

Coastal Access Modification Report EBC-MR1: Proposed withdrawal of part of Coastal Access Report EBC 7



Area affected: Vicinity of Rye and the Rother Estuary, East Sussex

Representations 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 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, summarised below).

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

2. Background

Natural England's modification report EBC-MR1 was submitted to the Secretary of State on 17th August 2022. This began an eight week period during which representations and objections could be made. The purpose of the modification report was to withdraw all references, proposals, depictions and conclusions relating to part of the length of coast covered by report EBC 7 (not yet approved) and contained in the associated Overview document insofar as it relates to that part.

Natural England received two representations about this Modification Report, of which one was made by an organisation 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. This 'full' representation is reproduced in Section 3 of this document together with Natural England's comments where relevant.

As required by the legislation this document also summarises and, where relevant, comments on the one representation submitted by other individuals or organisations, referred to here as 'other' representations.

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:

EBC-MR1/R/1/EBC0018

Organisation/ person making representation:

[redacted]

Route section(s) specific to this representation:

EBC-MR1 Map 2 and Map 3 in the vicinity of Rye and the Rother Estuary, East Sussex

Other reports within stretch to which this representation also relates:

N/A

Representation in full

The Ramblers are pleased to support Natural England's proposals to withdraw parts of the EBC7 coastal access report, in order to conduct a fresh alignment exercise, assessing the feasibility of a continuous route around the Rother estuary at Rye, and avoiding the need for a break in the path.

We look forward to working with Natural England during the consultation process, and preparation of a new continuous route around the Rother estuary.

Natural England's comments

We thank The Ramblers for their support.

4. Summary of 'other' representations, and Natural England's comments on them

Representation ID:

EBC-MR1/R/2/EBC0136

Organisation/ person making representation:

[redacted] on behalf of [redacted]

Name of site:

Land to the east of the River Rother that is to be removed from the original EB7 proposals,

Report map reference:

The land shown on EBC-MR1, Map 2 as EBC-7-2012 to 2025 and the landward margin shown hatched in mauve

Route sections on or adjacent to the land:

N/A

Other reports within stretch to which this representation also relates:

N/A

Summary of representation:

For the reasons given in its written objection dated 5 June 2020, Rye Golf Club Limited welcomes the removal of this part of the proposed coast path (or at least sections EBC-7 2012 to 2014 and part of section EBC-7-2015).

The Club would have preferred the modification to have gone further by including the alternative route for the trail that it proposed in its objection, i.e. a route continuing north from a point part way along EBC-7-S015, using the existing path through the dunes, through the Camber West car park, over the New Lydd Road and then west to meet the existing Sustrans route in the direction of Rye. This would have settled the route in this area and removed the threat to the Club which the original route posed.

Natural England's comment:

Natural England welcomes Rye Golf Club's support for this Modification Report.

All options for a Rother Estuary route between Rye Harbour and Camber Sands will be carefully evaluated if this Modification Report is approved by the Secretary of State. This will include further consideration of the alignment suggested by Rye Golf Club in their EBC7 objection.

Representation ID:

MCA//EBC7/R7/EBC0157

Organisation/ person making representation:

[redacted]

Name of site:

Rye Harbour Nature Reserve

Report map reference:

Directions Map EBC7A

Route sections on or adjacent to the land:

EBC-7-S001 to EBC-7-S004

Other reports within stretch to which this representation also relates:

None

Summary of representation:

SWT supports the reason for the restricted access regarding habitat sensitivity and safety with regards to the Saltmarsh, Mudflats and Vegetated Shingle (as stated in sections 7.2.12 – 7.2.18 of report EBC7). They seek clarity on the signage measures used to deliver the restrictions on the ground.

Improving the existing boardwalk would support the proposed directions on the seaward side of EBC-7-003. The Reserve Manager had constructive conversations with NE about improving it, but it is not in the proposals. SWT requests that this upgrade is undertaken, to improve access for all.

SWT were informed that they were unable to submit an objection about breaking the trail around the estuary as they do not own the land, so have submitted a representation.

Natural England's comment:

1. Signage: With reference to the proposed section 26(3)(a) of the Countryside and Rights of Way Act (2000) direction to protect vegetated shingle would be managed on the ground with advisory signs. Rye Harbour Nature Reserve is a popular reserve, managed to protect the wildlife interests and promote enjoyment of the public. In developing the proposals, we spoke to the Sussex Wildlife Trust Rye Harbour Nature Reserve Manager Barry Yates regarding signing this direction and agreed that we would provide some 'No Access' roundels, which he could then use as he felt was required to manage the direction on the ground. A direction map showing the areas covered by this exclusion and the reasons why will also be provided to use, for example, on existing posts.

In relation to how the direction for mudflat and saltmarsh that is unsuitable for public access would be managed on the ground, under Section 25A the Countryside and Rights of Way Act (2000), we are able to provide 'No Access – unsuitable for walkers' roundels which can be placed on existing or new posts.

We have also proposed gaps in the section 26 direction for the vegetated shingle at strategic points to allow people to gain access the beach seaward of the vegetation. It is proposed that these gaps will have waymarking signs, so walkers can clearly identify the routes to access the beach.

2. Boardwalk: The improvement of the existing boardwalk was discussed with SWT, during the development of the proposals. The boardwalk provides access from the trail route across the vegetated shingle beach to the inter-tidal area. In our Habitats Regulations Assessment, we concluded that improving the boardwalk was not necessary to conclude that the proposals had no adverse impact on the conservation objectives of Dungeness, Romney Marsh and Rye Bay Special Protection Area and Ramsar Site, and Dungeness Special Area of Conservation. However, in light of the representation, we will discuss the potential for Sussex Wildlife Trust to apply for the RDPE funded Establishment Grant, once the trail is approved, to enhance the accessibility of the Reserve. This grant is available until the end of December 2021.

3. Objections: In relation to submitting objections and reps, we confirm that any person can make a representation about our report but objections may only be made by owners or occupiers of affected land. The Secretary of State's Appointed Person then determines their admissibility.

Relevant appended documents (see Section 6):

None

5. **Supporting documents**

None received