

# Coastal Access – Gretna to Allonby

## Representations on VR13 (Silloth Docks) and Natural England’s comments



October 2022

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### 1. Introduction

This document details representations we have received on the stated coastal access report. These normally fall into two categories:

- Representations received from persons or bodies that must be sent in full to the Secretary of State (‘full’ representations, reproduced below); and
- Those which have not come from those persons or bodies whose representations we are required to send in full to the Secretary of State (‘other’ representations).

It also sets out any comments that Natural England choose to make in response to these representations.

### 2. Background

Natural England’s original report, setting out its proposals for improved access to the coast from Gretna to Allonby was submitted to the Secretary of State on 25 July 2016. Subsequently, a variation report (VR13) was published on 6 July 2022, setting out changes to the previously approved proposals in the vicinity of Silloth Docks, Cumbria. This began an eight-week period during which representations and objections about each constituent report could be made.

In relation to the report VR13, Natural England received 4 representations, three of which 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 3 of this document together with Natural England’s comments where relevant.

## OFFICIAL SENSITIVE

One representation was received from other individuals or organisations, referred to as 'other' representations. This, along with Natural England's comments, is summarised at Section 4 of this document.

Before making a determination in respect of a coastal access report, the Secretary of State must consider all 'full' representations and our summary of 'other' representations, together with Natural England's comments on each.

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

**Representation number:**

MCA/GAL/VR13/R/1/0020

**Organisation/ person making representation:**

The Ramblers

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

GAL-VR13-S001 to S003

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

N/A

**Representation in full:**

We note the reasons for this change which should make the route pleasanter to walk. We assume that the proposal will have no detrimental effect on the dune flora.

**Natural England's comments**

We are grateful to the Ramblers for this message of support – and can confirm that advice has been provided by our nature conservation colleagues, during the planning of this variation.

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

None supplied

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**Representation number:**

MCA/GAL/VR13/R/2/0012

**Organisation/ person making representation:**

The Open Spaces Society

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

GAL-VR13-S001 to S003

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

N/A

**Representation in full:**

We note the reasons for this change which should make the route pleasanter to walk. We assume that the proposal will have no detrimental effect on the dune flora.

**Natural England's comments**

## OFFICIAL SENSITIVE

We are grateful to the Open Spaces Society for this message of support – and can confirm that advice has been provided by our nature conservation colleagues, during the planning of this variation.

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

None supplied

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### **Representation number:**

MCA/GAL/VR13/R/3/0023

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

Historic England

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

GAL-VR13-S001 to S003

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

N/A

### **Representation in full:**

Historic England is the Government's statutory advisor on the historic environment.

The proposed variation would have no significant impact on designated heritage assets or the wider historic environment. Although the variation site lies within the Buffer Zone of the Frontiers of the Roman Empire (Hadrian's Wall) World Heritage Site (WHS), we do not consider that the proposal would affect the Outstanding Universal Value of the WHS.

Historic England therefore has no objection to the proposed variation.

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

We are grateful for this confirmation from Historic England.

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

None supplied

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## **4. Summary of 'other' representations, with Natural England's comments**

### **Representation ID:**

MCA/GAL/VR13/R/4/0876

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

Associated British Ports (ABP)

### **Name of site:**

Silloth Docks

### **Report map reference:**

VR13a

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

GAL-VR13-S001 to S003

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

N/A

**Summary of representation:**

ABP supports the variation, on the basis that it will separate walkers from vehicular movements, therefore addressing some initial safety concerns. The representation goes on to seek reassurance that establishment and maintenance works, including adequate signage, will be properly funded and carried out. Further reassurance is requested in relation to potential future development and possible, occasional need to close the route.

There is a request that Natural England should take on liability for users of the path. Finally, there is a request that contractors do not damage any infrastructure above or below ground, during ECP establishment.

**Natural England's comment:**

We are grateful to ABP for their support.

We can confirm that all necessary works will be undertaken to a high standard, with due regard for other infrastructure, by contractors working for the access authority – and that funding will be provided both for these works and for ongoing maintenance. We can also confirm that we are obliged to discuss further possible changes to the access provision in this area, should ABP or others wish to undertake lawful development.

Formal restrictions or exclusions will continue to be available, alongside temporary diversions to the route, as a means of allowing for land management operations to be undertaken. However, it is often possible to manage such eventualities by informal, local measures. Natural England cannot assume liability for users of the new England Coast Path.

However, the Marine and Coastal Access Act 2009 specifically reduces occupier's liability to the lowest level known in English law. There would be no liability in relation to either natural or man-made features, applicable to any area where new access rights apply.

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

None supplied

**5. Supporting documents**

None received or appended