples of a charcoal fired iron furnaces in the country and which many walkers would find of great interest.

e) Recreational Benefit

We note the first four paragraphs of the Overview which summarise the position. The last paragraph is, in our view, misleading and unhelpful. The route between Green Road and Foxfield need not use any salt marsh or flats. Indeed, it would be helpful to the economy of Broughton-in-Furness if the ECP should be routed closer to this attractive and delightful settlement. (Please see our appendix below.)

f) Excepted Land

We note NE's position on p22 of the Overview. The choice of phrasing of 'extensive areas of potentially excepted land' hardly needs the word 'extensive' as there are very few such areas in total. The coastal railway does not constitute a barrier. West of the viaduct the line is crossed by an existing PROW used in the Cumbria Coastal Way. To the east we believe that the route might pass under the end of the viaduct. If this latter were not possible then the ECP could be routed to meet the A595 from where there is a pavement along to Foxfield station (see our proposed route below).

v) Options for the Duddon Estuary

Option 1: We agree this is an unsatisfactory option.

Option 2: We ask that this option be given urgent consideration. It can, in any case, be achieved without the provision of a footbridge over the Duddon, given the methodology and the principle accepted by the Secretary of State (SoS) for the rivers Esk and Irt further north on the ECP along the Cumbria coast.

We are told that Cumbria CC highways are not supportive of the ECP using the bridge for reasons of safety. This is hugely surprising given that Cumbria CC recommended the use of the bridge for the Cumbria Coastal Way (CCW) and the bridge continues to be used for that route until it is superseded by the ECP (promotion of the CCW will cease). Indeed we understand there is no record of any traffic incident involving foot users over this bridge. We have received no complaints about our support for use of the bridge and we do not expect that the number of ECP walkers will rise significantly over the current use by walkers of the CCW.

Since the first use of the bridge for the CCW, traffic has been controlled by traffic lights and a number of road markings have been made which can be used by the public to cross the bridge. Despite any increases in traffic volume, the bridge is now safer to cross than when Cumbria CC first routed the CCW over the bridge. As an additional option we note that further north along the Cumbria coast NE and SoS have implemented a policy of stopping the route of the ECP on either bank of the rivers Esk and Irt. These are more hazardous river-crossing locations than Duddon Bridge. We note this principle of leaving a short gap in the ECP is available to the SoS for this section of the route in that it follows an established principle. It is therefore legitimate to stop the official route of the ECP on the west side of the bridge and recommence on the east bank.

Option 3: We do not accept that Option 3 is the most suitable option and urge the SoS to reject it on the following grounds:

- there is no regularly reliable convenient means of continuing the coastal journey by rail between Green Road and Foxfield;
- a new footbridge, by the A595 Duddon Bridge is not necessary therefore no excessive costs are involved. Indeed, given the nature of the western part of our proposed route, it is likely the average cost could, per km of route, be less than the average for the ECP nationally and for the ECP in Cumbria (see our proposal below).

- by definition, some stretches of the ECP will be above the average cost and we do not accept that this is a reason to dismiss the estuary route.
- the character of the area is of great interest. An estuary changes throughout its length in both physical and landscape character. It is this feeling of knowing the whole estuary which adds to the enjoyment of a walk. Indeed, the character and value attached to this area of the estuary is so great that it forms an integral part of the current bid to extend the boundary of the Lake District National Park southwards. We append a copy of the relevant section of the Executive Summary for this bid. It is perhaps also worth noting that should the boundary of the national park be so extended then this area would be potentially considered for inclusion into the Lake District World Heritage Site.

Our comments on each section of NE's proposals are the following:

We support NE's proposals for\_SCS-2-S001 to SCS-2-S011.

SCS-2-S012 to SCS-2-S021: We note that the proposed route is walkable and inexpensive to implement. However, it is tedious and poorly related to the coast. We believe this section, out of sight of the coast, does not meet the requirements of the Approved Scheme. We note that NE did look at a more seaward route but rejected for reasons we regard as untenable (NE's Report SCS 2 para 2.3.3). The route suggested need not be all affected by the tide (the very reason we have serious concerns about more tidally affected sections proposed for the ECP- see S037 - S043 below) and a more coastal route has been published in a local newspaper and a guidebook (Walks Around Furness and the Duddon). Whilst these publications are now out of print the book is still available and therefore a more coastal route can be regarded as an existing walked route. A more coastal route would need additional expenditure on a small number of kissing gates only.

We support NE's proposals for\_SCS-2-S022 to SCS-2-S036.

SCS-2-S037 to SCS-2-S043 We ask for a less tidally prone route (perhaps alongside the railway or on the golf course) to be provided as an alternative route. Whilst the proposed route has merit parts can be difficult underfoot and this long stretch can suffer from tidal inundation making use of a more inland route an imperative on a number of days each year.

We support NE's proposals for\_SCS-2-S044 to SCS-2-S110.

#### Our Proposal

- From near Green Road station the route of the existing Cumbria Coastal Way be used to just north of the railway line (little cost involved)
- From just north of the railway line to the west side of Duddon Bridge follow the embankment northwards. This is mostly already s1 CroW access land (little cost involved)
- Cross Duddon Bridge
- From east of the Duddon Bridge follow the established route of the Cumbria Coastal Way until just before it meets with the A595 again at cSD206879. From here the ECP could continue on the lower edge of fields, above tidally affected land, towards Greety Gate.
- From Greety Gate access the line of the sea defence wall and then continue on the lower edge of the fields towards the Duddon railway viaduct.
- The route could then pass under the viaduct and continue on the field edge to meet the track to Foxfield Farm. Alternatively if the route under and beyond the viaduct is unfeasible then a route from the old embankment to the A595 from where the pavement along towards Foxfield station may be used. The costs would be for the provision of c10 kissing gates.

#### APPENDIX:

Extract from the Executive Summary of the Submission by Friends of the Lake District in association with the parish councils (Southern Boundary Partnership) to NE for an extension to the Lake District National Park (relevant to the Duddon Estuary).

Duddon Estuary

Formed by the River Duddon and the smaller Kirkby Pool opening into the Irish Sea at the south-west corner of the Lake District. Open estuary landscape and low level wetland margins and mosses fringe the area at the head of

the estuary. An area of Intertidal Flats, Coastal Marsh, Coastal Mosses, Coastal Plain and Coastal Urban Fringe. The upper reaches around Duddon Mosses and south of Broughton in Furness are included in the Lake District Areas of Distinctive Character. The northern part around Foxfield and head of the Estuary was previously identified by Hobhouse as an area suitable for designation as National Park. The ESA included the Duddon Mosses on the northeast shores of the estuary.

#### Natural Beauty

A broad and expansive tidal estuary containing intact and high quality mudflats and salt marsh fringes which are grazed and its habitats are intact. Highly recognised for its nature conservation value (SPA, Ramsar and SSSI). Upper reaches of the estuary are extensive mosses under active management to enable regeneration through controlled hydrology to re-establish bog-flora and peat formation over time. Strong visual unity defined by the rising low fells of Great Knott to the west and Lowick High Common and Bankhouse Moor to the east.

#### Scenic quality

Rich textures, patterns and great visual variety in part attributable to the dynamic nature of the tides complemented with the striking colours and textures in the upper reaches which in autumn have a rich orange colour throwing stands of birch trees into relief. Topography acts as a foil to the distinctive outline of the Lakeland fells and enfolding low fells to the east and west which collectively give the upper reaches of the estuary a high scenic quality. South of the railway viaduct the estuary widens, and valley sides recede giving a dramatic skyscape which can create moody and evocative panoramas.

#### Wildness and Tranquillity

Relatively inaccessible although the margins of the sands are accessed from sections of the shoreline giving rise to a strong sense of wilderness especially at Duddon Mosses with its extensive semi natural vegetation. A quiet haven on the edge of the estuary providing exceptional views northwards towards the Lakeland fells. Tranquillity is especially tangible derived from extensive natural landscape, changing light and tides and the sound of oyster catchers and curlew.

#### Natural heritage

The estuary contains a number of exceptional natural heritage features including Duddon SSSI, SPA, SAC and Ramsar, Duddon Mosses (one of England's few remaining peatland habitats) and is of international significance designated a Special Area of Conservation and National Nature Reserve. A population of Natterjack Toads occur with extensive areas of saltmarsh around the outer edge, supporting the second largest area of saltmarsh in Cumbria after the Upper Solway and Morecambe Bay SSSI. Sand dune systems are also significant within the estuary.

#### Cultural heritage

Mixed historic character comprising a pattern of modern and older settlements and field enclosure. Elements of medieval origin and strong survival of pre-19th century industrial features. Evidence of extensive peat cutting for fuel at Duddon Mosses in the 18th and 19th centuries. Settlements still reflect a close association with the landscape through form and building orientation. A history of fishing in the estuary using moored nets (called fixed engines). Routes across the sands reflect major lines of communications before turnpikes and railway.

#### Cultural associations

A landscape which inspired many artists: Turner, Cooper, and writers: Wordsworth, Nicholson, Gambles: and composer Nicholas Simpson

#### Recreation

A high-quality landscape offering a variety of experiences from secluded walks in enclosed woodlands and birch stands to open expansive mosses, reclaimed grazing marshes, saltmarsh and mudflats. Expansive, tranquil and an often 'empty' feeling where nature can be appreciated with semi-natural vegetation, wildlife and tidal processes. Good access to Duddon Mosses Nature Reserve with guided trails and interpretation. Network of rights of way along Foxfield Bank and on the reclaimed marshes south of The Hill. Routes across Duddon Sands are primarily in its upper reaches and were historically important providing the primary routes to the Western Fells. The accessible shoreline also offers opportunities for angling, while the network of narrow quiet lanes offer good opportunities for cycling.

#### Accessibility

Rail access from the stations at Foxfield, Green Road, Kirkby in Furness, Millom and Askam in Furness. Bus services between settlements along the estuary shores between Askam and Millom. Opportunities exist to improve recreational routes between train stations. Also opportunities to improve connectivity across the A595 into the wider National Park. The Cumbria Cycleway has potential to be improved.

## *Weight of Evidence*

### *Natural Beauty*

*Strong weight of evidence for the inclusion of the upper reaches of the Estuary with natural beauty derived from the contrasting open estuary, water, mudflats, saltmarsh and reclaimed grazing marshes, craggy pastures and mosses framed and enfolded by surrounding fellsides. Middle and southern reaches of the estuary in transition where scenic qualities are declining due to development and improved pastures, widening of the estuary and weaker definition by surrounding fells. Lower reaches of the estuary contain areas of particular nature conservation interest and scenic quality associated with sand dunes and former mining areas. The backdrop of Black Combe and open sands and water of the estuary contribute to scenic quality.*

### *Recreation*

*The whole of this area meets the recreation criterion. Excellent opportunities to access and enjoy an outstanding variety of scenic, natural and cultural features of interest.*

## **Natural England's comments**

Natural England welcomes the considered representation from the Ramblers.

We are aware of anecdotal evidence to suggest that the train service is not as frequent as might be suggested by the timetable; we will keep this under review, as we approach commencement on this stretch.

The indication of tidal inundation on the eastern side of the upper Duddon Estuary is not in itself the reason for deciding against a continuous route in this area - rather it was one of a number of considerations which informed our decision on the options available.

We acknowledge that there is considerable support for a continuous route around the upper estuary, as per our Option 2 in the SCS Overview, but we do not believe that this can be safely and effectively delivered via incorporation of the existing Duddon Bridge into the ECP (irrespective of the fact that this may have been considered safe previously, that is no longer the case, in the view of Cumbria Highways). As a widely promoted National Trail, the England Coast Path is expected to see higher numbers of walkers than might previously have used the Cumbria Coastal Way (which is no longer supported by Cumbria County Council).

Whilst we would agree that a route seawards of the coastal railway, between Foxfield and Kirkby Pool, would be preferable, we concluded that this was not viable - partly due to the typical conditions underfoot and partly due to the risk of walkers being stranded by exceptionally high tides, unable to escape to landwards over the railway. Regarding the point about tidal inundation south of Kirkby-in-Furness, the proposal maps clearly show the network of public rights of way, inland of the railway, allowing easy escape and bypassing of flooded saltmarsh in this area compared with others.

We acknowledge the modification proposed, most of which (if not all of which) was actively considered during the earlier stages of our planning work for this stretch.

## **Relevant appended documents (see section 5):**

**Included in the full representation-** Executive Summary of the Submission by Friends of the Lake District in association with the parish councils (Southern Boundary Partnership) to NE for an extension to the Lake District National Park

### **Suggested document**

The Cumbria Coastal Way: Morecambe Bay to the Solway Firth (Cicerone Guide), K & I Brodie, 2007. Walks Around Furness and the Duddon, I Brodie, 1985

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**Representation number:**  
**MCA/SCS2/R/15/0016**

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

**Route section(s) specific to this representation:**  
Full Report

**Other reports within stretch to which this representation also relates:**

N/A

**Representation in full**

See text of the representation submitted by the Ramblers MCA/SCS2/R/14/3229

**Natural England's comments**

See comments against the representation submitted by the Ramblers MCA/SCS2/R/14/3229

***Other representations***

**Representation ID:**

**MCA/SCS(W)/R/2/3352**

**Organisation/ person making representation:**

Cumbria GeoConservation – [redacted]

**Name of site:**

Local Geological Sites on SCS

**Report map reference:**

**Route sections on or adjacent to the land:**

**Summary of representation:**

The representation is supportive of NE's proposals. It lists a number of Local Geological Sites through which the proposed route passes. These would appear to be distributed along the entire stretch, relating to each of the report lengths within the stretch. Finally, it raises the hope that ECP-related signage and information can help to raise awareness of these sites and their significance.

**Natural England's comment:**

We welcome the support for our proposals from Cumbria GeoConservation. When we start to prepare the detailed messages and content of signs to be installed on the stretch, we will be pleased to work with the organisation and others, to consider what messages relating to geological sites might be included. We will also aim to facilitate this sort of information being available via National Trails and England Coast Path related web pages, where feasible.

**Relevant appended documents (see Section 5):**

Cumbria GeoConservation Letter

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**Representation ID:**

**MCA/SCS(W)/R/4/3447**

**Organisation/ person making representation:**

Disabled Ramblers

**Name of site:**



Whole stretch

**Report map reference:**

**Route sections on or adjacent to the land:**

**Summary of representation:**

The representation, relating to the entire stretch, expresses concerns that NE's proposals may not be compliant with various standards and items of legislation, including the Equality Act 2010. Specifically, there are concerns that some of the infrastructure specified within the reports may well be the limiting factor for less able path users (rather than that limiting factor being the terrain or other natural features). It cites specific examples of factors that may limit access for users of all-terrain mobility scooters. The representation also expresses a willingness to offer further advice and assistance.

**Natural England's comment:**

Natural England is grateful to the Disabled Ramblers for the advice and offers of assistance. We have aimed to take such considerations on board, along with numerous other factors, when making alignment and infrastructure decisions about the ECP. However, we accept that we should further review the infrastructure requirements in particular, when planning for the establishment phase. We will also encourage Cumbria County Council to consider compliance with the best practice and legislation cited in the representation, as the authority develops its detailed plans for establishment. We would expect to take up the offer of further assistance from the Disabled Ramblers, as we progress through the above steps.

**Relevant appended documents (see Section 5):**

Disabled Ramblers notes on infrastructure.

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**Representation ID:**

**MCA/SCS(W)/R/5/0058**

**Organisation/ person making representation:**

Copeland Borough Council – [redacted]

**Name of site:**

**Report map reference:**

SCS 1: Beach car park, Silecroft to Green Road railway station (Maps SCS 1a to SCS 1j) SCS 2: Green Road station to Jubilee Bridge (north),  
MAP: SCS1 AND SCS2

**Route sections on or adjacent to the land:**

The Duddon Estuary and The Duddon Bridge

**Summary of representation:**

The representation focuses primarily on the lack of a continuous proposed route around the upper Duddon Estuary. A range of information is provided to support the case for a continuous route to be enabled, as well as some concerns specifically about the suitability of the train service as a means of completing an onward journey for walkers.

**Natural England's comment:**

Natural England is grateful to Copeland Borough Council for the information provided. We acknowledge that a continuous walking route would have been preferable, all other factors taken into account. However, we believe that the proposed route, as far as the railway stations at Green Road and Foxfield, is entirely consistent with the advice

in the approved Coastal Access Scheme. We will monitor the regularity and convenience of the railway service, as we approach commencement on this stretch of coast. As we have stated in our proposals, in the event of a significant reduction in convenience, we would expect to consider the need to vary our proposals.

We also remain willing to engage with other interested parties, in the hope that a means might be identified for delivering a new bridge over the upper Duddon Estuary, other entirely via the coastal access programme.

**Relevant appended documents (see Section 5):**

None

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**Representation ID:**

**MCA/SCS(W)/R/8/3476**

**Organisation/ person making representation:**

Friends of the Lake District – [redacted]

**Name of site:**

**Report map reference:**

**Route sections on or adjacent to the land:**

See Ramblers and Open Spaces Society Representations **Summary**

**of representation:**

The representation essentially supports those submitted by the Ramblers and Open Spaces Society. It mentions the separate aspirations for a review of the boundary of the Lake District National Park.

**Natural England's comment:**

Natural England's response is as for the representations from the Ramblers and Open Spaces Society.

**Relevant appended documents (see Section 5):**

None

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**Representation ID:**

**MCA/SCS(W)/R/11/3478**

**Organisation/ person making representation:**

Woodland Trust – [redacted]

**Name of site:**

Ancient Semi-Natural Woodland (ASNW) and Plantation on Ancient Woodland Sites (PAWS)

**Report map reference:**

**Route sections on or adjacent to the land:**

SCS-2-S065/ SCS-2-S066/SCS-2-S067 (Within High Wood)

SCS-4-S108/ SCS-4-S109/ SCS-4-S110 (Within Ashes Wood) SCS-5-S017 (Within Roudsea Wood)

SCS-5-S071/ SCS-5-S072/ SCS-5-S073 (Within Humphrey Head Wood)

SCS-6-S036 (Within Frith Wood)

**Summary of representation:**

The representation cites specific areas of ancient woodland, and specific trees within these areas, which may be impacted by the proposals. It goes on to make some recommendations as to avoidance of damage to such trees.

**Natural England's comment:**

Natural England is very grateful for the detailed information provided by the Woodland Trust, which will be more carefully considered and shared with the access authority, before and during the establishment phase. We will naturally wish to ensure that we do no damage to ancient trees and minimise any works within ancient woodlands.

**Relevant appended documents (see Section 5):**

Ancient Woodland Protection statement

**Representation ID:**

**MCA/SCS2/R/1/3240**

**Organisation/ person making representation:**

[Redacted] - Askam and Ireleth Parish Council

**Name of site:**

Coastline from Kirkby in Furness to Roanhead – Parish of Askam and Ireleth

**Report map reference:****Route sections on or adjacent to the land:**

Not specified, but taken to be SCS-2-S024 through to SCS-2-S071.

**Other reports within stretch to which this representation also relates** N/A**Summary of representation:**

Erosion and loss of existing coast paths is listed as the first concern, followed by erosion damage to an existing sea defence structure at Askam.

The final concern expressed is about motorised vehicles on the foreshore - and the worry that this might in some way be exacerbated by the England Coast Path.

**Natural England's comment:**

Erosion is a natural process, but one which is handled in terms of access by means of the ability of the England Coast Path to roll back as and when necessary. Some coastal defence work has previously been undertaken by Network Rail, with the aim of protecting the coastal rail lines. We would continue to work with both Network Rail and Cumbria County Council in the future, to maximise the chances of any additional defence works also protecting the route, if approved (and thus reducing the likelihood of roll-back being necessary). The existing coastal defence at Askam is not within the control of Natural England and would not be obviously affected by the proposed route. Natural England does not believe that the coastal access proposals would in any way make the apparent problem of motorised vehicles on the foreshore any worse. Access furniture on the route would not easily allow access by motorised vehicles and we don't feel that the presence of the England Coast Path will make such vehicular access any more likely in the future.

**Relevant appended documents (see Section 5):**

None

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**Representation ID:**

**MCA/SCS2/R/2/3451**

**Organisation/ person making representation:**

[Redacted]

**Name of site:**

Duddon Estuary

**Report map reference:**

Route between report SCS1, map ref SCS1j and report SCS2, map ref SCS2a.

**Route sections on or adjacent to the land:**

SCS-2-S001

**Other reports within stretch to which this representation also relates**

Stated as also relating to SCS 1; however, it actually relates solely to SCS 2

**Summary of representation:**

The representation expresses concern at the lack of a continuous proposed route around the Duddon Estuary. Evidence is presented as to why the suggested train option for walkers crossing the estuary is not ideal. Reasons include the train timetable and local facilities.

Suggested alternatives to NE's proposals include making use of the existing A595 road bridge (along with a new route on either side of the upper estuary), possibly with some additional traffic management measures, or a new bridge, as considered but discounted by NE.

**Natural England's comment:**

At present, the train timetable is considered to be provide a reasonably convenient service. We have made it clear that we would consider the need for variation of any approved route in the future, should the service become less convenient - particularly in relation to any loss of a Sunday service. We have investigated the possibilities of incorporating the A595 Duddon Bridge into the ECP, in discussions with Cumbria Highways, with or without additional traffic management measures, but have concluded that this is not feasible or safe enough. We have also considered the possibility of installing a new bridge over the estuary, in order to provide a continuous ECP route, but have concluded that the expected cost of this is not justified when considered against the limited additional length of trail that such a bridge would facilitate, particularly when the railway provides a reasonably convenient crossing. These points are considered in our published proposals.

**Relevant appended documents (see Section 5):** None

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**Representation ID:**

**MCA/SCS2/R/3/3453**

**Organisation/ person making representation:**

Nigel Gilligan

**Name of site:**

Duddon Estuary

**Report map reference:**

SCS2a

**Route sections on or adjacent to the land:**

SCS-2-S001

**Other reports within stretch to which this representation also relates** N/A

### **Summary of representation:**

The representation disagrees with NE's proposals including a trail only as far upstream as Green Road and Foxfield railway stations. It goes on to cite the consequent lack of any benefits to the population of Broughton-in-Furness, disagrees with NE's analysis of cost/benefit for a new bridge and of safety issues that would arise from any trail over Duddon Bridge. Furthermore, the representation lists a number of reasons for the train service across the estuary not being considered to be a convenient option, including difficulties in paying for tickets, the fact that Green Road station is a request stop and the inadequacy of train information at either station.

It then goes to call into question the impact on traffic of any pedestrian delay system on Duddon Bridge.

A modification is suggested, including a continuous route around the estuary, and a more direct approach to Duddon Bridge (thus shortening the length walked by pedestrians on the bridge itself).

There is a review of the main options currently open to those wishing to walk around the estuary, none of which are regarded as particularly favourable or popular. The conclusion is that NE's proposals have failed to make any meaningful improvements to the local access situation.

### **Natural England's comment:**

Many of the points raised are entirely recognised by NE, including the lack of suitable, safe routes for walkers around the upper estuary and connecting with Broughton-in-Furness. The possibility for safe incorporation of Duddon Bridge within an extended and continuous ECP route was considered by both NE and Cumbria County Council (including Cumbria Highways officers). The conclusion was that there would be considerable risk to those walking across the bridge, not least from large, articulated vehicles that clearly sweep the parapet at various points, dislodging masonry. The conclusion was that it was not safe to promote this option as part of a national trail without some mechanism for allowing a break in traffic whilst pedestrians might cross. Given the length of time required for such a break, this was deemed inappropriate in terms of traffic movement. We have acknowledged in our proposals that they depend on the coastal train service offering a reasonably convenient means of crossing the estuary; if this ceases to be the case in practice, we are open to proposing a variation of the path in future.

In relation to estuaries, we have powers but no duty (as we do in relation to the open coast); before we exercise our powers around estuaries, we are bound to consider a range of factors, as detailed in our proposals. In relation to the Duddon, this consideration unfortunately lead us to conclude that the difficulties and costs of any continuous route around the estuary would outweigh the benefits - although we realise that this is a subjective consideration.

### **Relevant appended documents (see Section 5):**

Duddon Estuary briefing note, February 2018 (produced by Natural England, North West Coastal Access)

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**Representation ID:**  
**MCA/SCS2/R/4/3457**

**Organisation/ person making representation:**  
[Redacted]

**Name of site:**  
Duddon Estuary

**Report map reference:**  
SCS2a

**Route sections on or adjacent to the land:**  
SCS-2-S001

**Other reports within stretch to which this representation also relates** N/A

**Summary of representation:**

The representation disagrees with the lack of a continuous route proposal around the upper Duddon Estuary, and also disagrees that the train service is convenient, as an alternative. It does agree that the existing Duddon Bridge is unsafe for walkers, but concludes that a continuous route should be provided by means of a walkway on the side of the railway viaduct, or a new bridge.

**Natural England's comment:**

Natural England carefully considered the options for the Duddon Estuary, as detailed in the SCS Overview. We concluded that the train service currently offers a convenient means of crossing the estuary; however, we will keep this under review as we near commencement for the stretch. We were not able to conclude that the benefits of a continuous route, enabled by a new bridge, would outweigh the predicted costs.

**Relevant appended documents (see Section 5):** None

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**Representation ID:**  
**MCA/SCS2/R/5/3237**

**Organisation/ person making representation:**  
Kirkby Ireleth Parish Council – [redacted]

**Name of site:**  
Land within the civil parish of Kirkby Ireleth

**Report map reference:**  
All of SCS2  
**Route sections on or adjacent to the land:**

**Other reports within stretch to which this representation also relates** N/A

**Summary of representation:**  
The representation expresses support for NE's proposals.

**Natural England's comment:**  
Natural England is grateful for the message of support from the parish council.

**Relevant appended documents (see Section 5):**  
None

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**Representation ID:**  
**MCA/SCS2/R/7/3310**

**Organisation/ person making representation:**  
Kirkby Footpath and Cycleway group – [redacted]

**Name of site:**  
Millom to Askam in Furness

**Report map reference:**

**Route sections on or adjacent to the land:**  
Not specified, but taken to be SCS-2-S001 to S036

## **Other reports within stretch to which this representation also relates** N/A

### **Summary of representation:**

The representation suggests that a continuous route around the upper Duddon Estuary might reasonably be achieved via a new foot/cycleway on the side of the existing railway viaduct.

It goes on to suggest that the proposed new bridge at Kirkby Pool is not required, and that the route should remain on the landward side of the railway, utilising the existing pipe bridge. There is support for the proposals between Soutergate and Askam.

### **Natural England's comment:**

Natural England is grateful for the message of support in relation to parts of the proposals. We are confident that the cost of attaching a footway to the side of the railway viaduct would be considerably greater than that of installing a new freestanding bridge over a narrow part of the upper estuary (and that cost cannot be justified under the coastal access programme, as explained in the SCS Overview).

We acknowledge the views on the Kirkby Pool route and new crossing, but believe this proposal provides the best overall solution, when taking into account the complexities of the definitive map and optimum locations for crossing the railway.

The footbridge near to Kirkby Station would be replaced as part of ECP establishment.

### **Relevant appended documents (see Section 5):**

3 photographs

1. Location of proposed £50,000 footbridge over Kirkby Pool (Environment Agency/Rail Track have project in place at this point at present).
2. Existing rock armour needs work to allow improved footpath access.
3. Rotten footbridge next to Kirkby Station that needs work on it.

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### **Representation ID:**

**MCA/SCS2/R/8/3469**

### **Organisation/ person making representation:**

[Redacted]

### **Name of site:**

Duddon Estuary

### **Report map reference:**

SCS2a

### **Route sections on or adjacent to the land:**

SCS-2-S001

## **Other reports within stretch to which this representation also relates** N/A

### **Summary of representation:**

The representation takes issue with the assessment of the incorporation of the existing Duddon Bridge into a continuous route around the upper Duddon Estuary, and NE's decision not to take forward this option. The suggestion is that a timed delay would be feasible.

### **Natural England's comment:**

Natural England has heeded the reasonable advice of Cumbria Highways in reaching a decision about this option, as explained in the SCS Overview. The advice is that the potential greater delays that would, on occasion, be caused by an extended 'red both ways' signal, on a route which is often busy, would be unacceptable in terms of traffic management.

**Relevant appended documents (see Section 5):**

None

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**Representation ID:**  
**MCA/SCS2/R/9/0197**

**Organisation/ person making representation:**  
Millom without Parish Council – [redacted]

**Name of site:**  
Duddon Bridge and Estuary

**Report map reference:**  
SCS2a

**Route sections on or adjacent to the land:**  
SCS-2-S001

**Other reports within stretch to which this representation also relates** N/A

**Summary of representation:**

The representation raises a number of points, centring on the lack of a continuous proposed route around the upper Duddon Estuary. It calls into question the basis for deciding that Duddon Bridge is not safe for pedestrians, but also agrees that this is not an ideal solution either, in terms of walkers, cyclists and equestrians. There is a suggestion for improving the safety of this crossing by removal of trees. The representation also makes the point that a continuous route around the estuary would be very beneficial for local communities.

Finally, there are two recommendations:

That a full and independent safety audit be conducted for Duddon Bridge

That the proposed trail should extend at least as far as the preferred location for a new bridge, on either side of the upper estuary.

**Natural England's comment:**

Natural England welcomes the points put forward by the parish council. The advice received from Cumbria Highways (which is the relevant body in relation to highways matters for this location) backed up NE's own views on the lack of suitability of Duddon Bridge as part of a National Trail. We agree that a continuous route would be preferable, all other factors taken into account. However, as explained in the SCS Overview, we could not conclude that the benefits sufficiently outweighed the costs of installing a new bridge and creating a continuous route that would be reasonably resilient to flooding on the low-lying eastern side of the upper estuary. We do not believe that there is any basis for a new study of Duddon Bridge, unless Cumbria Highways concludes that this is necessary. Furthermore, irrespective of a decision made some years back, around the Esk and Irt estuaries, we are clear that the time to explore and propose any additional upper estuary routes would be as and when a new bridge might become a reality.

**Relevant appended documents (see Section 5):**

None

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**Representation ID:**  
**MCA/SCS2/R/11/3393**

**Organisation/ person making representation:**  
Millom Town, South Copeland Partnership and Millom & Haverigg Civic Society – [redacted]



**Name of site:**  
Duddon Estuary

**Report map reference:**  
SCS2a

**Route sections on or adjacent to the land:**  
SCS-2-S001

**Other reports within stretch to which this representation also relates** N/A

**Summary of representation:**

The representation, submitted on behalf of three bodies, focuses on the lack of a continuous route around the upper Duddon Estuary. A range of additional documents were submitted alongside the representation.

**Natural England's comment:**

The options and our decisions relating to those options (around the possible exercising of our discretionary powers for estuaries) are laid out in the SCS Overview. We were not able to conclude that the benefits of a continuous route around the upper Duddon Estuary outweighed the expected costs. However, we stated in our proposals that, if a bridge might be delivered by means other than just the coastal access programme, we would expect to consider submitting a variation report for a continuous route.

**Relevant appended documents (see Section 5):**

1. A Plan for Duddon Bridge – May 2019
  2. After Wainwright Eric Robson Route
  3. Duddon Bridge Drawings
  4. England Coast Path – Duddon Estuary – Feb 2018
  5. England Coast Path – Duddon Estuary email July 2017
  6. Minutes – SCP – 11<sup>th</sup> June19\_issue 1
  7. North West Evening Mail News 13 Feb 2020 Train Reliability
- 

**Representation ID:**  
MCA/SCS2/R/12/3393

**Organisation/ person making representation:**  
[Redacted] (personal representation – identical to MCA/SCS2/R/11/3393)

**Name of site:**  
Duddon Estuary

**Report map reference:**  
SCS2a

**Route sections on or adjacent to the land:**  
SCS-2-S001

**Other reports within stretch to which this representation also relates**  
N/A

**Summary of representation:**

The representation, submitted on behalf of three bodies, focuses on the lack of a continuous route around the upper Duddon Estuary. A range of additional documents were submitted alongside the representation.

**Natural England's comment:**

The options and our decisions relating to those options (around the possible exercising of our discretionary powers for estuaries) are laid out in the SCS Overview. We were not able to conclude that the benefits of a continuous route around the upper Duddon Estuary outweighed the expected costs. However, we stated in our proposals that, if a bridge might be delivered by means other than just the coastal access programme, we would expect to consider submitting a variation report for a continuous route.

**Relevant appended documents (see Section 5):**

1. A Plan for Duddon Bridge – May 2019
  2. After Wainwright Eric Robson Route
  3. Duddon Bridge Drawings
  4. England Coast Path – Duddon Estuary – Feb 2018
  5. England Coast Path – Duddon Estuary email July 2017
  6. Minutes – SCP – 11<sup>th</sup> June19\_issue 1
  7. North West Evening Mail News 13 Feb 2020 Train Reliability
- 

**Representation ID:**  
**MCA/SCS2/R/13/3239**

**Organisation/ person making representation:**  
Duddon Parish Council – [redacted]

**Name of site:**  
Duddon Estuary

**Report map reference:**  
SCS2a

**Route sections on or adjacent to the land:**  
SCS-2-S001

**Other reports within stretch to which this representation also relates** N/A

**Summary of representation:**

The representation simply requests that a continuous route around the upper Duddon Estuary should be enabled via a new walkway on the side of the existing railway viaduct.

**Natural England's comment:**

Natural England is satisfied that the cost of creating a walkway alongside the railway viaduct would be substantially greater than the cost of installing a new freestanding bridge; the anticipated cost of either of these options puts them beyond the remit of the coastal access programme, as explained in the SCS Overview.

**Relevant appended documents (see Section 5):**  
None

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**Representation ID:**  
**MCA/SCS2/R/16/3464**

**Organisation/ person making representation:**

[Redacted]

**Name of site:**

Duddon Estuary

**Report map reference:**

SCS2a

**Route sections on or adjacent to the land:**

SCS-2-S001

**Other reports within stretch to which this representation also relates** N/A

**Summary of representation:**

The representation disagrees with the suggested use of the train as a means of crossing the estuary and continuing on the ECP. Options are briefly mentioned, including alongside the rail or road bridges.

**Natural England's comment:**

Natural England carefully considered the options, as detailed in the SCS Overview. We ruled out other options given that we could not conclude that the benefits would outweigh the costs of providing a continuous route, enabled by a new bridge.

**Relevant appended documents (see Section 5):**

None

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**Representation ID:**

**MCA/SCS2/R/17/3461**

**Organisation/ person making representation:**

[Redacted]

**Name of site:**

Duddon Estuary

**Report map reference:**

SCS2a

**Route sections on or adjacent to the land:**

SCS-2-S001

**Other reports within stretch to which this representation also relates** N/A

**Summary of representation:**

The representation disagrees with the lack of a continuous route proposal around the upper Duddon Estuary, and also disagrees that the train service is convenient, as an alternative.

It does agree that the existing Duddon Bridge is unsafe for walkers, but concludes that a continuous route should be provided by means of a walkway on the side of the railway viaduct, or a new bridge.

**Natural England's comment:**

Natural England carefully considered the options for the Duddon Estuary, as detailed in the SCS Overview. We concluded that the train service currently offers a convenient means of crossing the estuary; however, we will keep

this under review as we near commencement for the stretch. We were not able to conclude that the benefits of a continuous route, enabled by a new bridge, would outweigh the predicted costs.

**Relevant appended documents (see Section 5):**

None

## Length Report SCS3

### *Full representations*

**Representation number:**

**MCA/SCS(W)/R/1/3452**

**Organisation/ person making representation:**

Environment Agency – [redacted]

**Route section(s) specific to this representation:**

All sections where there are local wildlife sites and sea defences – SCS1 to SCS6

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

**MCA/SCS(W)/R/3/3335**

**Organisation/ person making representation:**

Cumbria & Lakes Local Access Forum – [redacted] **Route**

**section(s) specific to this representation:**

**Representation in full** See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

**Representation number:**  
**MCA/SCS(W)/R/6/3471**

**Organisation/ person making representation:**  
RSPB – [redacted]

**Route section(s) specific to this representation:**

**Representation in full**  
See first instance of representation under SCS2.

**Natural England's comments**  
See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**  
- Haverigg Survey 2017 (breeding bird survey of site 9/5/17 conducted by [redacted], RSPB Conservation Officer)  
- Haverigg Survey 2018 (breeding bird survey of site 26/4/18 conducted by [redacted], RSPB Conservation Officer)  
NB. Surveys have previously been supplied to Natural England Coastal Access team as part of the call for evidence process.

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**Representation number:**  
**MCA/SCS(W)/R/7/3475**

**Organisation/ person making representation:**  
Lake District National Park Authority – [redacted]

**Route section(s) specific to this representation:**  
Duddon & Kent estuaries (SCS2, SCS6); plus all areas within NP boundary.

**Representation in full**  
See first instance of representation under SCS2.

**Natural England's comments**  
See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**  
None

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**Representation number:**  
**MCA/SCS(W)/R/12/3480**

**Organisation/ person making representation:**  
Cumbria County Council – [redacted]

**Route section(s) specific to this representation:**

Whole stretch but focus on estuaries.

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

**MCA/SCS(W)/R/9/3477**

**Organisation/ person making representation:**

Cumbria County Council South Lakes Committee – [redacted]

**Route section(s) specific to this representation:**

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):** None

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**Representation number:**

**MCA/SCS(W)/R/10/3481**

**Organisation/ person making representation:** Cumbria

County Council Copeland Committee – [redacted]

**Route section(s) specific to this representation:**

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):** None

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**Representation number:**

**MCA/SCS(W)/R/13/3229**

**Organisation/ person making representation:**

Ramblers – [redacted]

**Route section(s) specific to this representation:**

Directions/Restrictions/Exclusions

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

**MCA/SCS(W)/R/14/0016**

**Organisation/ person making representation:**

The Open Spaces Society – [redacted]

**Route section(s) specific to this representation:**

Directions/Restrictions/Exclusions

**Representation in full**

See text of the representation from the Ramblers at MCA/SCS(W)/R/13/3229

**Natural England's comments**

See Natural England's comments against the representation from the Ramblers at MCA/SCS(W)/R/13/3229

**Relevant appended documents (see section 5):** None

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**Representation number:**

MCA/SCS1/R/1/3229

**Organisation/ person making representation:**

Ramblers – [redacted]

**Route section(s) specific to this representation:**

Whole route SCS1

**Other reports within stretch to which this representation also relates:**

SCS 2

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

MCA/SCS1/R/2/0016

**Organisation/ person making representation:**

The Open Spaces Society – [redacted]

**Route section(s) specific to this representation:**

Whole route SCS1

**Other reports within stretch to which this representation also relates:**

SCS 2

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents:**

None

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**Representation number:**

MCA/SCS3/R/1/3304

**Organisation/ person making representation:**

Associated British Ports (ABP) – [redacted]

**Route section(s) specific to this representation:**

SCS-3-S031, S032 & S034

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

ABP is the Freeholder of the stretches of proposed Coastal Path referenced SCS-3-S031, SCS-3-S032 and SCS-3-S034. According to your plans these sections have been identified as a "Trail using other existing walked route" and "Trail Using existing Public Right of Way or Highway" respectively. I can confirm that SCS-3-S031 and SCS-3-S032 should be referred to as being "Trail using other existing walked route" as the route is not designated as a Public



Right of Way but is only Licenced from ABP to Barrow Borough Council as a footpath for a period of 20 years from April 2004. Within that Agreement ABP has the right to close the footpath as required by port operations (noting that this is referenced at 3.2.25 within the Report). Similarly, SCS3-3-S034 is licenced to Cumbria County Council for a period of 20 years from 12<sup>th</sup> May 2010 and should be referred to as being “Trail using other existing walked route” as the route is not designated as a Public Right of Way. Within that Agreement, ABP has the right to close the footpath for one day each year of that term.

In order to protect ABP’s position we should be grateful if this is acknowledged within the Coastal Access Report and ABP reserves the right to close the paths requiring Natural England to provide an alternative route. Furthermore ABP would like assurances that it will be fully indemnified from any claims whether direct or indirect arising out of the use of the routes that cross ABP’s Freehold and that should measures be needed to separate users from the existing operational rail that is within the vicinity of the route, that Natural England will also be responsible for any associated cost.

### **Natural England’s comments**

Natural England is grateful to ABP for the clarification of existing route status. We are happy to amend this, as the situation arises, but should point out that it makes little material difference to our proposals. We are aware of the occasional requirement to close parts of the proposed route in this area and are content that this can be managed informally, by means of notices posted at either end of the affected sections.

We cannot offer any indemnity against claims but would point to the significant reduction in occupier's liability that is associated with coastal access rights. We would expect to be involved in any future discussions about management measures required, along with Cumbria County Council (as access authority).

### **Relevant appended documents (see section 5):**

None

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### **Representation number:**

**MCA/SCS3/R/6/3304**

### **Organisation/ person making representation:**

Associated British Ports (ABP) – [redacted]

### **Route section(s) specific to this representation:**

SCS-3-S035

### **Other reports within stretch to which this representation also relates:**

### **Representation in full**

ABP is the Freeholder of the stretch of proposed Coastal Path referenced SCS-3-S035 CP. According to your plans these sections have been identified as a “Trail using other existing walked route” and “Trail Using existing Public Right of Way or Highway” respectively. I can confirm that both sections should be referred to as being “Trail using other existing walked route” as the route is not designated as a Public Right of Way but is only Licenced from ABP to Cumbria County Council as a footpath for a period of 20 years from 12<sup>th</sup> May 2010. Within that Agreement ABP has the right to close the footpath for one day each year of that term.

In order to protect ABP’s position we should be grateful if this is acknowledged within the Coastal Access Report and ABP reserves the right to close the paths requiring Natural England to provide an alternative route.

Furthermore ABP would like assurances that it will be fully indemnified from any claims whether direct or indirect arising out of the use of the routes that cross ABP’s Freehold and that should measures be needed to separate users from the existing operational rail that is within the vicinity of the route, that Natural England will also be responsible for any associated cost.

### **Natural England’s comments**

Natural England is grateful to ABP for the clarification of existing route status. We are happy to amend this, as the situation arises, but should point out that it makes little material difference to our proposals. We are aware of the occasional requirement to close parts of the proposed route in this area and are

content that this can be managed informally, by means of notices posted at either end of the affected sections.

We cannot offer any indemnity against claims but would point to the significant reduction in occupier's liability that is associated with coastal access rights. We would expect to be involved in any future discussions about management measures required, along with Cumbria County Council (as access authority).

**Relevant appended documents (see section 5):** None

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**Representation number:**

**MCA/SCS3/R/2/3229**

**Organisation/ person making representation:**

Ramblers – [redacted]

**Route section(s) specific to this representation:**

All of SCS 3

**Other reports within stretch to which this representation also relates:**

**Representation in full**

We support NE's proposals for SCS-3-S001 to SCS-3-S049.

SCS-3-S050 to SCS-3-S057 Whilst this appears the most logical and sensible route it is, in essence (mainly on weekends and in summer), walking through a linear car parking area. We do not know the legal status of this car parking but it raises significant concerns for public safety for this stretch of the proposed route. We have not seen an assessment of these risks.

We support NE's proposals for SCS-3-S058 to SCS-3-S064.

**Natural England's comments**

Natural England welcomes the general support for its proposals from the Ramblers. We acknowledge that much of the area around sections S050 to S057 is occupied by parked cars on occasions. However, we do not believe that this will cause serious risk or inconvenience to walkers.

**Relevant appended documents (see section 5):**

None

---

**Representation number:**

**MCA/SCS3/R/3/0016**

**Organisation/ person making representation:** The

Open Spaces Society – [redacted]

**Route section(s) specific to this representation:**

All of SCS 3

## **Other reports within stretch to which this representation also relates:**

### **Representation in full**

We support NE's proposals for SCS-3-S001 to SCS-3-S049.

SCS-3-S050 to SCS-3-S057 Whilst this appears the most logical and sensible route it is, in essence (mainly on weekends and in summer), walking through a linear car parking area. We do not know the legal status of this car parking but it raises significant concerns for public safety for this stretch of the proposed route. We have not seen an assessment of these risks.

We support NE's proposals for SCS-3-S058 to SCS-3-S064.

### **Natural England's comments**

Natural England welcomes the general support for its proposals from the Open Spaces Society. We acknowledge that much of the area around sections S050 to S057 is occupied by parked cars on occasions. However, we do not believe that this will cause serious risk or inconvenience to walkers.

## **Relevant appended documents (see section 5):**

### ***Other representations***

#### **Representation ID:**

**MCA/SCS(W)/R/2/3352**

#### **Organisation/ person making representation:**

Cumbria GeoConservation – [redacted]

#### **Name of site:**

Local Geological Sites on SCS

#### **Report map reference:**

#### **Route sections on or adjacent to the land:**

#### **Summary of representation:**

See original instance of representation under SCS2.

#### **Natural England's comment:**

See original instance of representation under SCS2.

#### **Relevant appended documents (see Section 5):**

Cumbria GeoConservation Letter

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#### **Representation ID:**

**MCA/SCS(W)/R/4/3447**

#### **Organisation/ person making representation:**

Disabled Ramblers

**Name of site:**

Whole stretch

**Report map reference:****Route sections on or adjacent to the land:****Summary of representation:**

See original instance of representation under SCS2.

**Natural England's comment:**

See original instance of representation under SCS2.

**Relevant appended documents (see Section 5):**

Disabled Ramblers notes on infrastructure.

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**Representation ID:**

**MCA/SCS(W)/R/5/0058**

**Organisation/ person making representation:**

Copeland Borough Council – [redacted]

**Name of site:****Report map reference:**

SCS 1: Beach car park, Silecroft to Green Road railway station (Maps SCS 1a to SCS 1j) SCS

2: Green Road station to Jubilee Bridge (north),

MAP: SCS1 AND SCS2

**Route sections on or adjacent to the land:**

The Duddon Estuary and The Duddon Bridge

**Summary of representation:**

See original instance of representation under SCS2.

**Natural England's comment:**

See original instance of representation under SCS2.

**Relevant appended documents (see Section 5):**

None

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**Representation ID:**

**MCA/SCS(W)/R/8/3476**

**Organisation/ person making representation:**

Friends of the Lake District – [redacted]

**Name of site:**

**Report map reference:**

**Route sections on or adjacent to the land:**

See Ramblers and Open Spaces Society Representations **Summary**

**of representation:**

See original instance of representation under SCS2.

**Natural England's comment:**

See original instance of representation under SCS2.

**Relevant appended documents (see Section 5):**

None

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**Representation ID:**

**MCA/SCS(W)/R/11/3478**

**Organisation/ person making representation:**

Woodland Trust – [redacted]

**Name of site:**

Ancient Semi-Natural Woodland (ASNW) and Plantation on Ancient Woodland Sites (PAWS)

**Report map reference:**

**Route sections on or adjacent to the land:**

SCS-2-S065/ SCS-2-S066/SCS-2-S067 (Within High Wood)

SCS-4-S108/ SCS-4-S109/ SCS-4-S110 (Within Ashes Wood) SCS-5-S017 (Within Roudsea Wood)

SCS-5-S071/ SCS-5-S072/ SCS-5-S073 (Within Humphrey Head Wood)

SCS-6-S036 (Within Frith Wood)

**Summary of representation:**

See original instance of representation under SCS2.

**Natural England's comment:**

See original instance of representation under SCS2.

**Relevant appended documents (see Section 5):**

Ancient Woodland Protection statement

---

**Representation number:**

**MCA/SCS3/R/4/1257**

**Organisation/ person making representation:**

[redacted]

**Route section(s) specific to this representation:**

SCS-3-S041

**Other reports within stretch to which this representation also relates:**

**Representation in full**

The proposed path which adjoins the Westfeild trail to the beach, immediately adjacent to the boundary of Kingsmead and Station House introduce a clash with a significant amount of shrubbery and wildlife which exists in this particular area. This includes active rabbit warrens to varying depths and the home of many protected animals from great crested newts (these can be shown in pictures) Natterjack toads and is the feeding/ active roosting area of bats. It is requested all necessary surveys need to take place prior to any physical works take place. Should the route be chosen.

**Natural England's comments**

Cumbria County Council will undertake establishment works associated with the approved ECP proposals; we would expect the authority to take account of all best practice and relevant legislation in undertaking this work.

**Relevant appended documents (see section 5):**

Photograph of Great Crested Newt

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**Representation number:**

**MCA/SCS3/R/5/1256**

**Organisation/ person making representation:**

[Redacted]

**Route section(s) specific to this representation:**

SCS-3-S041

**Other reports within stretch to which this representation also relates:**

**Representation in full**

The proposed path which adjoins the Westfeild trail to the beach, immediately adjacent to the boundary of Kingsmead and Station House introduce a clash with a significant amount of shrubbery and wildlife which exists in this particular area. This includes active rabbit warrens to varying depths and the home of many protected animals from great crested newts (these can be shown in pictures) Natterjack toads and is the feeding/ active roosting area of bats. It is requested all necessary surveys need to take place prior to any physical works take place. Should the route be chosen.

**Natural England's comments**

Cumbria County Council will undertake establishment works associated with the approved ECP proposals; we would expect the authority to take account of all best practice and relevant legislation in undertaking this work.

**Relevant appended documents (see section 5):**

Photograph of Great Crested Newt

# Length Report SCS4

## *Full representations*

**Representation number:**

**MCA/SCS(W)/R/1/3452**

**Organisation/ person making representation:**

Environment Agency – [redacted]

**Route section(s) specific to this representation:**

All sections where there are local wildlife sites and sea defences – SCS1 to SCS6

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

**MCA/SCS(W)/R/3/3335**

**Organisation/ person making representation:**

Cumbria & Lakes Local Access Forum – [redacted] **Route**

**section(s) specific to this representation:**

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

Cumbria & Lakes Local Access Forum Letter

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**Representation number:**

**MCA/SCS(W)/R/6/3471**

**Organisation/ person making representation:**

RSPB – [redacted]

**Route section(s) specific to this representation:**

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

- Haverigg Survey 2017 (breeding bird survey of site 9/5/17 conducted by [redacted], RSPB Conservation Officer)
  - Haverigg Survey 2018 (breeding bird survey of site 26/4/18 conducted by [redacted], RSPB Conservation Officer)
- NB. Surveys have previously been supplied to Natural England Coastal Access team as part of the call for evidence process.
- 

**Representation number:**

**MCA/SCS(W)/R/7/3475**

**Organisation/ person making representation:**

Lake District National Park Authority – [redacted]

**Route section(s) specific to this representation:**

Duddon & Kent estuaries (SCS2, SCS6); plus all areas within NP boundary.

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

**MCA/SCS(W)/R/12/3480**

**Organisation/ person making representation:**

Cumbria County Council – [redacted]

**Route section(s) specific to this representation:**

Whole stretch but focus on estuaries.

**Representation in full** See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**



None

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**Representation number:**

**MCA/SCS(W)/R/9/3477**

**Organisation/ person making representation:**

Cumbria County Council South Lakes Committee – [redacted]

**Route section(s) specific to this representation:**

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):** None

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**Representation number:**

**MCA/SCS(W)/R/10/3481**

**Organisation/ person making representation:** Cumbria  
County Council Copeland Committee – [redacted]

**Route section(s) specific to this representation:**

**Representation in full**

See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):** None

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**Representation number:**

**MCA/SCS(W)/R/13/3229**

**Organisation/ person making representation:**

Ramblers – [redacted]

**Route section(s) specific to this representation:**

Directions/Restrictions/Exclusions

**Representation in full** See first instance  
of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

**MCA/SCS(W)/R/14/0016**

**Organisation/ person making representation:**

The Open Spaces Society – [redacted]

**Route section(s) specific to this representation:**

Directions/Restrictions/Exclusions

**Representation in full**

See text of the representation from the Ramblers at MCA/SCS(W)/R/13/3229

**Natural England's comments**

See Natural England's comments against the representation from the Ramblers at MCA/SCS(W)/R/13/3229

**Relevant appended documents (see section 5):** None

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**Representation number:**

**MCA/SCS1/R/1/3229**

**Organisation/ person making representation:**

Ramblers – [redacted]

**Route section(s) specific to this representation:**

Whole route SCS1

**Other reports within stretch to which this representation also relates:**

SCS 2

**Representation in full** See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

MCA/SCS1/R/2/0016

**Organisation/ person making representation:**

The Open Spaces Society – [redacted]

**Route section(s) specific to this representation:**

Whole route SCS1

**Other reports within stretch to which this representation also relates:**

SCS 2

**Representation in full** See first instance of representation under SCS2.

**Natural England's comments**

See first instance of representation under SCS2.

**Relevant appended documents:**

None

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**Representation number:**

MCA/SCS4/R/4/3332

**Organisation/ person making representation:**

Historic England – [redacted]

**Route section(s) specific to this representation:**

SCS-4-S005 to S009

**Other reports within stretch to which this representation also relates:**

N/A

**Representation in full**

Historic England has no issues with, or objection to, the Coast Path proposals as they affect the Moat Hill motte and bailey castle and Moat Farm moated site scheduled monuments.

**Natural England's comments**

Natural England is grateful to Historic England for this confirmation.

**Relevant appended documents (see section 5):**

None

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**Representation number:**

MCA/SCS4/R/5/0878

**Organisation/ person making representation:**

Messers [redacted]

**Route section(s) specific to this representation:**

Not specified (but refers to 'All land owned by the [redacted]')

**Other reports within stretch to which this representation also relates:**

N/A

**Representation in full**

- 1) The health and safety issue both for people and grazing cattle is a major issue. Also the public liability. There are also shooting rights on this land.
- 2) The fields are all cropped, therefore there is often large heavy machinery in the fields.
- 3) The cost of erecting stiles, steps, kissing gates will be huge and no doubt be passed onto the tax payer.
- 4) The council will not maintain these, as their funds are low. Therefore will lead to many problems and straying cattle.
- 5) Two of the fields flood where the proposed route is to follow, so no different from high tides.
- 6) Natural England are renowned for conservation, yet walking in fields on the shore edge is NOT and will cause erosion.
- 7) At one point i.e. between Lady Croft Cottage and Moat Farm (both private properties) the proposed route skirts round these and enters 2 of our fields, in between, when there is a perfectly good flat beach.
- 8) The consistency of the proposed route, where other landowners refused the path, it has been re-routed.
- 9) The best balance, we feel with us and Natural England/walkers is to use the shore which is by far the best and safest way to enjoy the coast. Many use it now and have for generations.

**Natural England's comments**

Natural England acknowledges that many local people currently walk on the foreshore in this area. However, we do not believe that this is the best option, given the nature of much of the foreshore underfoot, tidal inundation and the existence of a more suitable route on land above the foreshore (as is consistent with the approved Coastal Access Scheme).

The cost of establishment will be met entirely by Natural England, from allocated budget, and is within the expected range. Funds will also be made available for the management and maintenance of the approved route, on an ongoing basis.

Houses and gardens constitute excepted land under the relevant legislation - we have no choice but to align the path around such land, on the seaward side if possible, but otherwise on the landward side.

In relation to the concerns about disease transmission from dogs to livestock, we have received advice from the Animal and Plant Health Agency (APHA) which suggests that the risk is low for neosporosis and various other infections, in relation to walkers' dogs. This is listed as item 4 below and appended at section 5.

**Relevant appended documents (see section 5):**

- 1) Richard Knight's letter (West Vet Group)
- 2) Flooding across proposed route - photograph
- 3) Parish Council letter
- 4) Transmission of infectious diseases between walkers' dogs and cattle/sheep

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**Representation number:**

**MCA/SCS4/R/6/3229**

**Organisation/ person making representation:**

Ramblers – [redacted]

**Route section(s) specific to this representation:**

Full report

## Other reports within stretch to which this representation also relates:

N/A

## Representation in full

We note that, while under the 2009 Act there is no requirement for the ECP to extend the Coast Path up any estuary further than the seaward limit of estuarial waters, NE has a discretion to propose that the trail should extend from the seaward limit as far as the first bridge over which there is a public right of way or a public right of access (covered in detail in Part B and Chapter 10 of the Coastal Access Scheme). This is within the context of s296 of the 2009 Act that places a legal duty on NE and the Secretary of State (SoS) to secure a walking route around the whole of the coast of England.

s297 of the 2009 Act requires, that in discharging this duty, they should have regard (amongst other considerations) to keeping interruptions to the route at a minimum. In short continuity is an important consideration.

We support the principle and reasoning behind NE's choice of option 2 (page 27 of the ECP Silecroft to Silverdale Overview) to appropriately use their discretion to provide a continuous route around the Leven Estuary and using the first crossing point - an existing footbridge at Greenodd - as the crossing point of the River Leven.

We welcome some stretches of the proposed route of the ECP as appropriate and suited for the needs of all potential users of the route around the estuary.

However, we are strongly of the opinion that the route in total needs significant revision in order to:

- a) replace sections which are on substrates that will make it extremely difficult for people with minor mobility problems, including older people and people with young children, to use parts of the route, and
- b) realign those parts of the route which, for significant periods of a year, will prove unwalkable and raise serious issues of personal safety. This is an issue on which we have previously expressed concerns to the NE (Cumbria Team) but for which we have not seen any risk assessment. We consider that NE should urgently re-consider their proposals for SCS-4-S019 to SCS-5-S055 and to take a route more suitable for users.

As we have previously stated, in response to earlier ECP consultations, we support in principle the use of some salt and grazing marshes along the estuaries, particularly for use as spreading room. Indeed some experiences of these landscapes can add greatly to the value of walking the ECP. They are places where users can better enjoy the character of the changing landscapes and have more opportunities to enjoy the wildlife. Some offer, in the appropriate light conditions, dramatic views inland and superb 'skylines'. This is particularly the case on parts of the Leven Estuary. Some parts of the proposed ECP route offer the opportunity for such amazing vista especially at times of changing light.

We therefore welcome the limited use of saltmarsh for the ECP around the Leven estuary where it is in line with the 'Coastal Access - Natural England's Approved Scheme, 2013', in paragraphs 7.15.2; 7.15.3; & 7.15.4. In particular, we note 7.15.11 and the subsequent paragraphs which suggest good practice for routing the ECP over saltmarsh. Saltmarsh is an essential part of the character of the English coast and it is right and proper that users of the ECP should experience these unique landscapes and habitats. Interest in these unique places has been heightened by the publication, in 2017, of *Saltmarsh by Clive Chatters (Bloomsbury; London)*.

Our comments for each section of NE's proposals are as follows:

We support NE's proposals for SCS-4-001 to SCS-4-S011.

SCS-4-012 to SCS-4-S018: We are strongly against this proposal for same reasons NE give in table 4.3.3 for SCS4-023 to 035 - '*the rocky shore is considered unsuitable underfoot for a national trail*'. We consider that this section of the route discriminates against people of restricted mobility since there are alternative alignments possible.

We support NE's proposals for SCS-4-S019 to SCS-4-S027.

SCS-4-S028 to SCS-4-S029: We are strongly against this proposal for the same reasons as for SCS-4-012 to 018 above.

We support NE's proposals for SCS-4-S030 to SCS-4-S032.

SCS-4-S033 to SCS-4-S041: We are strongly against this proposal for the same reasons as for SCS-4-012 to 018 above.

We support NE's proposals for SCS-4-S042 to SCS-4-S089.

SCS-4-S090 to SCS-4-S091: We are concerned about rocky and slippery nature of the path through this area (owned and managed by the National Trust) as well as the effects of the tide on users of this route. However, we note that an alternative route (itself having some wet patches) exists and can be used.

We support NE's proposals for SCS-4-S092 to SCS-4-S123.

Our concerns for the proposed route of the ECP for the Leven Estuary lie mainly between proposed route sections SCS-4-S012 and SCS-5-S 055 (see also our separate representation 5: Greenodd Footbridge to Kents Bank).

#### Reason 1

This is based on the difficult walking terrain of parts of the proposed route of the ECP caused largely by rocky and stony foreshores. These are not only more tiring and uncomfortable surfaces to walk they also slow walkers down to an extent that makes our second reason a greater concern. Whilst traversing such sections your full attention is needed to see where the footfall is and thereby negating the value of being in those locations. People with young children and more senior users will be seriously deterred from using such stretches. As some walkers of limited mobility and some older people will want to avoid these stretches, we suggest these proposals will contravene s297 of the 2009 Act because alternatives for the route are possible. These sections are, we understand, SCS-4S005, SCS-4-S089 to S090, and SCS-5-S052.

#### Reason 2:

There are on the proposed route significant stretches, not continuously so, between SCS-4-S019 to SCS-5-055, which are subject to both tidal inundation, retention of water after such tides, and retention of rainwater on varying substrates - all of which contribute to making the logistics of walking around the Leven estuary extremely fraught. These issues become exacerbated where regular use of restricted width paths creates depressions in softer substrates. For clarification, our concerns are not determined by the mean high water level (MHWL). The rainfall, prevailing wind and tidal range are unpredictable variables which strongly suggest no reliance can be placed on an old, mapped MHWL.

We attach here NE's response to us regarding the those stretches, over 2 km long, affected between SCS-4-S012 to SCS-4-S123:

*Technically, only one section - SCS-4-S038 (54m) is on the foreshore (meaning it lies below MHWM). Here, this was the best option available – it lies seawards of an area of garden, which is excepted land. If we were to move the path landwards, it would need to jump some distance inland, behind houses and into apparently pretty wet fields.*

*Here's a fuller list of all those path sections between Rampside and Greenodd that might appear to be on the foreshore at first glance, but which are actually above mean high water and which would seldom be affected by tides:*

*Sections and map ref*

*Note on length and situation*

*SCS-4-S013 and SCS-4-S014, map 4a*

*153m long, above mean high water*

*SCS-4-S019, map 4b*

*214m long, above mean high water*

*SCS-4-S037 to SCS-4-S041 map 4c*

*Approaching 650m long, mainly just above the mean high water line except for SCS-4-S038 (54m).*

*SCS-4-S051 to map 4d*

*605m long, above the mean high water line*

*SCS-4-S066 map 4e*

*76m long, above the mean high water line*

*SCS-4-S089 – SCS-4-S090 map 4g*

*327m long, above mean high water across back of 'beach' and small saltmarsh section*

A further 3-4 km is also tidally affected on the eastern shore of the estuary but we have not requested similar information.

In respect of tides it is known that 'spring' tides will, on a number of days each year, over-wash the footpath. Unless walkers of the ECP route are sufficiently and conscientiously warned, they could be in potential danger of becoming trapped along a water-logged path. This has been recognised, in part, by NE in providing three or four alternate, inland routes. We would question whether or not these are sufficient or appropriately located to resolve our concerns.

We estimate the number of days 'spring' tides will occur to be significantly detrimental to the use of the proposed route. In 2019 'spring' tides of, or in excess of, 9.4 metres, occurred on 84 occasions (say 42 days). Allowing for the fact that residual water from some of these tides also affects the surface of the path for several days after each 'spring' tide then, the use of the ECP could be unsuitable for use for around 60 days a year. It is acknowledged that in some years there may be less or more such tides.

The National Trust, on the Duddon Estuary, publish a list of 'Spring Tides' (from April to September only) in this comparable location. They suggest that there are 53 days (in this restricted summer period of the year) when there is a potential tidal hazard to walkers from using the sandy Duddon shoreline. In a year this would probably more than double (i.e. more higher tides occur in Autumn and Spring and higher rainfall is expected over the winter) to around or over 100 days when the use of the ECP would be exceeding difficult based on their measure.

The measure of tides of or above 9.0 metres better reflects the effects of tides with a strong prevailing wind than 9.4m given above. Neither tidal over-wash estimates allow for any predicted incremental rise in sea level. The authors of the previous guidebook to the Cumbria Coastal Way would, had they written a guidebook for the replacement ECP, have used the 9.0 metre figure in the section of advice of when not to use the sections of the route subject to tidal influences.

The 'spring' tides will also bring with them flotsam and jetsam which, from comparable places around southern facing estuaries, tends to both build up on the surface of the walking routes (depending on tide height and force of winds) particularly when they are to the landward edge of saltmarshes.

The Approved Scheme notes that the trail will not normally be aligned on flats and salt marsh when there are usually safer, more convenient alternatives to landward (para 7.15.2). This continues, "Occasionally the trail may cross an area of salt marsh or flat", (para 7.15.3) and the gives some examples. The text later adds in respect of 'The Spreading Room' that, "Areas of salt marsh and flats are unlikely to be excepted land..." (7.15.5) The Scheme iterates that NE have the power under s25A of CROW to exclude the coastal access rights from applying to salt marsh on the grounds that they are unsuitable for public access and contends that NE "will often use this power", (para 7.15.5). We submit that much of the Leven estuary route proposals to not meet the tests of para 4.1.1. [p.25] & 4.7.3 [p. 30] of the Approved Scheme.

Our local knowledge of the area suggests that, whilst many walkers may wish to walk this stretch of the ECP around the Leven estuary in a couple of stages, most long-distance walkers will wish to walk the stretch from the Grange-over-Sands/ Cartmel/ Cark area to Ulverston or Bardsea in a single day. Perhaps some would wish to walk even down to Barrow-in-Furness in one day. This, at maximum, will be of the order of 30 km (18 miles). Our view is informed by the availability of accommodation and a general understanding of the distance walked each day by long-distance walkers. It would not be unreasonable, at the minimum, to expect walkers to try to cover at least half to two-thirds the estuary route in a day. Our concerns over the time taken to negotiate the difficult ground surface and the likelihood of being trapped by surface water are based partly on our knowledge of this likely usage. We consider this route, when taken in total, to be unsuitable for a range of walkers including those with reduced mobility, young families and long distance walkers.

It is therefore our submission that, in the interest of all potential users, the current proposals for the line of the ECP around the Leven Estuary (SCS-4-S019 to SCS-5-S055) should be urgently and comprehensively reconsidered. We have discussed our serious concerns with the NE team working on this stretch of the ECP and we are grateful to them for their notes in respect of the proposed route on the foreshore on the western side of the Leven estuary. We strongly support a continuous proposed route around the Leven Estuary. In most cases simply moving the

proposed route to the seaward edge of the adjacent field would readily produce a more supportable route proposal. This suggestion is fully in line with paragraphs 7.15.2 and 7.15.3 of the Approved Scheme.

### **Natural England's comments**

Natural England is grateful to the Ramblers for the support for parts of the proposals on this length of coast. Whilst we aim to ensure that the main route is not normally on the foreshore, especially where the surface is unsuitable, there are sometimes no better options available. This is the case just north of Moat Farm. Any other route would involve two additional road crossings in unsuitable areas, not supported by Cumbria Highways. There are various other locations on this length where the proposed route sits nominally on the top of the foreshore, often on an existing walked route. We believe that these sections are suitable as part of the ECP and are generally unlikely to be affected by the tide. Any new route in land above the foreshore would be unlikely to be considered to strike a fair balance, given the option of the foreshore-top route nearby.

We accept that some parts of the main route, in this area and others, may occasionally be impacted by particularly high tides. We avoid this risk where other, better options are possible - and mitigate against it by provision of Optional Alternative Routes and helpful signage in other locations. This is entirely in accordance with the approach and the criteria laid out in the approved Scheme, which recognises that there are often multiple factors to be taken into account when identifying the most appropriate alignment for the route, and that the end result may well be something of a compromise as a result.

### **Relevant appended documents (see section 5):**

None

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### **Representation number:**

**MCA/SCS4/R/7/0016**

### **Organisation/ person making representation:**

Open Spaces Society – [redacted]

### **Route section(s) specific to this representation:**

Full report

### **Other reports within stretch to which this representation also relates:**

N/A

### **Representation in full**

See the text of the representation by the Ramblers at MCA/SCS4/R/6/3229

### **Natural England's comments**

See natural England's comments against the representation by the Ramblers at MCA/SCS4/R/6/3229

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## ***Other representations***

**Representation ID:**  
**MCA/SCS(W)/R/2/3352**

**Organisation/ person making representation:**  
Cumbria GeoConservation – [redacted]

**Name of site:**  
Local Geological Sites on SCS

**Report map reference:**

**Route sections on or adjacent to the land:**

**Summary of representation:**  
See original instance of representation under SCS2.

**Natural England's comment:**  
See original instance of representation under SCS2.

**Relevant appended documents (see Section 5):**  
Cumbria GeoConservation Letter

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**Representation ID:**  
**MCA/SCS(W)/R/4/3447**

**Organisation/ person making representation:**  
Disabled Ramblers

**Name of site:**  
Whole stretch

**Report map reference:**

**Route sections on or adjacent to the land:**

**Summary of representation:**  
See original instance of representation under SCS2.

**Natural England's comment:**  
See original instance of representation under SCS2.

**Relevant appended documents (see Section 5):**  
Disabled Ramblers notes on infrastructure.

**Representation ID:**  
**MCA/SCS(W)/R/5/0058**

**Organisation/ person making representation:**  
Copeland Borough Council – [redacted]

**Name of site:**

**Report map reference:**

SCS 1: Beach car park, Silecroft to Green Road railway station (Maps SCS 1a to SCS 1j) SCS  
2: Green Road station to Jubilee Bridge (north),  
MAP: SCS1 AND SCS2

**Route sections on or adjacent to the land:**  
The Duddon Estuary and The Duddon Bridge

**Summary of representation:**  
See original instance of representation under SCS2.

**Natural England's comment:**  
See original instance of representation under SCS2.

**Relevant appended documents (see Section 5):**  
None

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**Representation ID:**  
**MCA/SCS(W)/R/8/3476**

**Organisation/ person making representation:**  
Friends of the Lake District – [redacted]

**Name of site:**

**Report map reference:**

**Route sections on or adjacent to the land:**  
See Ramblers and Open Spaces Society Representations **Summary  
of representation:**

See original instance of representation under SCS2.

**Natural England's comment:**  
See original instance of representation under SCS2.

**Relevant appended documents (see Section 5):**  
None

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**Representation ID:**  
**MCA/SCS(W)/R/11/3478**

**Organisation/ person making representation:**  
Woodland Trust – [redacted]

**Name of site:**  
Ancient Semi-Natural Woodland (ASNW) and Plantation on Ancient Woodland Sites (PAWS)

**Report map reference:**

**Route sections on or adjacent to the land:**  
SCS-2-S065/ SCS-2-S066/SCS-2-S067 (Within High Wood)  
SCS-4-S108/ SCS-4-S109/ SCS-4-S110 (Within Ashes Wood) SCS-5-S017 (Within Roudsea Wood)  
SCS-5-S071/ SCS-5-S072/ SCS-5-S073 (Within Humphrey Head Wood)  
SCS-6-S036 (Within Frith Wood)

**Summary of representation:**  
See original instance of representation under SCS2.

**Natural England's comment:**  
See original instance of representation under SCS2.

**Relevant appended documents (see Section 5):**  
Ancient Woodland Protection statement

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**Representation ID:**  
**MCA/SCS4/R/1/3450**

**Organisation/ person making representation:**  
[Redacted]

**Name of site:**  
Existing section of the former Cumbria Coastal Way between the Cooper Lane car park and the end of Red Lane

**Report map reference:**  
SCS4d

**Route sections on or adjacent to the land:**  
SCS-4-S063

**Other reports within stretch to which this representation also relates**  
N/A

**Summary of representation:**  
The representation is suggested as relating to just SCS-4-S063, although it should probably also be taken as relating to the sections on either side of this. The representation suggests that the more seaward line of the former Cumbria Coastal Way is better and more appropriate, not least as it maintains clear views to seawards. It does acknowledge that the path here, at the top of the foreshore, has been damaged by erosion. It goes on to suggest

that it would be better to incorporate some level of establishment works in order to ensure that a more seaward route would continue to be available.

**Natural England's comment:**

Natural England did consider the more seaward route - that of the former Cumbria Coastal Way. However, it was concluded that this route is already severely impacted by erosion and that this is likely to worsen in the future. The proposed route follows a popular path and is very accessible.

Whilst views from the proposed route are indeed limited as a result of trees, this is only the case for a relatively short distance. Overall, the proposed route will be more sustainable in the long-term, and more likely to offer a convenient walking surface without significant expenditure (in terms of establishment and future maintenance).

**Relevant appended documents (see Section 5):**

None

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**Representation ID:**

**MCA/SCS4/R/2/3243**

**Organisation/ person making representation:**

Ulverston Town Council – [redacted]

**Name of site:**

Section at Canal Foot

**Report map reference:**

We assume SCS4g to 4j

**Route sections on or adjacent to the land:**

We assume SCS-4-S086 to S120 from the notes

**Other reports within stretch to which this representation also relates**

N/A

**Summary of representation:** The representation expresses general support for the proposals, but expresses concerns about the suitability and safety of the route south of Canal Foot and also in the vicinity of Plumpton Hall. It also provides information about aspirations for a further new route, along disused rail lines, between the canal and Greenodd.

**Natural England's comment:**

Natural England is grateful to the council for the message of support and for the information about an aspirational new route. We can confirm that we would expect all parts of the ECP to be brought up to the required standard, as part of the establishment phase. This would include adequate signage and way-marking.

The proposed Optional Alternative Route around Plumpton Hall and Canal Foot addresses the concerns raised about inundation of the main route.

All sections on roads were assessed by the Cumbria County Council Highways Authority.

**Relevant appended documents (see Section 5):**

None

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**Representation ID:**

**MCA/SCS4/R/3/3465**

**Organisation/ person making representation:**

[Redacted]

**Name of site:**

Not specified

**Report map reference:**

SCS4g

**Route sections on or adjacent to the land:**

SCS-4-S085 onwards

**Other reports within stretch to which this representation also relates** N/A

**Summary of representation:**

The representation suggests the disused railway line between Ulverston canal and Greenodd as an alternative to NE's proposed route.

**Natural England's comment:**

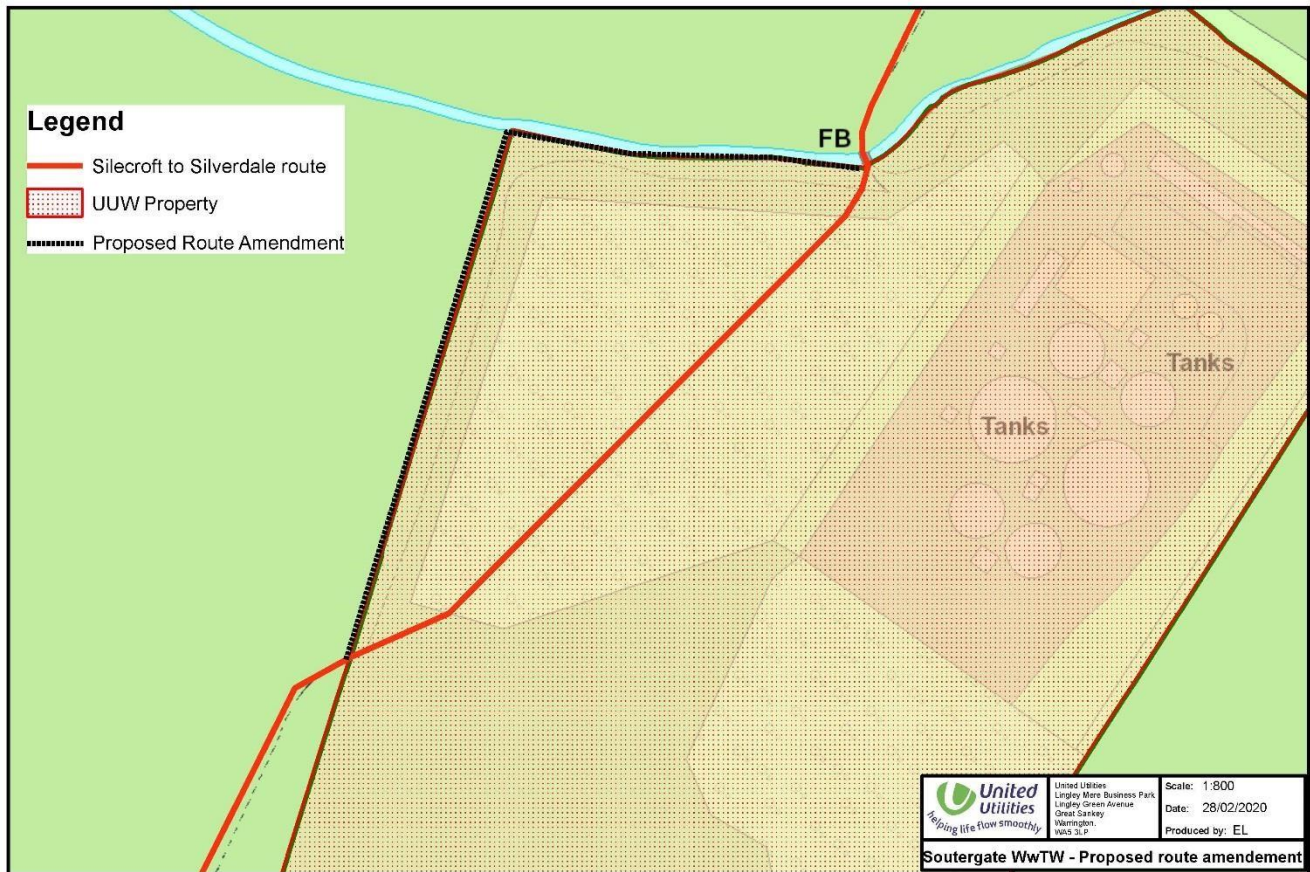
Natural England is aware of the aspirations to create a new off-road route on the disused railway line, and would hope to see this come to fruition. However, the suggested route is not as close to the coast and is only aspirational at the current time. If and when it becomes a reality, it would offer a good circular route in conjunction with the proposed ECP.

**Relevant appended documents (see Section 5):**

None

## 5. Supporting documents

MCA/SCS2/R/6/3364 – United Utilities – [redacted]  
Soutergate WwTW – Proposed route amendment



MCA/SCS2/R/14/3229 and MCA/SCS2/R/15/0016 Ramblers and Open Spaces Society Published books suggested as evidence:

- The Cumbria Coastal Way: Morecambe Bay to the Solway Firth (Cicerone Guide), K & I Brodie, 2007
- Walks Around Furness and the Duddon, I Brodie, 1985

MCA/SCS2/R/3/3453 – [redacted]

Duddon Estuary briefing note, February 2018 (produced by Natural England, North West Coastal Access)

England Coast Path – Duddon Estuary  
Natural England – North West Coastal Access  
February 2018

## Background

The origin of the England Coast Path (ECP) is the Marine & Coastal Access Act 2009. This, and the Approved Coastal Access Scheme 2013, inform the route development and Natural England's decisions. 'Coastal access' comprises of:

- the **England Coast Path trail** - a waymarked National Trail around the coast of England
- the **Coastal Margin** - the resulting strip of land between the trail and mean low water

The above legislation gives Natural England the duty to secure a route for the whole of the English coast, with the following discretions relating to estuaries:

### 301 River Estuaries

- (1) This section applies in a case where the continuity of any part of the English coast is interrupted by a river.
- (2) Natural England may exercise its functions as if the references in the coastal access provisions to the sea included the relevant upstream waters of the river.
- (3) For this purpose "the relevant upstream waters", in relation to a river, means –
  - (a) The waters from the seaward limit of the estuarial waters of the river upstream to the first public foot crossing, or
  - (b) If Natural England so decides, the waters from the seaward limit of the estuarial waters of the river upstream to such limit, downstream of the first public foot crossing, as may be specified by it.

Section 301(8)(b) specifies that "public foot crossing", in relation to a river, means a bridge over which ... there is a public right of way, or a public right of access, by virtue of which the public are able to cross the river on foot.'

The limit of the estuarial waters of the Duddon Estuary sit at Borwick Rails in Millom and Dunnerholme near Askam-in-Furness. Natural England's decision

There are two key factors: the suitability of Duddon road bridge, and the availability of alternative crossings downstream of the Duddon road bridge.

**Duddon road bridge** Whilst this qualifies as the "first public foot crossing" by virtue of being legally accessible on foot, it does not satisfy the preceding 'General provision about the coastal access duty'; with the first requirement that Natural England 'must comply' with being 'regard to the safety and convenience of the route' (Section 297(1) & (2)(a)).

We visited the bridge with Cumbria County Council (CCC) Highways staff, to experience the bridge on foot first hand, and discuss opportunities for improvement to its safety. Crossing the bridge, we felt unsafe and in danger from large vehicles, even in high visibility clothing and in small numbers. We had the same experience on both sides of the bridge, and when crossing the road at any point. We observed traffic using the bridge, with large vehicles regularly sweeping out above the bridge parapets, which are low enough for a walker to be knocked over. There has been regular, substantial vehicle damage to the parapets on both sides throughout the time we have been working in this area. The traffic lights either side of the bridge and the queuing traffic cannot be seen from all parts of the bridge or its potential crossing places, therefore it is difficult to predict traffic behaviour and available crossing time. We decided that this was not suitable for a National Trail, where we could expect to see large groups, families with small children, dogs, or less agile walkers, all regularly using the bridge, and we are not prepared to actively promote the road bridge crossing in any way.

We discussed amending the white hatching on the ground to encourage large vehicles to alter their turning circles. CCC modelled this and advised us it was not possible to alter this sufficiently to allow a safe crossing on foot. We discussed altering the traffic lights to increase the crossing time available for walkers, but CCC advised this would not be feasible for a number of reasons. These are detailed in the following summary from them:

### **Installation of a footway along the bridge**

*[The matter at hand relates to] the provision of a pedestrian facility on Duddon Bridge; there are no such facilities there at present, unfortunately the bridge does not lend itself to their installation. We have considered the installation of a footway, but that isn't a practical option:*

- *Duddon Bridge is on a principle A Road route and takes large volumes of traffic including significant numbers of HGV's – this makes it unsuitable for pedestrians to use especially in large numbers. This is further backed up by the following 3 physical properties of the bridge:*
- *The width of the bridge precludes the installation of a footway – HGV's and long loads take up the full width of the running lane, particularly at the ends of the bridge, due to the required swept path to negotiate the tight bend at both ends of the bridge;*
- *The parapet walls are sub-standard from the point of view of pedestrian safety, being only about a metre high, and would require raising to comply with current standards (The bridge itself is a Grade 2 listed structure, any changes to that structure would require approval from the appropriate authority);*
- *Note that the A595 here is one of the County's dedicated Abnormal Loads routes – any changes to the width of the running lane here could impact on the management of abnormal loads in the County.*

### **Installation of a pedestrian 'green man stage'**

*It has been suggested that a pedestrian 'green man' stage could be provided here, while pedestrians walk the length of the bridge. Unfortunately, this option isn't feasible. Ordinarily a pedestrian crossing would permit a pedestrian to cross from one side of the road to the other. Within the traffic signals sequence, the green man stage allows pedestrians to establish themselves on the crossing, this is followed by an all-red clearance period, allowing pedestrians already on the road to finish crossing.*

*For a typical 10m wide road, this all-red period would be in the order of 8 seconds.*

*The all-red period for pedestrians to walk the 130m length of the bridge would be in the order of 2 minutes. Given how busy this route can be, a regular, repeated delay of 2 minutes in the signals sequence would be entirely unlikely to be given approval.*

*There is equipment that is often installed to detect pedestrians crossing from one side of the road to the other, this is normally used to extend the all red period to permit elderly / slower moving pedestrians to cross the road safely. However, that equipment is designed to work with normal road widths (e.g. in the region of say 7 -10m road width). It would not be possible to obtain equipment to do the same task for Duddon Bridge, any equipment on the market simply won't work over such a length; it's not been designed (and type-approved) for the 100m+ distances that we're talking about at Duddon Bridge.*

*In summary – Cumbria County Council do not consider that Duddon Bridge is a suitable crossing point for the Coastal Access Path as it is fundamentally unsuitable and unsafe.*

### **Alternative crossings**

There are other crossing points upstream of Duddon Bridge, but these sit beyond our discretionary powers. The remaining option which would bring into scope the use of 'the first public foot crossing' would be the creation of a new crossing downstream of the road bridge. Initial location and broad design suggestions were developed with officers from Cumbria County Council; the suggested cost of a new bridge in this area, based on the required span, is outside of the expected infrastructure costs associated with the establishment of the England Coast Path (see below for more information).

We attended a number of meetings in 2016 in the area, including multiple visits to the Duddon Estuary Partnership and the Copeland Coastal Communities Team, as well as Millom Town Council and partnership events and meetings organised by the Lake District National Park and others. At many of these, with relevant parish councillors present, we explained the crossing situation and that we would require support from partners to ensure a crossing could be sited, funded and constructed. Previously, we had also contacted all parish councils and other identified stakeholders inviting input to the project, and inviting attendance at drop-in sessions held in Millom and other locations in April and May 2016. At the later partnership meetings we spoke to a number of local parish councillors and had discussed attending Millom Without Parish Council. A date was suggested by NE to MWPC, but no response was received.

Support was received from a number of partners linked with other potential schemes in the area, such as improvements to the cycle network, but none of these opportunities would come to fruition within the shorter timescale of the England Coast Path. With no immediate financial partnerships forthcoming, we assessed the benefits – which had been recognised and promoted throughout – against a more detailed costing provided by a CCC engineer following a site visit and location assessment. That engineer's costings are as follows:

*To install a footbridge over the River Duddon downstream of Duddon Bridge on the A595 would cost at least £185,000. This cost is made up from an estimate for the supply of the bridge itself based on bridges of a similar length, the design, site access provision, the groundworks and the installation. It could be*



*argued that this cost is an underestimate when considered against the £500,000 it cost to provide a footbridge to cross the River Derwent at Camerton near Workington which was 52 metres in length. The length of a footbridge over the River Duddon would be marginally shorter at 44 metres to clear the flood bank as necessary.*

That cost of £185,000 does not take into account the extra costs incurred by its being handled by the Major Projects team at CCC, and so the overall cost would be doubled to around £365,000. However, as pointed out above, this is likely to be an underestimate, as the £500,000 bridge above was originally tendered at £430,000.

We did also consider the possibility of pursuing a walkway (and possibly cycleway) cantilevered on one side of the existing railway viaduct. However, exploratory work being undertaken in relation to similar aspirations elsewhere in Cumbria suggests that the cost of such an option would run into millions of pounds. We therefore discounted this option as being financially unfeasible. The final crossing option is to draw parallels with the provision for use of a ferry –

296 (2) The first objective is that there is a route for the whole of the English coast which –

(a) consists of one or more long-distance routes along which the public are enabled to make recreational journeys on foot or by ferry (Section 296(2)(a)).

We decided that the use of a train, where the stations sit in proximity to the coast, was in direct parallel with a ferry, as it achieves the same result and involves the same requirements to wait for a period of time until the next available crossing, and to pay a small fee.

We consulted various rail partners during our development work and were informed that Sunday services and more regular weekday services would be introduced before the new rights were established.

**Natural England's decision** Section 301 (4) recognises that Natural England 'must have regard to the recreational benefit to the public' in exercising discretion relating to estuarial waters. We recognise this benefit in relation to the Duddon Estuary and the potential to improve links between the ECP and Broughton-in-Furness, and this was the basis for all our aforementioned work to establish a route as far as Duddon Bridge.

However, the same section also requires NE to have regard to 'the nature of the land', 'the topography of the shoreline', 'the width of the river' and 'the extent to which the land bordering those [estuarial] waters would, if it were coastal margin, be excepted land'.

Above the railway viaduct, the Duddon narrows and becomes more riverine in character. On the face of it, a flood bank on the west bank offers a convenient and easy walking route – subject to its being assessed against other 'fair balance factors' such as land management, and protection of sensitive features. To the east, however, the lack of flood protection and the condition of the floodplain which we observed during our work poses a bigger challenge to creating a route suitable for a National Trail, both physically and financially. Regarding the amount of coastal margin, virtually all of that which would have been created was looking likely to be excluded on the grounds of unsuitability for public access, or nature conservation. It was ultimately decided that the above factors could not justify the considerable expense in installing a new footbridge to create a non-coastal extension to the route. Based on the most promising location for a new bridge (some 250m south of the existing road bridge), the additional length of England Coast Path that might be created by pursuing this option is perhaps 7.6km overall, beyond Green Road and Foxfield railway stations. Assuming that the cost estimate of perhaps £365,000 is reasonable, and adding in a ballpark figure of £6,000 per km for other establishment works on either bank, that gives a total potential expenditure of approximately £410,000, or £54,000 per km. This is significantly beyond the current national average of £2,000 per km and the northwest average that is perhaps nearer £6,000 per km.

It is worth noting that although the proposed route on the west bank of the estuary between Millom and Green Road uses existing rights of way, the proposed route to the east of the estuary does introduce a notable amount of new trail, overcoming existing access barriers to connect settlements on foot, and linking with a number of public transport options to create new linear routes on the estuary. This will be detailed in the published proposals (see below).

### **Future change**

There are two main factors which would trigger the exploration of an extended estuarial route. The first is the creation of a new, safe, foot crossing seaward of the road bridge, brought about by any partnership project and incorporating funding streams in addition to Natural England's England Coast Path programme

budget. The second is any reconsideration of the convenience of the rail crossing, namely, if the promised Sunday services have not materialised by the trail's opening, or the rail service becomes significantly less convenient in any other way.

Should the possibility of a new footbridge arise, further work would still be required to determine that the extended route would indeed be fully viable. When the decision to exercise our discretion as far as the rail stations was made, exploration of these additional factors ceased, but would need to be fully explored before an extended route could be confirmed. Some of these are as follows.

Previous conversations have not covered in any great detail our duty to consult landowners and take into account the impact of access on their land management. Under the 'fair balance' principle (section 297(3)), this would also be a key factor in any future developments of the ECP.

The marshes either side of the river are considered ecologically sensitive and are contained within the Duddon Estuary SSSI and Ramsar designations, the Morecambe Bay SAC and the Morecambe Bay and Duddon Estuary SPA. Even where these are currently 'open access' areas, with the increase in footfall which a National Trail would bring, there is a risk that the overall access provision would need to be reduced in places, or otherwise carefully managed, to counteract the increase in footfall on the trail, and there is no guarantee the trail would actually be aligned on the flood bank. A new footbridge, and the associated walking route, would sit within a floodplain on the eastern side. There is no guarantee that this would be an easy and convenient walking route at all times during wet seasons and this would require further investigation.

Should the Moorside nuclear development proceed, the associated North West Coast Connections project could impact on the trail north of Green Road and Foxfield. We had involved NWCC in our earlier conversations and will continue to do so should the addition of a new bridge over the Duddon become a possibility in future.

Any proposed new footbridge would be subject to planning permission as well as Environment Agency consent.

Once again, all of the above will be subject to available and justifiable funding.

### **Next steps**

Natural England will publish a report detailing their proposals, at which point an 8 week representations and objections period will open. Those with a legal interest in the land (as defined by the Act), may submit an objection, and any organisation or individual may submit a representation. The Secretary of State is able to assess our decision to exercise our estuarial discretion in deciding whether to approve our proposals (301(6)).

Details of the report and how to submit an objection or representation will be sent to all parish councils and landowners. The report will be available in full online and paper copies will be publicly available in selected locations.

More information about coastal access can be found at

<https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast>

The legislation can be found at <https://www.legislation.gov.uk/ukpga/2009/23/contents>

The Approved Coastal Access Scheme can be found at

<http://publications.naturalengland.org.uk/publication/5327964912746496>

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## **MCA/SCS2/R/7/3310 – Kirkby Footpath and Cycleway group – [redacted]**

### **3 Photographs**

1. Location of proposed £50,000 footbridge over Kirkby Pool (Environment Agency/Rail Track have project in place at this point at present.



2. Existing rock armour needs work to allow improved footpath access.



3. Rotten footbridge next to Kirkby Station that needs work on it.



**MCA/SCS2/R/11/3393 & MCA/SCS2/R/12/3393 – Millom Town Council, South Copland Partnership and Millom & Haverigg Civic Society – [redacted]**

- **A Plan for Duddon Bridge – May 2019**

**South Copeland Partnership – community led for progress**

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# A Plan for Duddon Bridge



The South Copeland Partnership wish to progress safety and amenity improvements at Duddon Bridge within a wider set of priorities:

1. **Make Duddon Bridge immediately safer for non-motorised users (walkers, cyclists etc) and other road users.**
2. **Based on the outcomes of actions taken in Priority 1, progress the best approach for nonmotorised users (e.g a new crossing or further enhancements to the Bridge or some other proposals).**
3. **Promote improvements of the A595 road infrastructure around the Duddon Bridge Area.**

## A PLAN FOR DUDDON BRIDGE

### Summary

Duddon Bridge although part of the busy A595 is in regular use by pedestrians and cyclists. Cumbria County Council and Natural England have expressed safety concerns for such users - yet there are no proposals to make Duddon Bridge safer.

Safety concerns need to be analysed and explained so that stakeholders can fully understand and contribute to safety solutions. To regular users, the assertion of severe safety concerns is at odds with their experience of Duddon Bridge as a haven of safety on an otherwise dangerous route and also at odds with the formal amenity routes which cross Duddon Bridge and others which are currently planned.

Safety also affects future users since safety concerns are expressed by Natural England as the reason for not extending their England Coast Path to Duddon Bridge. This puts at risk NMUs who are forced on to dangerous parts of the A595 on either side of Duddon Bridge, having been denied the existing safe route on the Duddon Banking. The inadequate ECP proposal thwarts sustainable connections, access to the Lake District National Park as well as much needed economic development and tourism benefits.

The interests of all users, those of land owners and fishermen and the built and World Heritage status and landscape importance should inform immediate safety improvements.

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## Introduction

Duddon Bridge despite being an historic gateway in the World Heritage Site is a neglected heritage and sustainability asset which needs to be recognised, reclaimed and managed safely for the benefit of all.

This paper sets out a number of issues and suggests a plan to resolve these by taking account of the input of a range of stakeholders.

A meeting is proposed to be convened by Copeland BC with the Highway Authority and others so that these issues and missed opportunities can be addressed and a plan made to move forward. A draft plan is suggested at the end but this needs the input of all stakeholders to ensure that the future for Duddon Bridge is properly considered and produces a successful asset for the area.

## The Importance of Duddon Bridge

1. Duddon Bridge is an attractive 18<sup>th</sup> Century listed building which acts as a gateway between Copeland and South Lakeland. The listing entry reads as follows -

Listed Building Grade II

*Bridge over River Duddon. Probably C18. Stone rubble, 3 segmental arches with thin voussoirs. Triangular cutwaters to both sides. Low plain parapets, probably renewed. 6 m wide.*

2. Duddon Bridge is an historic crossing of the River Duddon between the old counties of Lancashire and Cumberland. There are initiatives to signify this with historic county information.
3. Duddon Bridge is located within the Lake District National Park and World Heritage Site. Its beautiful location should lend itself to being an attractive landmark feature that best serves its gateway function.
4. Sadly, Duddon Bridge is often in disrepair. This is due to vehicles striking the bridge parapets – almost exclusively on the upstream side - and collapse of the wall on the adjacent upstream approach, likely caused by undermining tree roots. There is often a problem with the upstream approach where wear and carriageway defects lead to pot holes forming in the carriageway edge – exactly where nonmotorised users are expected to use the carriageway as there is no footway.
5. Duddon Bridge is maintained by CCC as a highway structure and falls within the South Lakeland administrative zone of CCC, rather than Copeland and so budgetary responsibility falls to the South Lakeland area of CCC. Management of vegetation on the Copeland bank of the river falls to the Copeland Area. CCC own an area of land on the Copeland bank where traffic lights are located and where trees have been allowed to obscure sight lines. The extent of highway ownership further upstream is unclear.
6. Repairs in late 2018 to the upstream parapet have been undertaken crudely and unattractively. The ongoing need to constantly repair the damage is due to unmanaged vegetation which obscures the bridge and makes accurate manoeuvres by larger vehicles in particular, very difficult.
7. Attractive views of the bridge are obscured by unmanaged vegetation. The potential of the views is best appreciated when the leaves have fallen from the self-seeded trees. Modest tree works could restore Duddon Bridge as an attractive landmark at this important historic gateway.
8. Recreational Routes  
Duddon Bridge is important for recreational users. It is part of many popular cycling routes between Copeland and the Lake District and especially to and from Duddon Valley and Dunnerdale. It is on the route of Cumbria County Council's own Cumbria Cycle Way – the County's orbital cycle route.
9. Duddon Bridge is proposed by Sustrans, following consultation with Cumbria CC, to form part of their National Route 72 extension from Drigg to Duddon Bridge.
10. There are destinations for walkers at Duddon Bridge. A glance at an OS Map shows that Duddon Bridge, no doubt because of its historic function as a crossing, is a substantial “node” for recreational routes fanning out in all directions.
11. Towards Broughton, a footpath by the river runs to the historic iron wharf and across the fields to the new footpath and cycle track to The High Cross at Broughton in Furness. Towards Broughton, there are routes criss-crossing the Lickle Valley and from Bank End.
12. Walkers need to cross Duddon Bridge to access the footpaths through Furnace Woods or to continue on The Fell Road to access the riverside footpaths along the Duddon to Rawfold Bridge, Ulpha and beyond or across the fell to Swinside, Frith Hall or Corney. These popular routes are all well described in extensively published walking guides.

13. Before it was blocked, a way was lawfully used along the Duddon banking towards the Railway Viaduct, Green Road and Millom. Currently, Public Access is still available on that route to within a few hundred metres of Duddon Bridge on the embankment.
14. The Cumbria Coastal Way passed over Duddon Bridge. This route was designated despite the now perceived hazards of the bridge. The authors of the guide book to The Cumbria Coastal Way – which remains a popular route despite its lapsed status – give an alternative route from Duddon Bridge through Furnace Woods to avoid traffic hazards – but do not mention any perceived hazard on Duddon Bridge itself. This puts into perspective the safety issues raised. As the guide book states, the dangerous parts of the road are not the bridge but the fast and narrow approach roads which nonmotorized users are currently forced to use despite their obvious hazards.
15. Local people wishing to make the short journey between Broughton and the South Copeland Villages sustainably must cross Duddon Bridge – and risk the dangerous road either side.

#### The England Coast Path (“ECP”)

16. Currently, Duddon Bridge is considered by Natural England as being too dangerous in highway safety terms for greater pedestrian use and its use as part of the England Coast Path has been actively discouraged by Cumbria County Council’s engineers.
17. Duddon Bridge is being prevented from realising its potential as part of the England Coast Path – the latest and the longest national trail. The ECP could bring substantial benefit to the area. The ECP should provide a safe walking route around England’s coast. In addition to long-distance walkers, the ECP helps to provide safe and sustainable connections between communities. A route to Duddon Bridge would give a safe route between South Copeland Villages with Broughton in Furness and the Lake District and avoid the dangerous A595.
18. The ECP could serve to link the National Park at Duddon Bridge with South Copeland and areas to the south. This would have benefits for both the Park and for settlements beyond the Park such as Millom, not only through sustainable access but also through much needed economic development.
19. The South Copeland Economic Plan and CBC’s Vision for Millom both rely on connections afforded by the ECP. If the path were upgraded to a cycleway, that would support the economic development work being undertaken by CBC and allow the Sustrans extension to take a less tortuous route which currently it must to avoid the A595. A link from the ECP to the National Park at Duddon Bridge would be an obvious advantage to the ECP route and make this one of its most spectacular stretches.
20. As Norman Nicholson observed, the view of the Lakeland Summits from Millom is one of the most complete and attractive. Stickle Pike in Dunnerdale is temptingly in full view to walkers on the proposed ECP. Eric Robson records that Stickle Pike was one of A. Wainwright’s favourite walks (see AW, Outlying Fells).
21. The current ECP proposal is formulated on the basis that Duddon Bridge cannot be used for safety reasons. The proposal is for the route to halt at Green Road Station and for walkers to catch a train. The natural reaction of many walkers will be to avoid this unsatisfactory section altogether.
22. Natural England’s approach wrongly ignores the safety benefits which a Duddon Bridge route would afford to NMUs currently committed to the A595. It also assumes that the long-distance walkers it does encourage to use the route will wait for a train. The train service is notoriously unreliable. Green Road Station is a request stop and not served by all trains. When there are train cancellations –



which are routine – there is no notification of the cancellation at the station and bus replacement services do not run via the station but rather pass by over a mile away through the village of The Green. This leaves passengers entirely stranded and without information or replacement bus service.

23. ECP users faced with delays or even long scheduled waits may use the bridleway across Duddon Estuary. Although this route appears benign with desired destinations in view, the sands and tides are notoriously dangerous and have taken many lives. Alternatively, an ECP user, being a long-distance walker may simply ignore the trains and take hazardous routes through Low Boghouse and the A595 (as warned against in the Cumbria Coastal Way guide book) to make their own more desirable route, to visit the attractions of Duddon Bridge or the routes spanning out from there. None of these obvious concerns appear to have been considered.

#### 24. Duddon Bridge as a Destination

Duddon Bridge in the past was a popular destination for swimmers and picnickers as there were extensive banks of shingle on the South Lakeland bank and ready access under the bridge. This use has diminished in recent years and this is probably due to the changes in the flow of the river and the erosion of the shingle bank formerly used by bathers. In the past, many bathers would access Duddon Bridge via the path along the Duddon Banking by foot or by cycle.

25. There is considerable attractive historical interest in addition to Duddon Bridge itself. Duddon Furnace, has been restored by the National Park recently and is an important scheduled ancient monument. Duddon Furnace is a popular destination which is readily reached by footpath which passes through the site to the Corney Fell Road. <https://www.visitcumbria.com/sl/duddon-ironworks/>

26. Further evidence of iron production can be seen at the wharf associated with the Furnace, sometimes called “The Sheep Dip” which is located a short way downstream of Duddon Bridge and is served by a footpath.

27. These ancient places are readily approached by the footpath network. A visit including both will involve crossing of Duddon Bridge which should be made safe for these users. The heritage interest and the many route possibilities at Duddon Bridge are highlighted in the Cumbria Cycle Way Guide. The authors emphasise -

*“At Duddon Bridge you are nearer to The Lake District heartland than at any other point on the Cumbria Cycle Way, except Ravenglass.”*

#### Highway Issues

28. The A595 near Duddon Bridge is narrow with poor alignment and not at all friendly to any road user let alone vulnerable “non-motorised users” (“NMFU’s”), such as pedestrians, cyclists or horse riders. However, such users are fully entitled to use the route and many do - as there are currently no alternatives.

29. The 2013/2014 Cumbria Hazardous Locations List for the A595/A5092 from Whicham to Greenodd notes the hazardous situation on Buckman Brow contributing to accidents, including a fatality, and made recommendations for improvements. Duddon Bridge excites no such concerns and in particular the report notes that there have been no accidents involving “vulnerable users”, including pedestrians and cyclists in the study period. An earlier safety study noted that at Duddon Bridge the road narrows. As a result it was provided with associated ‘oncoming vehicles in middle of road’ and ‘slow’ carriageway markings. This appears to have substantially cured the accident record. However, vehicles striking the upstream parapet is plainly still an issue.

30. Duddon Bridge itself is by far the safest part of the A595 for NMUs locally, but could be made much safer and more pleasant. Duddon Bridge is some 6m wide and formerly accommodated two-way traffic. Today it is one-way with traffic lights on either side, so reducing vehicle speeds. But, there is no footway, just white line hatching, nor signage to make drivers aware of the presence of NMUs.
31. Vehicles approaching Duddon Bridge from either side must do so “blind”. This is because trees have been allowed to grow unmanaged and block the sight lines. So, drivers of any vehicle, even when sitting at the traffic lights, have no view ahead. No idea what traffic is present on Duddon Bridge and no idea how to anticipate or negotiate the two sharp bends.
32. This means that slower road users such as pedestrians and cyclists cannot be seen in advance and their safety taken into account. It also means that drivers of large vehicles cannot properly assess and prepare for their manoeuvre. The problem is clear to be seen because large vehicles from time to time strike the up-stream parapet causing unsightly and expensive damage to the attractive heritage structure. Accordingly, visitors and locals alike are generally “welcomed” to our area by dereliction at the damaged bridge.
33. In advising Natural England, a CCC engineer evidently concluded that for a walking route, Duddon Bridge was *fundamentally unsuitable and unsafe*. However there appear to be no current proposals by the Highway Authority to deal with the engineer’s safety concerns, despite frequent NMU use.
34. No NMUs have any provision made for them on this busy route. This is compounded by the neglected vegetation.

#### Tree Management

35. An obvious and easy safety improvement for all road users is for the neglected trees to be managed – but this should be done well and not just “clear felled”. Probably, cheaper and better methods could be used to achieve “filtered” long views of the attractive bridge and river scene through carefully managed vegetation. The interests of fishermen need to be considered in the management of the vegetation as management may affect the recreational fishing opportunities nearby.
36. Despite numerous requests for tree management, Cumbria CC have so far only taken estimates for tree works to improve sight lines at the bridge. Such works have the potential to improve safety and to recoup savings on the very substantial cost of future repairs if these prevent vehicles striking and damaging the upstream parapet. The annual cost of such vehicle strike repairs is currently running at £21,000 per annum. Tree maintenance is overwhelmingly justified on wasted cost grounds alone, let alone safety.
37. However, given the importance of Duddon Bridge it would be worthwhile taking guidance from expert officers on landscape impact and assessing how extensive the tree management needs to be to maximise safety and respect the visual amenity of Duddon Bridge, given its WHS and landmark status. Felling of overgrowing saplings surrounding the Copeland side traffic light column is obviously warranted.
38. CCC’s Engineer, Kevin Cosgrove has extensive photographs (appended) of the trees in full leaf and these might be compared on site with seasonally reduced leaf cover.
39. Consideration will need to be given to the ownership of the offending vegetation. Upstream, trees have been allowed to grow on highway land surrounding the traffic light column, but downstream these grow on private land. Some cooperation with the owner may be required and in the absence of

that, the prompt exercise of powers under Section 79 of the Highways Act 1980 (prevention of obstruction of view at corners) may be necessary. This power specifically deals with trees.

40. Happily, the owner has expressed his contentment with the trees being managed in the interests of safety, provided only that trees are not felled near the river bank as these serve to reduce erosion of the bank.
41. The Lake District National Park have well established teams of supervised volunteers to help with route improvements. It is envisaged that the England Coast Path will similarly be adopted by enthusiasts. A tree management programme might in future be maintained by such volunteers if properly directed.

#### Natural England's Safety Concerns

42. The attached report by Natural England dated February 2018 concerns safety at Duddon Bridge with respect to using it for the England Coast Path route. This clearly relies on comment of some sort by Cumbria County Council officers who conclude -

*“Cumbria County Council do not consider that Duddon Bridge is a suitable crossing point for the Coastal Access Path as it is fundamentally unsuitable and unsafe.”*

43. This is a startling conclusion given that Duddon Bridge is legitimately used by pedestrians and links a number of existing footpaths, one directly to the bridge on the Broughton side and others at the nearby Duddon Forge and river routes up the Duddon Valley. Until recently, the long-distance recreational path – The Cumbria Coastal Way passed over Duddon Bridge. This route was designated despite the perceived hazards of the bridge. The authors of the guide book to The Cumbria Coastal Way – which remains a popular route despite its current status – give an alternative route from Duddon Bridge through Furnace Woods to avoid traffic hazards – but do not mention any perceived hazard on the Bridge itself.
44. Duddon Bridge is also extensively used by other non-motorised users, principally cyclists who enjoy the excellent recreational routes which need to cross the bridge.
45. Hence it is important to understand the officers' analysis. Requests have been made repeatedly for this analysis but have gone without reply from either Natural England or CCC until a belated response was made by CCC on 2<sup>nd</sup> May 2019 to a freedom of information request. This disclosed the 2014 report and stated that CCC had no record of discussions with Natural England and that no Swept Path Analysis had been undertaken. Also that the Cumbria Coastal Way was not discontinued because of any safety concerns. Further that the cost of repairs to Duddon Bridge due to vehicle strikes over the last 5 years has been £21,000 per annum.
46. Natural England's report indicates a number of specific concerns –

- Visibility and vegetation interfering with sight lines. The traffic lights either side of the bridge and the queuing traffic cannot be seen from all parts of the bridge or potential crossing places, therefore it is difficult to predict traffic behaviour and available crossing time.
- Swept path analysis of larger vehicles and conflicts with pedestrians at the ends of the bridge.
- Limitations on introducing a pavement.
- Parapets being of “sub-standard” height and the risk of pedestrians being knocked over. -  
The problem of altering a listed building to carry out safety improvements.

- Feeling “unsafe and in danger from large vehicles”. - Concern over crossing the carriageway.

## A DRAFT PLAN

47. The next steps should be directed at improving safety, making Duddon Bridge suitable for the England Coast Path, acknowledging the attractiveness and historic significance of Duddon Bridge and encouraging an interdisciplinary approach to achieving these aims.
48. These objectives require a meeting of interested parties to solve a few simple but inter-connected issues.
49. It would be most helpful to have the informed input of a highway engineer on the following issues in order that safety improvements can be made -
50. A. - A justified account of the true highway safety issues. This is the starting point for improving safety and addressing Natural England’s concerns.
51. Natural England claim to have based their conclusions on a swept path analysis. CCC’s FOI disclosure states they have no record that such analysis has taken place. Correspondence from Cumbria CC to Cllr Hitchen further questioned the need for such an analysis. This brings into doubt whether Natural England’s findings have any technical basis at all and are merely the product of subjective “perceptions” of feeling “*unsafe and in danger from large vehicles*”.
52. Natural England stated -  
  
*We observed traffic using the bridge, with large vehicles regularly sweeping out above the bridge parapets, which are low enough for a walker to be knocked over.*  
  
This seems to be highly unlikely, given that the bridge parapets are still standing. More likely is an anticipated concern that the trailers of large vehicles may conflict with pedestrians and other NMUs with the current carriageway configuration which has no footway. Swept Path analysis may help with designing a safe layout to avoid this. Clear sight lines will obviously help.
53. Carefully considered tree management, ideally following consultation with a landscape architect is a low-cost measure which will improve safety for all users and may be rapidly recouped by savings on repairs. Intelligently specified tree management could easily improve amenity as well as safety views.
54. Tree management would seem to resolve the sensible concerns expressed by Natural England on visibility.
55. Natural England’s stated they “*felt unsafe and in danger from large vehicles*”. This appears to be a perception unsubstantiated by technical evidence or accident records. Provided that an NMU is seen then the safety risk posed by a large vehicle travelling at necessarily slow speed will be minimal. HGVs are driven by s skilled professional drivers who will have a better awareness of the presence and effect of their vehicle than most drivers.

56. Even at busy times, by waiting for a long gap in the traffic, it is easily possible for a walker or any other NMU to have the entire bridge to themselves while crossing and so avoid any potential conflict with other road users. With improved sight lines, this will be made still easier..
57. B. - Options for improving safety for existing non-motorised users. These might include a raised or marked pavement for use by pedestrians and cyclists on the downstream side, appropriately ramped and marked at either end.
58. The conflict with pedestrians will arise at the corners, rather than in the centre of the bridge. On the inside of the Copeland Corner, there is a generous concrete skirt which appears from tyre marks to be run over by vehicles. On the Lakeland Side, on the inside corner the road markings are not worn and indeed are covered by moss and detritus, indicating that the corner is infrequently run over. The difference may be that there is a clearer, longer view of the Lakeland corner and so it is less likely that it will be “cut”. Also, the angle of the bend on the Lakeland side is far less acute. On the Copeland side, the corner is close to the traffic lights and obscured by vegetation.
59. At the inside of the Lakeland corner, the bridge parapet is not original and is high. There may be potential for an arrangement for a path to leave the bridge at that corner and descend steps or a ramp to continue to the footpath. Any such arrangement would need to bridge the watercourse and wet area below. Although involving building work and possibly a small area of third party land, this is bound to be less expensive than an entirely new crossing and may fit better with the landscape and amenity designations.
60. A solution involving a safely marked lane for pedestrians on the downstream side would make crossing the bridge safer. However, the design of this is a matter for the expertise of a highway engineer. There is scope for making an increased area available for pedestrians on the downstream Copeland corner where there is an unused area of highway verge behind a kerb, next to the ramp to the embankment path. These improvements could be done at minimal cost and largely in the course of routine maintenance works.
61. A marked lane would deal with Natural England’s concern over crossing the carriageway.
62. C. - Specification is needed of any currently applicable parapet height standard. If necessary or desirable, a hand-rail might be provided to the downstream parapet, to remedy Natural England’s parapet height concern. This could be designed in consultation with a heritage architect incorporating the sort of rail which might have been installed in 18C – perhaps a single square profiled iron rail at appropriate height. The actual significance of the parapet height in reality needs to be considered. Although this is raised as an issue by Natural England, they do not cite any incidents of pedestrians actually being harmed. Of course, old, low parapets are found on many busy routes such as on the A591 in Ambleside and on the A65 at Nether Bridge in Kendal and none appear to cause any safety concern in practice. Entirely unguarded drops are a feature of many walks – the ECP included.
63. D. - Signage and road markings for pedestrian warning or priority is obviously desirable. Some press-button arrangement to illuminate a warning sign say “Warning – Pedestrians in the Carriageway” may be preferable to the “green man” light phase which was rejected. Signs could also advise walkers to “cross with care” due to sometimes busy traffic. Road markings which direct a pedestrian route, likely on the downstream side, and also direct vehicles away from it, especially on the approach from Broughton, may be a benefit if well-designed by an experienced engineer.

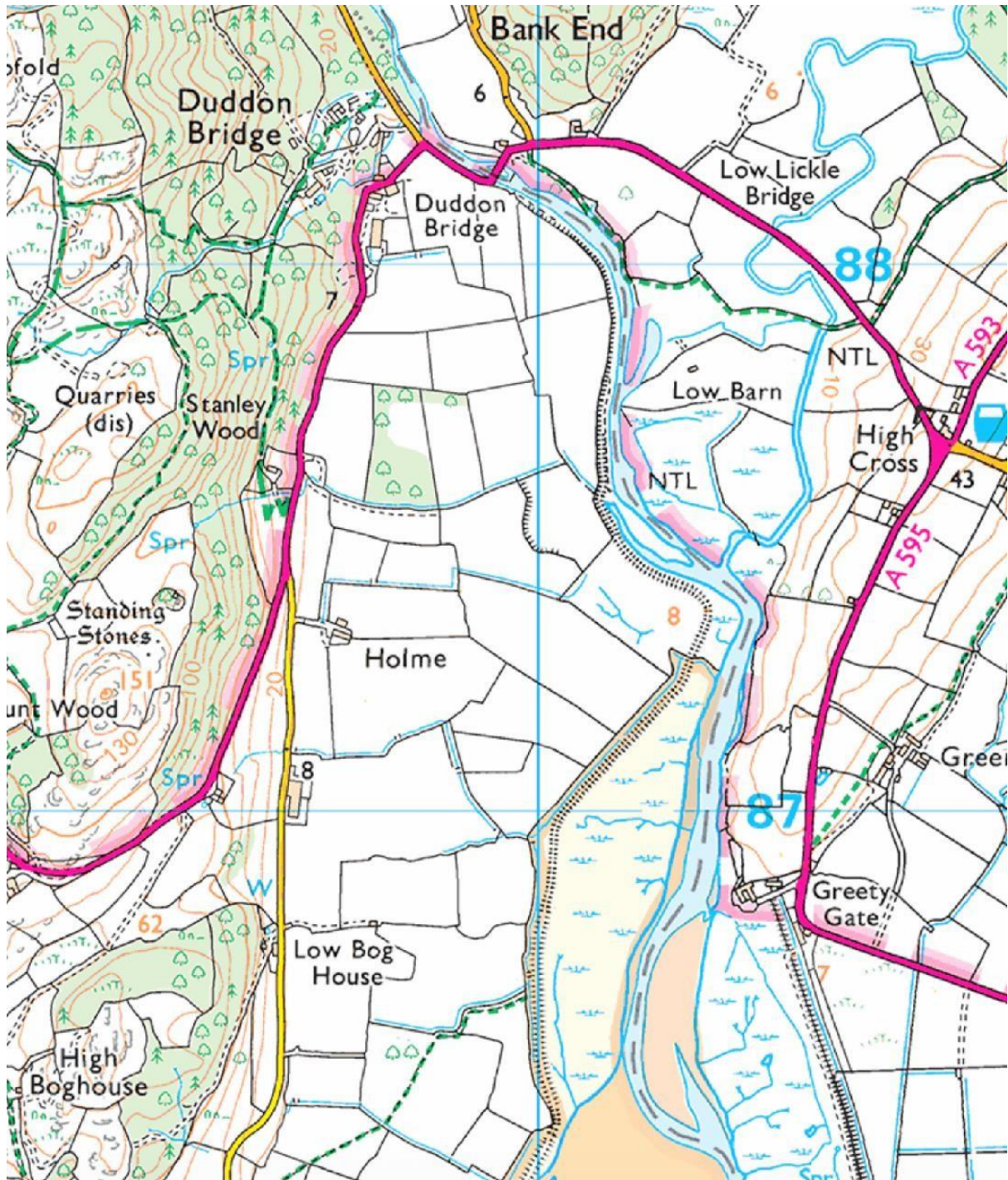
64. A formal changed priority in favour of non-motorised users, perhaps requiring motorists to give way to NMUs may be appropriate, especially if reinforced by signage. A formal change may not be necessary given Highway Code Rule 206 -

Highway Code Rule 206 - *approaching pedestrians on narrow rural roads without a footway or footpath.*

Always slow down and be prepared to stop if necessary, giving them plenty of room as you drive past.

65. Since there is current use by non-motorised users who have no alternative route, it is important that Duddon Bridge should be rendered as safe as possible as soon as possible and a clear appraisal made of the residual risks. This should be done irrespective of the extension of the England Coast Path. However, it may be helpful to notify Natural England that safety improvement options are being researched and to invite them to review these when they become available in order to inform their route choice.

May 2019



**Official Cycle Routes Crossing Duddon Bridge**

### Cumbria Cycle Way

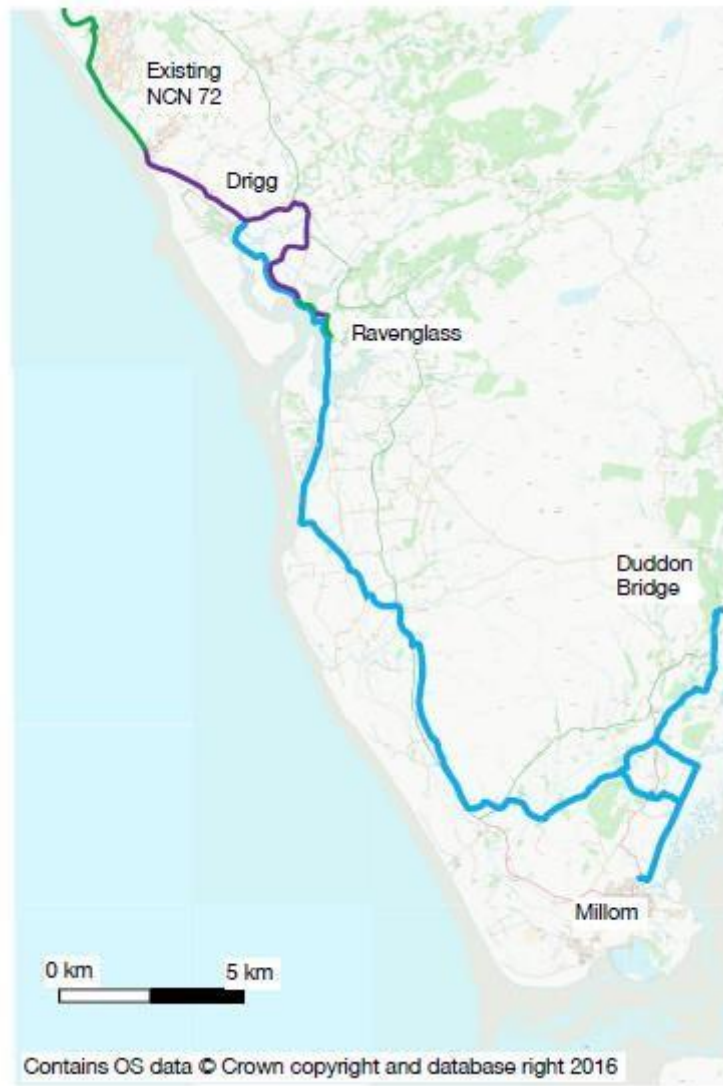
260 miles circular route (on-road) around Cumbria exploring parts of the county rarely explored by tourists. Being circular it can be started anywhere on the route: Carlisle, the Eden and Lune Valleys, Morecambe Bay, the West Coast and Solway Firth.

Guide Book: The Cumbria Cycle Way - Roy Walker & Ron Jarvis. Cicerone Press (2000), ISBN: 185284-106-0

Cycle Route: Carlisle-Brampton-Langwathby-Appleby-Kirkby Stephen-Garsdale-Sedbergh-Kirkby Lonsdale-Arnside-Grange-Ulverston-Barrow-Broughton-Millom-Ravenglass-Whitehaven-Maryport-Silloth-Bowness on Solway

Miles: 260 Open all the time. <https://www.golakes.co.uk/Carlisle-Cumbria-Cycle-Way/details/?dms=3&venue=5061200>

Sustrans NCN 72 Southern Extension Drigg to Millom and Duddon Bridge (As yet a proposal on which Cumbria CC have been consulted.) CBC South Copeland Coast Economic Plan is based on this route designed to promote connectivity of settlements and tourism



### Signage

Deployed elsewhere to improve safety for non-motorized users







Photographs

Taken by Cumbria CC Engineers in June 2018 showing damage to the upstream parapet and the obscuration of the bridge by vegetation





Photos 2019



Copeland Corner Highway Verge for Pavement



Lakeland Corner



Below Lakeland Corner



Google Map – Satellite View



Today, Bridge House stands over Stock Beck in the middle of Ambleside as a quirky reminder of Ambleside's past; it is a 17th-century survivor. Thousands of visitors come every year to see it and have their picture taken... <https://www.nationaltrust.org.uk/ambleside/features/bridge-house---a-17thcentury-survivor>

Note, , 2-way traffic, narrow pavement, low parapet wall and drop to Stock Beck, junction of pedestrian bridges on one of the most popular locations in Cumbria, located between Ambleside town centre and the main car parks and the route into town from the University of Cumbria.



**Extracts from The Cumbria Coastal Way**

I and K Brodie, Cicerone Press (2007)

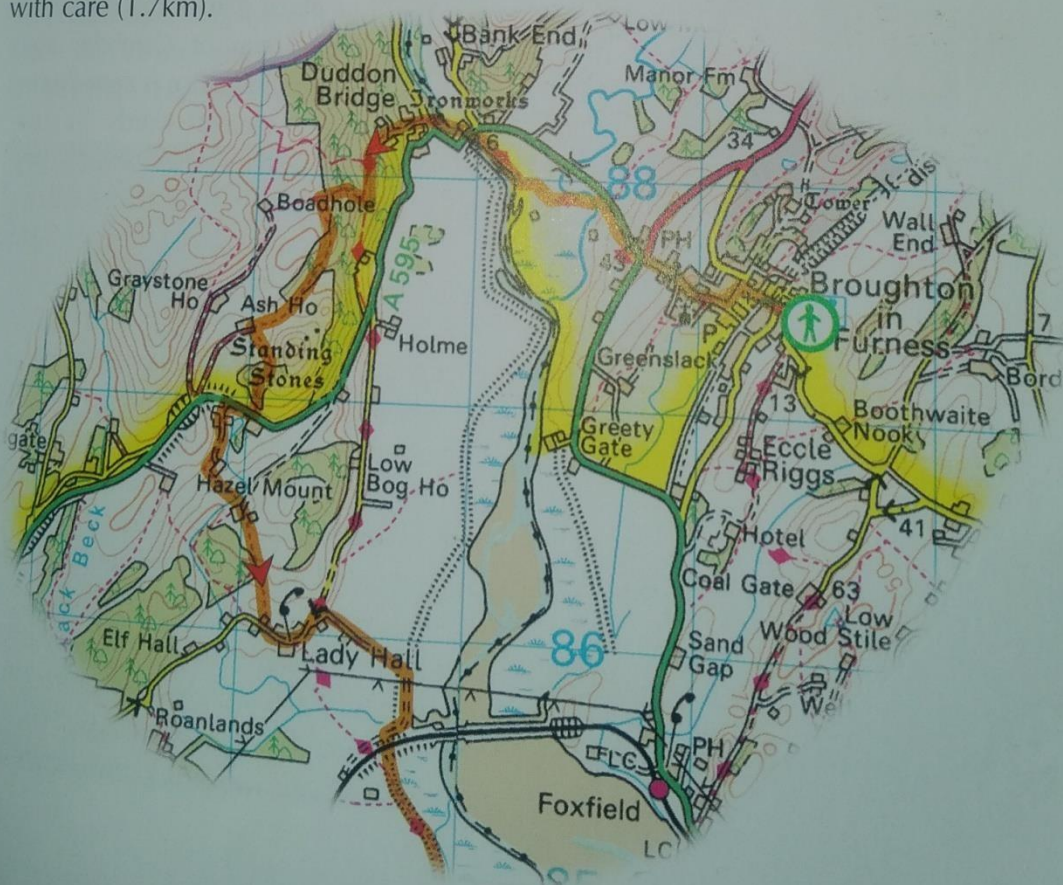
## STAGE 5

### Broughton-in-Furness to Millom and Silecroft

23.8km (14.5 miles)

From the far left-hand corner of Broughton Square go left down Griffin Street, keep right at the Old King's Head and walk up the Millom Road. Turn right at the junction by High Cross Inn and go down the main road. At the end of the left-hand wall go left down a gated enclosed track over a bridge across the River Lickle, and continue over a stile by a gate to follow the right-hand boundary until you reach a gate by the riverbank. Through the gate, follow the riverside track, near an old quay, to reach the road at Duddon Bridge. Cross the bridge with care (1.7km).

Map continues p.82



## Duddon Bridge to Millom

### NORSE INFLUENCE

From Duddon Bridge to between Whitehaven and Workington the route passes through the borough of Copeland. The name

was taken from the Norse *kaupland*, which means 'bought land'. The

Scandinavians were seen as pirates,

arriving by way of Scotland, Ireland and the Isle of Man in the late 9th/early 10th

centuries. Eventually they settled and played

a formative role in the history of the area. Norse

place names still dominate the map of Cumbria, and

Norse influence is apparent in many dialect words in use

today. The Norse people may have been encouraged to settle in

some coastal areas by the local rulers. Evidence from pollen deposits

indicates that there was extensive tree clearance around this time, suggesting that

land was brought into cultivation.

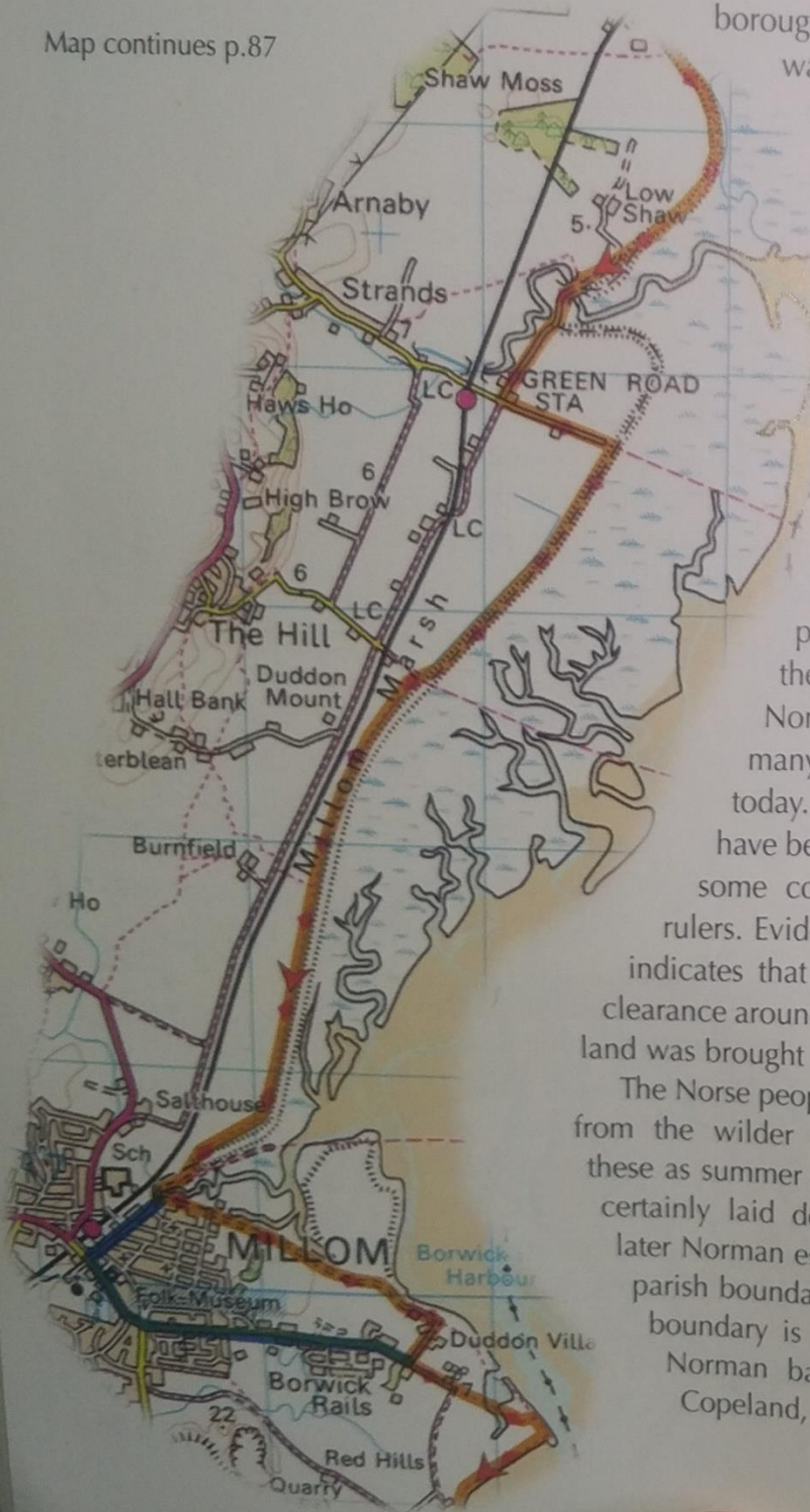
The Norse people created new farmlands from the wilder uplands, probably using

these as summer pastures, and they almost certainly laid down the groundwork for

later Norman estates, hunting chases and parish boundaries. The present borough

boundary is very close to that of the Norman baronial hunting forest of Copeland, which was once a refuge

Map continues p.87





## SECTION II – STAGE 5 – BROUGHTON-IN-FURNESS TO MILLOM AND SILECROFT

for deer, wolf and wild boar. The borough now boasts England's highest peaks – Scafell Pikes and Scafell – and contains its deepest lake – Wastwater.

### THE DUDDON IRON FURNACE

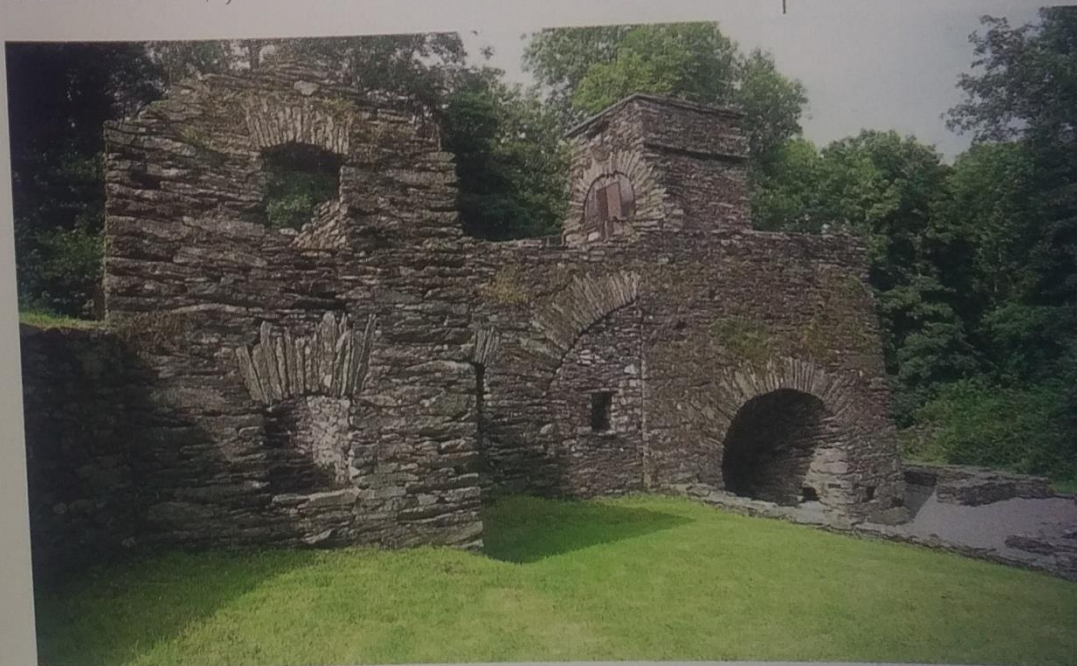
This was one of eight charcoal-fired furnaces set up in the southern Lakes in the early 18th century. The site was adjacent to charcoal-producing woodlands, not far from a supply of iron ore, and had access to water power for the furnace bellows. Dating from 1736–7, this furnace was working until 1867. The site is managed by the Lake District National Park Authority.

**Note** The official route from Duddon Bridge to the railway viaduct is still under development, but the map on page 81 suggests a 3km route that bypasses this section. The route shown on OL6 to Lady Hall is wrong and involves dangerous road walking.

From Lady Hall go down Causey Lane to the river-bank common, and follow the track to the right until you reach the railway embankment through a gate. Continue on this track but, just short of the next gate, turn left to

To reach the furnace, go over Duddon Bridge and right at the junction. After about 100m you will see the furnace on your left (250m).

*The historic charcoal-powered iron furnace sited at Duddon Bridge*



Extract From –

## **England Coast Path – Duddon Estuary Natural England – North West Coastal Access February 2018**

Natural England’s decision

There are two key factors: the suitability of Duddon road bridge, and the availability of alternative crossings downstream of the Duddon road bridge.

**Duddon road bridge** Whilst this qualifies as the “first public foot crossing” by virtue of being legally accessible on foot, it does not satisfy the preceding ‘General provision about the coastal access duty’; with the first requirement that Natural England ‘must comply’ with being ‘regard to the safety and convenience of the route’ (Section 297(1) & (2)(a)).

We visited the bridge with Cumbria County Council (CCC) Highways staff, to experience the bridge on foot first hand, and discuss opportunities for improvement to its safety. Crossing the bridge, we felt unsafe and in danger from large vehicles, even in high visibility clothing and in small numbers. We had the same experience on both sides of the bridge, and when crossing the road at any point. We observed traffic using the bridge, with large vehicles regularly sweeping out above the bridge parapets, which are low enough for a walker to be knocked over. There has been regular, substantial vehicle damage to the parapets on both sides throughout the time we have been working in this area. The traffic lights either side of the bridge and the queuing traffic cannot be seen from all parts of the bridge or its potential crossing places, therefore it is difficult to predict traffic behaviour and available crossing time. We decided that this was not suitable for a National Trail, where we could expect to see large groups, families with small children, dogs, or less agile walkers, all regularly using the bridge, and we are not prepared to actively promote the road bridge crossing in any way.

We discussed amending the white hatching on the ground to encourage large vehicles to alter their turning circles. CCC modelled this and advised us it was not possible to alter this sufficiently to allow a safe crossing on foot. We discussed altering the traffic lights to increase the crossing time available for walkers, but CCC advised this would not be feasible for a number of reasons. These are detailed in the following summary from them:

### ***Installation of a footway along the bridge***

*[The matter at hand relates to] the provision of a pedestrian facility on Duddon Bridge; there are no such facilities there at present, unfortunately the bridge does not lend itself to their installation. We have considered the installation of a footway, but that isn’t a practical option:*

*Duddon Bridge is on a principle A Road route and takes large volumes of traffic including significant numbers of HGV’s – this makes it unsuitable for pedestrians to use especially in large numbers. This is further backed up by the following 3 physical properties of the bridge:*

*The width of the bridge precludes the installation of a footway – HGV’s and long loads take up the full width of the running lane, particularly at the ends of the bridge, due to the required swept path to negotiate the tight bend at both ends of the bridge;*

*The parapet walls are sub-standard from the point of view of pedestrian safety, being only about a metre high, and would require raising to comply with current standards (The bridge itself is a Grade 2 listed structure, any changes to that structure would require approval from the appropriate authority);*

*Note that the A595 here is one of the County’s dedicated Abnormal Loads routes – any changes to the width of the running lane here could impact on the management of abnormal loads in the County.*

### ***Installation of a pedestrian ‘green man stage’***

*It has been suggested that a pedestrian ‘green man’ stage could be provided here, while pedestrians walk the length of the bridge.*

*Unfortunately, this option isn’t feasible. Ordinarily a pedestrian crossing would permit a pedestrian to cross from one side of the road to the other. Within the traffic signals sequence, the green man stage allows pedestrians to*

*establish themselves on the crossing, this is followed by an all-red clearance period, allowing pedestrians already on the road to finish crossing.*

*For a typical 10m wide road, this all-red period would be in the order of 8 seconds.*

*The all-red period for pedestrians to walk the 130m length of the bridge would be in the order of 2 minutes. Given how busy this route can be, a regular, repeated delay of 2 minutes in the signals sequence would be entirely unlikely to be given approval.*

*There is equipment that is often installed to detect pedestrians crossing from one side of the road to the other, this is normally used to extend the all red period to permit elderly / slower moving pedestrians to cross the road safely. However, that equipment is designed to work with normal road widths (e.g. in the region of say 7 -10m road width). It would not be possible to obtain equipment to do the same task for Duddon Bridge, any equipment on the market simply won't work over such a length; it's not been designed (and type-approved) for the 100m+ distances that we're talking about at Duddon Bridge.*

*In summary – Cumbria County Council do not consider that Duddon Bridge is a suitable crossing point for the Coastal Access Path as it is fundamentally unsuitable and unsafe.*

*Extract from FOI request Disclosure - by Cumbria County Council 2nd May 2019*

### **FREEDOM OF INFORMATION ACT 2000 - DISCLOSURE**

The council has completed its search relating to your request for information regarding safety at Duddon Bridge, which was received on 27<sup>th</sup> February 2019.

The council does hold some information within the definition of your request.

#### Request

**Question 1)** Full particulars of all advice, surveys, calculations or analysis concerning highway safety at Duddon Bridge including that of non-motorised users and pedestrians. This should include any "swept path" or similar analysis undertaken or provided.

I am particularly concerned to receive details of any nature including notes of site visits and conversations by telephone or otherwise with Natural England concerning Duddon Bridge. Communication appears to have been given since NE refer to such in their document -England Coast Path Duddon Estuary, Natural England North West Coastal Access, February 2018

**Answer 1)** The last study on the section of road was undertaken in 2014 (attached). No swept path analysis was undertaken.

Site visits or conversations may have been undertaken in the past but several people have left the authority in recent years and there are no records of site visits or conversations by telephone or otherwise with Natural England concerning Duddon Bridge.

**Question 2)** I ALSO REQUEST details of any safety concerns which led to the discontinuance of the Cumbria Coastal Way.

**Answer 2)** Safety concerns were not an issue which led to the discontinuance of the Cumbria Coastal Way. The permissive agreements lapsed over time and the Cumbria Coastal Way is not recognised by Cumbria County Council.

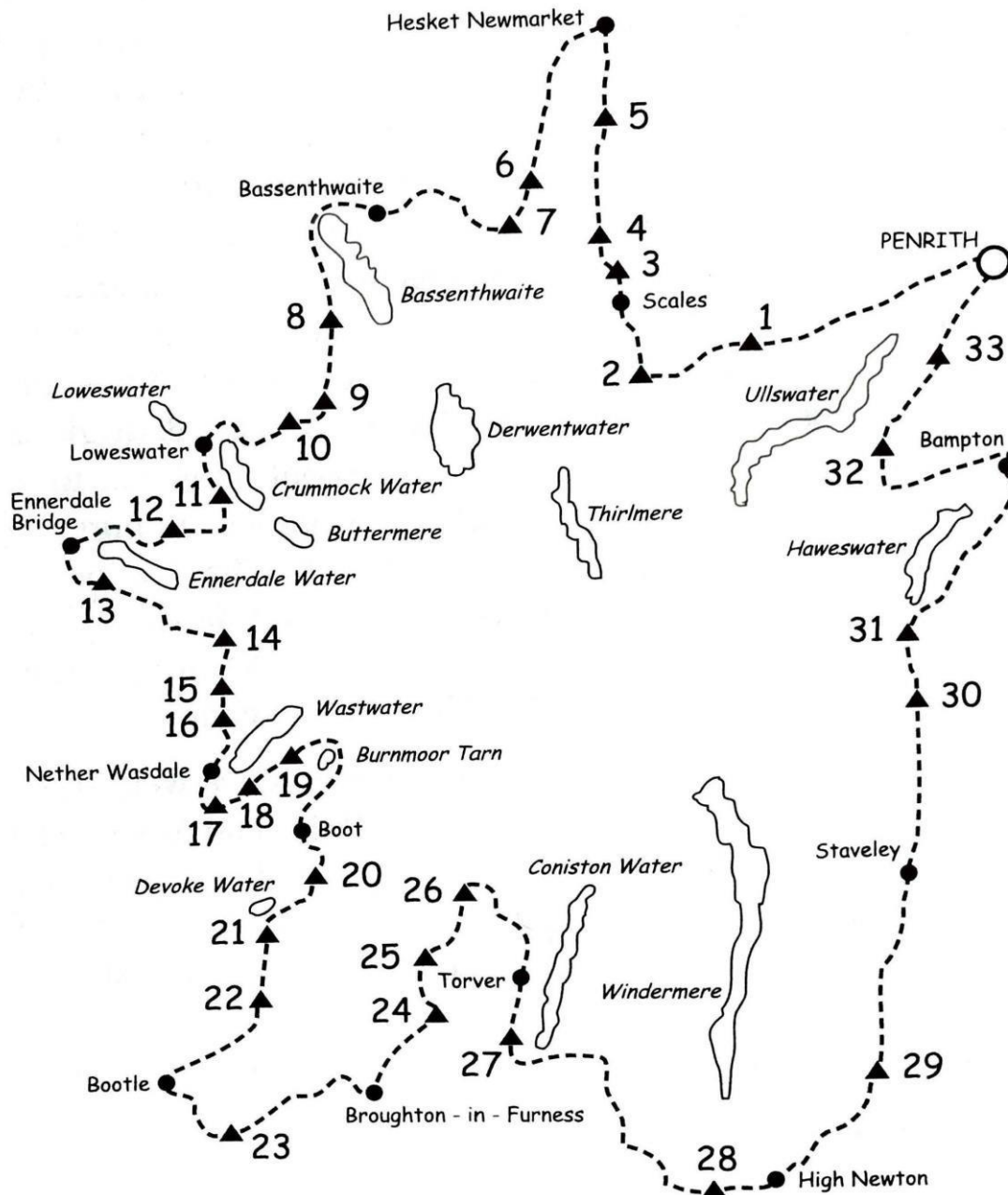
**Question 3)** I ALSO REQUEST details of any safety proposals or plans that have been made to improve safety of non-motorised users and pedestrians in particular.

**Answer 3)** Information not held - Not aware of any safety proposals to improve safety of nonmotorised users and pedestrians in particular at Duddon Bridge.

**Question 4)** I ALSO REQUEST details of the annual cost of repairs to Duddon Bridge caused by vehicle strikes over the last 5 years. **Answer 4)** £21,000

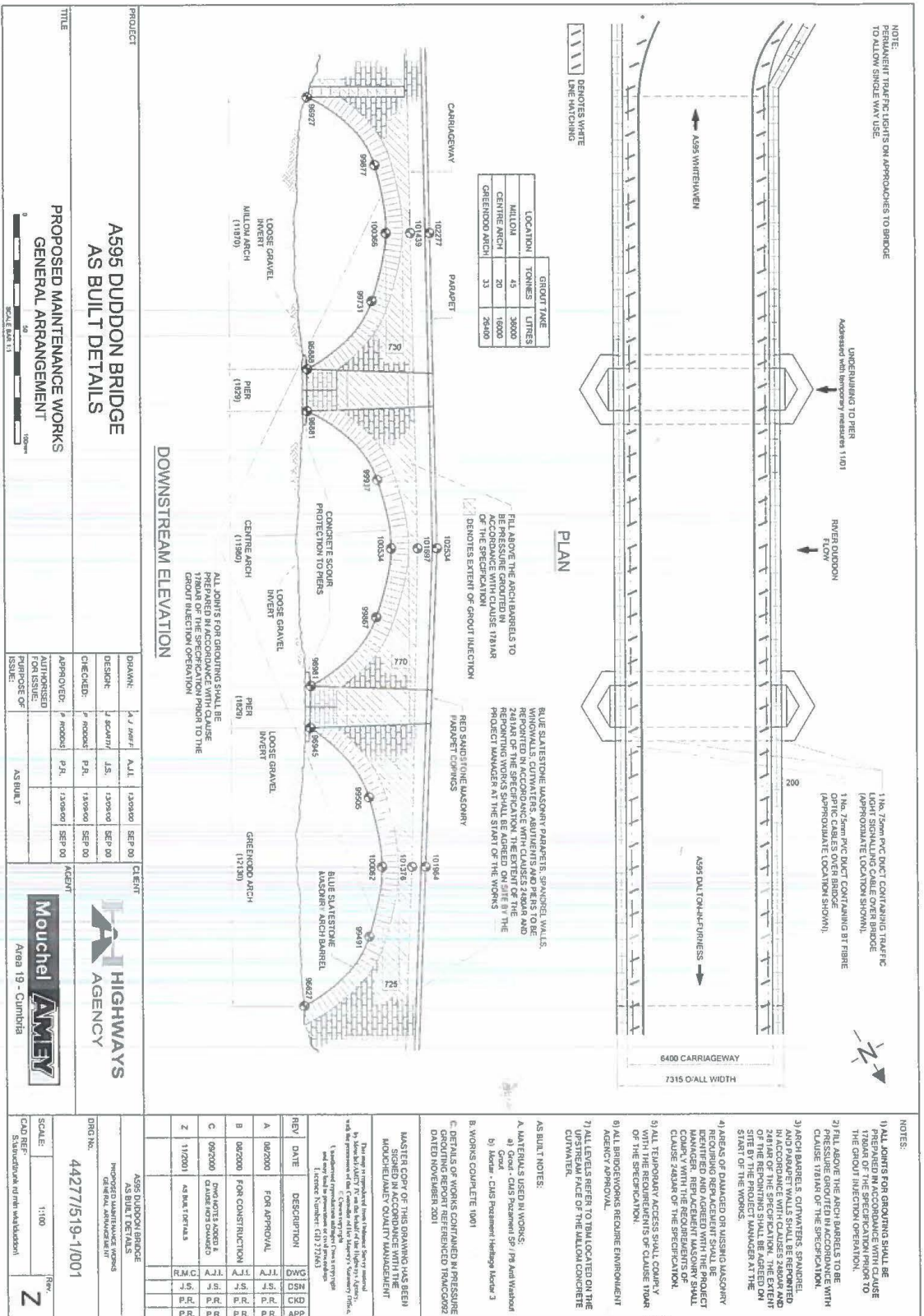
- After Wainwright Eric Robson Route

# A Long Walk in Remote Lakeland



- |                    |                 |                    |
|--------------------|-----------------|--------------------|
| 1 Great Mell Fell  | 12 Great Borne  | 23 Black Combe     |
| 2 Clough Head      | 13 Grike        | 24 Stickle Pike    |
| 3 Bannerdale Crags | 14 Haycock      | 25 Caw             |
| 4 Bowscale Fell    | 15 Seatallan    | 26 Dow Crag        |
| 5 High Pike        | 16 Buckbarrow   | 27 Beacon          |
| 6 Knott            | 17 Irton Pike   | 28 Bigland Barrow  |
| 7 Great Calva      | 18 Whin Rigg    | 29 Whitbarrow Scar |
| 8 Lord's Seat      | 19 Illgill Head | 30 Kentmere Pike   |
| 9 Grisdale Pike    | 20 Green Crag   | 31 Harter Fell     |
| 10 Hopegill Head   | 21 Yoadcastle   | 32 Loadpot Hill    |
| 11 Mellbreak       | 22 Whit Fell    | 33 Arthur's Pike   |

• Duddon Bridge Drawings



- **England Coast Path – Duddon Estuary – Feb 2018**

## **England Coast Path – Duddon Estuary**

### **Natural England – North West Coastal Access**

#### **February 2018**

##### Background

The origin of the England Coast Path (ECP) is the Marine & Coastal Access Act 2009. This, and the Approved Coastal Access Scheme 2013, inform the route development and Natural England's decisions.

'Coastal access' comprises of:

- the **England Coast Path trail** - a waymarked National Trail around the coast of England
- the **Coastal Margin** - the resulting strip of land between the trail and mean low water

The above legislation gives Natural England the duty to secure a route for the whole of the English coast, with the following discretions relating to estuaries: 301 River Estuaries

(1) This section applies in a case where the continuity of any part of the English coast is interrupted by a river.

(2) Natural England may exercise its functions as if the references in the coastal access provisions to the sea included the relevant upstream waters of the river.

(3) For this purpose "the relevant upstream waters", in relation to a river, means –

(a) The waters from the seaward limit of the estuarial waters of the river upstream to the first public foot crossing, or

(b) If Natural England so decides, the waters from the seaward limit of the estuarial waters of the river upstream to such limit, downstream of the first public foot crossing, as may be specified by it.

Section 301(8)(b) specifies that "'public foot crossing", in relation to a river, means a bridge over which ... there is a public right of way, or a public right of access, by virtue of which the public are able to cross the river on foot.' The limit of the estuarial waters of the Duddon Estuary sit at Borwick Rails in Millom and Dunnerholme near Askam-in-Furness.

##### Natural England's decision

There are two key factors: the suitability of Duddon road bridge, and the availability of alternative crossings downstream of the Duddon road bridge.

##### **Duddon road bridge**

Whilst this qualifies as the "first public foot crossing" by virtue of being legally accessible on foot, it does not satisfy the preceding 'General provision about the coastal access duty'; with the first requirement that Natural England 'must comply' with being 'regard to the safety and convenience of the route' (Section 297(1) & (2)(a)). We visited the bridge with Cumbria County Council (CCC) Highways staff, to experience the bridge on foot first hand, and discuss opportunities for improvement to its safety. Crossing the bridge, we felt unsafe and in danger from large vehicles, even in high visibility clothing and in small numbers. We had the same experience on both sides of the bridge, and when crossing the road at any point. We observed traffic using the bridge, with large vehicles regularly sweeping out above the bridge parapets, which are low enough for a walker to be knocked over. There has been regular, substantial vehicle damage to the parapets on both sides throughout the time we have been working in this area. The traffic lights either side of the bridge and the queuing traffic cannot be seen from all parts of the bridge or it potential crossing places, therefore it is difficult to predict traffic behaviour and available crossing time. We decided that this was not suitable for a National Trail, where we could expect to see large groups, families with small children, dogs, or less agile walkers, all regularly using the bridge, and we are not prepared to actively promote the road bridge crossing in any way.

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*In summary – Cumbria County Council do not consider that Duddon Bridge is a suitable crossing point for the Coastal Access Path as it is fundamentally unsuitable and unsafe.*

### **Alternative crossings**

There are other crossing points upstream of Duddon Bridge, but these sit beyond our discretionary powers. The remaining option which would bring into scope the use of 'the first public foot crossing' would be the creation of a new crossing downstream of the road bridge. Initial location and broad design suggestions were developed with officers from Cumbria County Council; the suggested cost of a new bridge in this area, based on the required span, is outside of the expected infrastructure costs associated with the establishment of the England Coast Path (see below for more information).

We attended a number of meetings in 2016 in the area, including multiple visits to the Duddon Estuary Partnership and the Copeland Coastal Communities Team, as well as Millom Town Council and partnership events and meetings organised by the Lake District National Park and others. At many of these, with relevant parish councillors present, we explained the crossing situation and that we would require support from partners to ensure a crossing could be sited, funded and constructed. Previously, we had also contacted all parish councils and other identified stakeholders inviting input to the project, and inviting attendance at drop-in sessions held in Millom and other locations in April and May 2016. At the later partnership meetings we spoke to a number of local parish councillors and had discussed attending Millom Without Parish Council. A date was suggested by NE to MWPC, but no response was received.

Support was received from a number of partners linked with other potential schemes in the area, such as improvements to the cycle network, but none of these opportunities would come to fruition within the shorter

timescale of the England Coast Path. With no immediate financial partnerships forthcoming, we assessed the benefits – which had been recognised and promoted throughout – against a more detailed costing provided by a CCC engineer following a site visit and location assessment. That engineer’s costings are as follows:

*To install a footbridge over the River Duddon downstream of Duddon Bridge on the A595 would cost at least £185,000. This cost is made up from an estimate for the supply of the bridge itself based on bridges of a similar length, the design, site access provision, the groundworks and the installation. It could be argued that this cost is an underestimate when considered against the £500,000 it cost to provide a footbridge to cross the River Derwent at Camerton near Workington which was 52 metres in length. The length of a footbridge over the River Duddon would be marginally shorter at 44 metres to clear the flood bank as necessary.*

That cost of £185,000 does not take into account the extra costs incurred by its being handled by the Major Projects team at CCC, and so the overall cost would be doubled to around £365,000. However, as pointed out above, this is likely to be an underestimate, as the £500,000 bridge above was originally tendered at £430,000. We did also consider the possibility of pursuing a walkway (and possibly cycleway) cantilevered on one side of the existing railway viaduct. However, exploratory work being undertaken in relation to similar aspirations elsewhere in Cumbria suggests that the cost of such an option would run into millions of pounds. We therefore discounted this option as being financially unfeasible.

The final crossing option is to draw parallels with the provision for use of a ferry –

296 (2) The first objective is that there is a route for the whole of the English coast which –

(a) consists of one or more long-distance routes along which the public are enabled to make recreational journeys on foot or by ferry (Section 296(2)(a)).

We decided that the use of a train, where the stations sit in proximity to the coast, was in direct parallel with a ferry, as it achieves the same result and involves the same requirements to wait for a period of time until the next available crossing, and to pay a small fee.

We consulted various rail partners during our development work and were informed that Sunday services and more regular weekday services would be introduced before the new rights were established.

### **Natural England’s decision**

Section 301 (4) recognises that Natural England ‘must have regard to the recreational benefit to the public’ in exercising discretion relating to estuarial waters. We recognise this benefit in relation to the Duddon Estuary and the potential to improve links between the ECP and Broughton-in-Furness, and this was the basis for all our aforementioned work to establish a route as far as Duddon Bridge.

However, the same section also requires NE to have regard to ‘the nature of the land’, ‘the topography of the shoreline’, ‘the width of the river’ and ‘the extent to which the land bordering those [estuarial] waters would, if it were coastal margin, be excepted land’.

Above the railway viaduct, the Duddon narrows and becomes more riverine in character. On the face of it, a flood bank on the west bank offers a convenient and easy walking route – subject to its being assessed against other ‘fair balance factors’ such as land management, and protection of sensitive features. To the east, however, the lack of flood protection and the condition of the floodplain which we observed during our work poses a bigger challenge to creating a route suitable for a National Trail, both physically and financially. Regarding the amount of coastal margin, virtually all of that which would have been created was looking likely to be excluded on the grounds of unsuitability for public access, or nature conservation. It was ultimately decided that the above factors could not justify the considerable expense in installing a new footbridge to create a non-coastal extension to the route. Based on the most promising location for a new bridge (some 250m south of the existing road bridge), the additional length of England Coast Path that might be created by pursuing this option is perhaps 7.6km overall, beyond Green Road and Foxfield railway stations. Assuming that the cost estimate of perhaps £365,000 is reasonable, and adding in a ball-park figure of £6,000 per km for other establishment works on either bank, that gives a total potential expenditure of approximately £410,000, or £54,000 per km. This is significantly beyond the current national average of £2,000 per km and the northwest average that is perhaps nearer £6,000 per km. It is worth noting that although the proposed route on the west bank of the estuary between Millom and Green Road uses existing rights of way, the proposed route to the east of the estuary does introduce a notable amount of new trail, overcoming existing access barriers to connect settlements on foot, and linking with a number of public



transport options to create new linear routes on the estuary. This will be detailed in the published proposals (see below).

### **Future change**

There are two main factors which would trigger the exploration of an extended estuarial route. The first is the creation of a new, safe, foot crossing seaward of the road bridge, brought about by any partnership project and incorporating funding streams in addition to Natural England's England Coast Path programme budget. The second is any reconsideration of the convenience of the rail crossing, namely, if the promised Sunday services have not materialised by the trail's opening, or the rail service becomes significantly less convenient in any other way.

Should the possibility of a new footbridge arise, further work would still be required to determine that the extended route would indeed be fully viable. When the decision to exercise our discretion as far as the rail stations was made, exploration of these additional factors ceased, but would need to be fully explored before an extended route could be confirmed. Some of these are as follows.

Previous conversations have not covered in any great detail our duty to consult landowners and take into account the impact of access on their land management. Under the 'fair balance' principle (section 297(3)), this would also be a key factor in any future developments of the ECP.

The marshes either side of the river are considered ecologically sensitive and are contained within the Duddon Estuary SSSI and Ramsar designations, the Morecambe Bay SAC and the Morecambe Bay and Duddon Estuary SPA. Even where these are currently 'open access' areas, with the increase in footfall which a National Trail would bring, there is a risk that the overall access provision would need to be reduced in places, or otherwise carefully managed, to counteract the increase in footfall on the trail, and there is no guarantee the trail would actually be aligned on the flood bank.

A new footbridge, and the associated walking route, would sit within a floodplain on the eastern side. There is no guarantee that this would be an easy and convenient walking route at all times during wet seasons and this would require further investigation.

Should the Moorside nuclear development proceed, the associated North West Coast Connections project could impact on the trail north of Green Road and Foxfield. We had involved NWCC in our earlier conversations and will continue to do so should the addition of a new bridge over the Duddon become a possibility in future.

Any proposed new footbridge would be subject to planning permission as well as Environment Agency consent. Once again, all of the above will be subject to available and justifiable funding.

### **Next steps**

Natural England will publish a report detailing their proposals, at which point an 8 week representations and objections period will open. Those with a legal interest in the land (as defined by the Act), may submit an objection, and any organisation or individual may submit a representation. The Secretary of State is able to assess our decision to exercise our estuarial discretion in deciding whether to approve our proposals (301(6)). Details of the report and how to submit an objection or representation will be sent to all parish councils and landowners. The report will be available in full online and paper copies will be publicly available in selected locations.

More information about coastal access can be found at

<https://www.gov.uk/government/collections/englandcoast-path-improving-public-access-to-the-coast>

The legislation can be found at <https://www.legislation.gov.uk/ukpga/2009/23/contents> The

Approved Coastal Access Scheme can be found at

<http://publications.naturalengland.org.uk/publication/5327964912746496>

- **England Coast Path – Duddon Estuary email July 2017**



04/03/2020

BT Yahoo Mail - FW: England Coast Path - Duddon Estuary

FW: England Coast Path - Duddon Estuary

From: [Redacted]  
To: [Redacted]  
Cc: [Redacted]  
Date: Friday, 21 July 2017, 08:00 BST

Dear Jo [Redacted]

Thank you for your emails. Ange has asked me to respond as she's on annual leave now.

In response to specific points:

Contacts – yes, please continue to contact Ange for upper Duddon issues, but please copy me in.

Coast and estuary divide – as mentioned in the briefing, the estuarial limit is in the vicinity of Borwick Rails in Millom, and Dunnerholme Rock on the east side of the sea ends and the estuary begins. From this point northwards, up the estuary, we have to exercise our coastal access discretion rather than simply deliver the duty. Hence, we must assess the benefits of exercising this discretion before we make any proposals to do so.

Nature conservation – this would have been an issue north of the viaduct but as the trail ends at Green Road/Foxfield (and did not factor in the decision) it was not included in the briefing. Alongside our main coastal access proposals for each stretch, we will publish an Access and Sensitive Features Appraisal, which represents a screening exercise in relation to European sites. This will detail our appraisal of any potential impacts arising from our proposals and our conclusions. As things progress, and unlikely to be completed as a document prior to publication (which is expected in November this year).

Safety on Duddon Bridge – in line with the legislation and Approved Scheme, we would have concluded it was unsafe with or without CCC's support – our observations of crossing the bridge on foot numerous times and observing traffic, with Cumbria Highways officers present, were most certainly not 'safe' ones. Cumbria Highways officers were internal and discussed over the telephone with us, but their conclusion merely acted in support of our own observations. Our conclusions were based on observations of this bridge for a national trail were based on observations of repeated instances where articulated truck trailers over-topped the bridge parapets, particularly in the absence of traffic but, given the length of the bridge and time taken to walk across, this would present unacceptable delays in an area that already sees some delays. We have a duty to ensure that we are not putting walkers at unnecessary risk when following the England Coast Path and are clear in our conclusion to propose that the ECP crosses the Duddon via Duddon Bridge.

Consultation - the 8 week period beginning when the report is published is a representations and objections period rather than a consultation period – consultation was completed in 2016 when parish councils and other bodies were invited to contribute – some did, some didn't.

Estuary decision - I have already indicated that we would really have liked to find a way of completing a route around the Duddon estuary. However, as proposed, we are obliged by the legislation to carefully consider whether we should exercise our discretion in relation to estuaries. We are now drafting the report, after 18 months of development, so there is no longer any scope for change to our proposals prior to publication. The report will contain information on our estuary discretion in relation to the Duddon but also the Kent and Leven estuaries. This should make it clear just how we've come to our conclusions in each case.

The next opportunity for views to be taken into account as part of a decision making process is the 8 week representations period – at that stage please do so. The Secretary of State can take them into account in determining whether our decision was the correct one. I think that we've also explained previously that, in the event of State's decision in relation to our shortly to be published proposals, there is a process in place to allow variation of the approved route of the England Coast Path to take account of coastal change, new developments and suchlike. If a new bridge were to be installed over the Duddon as part of some other project, this may be an opportunity to consider such a variation. Given the likely costs of such a bridge, this seems like a good focus for a partnership project, involving local authorities and others. We would be happy to be included in any such project in the future.

We are more than happy to attend a parish council meeting to ensure you are informed and ready to make your representation. Please do advise when you are available. In the meantime, I can only ask you to be patient and prepared to study our proposals once published.

Kind regards,

[Redacted]  
Cumbria Area team  
Natural England  
Ghyll Mount, Penrith, CA11 9BP

[Redacted]

[Redacted]

04/03/2020

BT Yahoo Mail - FW: England Coast Path - Duddon Estuary

[Redacted]

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From: Jonathan Powell [mailto:jl221@btconnect.com]

[Redacted]

Dear [Redacted]

Thank you for your informative email.

I note the provisional decision to introduce a discontinuity in the ECP but I am not clear on which officer should be the contact on the omitted stretch through Duddon Bridge. Is that still yourself?

Please could you tell me where the definition of the divide between coast and estuary here can be found?

I was surprised to learn that you anticipated Sunday rail services beginning later this year. This has been much discussed but I was not aware of any definite proposal or timetable.

The observations of County Highways appear to have been critical to the interim decision. Is there a highway engineer's report available?

There is little point in debating the engineer's opinion without having studied it but my initial thought is that Duddon Bridge is obviously safer for pedestrians than the alternative. If it can be made safer still by signage or further controls then that should be explored as it is currently a pedestrian route linking existing recreational destinations.

Duddon bridge is in reality a safe haven for pedestrians. It is the route either side; which the omitted path could replace; which is the real hazard. The hazards of these roads appear to be acknowledged.

Earlier, we discussed potential conflict with wildlife but I do not see mention of this concern in the attached document. The omitted route would entail only a minor effect on a very small area of protected land which is already compromised by existing activity and I wonder if this remains a real concern?

I hope that this discontinuity might be explored further and may benefit from more effective local consultation before the proposal becomes definite. The ECP is such a worthwhile initiative and in this instance has the potential to create a real benefit to walkers and the community rather than just noting existing ways. It would be unfortunate if your work is spoiled by omitting this valuable link.

Thank you for your assistance.

[Redacted]

---

**Subject:** FW: England Coast Path - Duddon Estuary

Hi [Redacted]

I've now been able to send out further details to the relevant Parish Councils on our decision around our 'estuaries discretion' on the Duddon – see email below & attached document which I hope will answer some of your questions.

2/3

[Redacted]

[Redacted]

[Redacted]

04/03/2020

BT Yahoo Mail - FW: England Coast Path - Duddon Estuary

[Redacted] as per an earlier email exchange with J [Redacted] and I believe you are involved with Millom Without PC. The clerk contact we have is [Redacted] m. [Redacted], please do let me know if this is still the correct address.

Kind regards,

[Redacted]

Hi all,

You should all be aware of the England Coast Path project by now, through previous contact in early 2016, and some of you have met us at various meetings such as the Duddon Estuary Partnership. Plans are nearing completion for the route from Silecroft to Barrow (and beyond, around Morecambe Bay), and we have been asked by a couple of Parish Councils about plans for creating a new route up the Duddon. I'm now in a position to send further information out on this matter – please see the attached document. If any of you have any questions, please contact us.

Please note that at this stage we are not disclosing any specific route information apart from to the landowner or tenant; we aim to publish plans in late 2017 and you will be able to submit a representation at that stage.

Kind regards,

[Redacted]

Cumbria Area team

Natural England

Please send any post to me at Natural England, Murley Moss Business Park, Oxenholme Road, Kendal, Cumbria, LA9 7RL

[Redacted]

From the 13 March the Natural England Kendal office will be moving to the Lake District National Park Authority building in Murley Moss. Our new address is: Natural England, Murley Moss, Kendal LA9 7RL

[Natural England - GOV.UK](#)

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via web conferencing.

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

- Minutes – SCP – 11<sup>th</sup> June 19\_issue 1

**Summary Minutes – Duddon Bridge Meeting held on 11<sup>th</sup> June 19  
At Thwaites Village Hall, The Green, Millom**

| <b>Agenda Item</b>                                 | <b>Points to Note</b>  |
|--|--|
| <b>1. Apologies</b>                                | <ul style="list-style-type: none"><li>• [redacted]</li></ul>   |
| <b>2. Attendees</b>                                | <ul style="list-style-type: none"><li>• [redacted]</li></ul>   |
| <b>3. Community Concerns – short and long term</b> | <ul style="list-style-type: none"><li>• The paper – “A Plan for Duddon Bridge” – set out the primary concerns with key objectives being:<ol style="list-style-type: none"><li>4. Make Duddon Bridge immediately safer for non-motorised users (walkers, cyclists etc) and other road users.</li><li>5. Based on the outcomes of actions taken in Priority 1, progress the best approach for non-motorised users (e.g. a new crossing or further enhancements to the Bridge or some other proposals).</li><li>6. Promote improvements of the A595 road infrastructure around the Duddon Bridge Area.</li></ol></li><li>• The suggestions for safety improvements were discussed by the Network Managers. Tree works to improve sight lines would bring an improvement. Potential conflicts are at the inside of the bends, rather than on the bridge itself, the Copeland bend being more severe. The bridge is wide for one way working and a marked and signed pedestrian route on the downstream side could be examined. The abnormal load route would not be prejudiced if there were no narrowing by physical works.</li></ul> |



|                                    |   |
|------------------------------------|---|
|                                    | <ul style="list-style-type: none"> <li>• SCP wanted to address both steps that can be taken to improve the Duddon Bridge in the short term and look to the future to improve the strategic gateway into South Copeland.</li> <li>• It was highlighted (MB) that the current proposals for the English Coastal Path to use a train connection and so avoid Duddon Bridge were unsatisfactory and would lose significant benefits to the Millom and Broughton area.</li> </ul>  |
| 4. CCC Plans in the Pipeline       | <ul style="list-style-type: none"> <li>• Both Network Managers for South Lakes and Copeland noted there were no major plans to address either the short or long terms needs of Duddon Bridge. Current priorities were “in-water” works while seasonal water levels are low.</li> <li>• There is some minor repair work planned including to the Copeland bank wall. Tree works might be coordinated with such in Autumn 2019.</li> <li>• It was also highlighted that investment decisions are best supported with credible data – this could be an issue in collating data regarding the use by cyclists and walkers etc.</li> <li>• PH, Network Manager gave an example of work undertaken with another narrow bridge near the County Show Ground which had required additional road marking / signage to improve safe access to the bridge. This had a direct read-across to Duddon Bridge where road marking could indicate a safer path for vehicles.</li> </ul> |
| 5. Short Term Improvement Options  | <ul style="list-style-type: none"> <li>• The discussion led to the following actions (CCC): <ul style="list-style-type: none"> <li>○ Conduct a Swept Path Analysis – expected within approx. 4 weeks</li> <li>○ Define within 4 weeks, a plan of action to address the vegetation and improved sight lines for all users.</li> <li>○ On completion of the swept path analysis, examine what opportunities to address signage and improved use of road paint to mitigate any identified safety issues.</li> <li>○ Parapet standards apply to new constructions rather than existing but this issue would be considered.</li> <li>○ Examine what options are open to collate improved data sets for Duddon Bridge</li> </ul> </li> </ul>  |
| 6. Improvement options – Long Term | <ul style="list-style-type: none"> <li>• The challenge within todays funding limits in seeking significant changes to the Duddon Bridge road network was recognised as a key issue – but the process of starting to raise Duddon Bridge needed to be brought to the table.</li> <li>• It was also agreed that the Duddon Bridge road network needs to be escalated into the appropriate plans. One issue facing Copeland was a lack of a Local Plan, which was a reference point for building investment proposals and subsequent business cases.</li> <li>• It was agreed that the Chair should write to the Mayor highlighting the concerns of the SCP regarding the need for a local plan and its alignment with SCPs ambitions.</li> <li>• Additionally CCC (South Lakes) will share the current Business Case and data for the development at Dove Ford</li> </ul>   |
| 7. Date of Next Meeting            | <ul style="list-style-type: none"> <li>• Next meeting 24<sup>th</sup> July (10am) – Venue tbc</li> </ul>  |

[redacted]

Chair – South Copeland Partnership

11<sup>th</sup> June 19

- North West Evening Mail News 13 Feb 2020 Train Reliability

13th February

## Shock figures show Northern rail's Pacer trains more reliable than new fleet

By [Tom Murphy](#) @TomMurphyTM Audience and Content Editor



**SHOCK figures have shown that Northern rail's derided Pacer trains have outperformed its brand new locomotives.**

For 35 years they have been heavily criticised part of the network since they came into operation during the mid-1980s.

Much maligned they have been gradually withdrawn from the network since December with some carrying on in service until their replacements arrive in the summer.

Despite promises that their £600m upgrades would be a “step change” for hard pressed passengers unpublished figures, obtained by the BBC, from industry body the Rail Development Group, show they have outperformed the company's new fleet.

In a comparison of Miles per Technical Incident figures from December to January last year the Class 195 and Class 331 trains, that were introduced last year, averaged 2,877 miles between breakdowns the elderly Pacers however clocked on average 7,884 trouble free miles before they needed repair work.

It is the latest body-blow for the troubled train operator who is set to lose its franchise next month after Grant Shapps, secretary of state for transport, blasted its performance, saying its services are not “anywhere near acceptable”.

A company spokesperson said: “We are working hard to improve performance.

“We have delivered on our commitment to increase the number of train services – we now operate 2,000 more services each week than at the start of the franchise.

“This means we will deliver 30 per cent more train miles in 2019 than in 2016 - almost 110 million journeys will have been made using Northern trains in 2019 .

“We are delivering the biggest transformation of local rail for a generation, with 62 of our 101 new trains now in service and driver training taking place on dozens more trains right now.

“This is part of a £600 million investment, we are also continuing to invest in better stations, better offers for customers and more recruitment.

“Our new trains, which were introduced have been through rigorous testing. But, as with any new piece of equipment, there can sometimes be problems which only become apparent when in regular service.”

**MCA/SCS3/R/4/1257 - [redacted] AND MCA/SCS3/R/5/1256 [redacted] (supplied the same photograph)**





Riverside Business Park, Natland Road  
Kendal, Cumbria LA9 7SX  
Tel: 01539 722692 Fax: 01539 724379  
Email: [office@westmorland-vets.co.uk](mailto:office@westmorland-vets.co.uk)  
Website: [www.westmorland-vets.co.uk](http://www.westmorland-vets.co.uk)

9<sup>th</sup> March 2017

To Whom It May Concern:

[Redacted]  
RE: Messrs Denison, Scales Park Farm, Scales, Ulverston, Cumbria. LA12 0PA

This letter is a document regarding the planned coastal path route through land farmed by the above business.

I am informed that the land through which the footpath is planned is currently and will be used as fields for dry dairy cows and other bovine stock. These fields are suitable for this use, while not all fields on the holding are suitable.

As a veterinary surgeon, I am duty bound to highlight the risks to the health and welfare of cattle from a free-access footpath.

I have seen many cases of *Neospora caninum* abortion in cattle which have been linked to consumption of grass contaminated by dog faeces, deposited while dogs are being walked on these paths. Signs regarding removal of dog faeces and warnings regarding the risk of abortion appear to have had no effect in curtailing this. Cattle worried by dogs can also calve prematurely or abort.

I have seen other abortions in cattle, too, appearing to be related to gates being left open by people walking along footpaths and allowing inadvertent mixing of unsuitable stock with subsequent fighting.

Having provided veterinary services to these premises for several years, I am fully aware that the genetic merit of the pedigree Holstein dairy herd is amongst the highest in Europe and the result of decades of care and attention.

It is my opinion, with the information available to me, that an alternative route should be used.

I trust that you will read this letter with the brevity which is demanded by the subject.

Signed,

  
[Redacted]  
Dr Richard J. Knight BVM&S CertCHP MRCVS

RCVS Advanced Practitioner in Cattle Health and Production



Westmorland Veterinary Services (Farm Animal) Limited  
Company No. 9492003





From [Redacted]  
Subject: [Redacted]  
Date: [Redacted]



Dear [Redacted]  
I am forwarding to you the response to Natural England about the Coastal path route following the recent visit by Councillors.  
Regards  
[Redacted]

----- Forwarded message -----  
From: Clerk Aldingham Parish Council <clerk@aldingham-parish-council.gov.uk>

[Redacted]

Dear [Redacted]  
Please find attached response from Aldingham Parish Council and also photograph of the related area that frequently floods.  
Regards  
[Redacted]

 Virus-free. [www.avast.com](http://www.avast.com)



[Redacted]



***Aldingham Parish Council***

Natural England  
Ghyll Mount  
Penrith  
Cumbria

CA11 9BP  
November, 2017

30<sup>th</sup>

I am aware that you had a telephone conversation recently with [REDACTED] to brief you on the outcome of the Parish Council' walk about on certain areas of the proposed coastal path (with particular attention being paid to Mr [REDACTED] property and [REDACTED]).

The PC conducted its visit on October 31st in the company of the gentlemen referred to above.

The PC held its monthly meeting on the 16th November at which the subject matter of the walk about was discussed on the basis of notes prepared by Peter with of course input from the rest of our team.

The Principal observations to be made which we trust will be given full consideration and treated as genuine comments on a matter of public interest are as follows:

1. Any access to or exit from the area of land around Moat Farm over kissing gates onto or from the A 5087 has to be considered hazardous and not safe, given the contours of the road in general and the bend in particular outside the Moat Farm dwelling ,where full visibility of traffic movements is seriously restricted. There has to be another way to deal with this to ensure that safety first is adequately addressed.

This particular area is also subject to periodic flooding which creates additional risks for traffic and pedestrians .The PC has on many occasions drawn attention to this with the Local Authorities and Elected Representatives and continues to do so.

[Redacted]



[Redacted]

[Redacted]

We recommend you check this to ratify our commentary.

**2.** The proposal to use the fields with kissing gates down as far as Ladycroft Cottage as a route for walkers poses particular problems regarding regularly flooded areas and access to and from the Coast Road .

These problems are seriously exaggerated in areas of one particular field which is supposed to drain underground into a pipe leading to the nearby beach. This drainage is further impacted and exaggerated by tidal issues which continuously worsen the situation .

A recent photograph is attached to demonstrate the impracticality of walking in this area given its potential for frequent flooding.

This is further complicated by a proposed kissing gate leading onto the Coast Road at a particularly sharp bend with potential traffic hazards before walkers can easily access without potential danger ,the road into the village of Aldingham .

The land area in question is constantly soggy and not really fit for human footfall let alone livestock traversing it.

There didn't seem to be any truly prohibitive reason why the shoreline beach couldn't be deemed part of the coastal path from Moat Farm onwards towards Mr Wright's property. It would off Course be necessary to warn walkers of tidal issues and in places it is rocky but by no means impassable.

**3.** The walk from the Coast Road through Aldingham past the Church and up to the proposed new gates at Dennison's fields takes walkers well away from the coastline. This seems somewhat unnecessary as the beach accessed from the toilets at Aldingham or even well before that is eminently walkable .  
Off course tidal warnings would be a pre requisite to any visitors.

The walk through the very narrow Aldingham village road is also in our opinion somewhat hazardous on any day without additional footfall.

**4.** The proposed entrances with new gates onto Dennison's land don't of themselves pose much of a problem.

However the day we visited the first field (with livestock in situ)it was in a bog like state and as a result extremely difficult to traverse with the distinct possibility of twisting an ankle or even breaking a leg.

[Redacted]

[Redacted]

Even in better weather conditions this land remains relatively saturated due to poor drainage .

All the time we were clearly further and further away from the coastline at this particular location which seemed to somewhat defeat the overall objective of the initiative for a coastal path.

We went through another gate which again with the severely boggy terrain we struggled to keep upright .

Further on we experienced significantly flooded areas that are planned to be drained at no doubt considerable expense but certainly not easily passable the day we were there.

Perhaps it would help a little if we had a map that more readily defines the location of the proposed additional kissing gate at the above referenced location.

Is it on Ms. Dennison's land or someone else's?

5. We viewed but did not walk the rest of that route which runs along the hedge line with further kissing gates coming ultimately to the final kissing gate positioned just up from Mr Wright's property.

6. We visited Mr Wright's property and at first hand appreciated the potential invasion of his privacy if the route is to pass the windows of his house.

The location of this kissing gate in our view could very easily lead to a path (to be constructed) right down onto the beach for walkers to readily access and as a result by pass Mr Wright's property allowing his quiet enjoyment ,to which you surely agree he is rightly entitled.

The land from the kissing gate past his house appears not to be registered to any owner at present and we advised him to review his position on this as a matter of expediency.

7. We as a PC have no idea of the potential costs of this whole initiative as it passes through our parishes it's not to our account.

However we firmly believe that using the coastal beach lines to the optimum (as we explained to you on the night of your presentation to us in Gleason )has to be aesthetically and financially more beneficial to all both walkers and residents

---

[Redacted]

[Redacted]

[Redacted]

8. We also wish to draw attention to the potential additional insurance and or legal burdens that may now be placed on Mr Wright and Messrs Dennison as a result of your proposed route for the coastal path.

It is obviously not in our remit to provide insurance or legal advice to them or indeed to Natural England.

However we are aware of the generalities of Occupiers Liability Legislation and it's associated Case Law.

We know that there are substantial duties of care placed on Landowners to "invitees" which we believe most walkers following designated Natural England Paths would be categorised.

We are also aware that various defences are available for any claims made against Landowners for death, personal injury and damage to property.

We know you are reluctant to proffer any opinion on this but we think you should offer a view to our parishioners as to how Natural England deals with or has dealt with any such Occupiers Liability issues that may have arisen elsewhere.

We don't agree with your statement at our meeting which lead us to believe that Landowners on these proscribed routes have the lowest possible liability burdens placed upon them in the event of any claims being made. Please tell us what this means in reality with any references if possible.

In closing Messrs Dennison again raised the matter of serious risks to the well-being to their livestock through the footfall of visitors to their land. We are persuaded by authenticated evidence that there is a significant link between dog faces and certain diseases that lead to abortions in cattle and neurological diseases in sheep. Please give this serious consideration in your planning process.

We believe they have a fair and reasonable point and you should address this head on over and above the guidance provided to those who use the countryside through the Countryside Code upon which you invariably seem to rely.

We look forward to a positive response from you to our genuine concerns.

We sincerely trust that this submission will be given fair and reasonable consideration at whatever forum you deem appropriate to discuss and debate the substance of our studied response.

---

[Redacted] [Redacted]

[Redacted]

Yours Sincerely



(on behalf of Aldingham PC)



## Transmission of infectious diseases between walkers' dogs and cattle/sheep (APHA)

### Overview

Concerns are often raised about the risk that faeces left by walkers' dogs can introduce infectious diseases to grazing animals.

Dogs are hosts to certain infectious diseases that affect cattle and sheep: Neospora (cattle), tapeworms (sheep and cattle) and sarcocystis (sheep and cattle) – and can therefore pass infections to livestock through faeces.

The likelihood that walkers' dogs may carry infection is considered very low, because the vast majority are fed commercial dog food which is either processed or if raw produced to human standards of consumption. Walkers should be encouraged to:

- stop their dogs from defecating on pasture where possible, for example by avoiding pasture until the dog has done so;
- pick up after their dogs and remove the bagged faeces to a public or home bin; and
- (for tapeworms) deworm farm and pet dogs regularly.

This is in the interests of human and animal health/well-being as well as farm biosecurity.

Farmers may wish to consider separating the crop from the path or access area with fencing to provide additional reassurance. Further intervention is unlikely to be necessary.

This note has been produced for Natural England in collaboration with Animal and Plant Health Agency specialists to explain the reasons for this overall assessment.

### Neospora

*Neospora caninum*, the organism that causes neosporosis, is a protozoan parasite of dogs and cattle. It does not affect humans.

The main source of transmission of *Neospora* to cattle is other cattle, including bought in animals of unknown *Neospora* status. Once a herd is infected there is an ongoing risk of transmission by infected animals to their unborn calves. Farms are advised to test bought animals for neosporosis before bringing them on to the farm and consider control by having a farm health plan.

Dogs can become infected with *Neospora* if exposed to infected material such as placenta and the carcasses of infected calves. All farms should check areas used by livestock regularly and remove such material as a matter of good practice; this is the most important factor in reducing the risk of infection.

Farm dogs are most likely to be exposed to infected material. Hunt dogs fed on raw meat are also a risk but hunts tend not to feed hounds raw meat for this reason. Pet dogs that are not farm animals are unlikely to be exposed to infected material unless they encounter it in fields with grazing animals.

The vast majority of pet dogs are fed with processed pet food which is not a risk, because it either comes from a non-cattle source, or the processing denatures the parasite. Pet food must by law be fit for human consumption, which provides added reassurance that it is unlikely to contain infected material.

If walkers' dogs pick up the disease they may shed infectious cysts in their faeces for a short period of time, about 2-3 weeks. After this period the animal produces an immune response which clears the parasite, and so the dog is no longer a risk of spreading infection.

The overall likelihood of *Neospora* infection from pet dogs is therefore considered very low by Animal and Plant Health Agency specialists.

If infected faeces are left in a field grazed by cattle it may persist in the grass or soil and later be ingested by grazing animals. The length of time is not known for sure, but oocysts of a closely related parasite *Toxoplasma gondii*, are known to survive for months on pasture. Should grass contaminated by infected faeces be used to make silage that is used in Total Mixed Ration (TMR) for cattle feed, the potential impact of infection increases. This is because the feed

material is mixed before consumption; infection can therefore spread to a larger number of animals.

#### Cestode (tapeworm) infections

Cestodes (tapeworms) are a group of parasites that have a two phase life cycle involving two types of host species: definitive host species in which the parasite develops sexually in the host's intestine and produces infective stages, and intermediate host species which can become infected and spread the infection back to the definitive host through consumption of their contaminated meat. Infection by tapeworms in which cattle and sheep are the intermediate host may lead to economic loss through carcass rejection but generally does not cause clinical disease in the infected cattle or sheep (an exception to this is *Taenia multiceps* that causes nervous signs (gid) in sheep). Many but not all of the tapeworm species in which cattle and sheep are intermediate hosts have dogs as the definitive host, producing the infective stage of the parasite in dog faeces. In a very few (*Echinococcus granulosus*) there is also a risk of disease ('zoonotic disease') in humans.

Dogs can carry tapeworm parasites if they have been exposed to infected animal products, usually on farm. The main risk of transmission to cattle and sheep is exposure to infected faeces from infected farm dogs. Farms should, for farm dogs:

- Deworm farm dogs every 6 weeks, and use praziquantel in areas of high risk of *Echinococcus*
- Carefully dispose of potentially infected dog faeces
- Quickly remove and dispose of cattle and sheep carcasses
- Do not let farm dogs roam, and don't feed them raw offal

Dogs are much less likely to carry tapeworm eggs if they are fed commercial dog food which is either processed or if raw produced to human standards of consumption (see above), and deworming is good practice. Sarcocysts

Sarcocysts: are a group of 30 named species of related parasites. They share the same two phase life cycle as cestodes. Cattle are intermediate host to a number of sarcocyst species (from definitive hosts dogs and man). Sheep, goats and pigs also are intermediate host to definitive species in dogs. Clinical signs are rarely seen in intermediate hosts. Cysts can be detected at meat inspection if they are large enough, or there is a massive infection. There are no treatment options for either the definitive or the intermediate hosts, and animal losses are largely due to rejection of meat at the abattoir.

Control is by avoiding contamination of ruminant food and water with dog (and human) faeces, and by preventing dogs from consuming animal carcasses. The risk is low if dogs are fed commercial dog food (see above).