

# Coastal Access – Silverdale to Cleveleys



## Representations on SDC 1: Cove Well, Silverdale to Wild Duck Hall, Bolton-le-Sands - and Natural England's comments

March 2020

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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 compendium of reports setting out its proposals for improved access to the coast from Silverdale to Cleveleys was submitted to the Secretary of State on 8<sup>th</sup> January 2020. This began an eight week period during which representations and objections about each constituent report could be made.

In relation to the report for SDC 1, Natural England received 18 representations, of which 5 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.

As required by the legislation this document also summarises and, where relevant, comments on the 13 representations 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**

<b>Representation number:</b>	<b>MCA/SDC1/R/4/0334</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Route section(s) specific to this representation:</b>	SDC-1-S008 to S020
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
<p>We object to the coastal access proposals across our land. As currently drafted they will have a disproportionate impact on our business, which means that there is not a fair balance.</p> <p><b>Background</b>          Gibraltar Farm is a traditional family-run mixed dairy, beef and sheep farm. We are the third generation of the Burrow Family to have farmed here. We milk 90 Friesian and Jersey Cows, rear 150 commercial beef cows and have 360 Texel-cross sheep. While we are able to rent other land around the village, the land at the farm is crucial for our dairy herd, as it can be easily access from our buildings. From February to April sheep and lambs graze in the fields around the farm. Throughout April to October all of the land at Gibraltar Farm is used to graze our dairy cows. Each day the cows are put into a different field and it is ‘mob grazed’. The fields are only small and so the cows are moved onto the next field the day after, on a rotation system. We calve all year and when the cows are outside they will calve in these fields. We have historically run a dairy bull with our cows. Dairy numbers have been built up in recent years to allow our 15-year-old son to come into the business after he leaves college.</p> <p>This is a traditional mixed farm, so over the winter and in the spring we graze our sheep, and then lambs, on this land too.</p> <p>In 1971 the farm diversified and set up a small (5 caravan) site. This side of the business has developed over time into today’s licence for 74 caravans and 60 tent pitches. As with so many farms nowadays, this diversification is crucial to the farm as it provides a significant financial input for the business.</p> <p>The site appeals to families with young children providing relatively low-cost camping. The site deemed safe (by families, schools, colleges and other organisations that camp here) because of the lack of public access. There are no footpaths running through or near the site. The 10 acres of ancient woodland at the seaward edge of the campsite has historically been used for recreation purposes for all of our campers, children playing, dogs walked etc. It provides a safe area where children can play freely and unsupervised.</p> <p><b>Gibraltar Farm is a nationally acclaimed campsite.</b> We were voted best northwest coastal campsite by The Telegraph, featured in the Daily Mail, The Guardian newspapers and the BBC’s Countryfile. We are consistently reviewed as excellent by customers on TripAdvisor and Google. This is due in part to providing patrons with a safe, tranquil and picturesque location.</p>	

The land affected by the proposed coastal path is not visible from the main farm buildings. This is relevant as this is the land which is used by our livestock. As the land – and proposed path – are out of sight, we would not be able to manage and monitor the use of it, as we do with the campsite.

## Issues

### Impact of dogs on livestock

The land affected by the coastal path is not visible from the main farm buildings. This means that we cannot see if anyone strays from the path or if their dogs are worrying the livestock. This places a **new** and **unacceptable** burden on us in two ways:

Firstly, we have the additional concern about the potential for the public to be harmed by the presence of livestock in the field, including calving cows, which is significantly exacerbated by the presence of a dog<sup>1</sup>. We calve all year round to meet our milk buyer's requirements, and therefore, unlike herds which calve in a block, it is not easy to restrict access to calving cows. We need all of our current grazing for our cows – we cannot keep close calving cows out of certain fields, or remove fields which are to have coastal access from the grazing rotation, because then we would not have enough grass for the cows.

We are aware of our obligations under the Animals Act 1971 and Health and Safety legislation, which means that the onus falls on us to ensure that our animals do not cause damage to the public. We can do this with our campsite, because we warden it and manage it closely.

However, we cannot monitor and warden a new path which passes through our land and which is out of sight of our farm buildings. Our experience is that fences are not sufficient to mitigate against the risk, as people ignore them, climb over them, or even cut wire fences.

There cannot be a fair balance if the result of creating a coastal path is that we are unable to graze our cattle in those fields which are affected by that access. We would have to do this because of the potential risks associated with access by people with dogs. Restricting the land that can be grazed would have a knock-on effect on the number of cattle we could keep, and consequently the profitability and viability of the farm.

Secondly, we are concerned about the issue of dogs worrying livestock.<sup>2</sup> NFU Mutual figures show that the cost of dog attacks across the industry is £1.6m. Further their research<sup>3</sup> shows that:

*“80% of dog owners exercise their pets in the countryside, with over 60% letting them roam off the lead. 7% of owners admitted that their pets had chased livestock in the past.”*

The 2019 Monitor of Engagement with the Natural Environment survey shows that of the estimated 4 billion visits to the natural environment, 40% of these (1.6 billion) were with a dog<sup>4</sup>.

We know from our experience of footpaths and the campsite that people simply ignore “dogs on lead” signs, or argue that their dog is fine off the lead, or ‘what harm is it doing?’. One of our main campsite rules is that dogs must be on a lead at all times and we are forever asking customers to do to this. As an example, just today we had to ask a couple twice to put their dogs on a lead. We cannot see the path from the farm, and so it would be impossible to ensure that people were adhering to the coastal

<sup>1</sup> AIAC 15/06/01, HSE Agriculture Industry Advisory Committee, 2015 “Since 2000 there have been 74 fatalities involving cattle recorded by HSE..... Eighteen of these fatal accidents have involved members of the public.....

Of the 18 members of the public, all were present on public footpaths or commonly used rights of way, all but one were accompanied by a dog.....Where the information is recorded 10 of these accidents involved cows with calves.”

<sup>2</sup> NFU Mutual <https://www.nfuonline.com/cross-sector/rural-affairs/access/access-news/shock-increase-in-livestock-worrying-as-cost-rises/>

<sup>3</sup> Petbuzz Market Research surveyed 1002 UK pet owners from Thursday 25 January-Thursday 1 February 2018

<sup>4</sup> MENE Headline Report 2018-2019, Natural England

access rules about dogs being on leads near livestock (i.e. that they are keeping them under “effective control”). **Our experience is that people simply do not obey these rules anyway unless there is someone to enforce it, and therefore would not do so under the new coastal access rights where they are out of sight of the main farm buildings.**

The impact of permitted access by people with dogs will mean that we will not be able to continue to farm our land as we do now; we will not be able to graze the land that we currently do, and this will affect our profitability and viability.

The coastal access legislation does not provide compensation for the adverse impacts that might arise from providing coastal access across our land. However, it does provide that there should be a fair balance. This means that the provision of coastal access should not place an “undue burden” on us.

**Due to the location of the proposed path, and our evidence of the behaviour of the public when walking with dogs, we have no confidence that the public would adhere to any codes or keep dogs under “effective control”.**

**We believe that the only way in which a fair balance can be achieved is by excluding dogs from this section of coast.** We explain how this can be achieved, and how a fair balance for the public would be maintained, in the proposed modifications below.

Dairy bull

Our normal practice has been to run a dairy bull with our cows at certain times of year.

Where the proposed new path enters the fields, we will no longer be able to continue to run the bull with the cows, because of the introduction of new public access onto the land used by our cattle<sup>5</sup>. We operate a continuous rotational grazing system, and having considered many possible alternatives (including seeking directions to exclude access while the bull is with the cattle) have concluded that the only practical solution, which will ensure that we meet our health and safety obligations, is that we will have to cease this practice altogether. We find this decision very sad. In addition, this means changes and additional costs to our farming system; in particular, the additional time and cost requirement associated with artificial insemination or keeping the bull in a bull pen. Farming incomes are such that efficiency is needed throughout every area of the business. The inability to run a bull with the cows removes a low-cost, efficient option from the business.

We therefore conclude that we will need to make a fundamental change to our management system, which will give rise to additional costs, as a result of the new path being located through our land.

This must be taken into account when assessing the *overall fair balance* of the proposals.

Location of route and proposed new staircase

Section SDC-1-S015 to SDC-1-S020 of the proposed route heads inland towards the site of a proposed new staircase which will be constructed to enable access up and down the cliffs. The final details of this proposed staircase have yet to be discussed and agreed.

However, the proposed location of this part of the route is *within* our woodland.

This woodland area has been used exclusively by our campers for recreation and enjoyment since the 1970s. One camping area is situated within the woodland itself and the caravan field is sited alongside the eastern edge.

Four generations of children have played in those woods. They are deemed a safe place to play because there is no public access. Under this proposal for coastal access, there will be potentially *thousands* of people walking through these woods. It entirely undermines the tranquillity and security that people associate with this site, and their ability to allow children to play and explore unsupervised,

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<sup>5</sup> Cattle and Public Access Information Note, HSE, [www.hse.gov.uk/pubns/ais17ew.pdf](http://www.hse.gov.uk/pubns/ais17ew.pdf)

and is the reason they come here and return. It will particularly affect our bookings from groups, schools, colleges, Duke of Edinburgh scheme groups and other youth groups.

The loss of those bookings would have a **significant** effect on our business.

We note that the legislation prevents coastal access from being provided through land which is used as a school playing field. This was because government recognised the safeguarding issues and potential conflict that could arise from permitting access to areas used primarily by children.

Our land is used by schools for their children to play in precisely because it is safe and secure. Education and instruction are undertaken here by schools. We believe this land should be **excepted** from coastal access. This would mean there is no power to take the path inland through our woodland.

Were the land not excepted, and in order to try to maintain the current levels of security, we would need to create a secure internal boundary, both to prevent children getting onto the path and others from getting in. This is a significant additional cost and expense which will *only* be incurred because of the proposed location of this path. But even though a new boundary would help in restoring the existing safety of the woods, it would, nevertheless, change the character of our woodland and the specialness of the place, creating boundaries where none has existed previously. While it is impossible to estimate the effect at this stage with any reliability, we can foresee that it would have a detrimental impact on the attractiveness of this site and the number of guests we receive. Undertaking significant fencing works (which themselves would have a very significant cost and are only necessary because of these proposals), will result in the character of the site being significantly changed, and the feeling of openness, tranquillity and freedom to explore will be lost.

We are one of the most competitively priced campsites in the area, and this is the basis of our business model. We provide low cost camping to lots of families that cannot afford holiday park prices.

If this coastal path route is approved, then we will be forced to increase the levels of security we have on the site. CCTV, security guards, keypads on the toilet block will all have to be considered. This will result in higher costs and higher prices, and fundamentally change our business offering and our existing point of difference.

The impact of the path being *within* the woodland and then turning inland alongside it, causes a huge child safeguarding risk, as well as substantial additional costs and losses to our business.

This will have a significant detrimental effect on our business.

**These issues could be avoided if the staircase and path were located nearer the sea and did not divert inland.** We believe that NE has proposed this route because the cliffs are slightly lower than those nearer the sea. However, any construction will be significant and costly, and we do not believe that the current proposal provides a fair balance as the path location causes a significant effect on our business.

#### Roll-back

We completely **object to the inclusion of roll-back** (Maps SDC 1a and 1b, sections SDC-1-S006 to SDC-1-S021 and SDC-1-OA003).

The report acknowledges that this is a situation where any roll-back would be complex, thus recognising that there is no easy or obvious solution.

We are particularly concerned about sections SDC-1-S013 to SDC-1-S020 and SDC-1-OA003.

We are already concerned about the impact on our business from the path being sited in its current location, where it veers inland and up a staircase. Should roll-back measures be implemented, we cannot see how there would be any obvious roll-back alternative, other than one that goes adjacent to our caravan site. Roll-back would result in eight caravan pitches being unusable.

This would have a devastating effect on our business.

We believe that any roll-back in this area is likely to involve complex and detailed negotiation. **Roll-back offers no independent scrutiny of any proposals, and therefore places an entirely undue and unnecessary burden on us. We believe that roll-back is not appropriate in this complex location.**

#### Gates

The report proposes that where the path enters our fields, which are used by our livestock, there should be “pedestrian gates”. These could easily be left open, allowing our livestock to escape. The consequences of livestock escape include the time spent in recovering them, recompensing any damage caused, the cost of damage or injuries to the livestock themselves and any consequent loss (such as abortions), and the loss incurred by the death of the animal straying.

**Kissing gates should be used instead of pedestrian gates**, as this would significantly reduce this risk and provide a better balance.

#### Proposed Modifications

##### Directions to Exclude Dogs

We believe that in order to provide a fair balance, and to avoid significant harm to our business, **dogs should be excluded from the main route (Sections SDC-1-S0004 to SDC-1-S020) during the main cattle grazing and lambing season, i.e. from 1<sup>st</sup> February to 31<sup>st</sup> October.**

This restriction would not prevent people without dogs from walking the path at those times. We believe that there is much less of a risk (to the public and to our livestock) if dogs are not present.

In order to maintain a fair balance, we propose that people with dogs would be able to follow the alternative route (Sections SDC-1-OA001 to SDC-1-OA003).

We believe that this provides the necessary fair balance by reducing (although not completely eliminating) the impact on our business. It cannot, for example, address the issue of the dairy bull. It would, however, provide a very clear and easy to follow restriction for the public, and, further, would permit access with dogs over the winter months when there is less risk to our business.

##### Location of route and proposed staircase

**Sections SDC-1-S015 to SDC-1-S020 should be modified so that the path does not veer inland. A staircase could be constructed so that the path links directly from SDC-1-S015 to SDC-1-S021 without making the inland diversion. SDC-1-OA003 would need to be extended so that it linked directly with SDC-1-S021.**

This would ensure that the path did not adversely affect our existing campsite business and would fulfil the scheme objectives of providing the public with a path in close proximity to the sea.

##### Roll-back

The Coastal Access Scheme notes<sup>6</sup> that “*most parts of the English coast will experience change at some point*”. However, it notes that this is “*most likely to be an issue in terms of our route alignment where:*

*The coastline is subject to significant erosion or other geomorphological process;*

*The trail is subject to periodic flooding...or more regular tidal action, or*

*There is a strategy of “managed realignment” or non-intervention with coastal processes which will lead to change occurring”.*

The Scheme states<sup>7</sup> that:

<sup>6</sup> Section 4.10.1, Coastal Access Scheme, Natural England 2013

<sup>7</sup> Section 4.10.11, Coastal Access Scheme, Natural England 2013

*“Where we recommend roll back, our report to the Secretary of State includes:  
A map to show the starting position of the route at the time the report is prepared; and  
A written description of how the route will in future be determined, including:  
Provision for prior consultation with all owners and occupiers of affected land, and  
The usual requirement to aim to strike a fair balance, when deciding how the route is to be realigned,  
between their interests and those of the public.”*

The Overview notes that:

*“Ordinarily, where roll-back has been proposed and becomes necessary, we would expect the trail to be adjusted to follow the current feature (for example, the cliff edge or top of foreshore). Where we foresee that local circumstances will require more detailed consideration, we have provided further information within the tables in Part 3 of the relevant report.”*

So, all this would lead us to believe that, if roll-back is proposed, the report would provide an indication of how and where it might be implemented. Including a roll-back provision in the report means that we will have no future right to object to any roll-back, should we believe that a fair balance has not been reached. So this is of fundamental importance to us.

However, Part 3 of the report for SDC1, route sections SDC-1-S006 to SDC-1-S021 and SDC-1-OA003, merely states:

*“If it is no longer possible to find a viable route seaward of the designated site (e.g. SSSI, SAC, SPA, SAM), whose features are sensitive to public access, or where the existing route already passing through such a site must be altered, we will choose a new route after detailed discussions with the relevant experts and with any potentially affected owners or occupiers, which will either (a) [continue] to pass through the site, if appropriate or (b) if necessary, be routed landward of it. In reaching this judgement we will have full regard to the need to seek a fair balance between the interests of potentially affected owners and occupiers and those of the public.”*

This offers no detailed guidance as to where a new realigned route might go.

We have already explained that roll-back could have a devastating effect on our business. This is because, with the path in its current location, we cannot see how there would be any obvious roll-back alternative, other than one that goes adjacent to our campsite. Not only would this result in the loss of caravan pitches, but it would have a massive impact on the safety, security and safeguarding of the site.

We believe that would result in an entirely unfair burden on our business and could not be a fair balance.

However, without the ability to make a formal objection, there is no means by which Natural England can be held to account (except through legal process, which would be too expensive for us to contemplate).

The inclusion of roll-back means that any agreement which we reached at this stage – for example, as a result of this objection process, to have the stair case moved nearer the sea so that it has less impact on our business – could be *entirely undermined* by subsequent roll-back proposals.

The inclusion of roll-back on this section of coast results in a very unfair balance.

**We propose that the report be modified to exclude roll-back from this section.**

We note that removing roll-back does not prevent Natural England from making changes in the future. But, if Natural England wanted to make changes to what will be a very complex section of coast, it would have to do so in a way which is properly considered, by using a variation report. This would ensure that such significant changes are duly considered by all parties, and that we would have the ability to have our concerns heard by an independent party, if necessary. We believe that this is a

small, but important change which is essential on a section of coast where straightforward roll-back is not possible.

#### Gates

The report notes the “pedestrian gates” will be used on the parts of the path that come into our fields. We are concerned that these could be left open, enabling livestock to escape. As well as the potential for injury to the livestock, there are also consequent costs that arise from every escape.

**We propose that the report be modified so that kissing gates are used instead of pedestrian gates.**

#### Natural England’s comments

This representation is identical to an objection also submitted by [redacted] (MCA/SDC1/O/1/0334). Natural England’s comments in response to this representation are therefore as for his objection.

We do not consider that the suggested modification is necessary; our proposals include the creation of a fenced corridor for those limited sections that sit within current grazing enclosures (SDC-1-S009 & SDC-1-S011).

This fence will be constructed to a suitable specification to ensure that walkers and their dogs are completely segregated from the adjacent grazed areas at all times. We would expect to hold further discussions with the [redacted] over the detailed design, prior to establishment works being undertaken.

Furthermore, as Natural England regards this as an essential item of infrastructure, required to ensure that the coastal access arrangements do not have an undue impact on [redacted]’s land management practices, the specified fences (and any gates) would be maintained by Lancashire County Council, under an ongoing grant from Natural England.

All other sections in the same vicinity are aligned on the seaward side of the existing limestone wall, over land which is not grazed. In relation to SDC-1-S013, the proposed path is seawards of the grazed enclosure, despite some map data suggesting otherwise (we presume that the fence was either mapped incorrectly or has been subsequently moved inland slightly).

Given that there will be complete segregation of livestock and walkers throughout, there is no requirement for a restriction on dogs.

Natural England’s response to the concern about dogs is also relevant here; the proposals allow for complete segregation of stock and walkers/dogs throughout [redacted]’s holding. For this reason, we do not believe that any change in farm management is necessary (and our proposals have been specifically designed to ensure that this is the case).

We should also clarify that we believe that the proposals for the main route are the only viable option in this area, taking into account the relationship between the coastal margin and the main route, and also taking into account the need to minimise any impact on the Burrow’s farming business. Any main route alignment further inland would almost certainly have considerably greater consequences for the business, whilst also being less favourable for walkers. There is no viable route seawards of the alignment that we have proposed.

Natural England does not agree that the path poses a significant risk; there is a current well-used path clearly visible on the ground, leading from the campsite to the small beach, via a stile in a stone wall. Much of the route proposed as the England Coast Path is clearly already being used by some walkers, along the top of the low limestone cliffs seaward of Gibraltar Farm – and there is further evidence that people walk along the foreshore either side of the small beach, when the tide is not high. There are no indications that a fence is currently deemed necessary, other than between the landward edge of Cow Close Wood and the camping area. In a great many areas around the coast, existing public footpaths and other routes pass through or very close to areas used by campers and children alike. We are not aware of any evidence to suggest that the proximity of public access to such areas increases the risk. We had originally identified the most favourable location for a new path between Cow Close Wood and Jack Scout as being considerably further towards the north of the proposed location. However, on discussion with [redacted], we agreed that it would be possible to site the proposed staircase further south, so as to maintain a greater separation between the trail and the camping area. Further south of



this location, the cliffs quickly become significantly taller, increasing the difficulty in establishing a secure route at a reasonable cost.

We would be pleased to hold further discussions with the [redacted], in terms of what other measures might help to alleviate their concerns; one example might be that we install polite and helpful signs guiding walkers to follow the waymarked route and making it clear that there would be no public access landward of this route.

The proposals for the path include roll-back in this area as parts of the path sit close to the edge of low limestone cliffs. It is hard to predict, with any certainty, how the coastline might change in this area over time. However, it seems likely that any requirements for roll-back would be for small changes (perhaps a matter of a metre or less) in response to limited and localised cliff-fall. Given the difficulty in predicting change in such areas, we have taken the precaution of proposing roll-back for the entirety of this section, although it seems unlikely that there would be any significant change in relation to [redacted]'s grazed land or campsite operations.

In this area, the suggested complexity of roll-back is on the basis of potential interaction with various protected sites, which would require us to further consider any impact on those sites and features prior to implementing any roll-back. Further discussions with landowners and occupiers would also be a key part of the process, to ensure a fair balance was being maintained.

Pedestrian gates have been specified as part of the proposals on the basis that they connect between the proposed fenced corridors within the fields and the ungrazed area seawards of the limestone wall. They are intended as a fail-safe, in case any stock might accidentally get through the fence within the grazed enclosures, and would prevent such stock exiting to the cliff-top area. Given that there is very little likelihood of this occurring, self-closing pedestrian gates are considered the most appropriate solution, not least as they will take up considerably less space than a kissing gate.

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

CONFIDENTIAL - Additional costs incurred as result of current coastal access proposals

<b>Representation number:</b>	<b>MCA/SDC1/R/10/1395</b>
<b>Organisation/ person making representation:</b>	[redacted] (Lancashire County Council)
<b>Route section(s) specific to this representation:</b>	SDC-1-S023 to S028
<b>Other reports within stretch to which this representation also relates:</b>	N/A

**Representation in full**

Section SDC-1-S023 to S028 has been proposed despite the existence of PROW 1-30-FP14, a very well used path along the foreshore.

The area concerned is not inundated at every tide, only Spring tides and then only for a short time. As sections of the ECP in Cumbria and Lancashire include a seasonal ferry or waiting times of up to an hour for a train it is inconsistent to regard it as unreasonable to wait a short period of time on relatively infrequent occasions when this foreshore is completely inundated. Tidal areas elsewhere are included, e.g. Carnforth, Coast Road

The use of the foreshore when it is about to be inundated is low risk because there are no cliffs and the distance is relatively short but in the worst case scenario theoretically stranded walkers could retreat onto the sloping limestone and wait for half an hour until the tide falls. For comparison, the proposal at Bazil Point runs on an inundated foreshore with an insurmountable wall and boggy surface yet is deemed acceptable. Parts of SDC-1-S006 – S012 is on limestone cliffs.

The round-the-houses option involves a fairly steep climb at either end of the section and is further away from the coast (in places not in sight of it)

The proposed route involves fields potentially grazed, which is often an area of conflict especially with dogs and in the case of cattle, risk to the public

It is the view of LCC that the proposed route would get little use as both the full foreshore route and the Browns Houses track then foreshore route are easier, more obvious, keep walkers close to the coast and already have public access.

The proposed route will incur higher infrastructure costs to implement and maintain.

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

Natural England notes the advice put forward in the representation, which mirrors discussions with Lancashire County Council in relation to this area, over the ECP planning stages.

We agree that it is likely that many walkers will continue to use the existing route on the top of the marsh, tides permitting.

Had there been a convenient nearby route suitable as an Optional Alternative Route, we would have probably proposed the existing public footpath as the main ECP route. However, this is not the case. We think any inundation by the tide in this area is likely to inconvenience a significant number of walkers for a significant period of time, given the popularity of the area and the length of the potentially affected path. We therefore decided that it was more appropriate to propose a route that will be available at all states of the tide, not precluding the option of the existing public footpath on the marsh, when this is available.

Whilst the cost of maintenance is a valid consideration, we do not believe that this should take precedence over other key considerations.

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

None

<b>Representation number:</b>	<b>MCA/SDC1/R/13/0019</b>
<b>Organisation/ person making representation:</b>	[redacted] (The Ramblers)
<b>Route section(s) specific to this representation:</b>	All at a general level but with specific comments relating to SDC-1-S023 to S029, SDC-1-S032 to S054, SDC-1-S072 to S082 and SDC-1-S082 to SDC-OA029.
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
<p>In general we welcome the proposal by NE for a continuous route for the ECP from Silverdale to Cleveleys. Some of this stretch of coast has been historically difficult for walkers and others to access and a number of the proposals for the route go some way to meeting the needs of the range of users for an ECP. However, there are a number of proposals we find unsatisfactory and we remain unconvinced that they provide an appropriate balance between the requirements of users and other interests. We highlight those matters below.</p> <p>We support NE's proposed route from SDC-1-S001 to SDC-1-S022.</p> <p>SDC-1-S023 to SDC-1-S029: We find sections of this route unsatisfactory and would ask that NE revisit this length of the proposed ECP. Whilst a route nearer the shore can be achieved through</p>	

Brown's Houses on an existing PROW the section of greater concern is part of S028 and S029. This path climbs too high and therefore needs engineering on the steep slope (steps are proposed) which will significantly detract from the character of the landscape. We recommend that a lower route, keeping along the lower section of the open field and then through the wood to meet the junction of the proposed S029 & S030.

We support NE's proposed route from SDC-1-S030 to SDC-1-S031.

SDC-1-S032 to SDC-1-S054: We are strongly against this proposal and request that a previously investigated route, called Quaker's Stang to Ings point (seaward) on the Other Options considered map SDC1, is reconsidered. Failing this, the route along New Road provided it is fully off road might be considered (Quaker's Stangs to Cotestones (via New Road) on SDC 1).

The proposed route has an inadequate pavement along a busy road (S035) and an awkward road crossing with difficult sight-lines (S0360 and then continues to include walking along relatively narrow stretches of road (with hidden dips) where conflict between cars and other vehicles, cyclists and pedestrians will be a serious issue (S039 & S042). The route has some sections where the steepness of the terrain and the nature of the ground may detract from the ability of less mobile users to use the route. It is our view that the current proposed route fails the requirements as the route does not adhere to 'the periphery of the coast' and consequently to the principle of s297 (2) of the 2009 Act.

We support NE's proposed route from SDC-1-S055 to SDC-1-S071.

SDC-1-S072 to SDC-1-S082: We are strongly against the route along this section of saltmarsh. For most of this length there are suitable alternatives to be found along the seaward edge of fields adjacent to the shore. These accord more appropriately with the Approved Scheme para 7.15.2 and 7.15.3. Given the current proposal for a significant length of the ECP being subject to tidal inundation between SDC 1-S055 and SDC-2-S009 we strongly advise that it will be simpler and safer for walkers planning their use of this route if some of the stretch from S083 to S088 be realigned on a non-tidal alignment. Our suggestions include some existing PRoW and walked routes. Two cafes are, with our suggestion, adjacent to the route and will be available to walkers, which is an important consideration when making these areas of coast accessible to all.

We support NE's proposed route from SDC-1-S083 to SDC-1-S088. Recent public right of way changes around Detern Lane, through the holiday park (a bridleway has been created from a UCR) may be of interest in looking at the alternative route (SDC-1-S082 to SDC-OA029).

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

Natural England is grateful for the messages of support for many of the proposals covered by this report.

We note the desire that the path should remain closer to the foreshore, northeast of Brown's Houses; however, our assessment was that the ground in the woodland is too steep and unstable to support a new path. We also note the suggestion that the proposed route should remain on the seaward side of the railway, between Quaker Stang and Ings Point, if possible - or for a new route alongside New Road.

We considered all such options in detail and concluded that there were not viable for various reasons explained in the proposals.

We further note the concerns about the proposed route where it is aligned largely on saltmarsh, south of Carnforth. We consider that the existing walked route on the marsh is mostly adequate and, in places, it will be improved during the establishment phase. It will also follow a new route just above the saltmarsh, where necessary. We believe that this pragmatic solution is the only one which strikes a fair balance in the area.

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

None

<b>Representation number:</b>	<b>MCA/SDC1/R/14/0016</b>
<b>Organisation/ person making representation:</b>	[redacted] (Open Spaces Society)
<b>Route section(s) specific to this representation:</b>	All at a general level but with specific comments relating to SDC-1-S023 to S029, SDC-1-S032 to S054, SDC-1-S072 to S082 and SDC-1-S082 to SDC-OA029.
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
<p>In general we welcome the proposal by NE for a continuous route for the ECP from Silverdale to Cleveleys. Some of this stretch of coast has been historically difficult for walkers and others to access and a number of the proposals for the route go some way to meeting the needs of the range of users for an ECP. However, there are a number of proposals we find unsatisfactory and we remain unconvinced that they provide an appropriate balance between the requirements of users and other interests. We highlight those matters below.</p> <p>We support NE's proposed route from SDC-1-S001 to SDC-1-S022.</p> <p>SDC-1-S023 to SDC-1-S029: We find sections of this route unsatisfactory and would ask that NE revisit this length of the proposed ECP. Whilst a route nearer the shore can be achieved through Brown's Houses on an existing PROW the section of greater concern is part of S028 and S029. This path climbs too high and therefore needs engineering on the steep slope (steps are proposed) which will significantly detract from the character of the landscape. We recommend that a lower route, keeping along the lower section of the open field and then through the wood to meet the junction of the proposed S029 &amp; S030.</p> <p>We support NE's proposed route from SDC-1-S030 to SDC-1-S031.</p> <p>SDC-1-S032 to SDC-1-S054: We are strongly against this proposal and request that a previously investigated route, called Quaker's Stang to Ings point (seaward) on the Other Options considered map SDC1, is reconsidered. Failing this, the route along New Road provided it is <u>fully off road</u> might be considered (Quaker's Stangs to Cotestones (via New Road) on SDC 1).</p> <p>The proposed route has an inadequate pavement along a busy road (S035) and an awkward road crossing with difficult sight-lines (S0360 and then continues to include walking along relatively narrow stretches of road (with hidden dips) where conflict between cars and other vehicles, cyclists and pedestrians will be a serious issue (S039 &amp; S042). The route has some sections where the steepness of the terrain and the nature of the ground may detract from the ability of less mobile users to use the route. It is our view that the current proposed route fails the requirements as the route does not adhere to 'the periphery of the coast' and consequently to the principle of s297 (2) of the 2009 Act.</p> <p>We support NE's proposed route from SDC-1-S055 to SDC-1-S071.</p> <p>SDC-1-S072 to SDC-1-S082: We are strongly against the route along this section of saltmarsh. For most of this length there are suitable alternatives to be found along the seaward edge of fields adjacent to the shore. These accord more appropriately with the Approved Scheme para 7.15.2 and 7.15.3. Given the current proposal for a significant length of the ECP being subject to tidal inundation between SDC 1-S055 and SDC-2-S009 we strongly advise that it will be simpler and safer for walkers planning their use of this route if some of the stretch from S083 to S088 be realigned on a non-tidal alignment. Our suggestions include some existing PROW and walked routes. Two cafes are, with our suggestion, adjacent to the route and will be available to walkers, which is an important consideration when making these areas of coast accessible to all.</p>	

We support NE's proposed route from SDC-1-S083 to SDC-1-S088. Recent public right of way changes around Detern Lane, through the holiday park (a bridleway has been created from a UCR) may be of interest in looking at the alternative route (SDC-1-S082 to SDC-OA029).

**Natural England's comments**

Natural England is grateful for the messages of support for many of the proposals covered by this report.

We note the desire that the path should remain closer to the foreshore, northeast of Brown's Houses; however, our assessment was that the ground in the woodland is too steep and unstable to support a new path. We also note the suggestion that the proposed route should remain on the seaward side of the railway, between Quaker Stang and Ings Point, if possible - or for a new route alongside New Road.

We considered all such options in detail and concluded that there were not viable for various reasons explained in the proposals.

We further note the concerns about the proposed route where it is aligned largely on saltmarsh, south of Carnforth. We consider that the existing walked route on the marsh is mostly adequate and, in places, it will be improved during the establishment phase. It will also follow a new route just above the saltmarsh, where necessary. We believe that this pragmatic solution is the only one which strikes a fair balance in the area.

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

None

<b>Representation number:</b>	<b>MCA/SDC1/R/15/1503</b>
<b>Organisation/ person making representation:</b>	[redacted] (Historic England)
<b>Route section(s) specific to this representation:</b>	SDC-1-OA005
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
Historic England has no objection to, or issues with, the Coast Path proposals as they affect the Badger Hole, Warton Crag, scheduled monument.	
<b>Natural England's comments</b>	
Natural England is grateful to Historic England for this confirmation.	
<b>Relevant appended documents (see section 5):</b>	
None	

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

<b>Representation ID:</b>	<b>MCA/SDC1/R/1/1601</b>
<b>Organisation/ person making representation:</b>	[redacted] (Peak and Northern Footpath Society)

<b>Name of site:</b>	Access Road in front of cottages at Brown's Houses
<b>Report map reference:</b>	SDC 1b
<b>Route sections on or adjacent to the land:</b>	SDC-1-SO23 to SDC-1-S027
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b>	
<p>The representation suggests that the main ECP route should have followed the recently confirmed access road in front of Brown's Houses, then across the foreshore. It recognises that the short foreshore section may sometimes be inundated, but concludes that the risk is low. It then also suggests that the proposed route around the landward side of Brown's Houses would have been preferred as an alternative route. Finally, it requests that the newly confirmed public footpath should be identified as an alternative to the main route.</p>	
<b>Natural England's comment:</b>	
<p>We acknowledge that inundation by the tide of the small area of foreshore adjacent to Brown's Houses may not be a regular occurrence, and that the risk/inconvenience to walkers is not high. However, given that we believe this will continue to be a very popular area of coast for walkers, and given that the only viable optional alternative route would involve a very significant inland detour (and we have limited ability to create OARs other than where public access already exists), we concluded that we should ensure that the main route is always available to walkers. We are not able to formally promote the newly confirmed public footpath as an alternative route, but it would be shown on any relevant ECP information panels containing maps. Furthermore, we recognise that the majority of walkers will probably continue to use the paths closer to the foreshore, unless inundated.</p>	
<b>Relevant appended documents (see Section 5):</b>	
None	

<b>Representation ID:</b>	<b>MCA/SDC1/R/2/1602</b>
<b>Organisation/ person making representation:</b>	[redacted] (Mourholme Local History Society)
<b>Name of site:</b>	Jenny Brown's Point
<b>Report map reference:</b>	SDC 1b
<b>Route sections on or adjacent to the land:</b>	SDC-1-S023 to S027
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b>	
<p>The representation focuses on the area around the chimney at Jenny Brown's Point and refers to leaflets and an information panel which will be designed and installed/distributed shortly. The Society is instrumental in organising the installation with the Arnside &amp; Silverdale AONB team. It goes on to note that the proposed route of the ECP is slightly separated from the chimney and points to an opportunity to create a linking route between the two (and possibly some additional signage in this area, on the line of the ECP).</p>	
<b>Natural England's comment:</b>	
<p>We are grateful for the advice from the Society; we have been previously made aware of plans in relation to the chimney and agree that it's likely to be a feature of interest to walkers. We have no powers as such to create linking routes between the ECP and the foreshore; however, we can see the benefits of this and will be pleased to work with other parties, including the landowners, with a view to facilitating the creation of such a route. We will also consider the possibilities for referencing the</p>	

chimney when we undertake the detailed design of ECP related signage. We will also consider any opportunities to link to information about the chimney and other such sites via National Trails and England Coast Path related web pages.

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

Leaflet about Jenny Brown's Point:

<https://www.recordingmorecambebay.org.uk/wp-content/uploads/2019/04/1274-MBP-Jenny-Browns-Point-booklet-WEB.pdf>

Interpretation Panel produced and stored ready for installation at the Arnside and Silverdale AONB's offices at The Old Station Building, Arnside, LA5 0HG

<b>Representation ID:</b>	<b>MCA/SDC1/R/3/1604</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	Warton Sands
<b>Report map reference:</b>	Maps SDC 1C, SDC 1D and SDC 1E
<b>Route sections on or adjacent to the land:</b>	Not specified, but taken to be SDC-1-S030 to SDC-1-S067 inclusive
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b>	
The representation offers support for both the proposed trail alignment and the proposed exclusions/restrictions (on the basis that they are needed to protect sensitive wildlife sites/species). In particular, there is reference to the proposed direction to exclude access from the area 'north of the River Keer' and an expression of support for this. It's slightly unclear whether the representation questions the specific powers behind the direction, but there is no suggestion that the end result is incorrect.	
<b>Natural England's comment:</b>	
Natural England welcomes the support expressed for its proposals, both in terms of the trail and the proposed directions. It is good to know that the complexity of improving public access in an area with significant nature conservation sensitivities is recognised.	
<b>Relevant appended documents (see Section 5):</b>	
None	

<b>Representation ID:</b>	<b>MCA/SDC1/R/5/1607</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	'Between Silverdale level crossing and Sand Lane, Carnforth'
<b>Report map reference:</b>	SDC 1c, SDC 1d
<b>Route sections on or adjacent to the land:</b>	Not specified, but taken to be SDC-1-S033 to SDC-1-S065 inclusive
<b>Other reports within stretch to which this representation also relates</b>	N/A

**Summary of representation:**

The representation provides a substantial amount of information about the aspirations for a new cycle route between Silverdale station and Carnforth, which may then also provide a preferable route for the ECP.

**Natural England's comment:**

Natural England is grateful for the information provided and we acknowledge the time and effort that has been taken in developing this idea. However, the England Coast Path programme exists specifically to create a new National Trail for walkers (and associated coastal margin). Whilst we agree that a new off-road cycleway (presumably also available to walkers) would be a very worthwhile future development, it falls well outside the remit of the ECP programme. An initial brief review of the suggested cycleway routes indicates that there would be significant challenges involved in creating any of these - most notably in relation to protected sites.

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

'Proposals – Coastal Path, Silverdale to Carnforth station' – detailed suggestions as to other route options for cyclists and walkers, including sketch map.

<b>Representation ID:</b>	<b>MCA/SDC1/R/6/1608</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	Not specified
<b>Report map reference:</b>	SDC 1a
<b>Route sections on or adjacent to the land:</b>	Not specified on form, but various sections are cited in appended notes.
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b>	
<p>The representation was submitted on a form specifically intended for the Silecroft to Silverdale stretch (it related to both that stretch and the Silverdale to Cleveleys stretch). However, Natural England omitted to require [redacted] to separate out and resubmit their thoughts for SDC on the appropriate form - so the single form has been recorded as a representation for this stretch as well as for SCS.</p> <p>The SDC part of the representation makes the point that the coast is continually changing and, in some places locally, starting to accrete. This may provide opportunities for the path to follow the coast much more closely in the future. It goes on to suggest that other areas should additionally be restricted on nature conservation grounds, including 'The Lots', Jack Scout and land at Leighton Moss.</p> <p>Finally, it calls into question the use of and consistency of proposed directions under s25A of CROW (and states that it might be more appropriate to rely on signs).</p>	
<b>Natural England's comment:</b>	
<p>Natural England is grateful for the considered comments and suggestions. We acknowledge that the coast is changing and almost certainly accreting in some areas. However, we are obliged to make our proposals on the basis of the current situation - and have the ability to propose variations in the future, where this is necessary or makes good sense. Any accreting areas would generally be within the coastal margin anyway, so coastal access rights would apply, as and when they are available and suitable. We must continually review our directions to exclude or restrict access, and would expect to base any decisions on best new evidence available at the time (whether in relation to nature conservation or suitability for access).</p> <p>Our published Nature Conservation Assessment considers impacts on designated sites and species, such as those mentioned in the representation and explains why we do not believe it is necessary to restrict access further than the measures detailed in our report.</p>	



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

Untitled but detailed notes, including digital photographs, about existing access over parts of the proposed coastal margin and suitable management measures.

<b>Representation ID:</b>	<b>MCA/SDC1/R/7/1598</b>
<b>Organisation/ person making representation:</b>	[redacted] (Silverdale Parish Council)
<b>Name of site:</b>	Not specified
<b>Report map reference:</b>	Not specified
<b>Route sections on or adjacent to the land:</b>	Not specified on form, but SDC-1-S001 to SDC-1-S034 inclusive are referenced in supporting document.
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b>	
<p>This representation was submitted on a form specifically for the Silecroft to Silverdale stretch - and does relate in part to that stretch. However, many of the points raised relate specifically to the SDC stretch. Natural England omitted to request this be rectified by the re-submission of two separate forms, within the required period, so the form has been saved as two separate representations, one for each stretch.</p> <p>The representation makes various generic points about insufficient local consultation and then a number of points specific to the SDC stretch: general support for initial parts of the route, but disagreement with the proposed solution for the cliff-top path in the vicinity of Gibraltar Farm (reasons of safety and convenience). There is a request as to whether a full risk analysis has been completed. The representation also disagrees with the alternative route along Lindeth Road and calls for a better single solution to these two proposed routes. There is support for the route past this area and a request for more steps on steeper ground. There is some concern about the availability of the route in all conditions, under the railway bridge at Quaker Stang. Finally, there is disagreement with the proposed S25a exclusion over parts of the foreshore in this area, on a number of grounds.</p>	
<b>Natural England's comment:</b>	
<p>Natural England has involved Silverdale Parish Council in discussions on a number of occasions. However, the main requirement is for owners and occupiers to be fully involved in relation to their land. There is, unfortunately, a limit to the additional consultation that we can undertake, prior to the point at which our proposals are published.</p> <p>The issues raised in relation to the proposals near Gibraltar Farm are extremely complex; our proposal is, we believe, the best possible available that provides a fair balance for walkers and landowners. We acknowledge that some walkers may not feel entirely comfortable with the proposed main route (which will be similar in many ways to significant parts of the existing South West Coast Path in Cornwall, from the perspective of path width, elevation and exposure etc). However, an inland route (which we have proposed as an Optional Alternative Route), via Lindeth Road, would always be available for walkers.</p> <p>We do not complete separate risk assessments around our developing proposals; rather, risk assessment is a necessary part of the decision-making process around each part of the intended route, taking into account measures in the legislation to reduction in occupier's liability and the principle that responsibility for safety rests primarily with walkers themselves.</p>	

**Relevant appended documents (see Section 5):**  
 'Silverdale Parish Council – Coastal Footpath Representations'

<b>Representation ID:</b>	<b>MCA/SDC1/R/8/1609</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	Cow's Mouth and Jack Scout
<b>Report map reference:</b>	SDC 1a, SDC 1b
<b>Route sections on or adjacent to the land:</b>	SDC-1-S020 and SDC-1-S021
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b>	
The representation expresses concerns about new access being created through Jack Scout, on account of the sensitivity of the site to increased access. Various species are listed. A modification is then proposed, avoiding the need for the 'staircase' up the cliffs to Jack Scout and instead taking walkers through the Gibraltar Farm caravan/camping site to the road.	
<b>Natural England's comment:</b>	
Natural England has taken advice and considered the possible impacts on features of nature conservation at Jack Scout, as detailed in our published Habitats Regulations Assessment and Nature Conservation Assessment, and we have come to the conclusion that there will be no significant impact on the site and its features (taking into account the existing levels of use of the site). This is based in part on the levels and patterns of existing access, which we do not believe will change significantly. The proposed route involving the new 'staircase' is designed to ensure that there is no unfair impact on the Gibraltar Farm campsite.	
<b>Relevant appended documents (see Section 5):</b>	
Two digital photographs and an annotated map are embedded within the representation form.	

<b>Representation ID:</b>	<b>MCA/SDC1/R/9/1609</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	Warton Sands the outer seaward section of salt marsh
<b>Report map reference:</b>	SDC 1C
<b>Route sections on or adjacent to the land:</b>	Not specified, but taken to be SDC-1-S033 to SDC-1-S067 inclusive
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b>	
The representation concurs with NE's proposed directions to exclude access over inner parts of Warton Marsh - but suggests that similar restrictions on the outer marsh should be on nature conservation grounds, rather than due to unsuitability for access.	
<b>Natural England's comment:</b>	
Natural England is grateful for the support within this representation. In relation to the proposed direction on the outer marsh, the result is the same, irrespective of the mechanism. We typically consider the need for an exclusion under s25A first, before investigating whether there are any other reasons why coastal access rights might need to be restricted or excluded. In this location, because we	

propose to use our powers under s25A to exclude access rights all year round, it is not possible to propose another direction to exclude access on the same area for the same period of time. If we were to subsequently conclude that the s25A direction was no longer required, we would then be obliged to consider whether any other directions (land management, nature conservation etc) were necessary.

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

None

<b>Representation ID:</b>	<b>MCA/SDC1/R/11/1610</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	Not specified, but various locations mentioned in text
<b>Report map reference:</b>	SDC 1a
<b>Route sections on or adjacent to the land:</b>	SDC-1-OA001, SDC-1-OA002, SDC-1-S004 to SDC-1-SO11
<b>Other reports within stretch to which this representation also relates</b>	N/A

**Summary of representation:**

The representation expresses concerns over the proposals for the Optional Alternative Route on Lindeth Road and on to the entrance to Jack Scout. Concerns are on a number of grounds, including safety, lack of walkway, lack of sea views etc. A number of modifications have been suggested, including the existing public footpath to Know Hill. There is also a concern about the extent of suggested works on the cliffs adjacent to Gibraltar Farm and comparisons with the proposals leading to 'The Lots' from Cove Well.

**Natural England's comment:**

Natural England accepts that the proposed Optional Alternative Route along Lindeth Road is not necessarily ideal, but we believe that it is entirely acceptable and the best option available. There may be opportunities to improve road markings and signage, as part of the ECP establishment phase.

The intention is to undertake appropriate but minimal works, to create a route that will be acceptable to all reasonably able walkers, but not to the extent that it would have any significant impact on landscape character.

The additional works suggested on the footpath leading to The Lots are specifically in response to requests locally, based on the popularity of this particular path with elderly and less agile walkers.

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

None

<b>Representation ID:</b>	<b>MCA/SDC1/R/12/1611</b>
<b>Organisation/ person making representation:</b>	[redacted] (The Woodland Trust)
<b>Name of site:</b>	'Ancient Semi-Natural Woodland (ASNW)'
<b>Report map reference:</b>	Not specified
<b>Route sections on or adjacent to the land:</b>	SDC-1-S015 to S019, S028, SDC-1-S040 to S047

<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b> 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.	
<b>Natural England's comment:</b> 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. The proposed routes and infrastructure through ancient woodland at Arnside Park, Cow Close Wood and Warton Crag have been assessed by the Forestry Commission, which has determined that the proposals will not require any particular permit or licence due to the scale of works proposed.	
<b>Relevant appended documents (see Section 5):</b> None	

<b>Representation ID:</b>	<b>MCA/SDC1/R/16/1613</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	Quaker Stang to Cotestones Farm
<b>Report map reference:</b>	SDC 1c, SDC 1d
<b>Route sections on or adjacent to the land:</b>	Not specified, but taken to be SDC-1-S033 to SDC-1-S067 inclusive
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b> The representation is generally entirely supportive of NE's proposals. There are concerns about access over Warton Marsh in general, given the sensitivities of the bird populations there, but agreement that NE's proposals seem designed to manage this effectively.	
<b>Natural England's comment:</b> Natural England is grateful for the message of support in this representation.	
<b>Relevant appended documents (see Section 5):</b> None	

<b>Representation ID:</b>	<b>MCA/SDC1/R/17/1400</b>
<b>Organisation/ person making representation:</b>	[redacted] (Arnside and Silverdale Area of Outstanding Natural Beauty partnership)
<b>Name of site:</b>	Land within Arnside & Silverdale Area of Outstanding Natural Beauty
<b>Report map reference:</b>	SDC 1a to 1d
<b>Route sections on or adjacent to the land:</b>	Not specified

<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b> The representation expresses general support for proposals, including the fenced route at the back of the marsh at Warton. It goes on to request that new signage should be minimised within the AONB. Other requests include ensuring that gates are fully accessible and that path construction is undertaken with care. Finally, the assistance of AONB staff is offered during the establishment phase.	
<b>Natural England's comment:</b> Natural England is grateful for the message of support from the AONB - and particularly for the offer of assistance during the establishment phase. We shall be keen to take up this offer and will share the offer with the access authority.	
<b>Relevant appended documents (see Section 5):</b> None	

<b>Representation ID:</b>	<b>MCA/SDC1/R/18/1615</b>
<b>Organisation/ person making representation:</b>	[redacted] (Lancaster and District Birdwatching Society)
<b>Name of site:</b>	Quaker Stang to Cotestones Farm
<b>Report map reference:</b>	SDC 1c, SDC 1d
<b>Route sections on or adjacent to the land:</b>	Not specified, but taken to be SDC-1-S033 to SDC-1-S067 inclusive
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b> The representation is generally supportive of NE's proposals, including the fenced route at the back of the marsh at Warton. Some concerns are expressed about access in general and this new route in particular, but there is acknowledgement that the fenced route proposal should minimise this risk. The proposals for access restrictions are also supported.	
<b>Natural England's comment:</b> Natural England is grateful for these messages of support.	
<b>Relevant appended documents (see Section 5):</b> None	

## 5. Supporting documents

**MCA/SDC1/R/4/0334 - Additional costs incurred as result of current coastal access proposals: [redacted]**

[Redacted]

Report SDC1, Maps SDC 1a and 1b

**CONFIDENTIAL**

[Redacted]

## **MCA/SDC1/R/2/1602 – [redacted] (Mourholme Local History Society)**

Leaflet about Jenny Brown's Point:

<https://www.recordingmorecambebay.org.uk/wp-content/uploads/2019/04/1274-MBP-Jenny-Browns-Point-booklet-WEB.pdf>

Interpretation Panel produced and stored ready for installation at the Arnside and Silverdale AONB's offices at The Old Station Building, Arnside, LA5 0HG

## **MCA/SDC1/R/5/1607 - [redacted]**

### **PROPOSALS**

Coastal Path, Silverdale to Carnforth section.

I submit these proposals and suggestions in my capacity as a Silverdale resident, walker and cyclist. Having spoken, informally, to many potential users there is unanimous agreement that a multi-user trail would meet with local approval for this unique and special section of the proposed coastal path.

Indeed, it is difficult to see any disadvantage. It would be a great pity if this opportunity is not taken, given the far-reaching and long term benefits which would follow.

[redacted] Feb 2020

### **Coastal Path: Silverdale to Carnforth section**

**Overview:** There is an opportunity, within this whole project, to construct a multi-user facility in this section of the coastal path. This would meet various Government statements of intent dealing with improved health, alternative transport links and improved coastal access.

To make this a reality needs the co-operation of the various agencies already mentioned in documentation (although Sustrans does not seem to be represented)

Advantages to various user groups may be listed as follows -

**Walkers.** A traffic free route which allows enjoyment of wide ranging views across Morecambe Bay with its associated birdlife.

**Cyclists.** A safer route between Silverdale and Carnforth, linking existing, signed, cycle routes while offering an alternative to the increasingly hazardous New Rd. At present there are almost no children who cycle to school from Silverdale to Carnforth - increased safety may well encourage more to do so. As well, only a few adults cycle to do their shopping - again, more would be encouraged.

**Disabled access.** At present safe access is virtually non-existent. This could change dramatically, allowing wheelchair users access to a long stretch of coastline amenity currently unavailable to them.

Local business. There can be no doubt that the opening of a multi user trail would bring in many more users, to the advantage of businesses in both Silverdale and Carnforth. Indeed, some thought may also have to given to additional signage and car parking to accommodate increased visitor numbers.

Note. There is nothing new in these suggestions. Precedents have already been set - perhaps most notably the Exe trail, a multi user route linking Exmouth and Exeter. This is very popular, to the benefit of many businesses along the way.

FRY BROWN'S

SEA - MARSH

SILVERDALE STATION

RSPB

ROUTE EXTENSION

LEVEL CROSSING

STEEL BRIDGE

SCOTT CREEK CARAVAN PARK

Rd

ROUTE 'C'

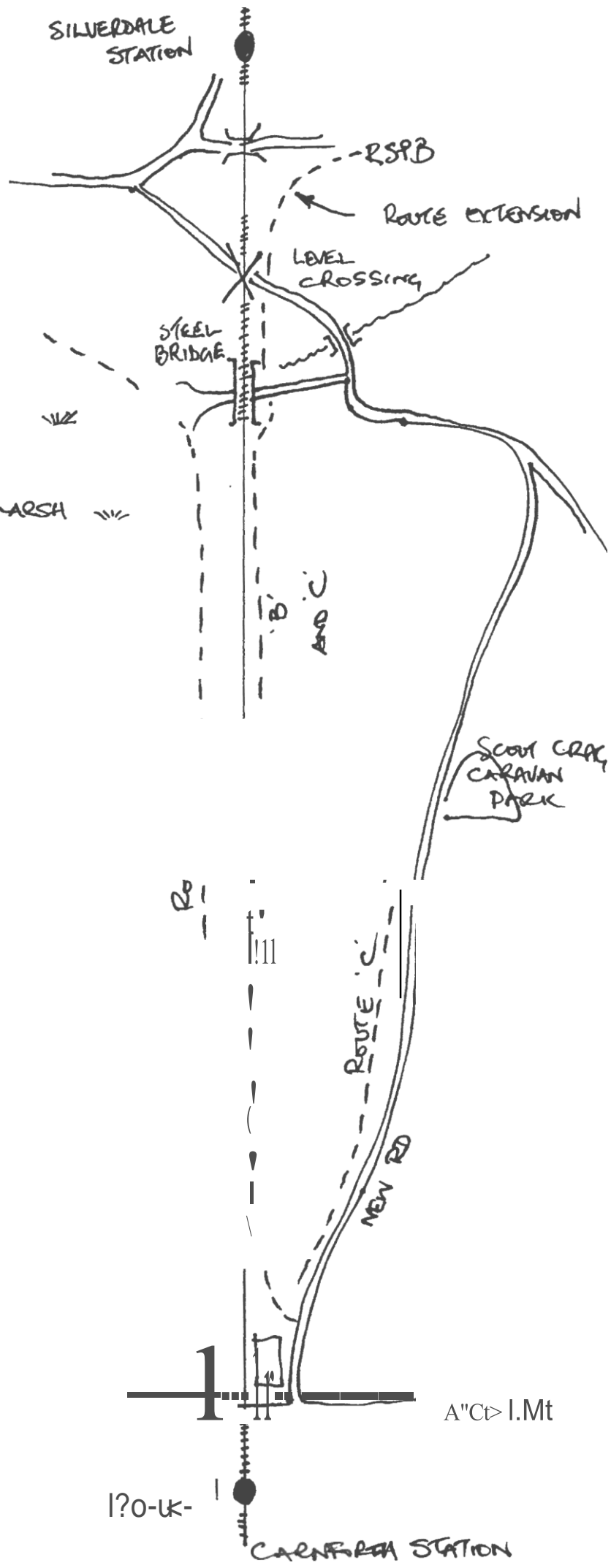
NEW RD

A" C > I. Mt

WARRON

1?0-k-

CARNARVA STATION





## **Route options**

Note: - All route options terminate at the steel/iron access bridge where the unmade track passes under the rail line on to the marsh. See attached sketch map.

From that point a number of choices are available, these are dealt with under 'Extensions'

### **Route A.**

The most direct, affording clear views and open access to marshland. This route runs on the seaward side of the rail line, parallel to the embankment, between Sand Lane and the iron bridge. The suitability of this route depends on the effects of the sea, particularly Spring tides.

### **Route B**

This runs on the landward side of the rail line, again, parallel and close to the rail embankment. Access from Sand Lane may have to be negotiated or, possibly, start via a short loop onto New Rd then cutting in behind the property at the road junction.

This route offers more sheltered travel, with views across the rail line and would be unaffected by tides.

### **Route C**

This uses the old mineral line to Scout Cragg quarry (now Caravan Park). Picked up from the junction at Sand Lane/New Rd and using the farm access road it would continue on the old trackbed, alongside New Rd, emerging opposite Scout Cragg.

The route would then turn to follow a hedge line to the rail embankment where it would turn toward Silverdale to become the northern part of Route B •

If the whole of Route B was used this link across to New Rd/Scout Cragg could still be implemented, giving amenity access to holiday park users and the public footpath access up the crag, through woodland.

## **Construction**

Methods of construction for multi-user trails are well proven. A good example is the Exe trail (there are others) with a combination of cuttings and embankments, all hard surfaced.

There are also raised sections of trackway, on stilts, over the tidal margins and wetland of the River Exe. This method would be suitable in our area where land can be wet after heavy rain. It also provides some shelter for livestock and allows grazing underneath.

At intervals (again, as per Exe trail) there could be rest areas, like bay windows, allowing observation of wildlife/birdlife. This is part of the whole amenity value of a multi-user trail in a coastal environment like ours.

## **Extensions**

Where routes finish, at the marsh bridge, other options and opportunities are possible. A multi-user trail could follow the coast around to Jenny Brown's.

Another route could see a continuation of Route B following the rail line into the back of Leighton Moss, RSPB centre • This would see an increase in visitor numbers, with safe access to the new route and provide access to wheelchair users, which is currently denied.

Perhaps a business opportunity, for RSPB, would be in the provision of electric 'Trampers', as successfully trialled by Lancashire County Council.

## **MCA/SDC1/R/6/1608 – [redacted]**

[redacted]

[redacted]

With reference to the reports SCS6: Silecroft to Silverdale and SDC1: Silverdale to Cleveleys. We are delighted that the coast path here is almost completed. However a few points could be improved.

SCS6 states that it has been decided that the coast path should stop at Grange over Sands and start again at Arnside because of the difficulty of the terrain on the north bank of the Kent Estuary to the east of Grange.

It suggests that the train should be used. It would be equally sensible to use the good bus service from Grange to Heaves Hotel, Levens and then cross the Kent at Levens Hall and follow the minor road on the south bank of the Kent to Dallam Bridge, through Sandside and along the embankment to Arnside. It is a shame that this proposal has not been given more consideration.

A great deal of thought has obviously been given to the problems of erosion and how that might affect the coastal path over the coming years in both reports. No thought at all appears to have been given to accretion of land. This is especially relevant in the Morecambe Bay area where the changing course of the river Kent has led to a 70 year cycle of accretion and depletion. In 2005 the Kent hugged the shores of Silverdale and Arnside having washed away the huge expanse of salt washed turf that had been there for 50 years. This is no longer the case. The cycle has now reached the stage where the land is being accreted again. The coastline from Arnside to The Cove (SCS-6S001 to SCS-6S063) can be dangerous at the moment all the way along. However the spartina is starting to become established and over the next few years the turf should return. At that stage it may be safe to walk all the way around the coast. The same is true for the stretch from The Cove to Quakers Strang (SDC-IS001 to SDC-1S027). Obviously care will need to be taken at very high tides as on any shoreline but the maps used show a state of the river that may not occur again for another 60 years or so.

The maps show permanent access exclusion zones. There are 2 reasons given. One is for reasons of sensitive flora and fauna where the path could impact negatively on SSSI's and other designated areas (land management reasons). The second is because of concerns for public safety. (Marked as unsuitable for public access). Both of these are understandable but neither appears to have been used properly here.

Firstly exclusion for land management reasons,

The exclusion zone shown in SCS 6A includes the field that has Spiked Speedwell growing. This is definitely an area that should not be open access.

However there are two other areas that should be marked. These are

1: The area to either side of the public footpath across The Lots, SDC-1- S003. This is a site of national importance for both *Orchis morio* and *Spiranthes spiralis*, two of our rare native Orchids. Walking along the footpath will not cause any disturbance but walking nearer to the sea shore which would be a temptation could cause irreparable damage. The site is owned by The National Trust and is managed with

great care by them. We cannot see them being happy with this. Ideally the area to the seaward side of the path to the wall should be marked as an exclusion zone.

2: The area of Jack Scout Nature Reserve.

Once again there is every reason why this should be marked as an exclusion zone. The flora and fauna are very special and the area provides the foodplants of several of our rarer butterflies.

SDC1A marks an area from the car park to Eric Morecambe hide for exclusion. If this is considered worthy of exclusion then the other 2 areas are of equal worth.

Secondly for reasons of safety.

By marking a stretch as unsuitable because of its inherent danger you imply that other unmarked stretches are safe. By only marking SCS -6- S011 to SCS-6-S037 and a thin strip along the shore between the start of SCS-6-S053 to the end of SCS-6-S063 you imply that the sands to the seaward side of the path from SCS-6-37 to SCS-6-S053 are safe. This stretch is much more dangerous than the other two. None of it should be walked on without local knowledge and due care and attention.

Again the maps SDC 1B and 1C show the coast from Cove Well to Quakers Strang. While the Coast Path goes inland across the Lots the actual map has no warning exclusion along the sea's edge and in fact a public footpath is shown there. This should be considered as dangerous at certain tides.

A better strategy would be to have signage showing any local dangers at the areas. This happens at the moment at Far Arnside as shown where the footpath is shown but the dangers are enumerated.



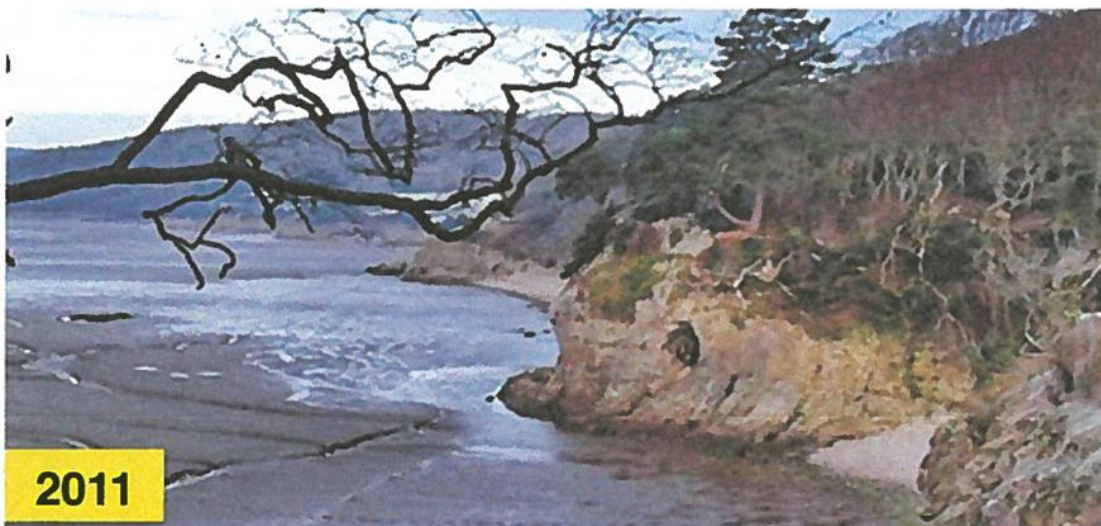
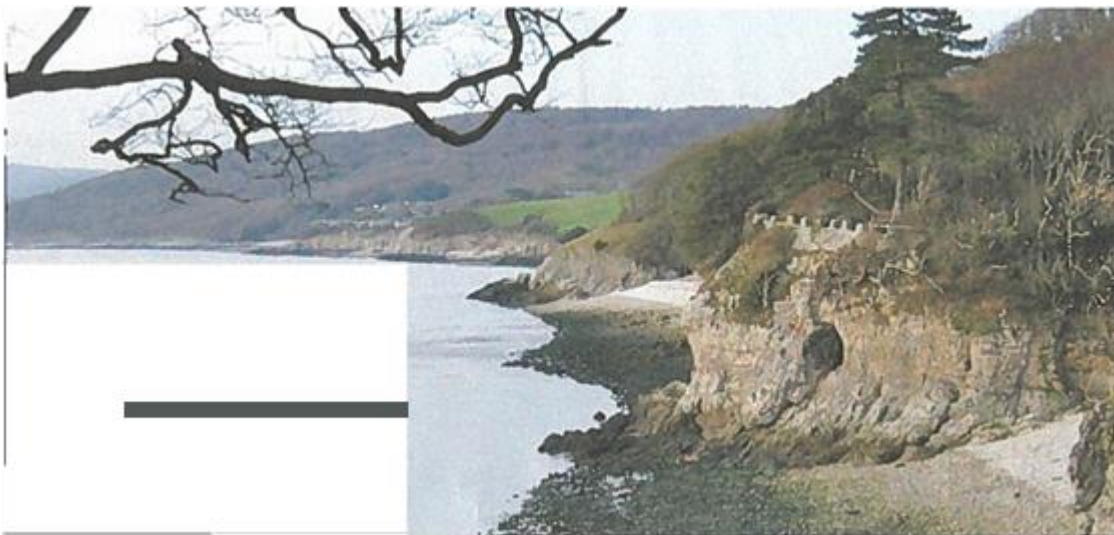
It is not sensible to make exclusion zones for safety reasons other than in exceptional circumstances.

The following images show the view from The Cove to Far Arnside over the years.

- Firstly the acres of Saltwashed turf from Silverdale to Arnside Point via The Cove during the 1960's to 1990s.



- Secondly a close-up of the Kent channel at The Cove at low tide in 2011 showing how everything had been scoured away.
- Thirdly the same section under 8 feet of mud and sand in 2020 which is gradually becoming incremented and consolidated.



## Silverdale Parish Council -- Coastal Footpath Representations

A	<p>The Parish Council understands that the foremost objective for creating the English Coastal Footpath is to help enhance the Health and Wellbeing of the 60+million residents of the UK and numerous visitors from overseas. It will achieve this by providing the opportunity for an exhilarating and uplifting outdoor experience by allowing users to walk in close proximity to the coast edge.</p>
B	<p>When determining a suitable route, the necessity to respect the privacy and security of domestic and most commercial premises is accepted and undoubted. As is the need to achieve a reasonable balance between public access and the landowner's interests where the route has no adequate alternative but to pass through areas such as farmland, forestry, nature conservation sites etc</p>
C	<p>The Council wishes to raise concern about the arrangements for, and involvement of, local organisations in the creation of the route. It is noted that in this area, Natural England chose to involve the Arnside and Silverdale AONB unit, the RSPB, the National Trust and others, but chose not to involve the local community as represented by Parish Council, the local Ramblers groups, or another organisations.</p> <p>Since the local community will be one of the biggest users of the pathway and can bring a wealth of local knowledge to the process, this is considered to be both a failure of the process and somewhat disrespectful.</p> <p>The decision to not involve the Parish Council is particularly an issue because at the Council's 2017 Annual Parish Meeting, Natural England was invited to give a presentation on the position at that early stage of development. The request for Parish Council involvement was raised with the presenters and a commitment received that this would be fed back. Despite several enquiries by the Council in the intervening period, no such involvement was made. This is most disappointing.</p> <p>The opportunity to bring into consideration the communities' views in forming the draft plan has been missed and is considered to be a failure of the establishment process. Although the opportunity is available now to make representations, it is widely recognised in project management that changes later in the process add time and cost – groundwork has been done, the report and route and its justifications been drafted and there is inevitably a reluctance to change.</p> <p>The Council therefore requests that the following points, are given substantial consideration in the review of the draft proposals</p>
1	<p>The Council supports the proposed route and associated arrangements for sections SDC-1-S001 to SDC-1-S003 between Cove Well and the junction with Stankelt Road.</p>
2	<p>The Council supports the route proposal for Section SDC-1-S004 along the public highway known as "The Shore". It is however suggested that some markings outside the frontage of</p>

	<p>the Silverdale Hotel would be advisable to denote the footway in front of the Hotel and help guide vehicle owners that this should be left clear for pedestrians.</p>
3a	<p>The Council understands Natural England’s proposals for the Coastal Path between the end of Shore Road and the National Trust Site at Jack Scout. However it has a number of significant concerns regarding section SDC-1-S005 to section SDC-1-S020, which take the proposed route of the Coastal Path from the end of the public highway at “The Shore” cattle grid, onto the foreshore, around the Know Hill headland until it reaches the National Trust site of Jack Scout.</p>
3b	<p>The initial sections, SDC-1-S006 to SDC-1-S008, covering a distance of approximately 570m, are along the saltmarsh foreshore and over limestone outcrops and small cliffs. They are subject to regular immersion during Spring Tides and are also subject to the natural, well documented, vagaries of erosion and accretion of the Morecambe Bay saltmarsh, which can cause areas of this saltmarsh to be unusable/impassable by walkers for long periods, in some cases for a number of years.</p> <p>Additional to these existing issues, there is need to take into consideration the large body of scientific opinion indicating sea levels are rising quite markedly and rapidly. This will exacerbate the situation.</p>
3c	<p>During a meeting in Silverdale on February 4<sup>th</sup> this year with Messrs Danny Moores and Gerry Rusbridge from Natural England it was explained that, for the sections intended to run outside the field boundary, it was planned to try to cut into the limestone cliff in order to form a ledge for the proposed coastal path route. Because access with machinery was considered to be difficult or impracticable, they expected this work would have to be carried out by hand with the limitations this would likely bring.</p> <p>The Council representatives asked how likely it would be that a pathway suitable for most users could be formed on the narrow cliff edge in this manner. The reply was interpreted to contain quite some uncertainty as to how successful this work would be. It was summarised that if such a path ledge were to be possible, it would only be suitable for confident walkers, probably without accompanying young children or dogs and when weather conditions were reasonably benign.</p> <p>The Council does not therefore consider the proposal to cut ledges into the cliff to be a safe or satisfactory or a robust solution and therefore believes it would not adequately comply with the objectives set out for the English Coastal Footpath. The risk of accident is pre-emptible, the likelihood of occurrence considered high and the consequences potentially severe.</p>
3d	<p>The Council therefore requests that Natural England considers the following in connection with the Shore Road to Jack Scout Path.</p> <ol style="list-style-type: none"> <li>1. Has a full risk analysis been undertaken by Natural England for this section? Please confirm and supply details of this risk assessment.</li> <li>2. In some sections the proposed route can be hazardous, in some circumstances dangerous.</li> </ol>

4	<p>An optional bypass route, using Lindeth Road, as an alternative to sections SDC-1-S004 to SDC-1-S020 of the proposed coast edge path, is suggested in the report. This lies along a tarmac highway for a distance of 2/3 mile, set inland from the coast edge by up to 0.4 mile, such that sight and sound of the coast edge is completely lost. The Council considers this to be a very poor alternative to a coast edge route and requests that further efforts be made to develop a robust solution to the coast edge route, that will be:</p> <ul style="list-style-type: none"> <li>a) Available at all states of the Tide</li> <li>b) Usable safely and reliably by groups of family walkers and those who may have some mobility limitations</li> <li>c) Available when the well-known natural periodic accretion and erosion of the sands causes the foreshore to be un-walkable.</li> </ul>
5	<p>The Council supports the route proposal for sections SDC-1-S021 and SDC-1-S022, around the National Trust headland of Jack Scout and, along the public highway to Browns Houses.</p>
6	<p>The Council supports the route proposal around Brown's Houses as indicated by sections SDC-1-S023 to SDC-1-S027.</p> <p>Mention is made in the report that the option of a route passing to the coastal side of Brown's Houses, was considered. This route has recently been determined at Appeal to be a public ROW and is now signposted and open for use. This option would also be supported by the Council as either the prime, or an alternative route, around Brown's Houses.</p>
7	<p>The Council supports the route proposal for sections SDC-1-S028 and SDC-1-S029.</p> <p>It is noted that new steps are proposed on the incline on section SDC-1-S029. This is considered very important to usability and should include the whole length of the incline</p>



	<p>because this section of path, which has a clay surface, becomes very slippery and difficult to use in damp or wet conditions.</p>
8	<p>The Council supports the route proposal for Sections SDC-1-S030 to SDC-1-S034, at which point the Silverdale Parish boundary at Quaker's Stang is reached.</p> <p>It is noted that where the proposed route passes beneath the Railway Line on Section SDC-1-S033 there is a depression across the whole width of the surface, perhaps engineered to allow more headroom for vehicles to pass underneath. This regularly collects rainwater runoff and can be flooded to a depth of 250mm. There is no available bypass route for pedestrians because of the tight fencing and a water course running alongside. Clearly, this is not satisfactory and a suitable, robust drainage, pedestrian ledge, or other solution, will be necessary to maintain usability of the route.</p>
9	<p>In the Draft Report, Natural England has included a 'proposed long-term access exclusion zone' located on the foreshore, shown on map SDC 18, extending from "The Dip" (located between Priory Cottage and the Holiday Camp) and Red Rake.</p> <p>From the discussions held at the previously mentioned meeting in Silverdale on February 4<sup>th</sup> this year, it is now clear that the statement "long term access zone" is misleading.</p> <p>The Council now understands that whilst NE do not wish to formally promote access in the exclusion zone, they expect and intend the public will continue to enjoy existing established access subject only to observing the need for care. In other words, in their view no physical change from the current established access arrangements.</p> <p>For several generations, probably since the saltmarsh re-established in this part of the Bay in the 1920's, the general public has enjoyed, without let or hindrance in any form whatsoever, freedom to roam on this area of land. The historical rights to do so have become well established. This can be evidenced by inspection of the many historical photographs and reports that exist showing such uses. There are many Witnesses available in Silverdale to testify to this. The Council on behalf of all members of the community and general public asserts the right that this should continue without any hindrance.</p> <p>Natural England explained that the intention to prohibit access for walkers was in part due to the reported current unsuitability due to soft or sinking sands. This state may perhaps apply at the present time but it is a transient situation and just two years ago the area was a wide channel/tidal lagoon, used regularly by bathers and canoers. The state of the sands has almost certainly changed since the report was drafted and will continually do so.</p> <p>If this area is thought to be a hazard such as to require notification and warnings to potential users then a suitable temporary warning system for the whole area should be implemented.</p> <p>Prior to the recent phase of saltmarsh erosion which commenced in the 1980's, this area consisted of a very stable, short grass/turf area, interspersed with numerous pools filled with sea water. It provided an opportunity to walk from The Cove or The Dip directly out to the saltmarsh edge and onwards to the river Kent channel. Others used the saltmarsh to</p>



	<p>walk directly to Arnside Point or wander freely and at random, perhaps to emerge at other locations such as The Shore car park below the Silverdale Hotel.</p> <p>It is clear that a period of saltmarsh accretion is currently taking place and there are signs of early stage grasses establishing. If, as expected, this continues, a tough grass covering of the marsh will develop quite rapidly, as it has at Grange over Sands, and the opportunity for the public to wander freely, as before, will be available again. The Council looks forward to this happening without the insinuation of “trespass”</p> <p>The defined area intended for prohibition of access requires comment. It is of non-geometric shape and does not follow any physical or visible landform on the ground. It might on original draft been intended to follow something that was evident at the time, but as previously described, the transient state of the saltmarsh may have removed such features. This will cause considerable difficulty for any member of the public in trying to identify the area of “Prohibition”. Therefore, it is considered to be impracticable for any user to identify and respect such a zone .</p> <p>In summary, the Council objects most emphatically to the establishment of any ‘proposed long-term access exclusion zone(s)’ on the foreshore at any point between Arnside and Brown’s Houses.</p>

**MCA/SDC1/R/8/1609 - [redacted]**  
**Two photographs and an annotated map**

Photograph 1 showing CG2 grassland on the proposed route with intermittent worn patches but still grass cover with the current usage rate.

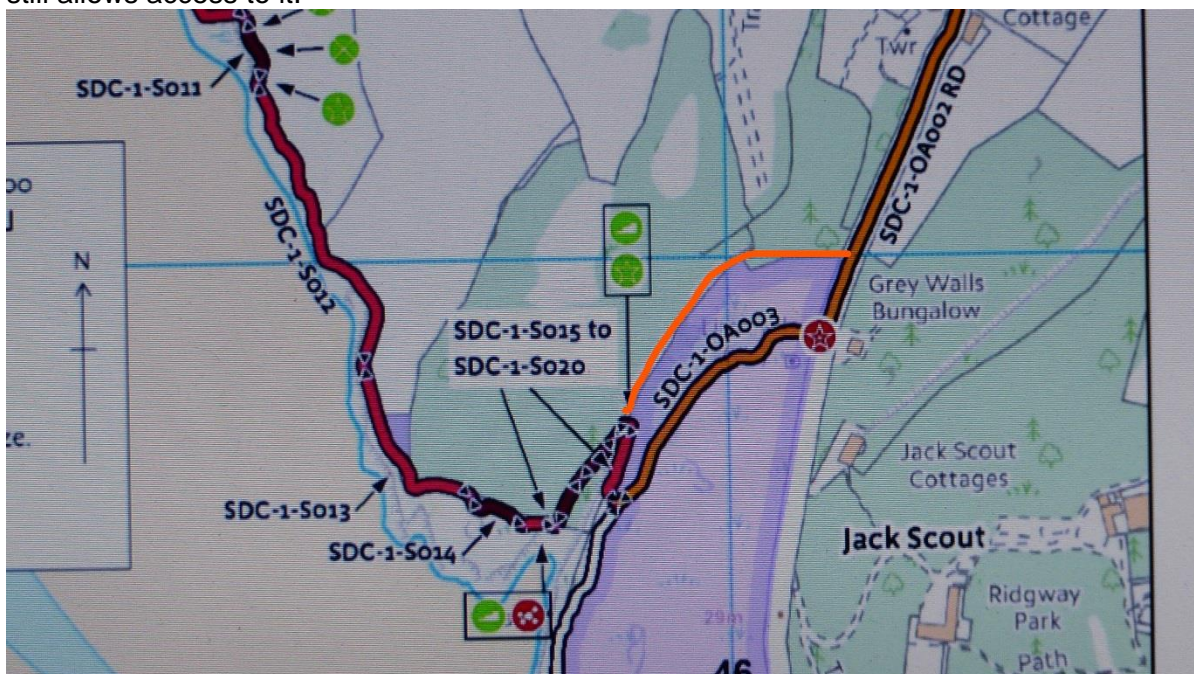




Photograph 2 showing area of CG2 grassland where Autumn Lady's-tresses orchid (*Spiranthes spiralis*) grows immediately alongside the path, with the national increase of countryside walking the path is already widened to a damaging level with the current usage



Suggested alternative (marked in orange) to current proposed route which does not damage the SSSI but still allows access to it.



# Coastal Access – Silverdale to Cleveleys



## Representations on SDC 3: Ocean Edge caravan park, Heysham to Carlisle Bridge, Lancaster - and Natural England's comments

March 2020

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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 compendium of reports setting out its proposals for improved access to the coast from Silverdale to Cleveleys was submitted to the Secretary of State on 8<sup>th</sup> January 2020. This began an eight week period during which representations and objections about each constituent report could be made.

In relation to the report for SDC 3, Natural England received 3 representations, all 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.

There were no 'other' representations submitted for SDC 3.

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

### 3. Record of ‘full’ representations and Natural England’s comments on them

<b>Representation number:</b>	<b>MCA/SDC3/R/2/0019</b>
<b>Organisation/ person making representation:</b>	Ramblers – [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-3-S017 to S019, SDC-3-S025 to S027, SDC-3-S056 to S065, SDC-3-S085 to S087 and SDC-3-S090 to S091
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
<p>In general we welcome the proposal by NE for a continuous route for the ECP from Silverdale to Cleveleys. Some of this stretch of coast has been historically difficult for walkers and others to access and a number of the proposals for the route go some way to meeting the needs of the range of users for an ECP. However, there are a number of proposals we find unsatisfactory and we remain unconvinced that they provide an appropriate balance between the requirements of users and other interests. We highlight those matters below.</p> <p>We support NE’s proposed route from SDC-3-S001 to SDC-3-S016.</p> <p>SDC-3-S017 to SDC-3-S019: We strongly suggest that the route be aligned nearer the shoreline and, wherever possible, in the fields above the shore and hence above the normal tidal limit.</p> <p>We support NE’s proposed route from SDC-3-S020 to SDC-3-S024.</p> <p>SDC-3-S025 to SDC-3-S027: Again we seek urgent re-consideration of rerouting the proposed line of the ECP onto the seaward field edge.</p> <p>We support NE’s proposed route from SDC-3-S028 to SDC-3-S055.</p> <p>SDC-3-S056 to SDC-3-S065: We are strongly against this section as we are firmly of the view that the tidally affected route is unsuitable and sometimes difficult to walk. A route in on the seaward edge of the fields should be strongly considered. We would prefer a route inland of Ferry Cottage and the stretch covered by proposals S060 to S063 where there is an existing track available for the most part.</p> <p>We support NE’s proposed route from SDC-3-S066 to SDC-3-S084.</p> <p>SDC-3-S085 to SDC-3-S087: This route appears sustainable but we are disappointed that the current proposal goes so far inland from the coast.</p> <p>We support NE’s proposed route from SDC-3-S088 to SDC-3-S089.</p> <p>SDC-3-S090 to SDC-3-S091: We find the choice of the road for this section of the path unacceptable. Not only is it subject to significant tidal inundation, build-up of flotsam and jetsam but also it can be most unpleasant to walk and there is no alternative route offered for in this section during periods of inundation. We believe that south of Snatchems the route could largely take advantage of the field edge/embankment. Alternatively, the investigation of a route to the rear of Snatchems and Oxcliffe Hill Farm could be investigated.</p> <p>We support NE’s proposed route from SDC-3-S092 to SDC-3-S095.</p>	
<b>Natural England’s comments</b>	
<p>Natural England is grateful for the general support for its proposals. We note the various suggested modifications for a new path above the saltmarsh in two locations between Heysham and Sunderland Point. In the case of the existing track over the marsh, south of Heysham, we believe that this is entirely suitable and only occasionally inundated. As it approaches Sunderland Point, the proposed route moves to higher ground (sections S026 &amp; S027). The proposed route follows an existing public footpath for sections S057 to S059, which we believe to be suitable. It then continues for a short distance at the top of the foreshore, following a popular and generally adequate existing walked route. We agree that it would have been preferable to propose a more seaward route for S085 to S087, but this wasn’t possible for a number of reasons. We looked for options for a</p>	

route unaffected by tides past Snatchems, but land use considerations ruled this out. Unfortunately, there is no obvious Optional Alternative Route here, but we hope that any inconvenience caused to walkers by higher tides is limited.

**Relevant appended documents (see section 4):**

None

<b>Representation number:</b>	<b>MCA/SDC3/R/3/0016</b>
<b>Organisation/ person making representation:</b>	The Open Spaces Society – [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-3-S017 to S019, SDC-3-S025 to S027, SDC-3-S056 to S065, SDC-3-S085 to S087 and SDC-3-S090 to S091
<b>Other reports within stretch to which this representation also relates:</b>	N/A

**Representation in full**

In general we welcome the proposal by NE for a continuous route for the ECP from Silverdale to Cleveleys. Some of this stretch of coast has been historically difficult for walkers and others to access and a number of the proposals for the route go some way to meeting the needs of the range of users for an ECP. However, there are a number of proposals we find unsatisfactory and we remain unconvinced that they provide an appropriate balance between the requirements of users and other interests. We highlight those matters below.

We support NE's proposed route from SDC-3-S001 to SDC-3-S016.

SDC-3-S017 to SDC-3-S019: We strongly suggest that the route be aligned nearer the shoreline and, wherever possible, in the fields above the shore and hence above the normal tidal limit.

We support NE's proposed route from SDC-3-S020 to SDC-3-S024.

SDC-3-S025 to SDC-3-S027: Again we seek urgent re-consideration of rerouting the proposed line of the ECP onto the seaward field edge.

We support NE's proposed route from SDC-3-S028 to SDC-3-S055.

SDC-3-S056 to SDC-3-S065: We are strongly against this section as we are firmly of the view that the tidally affected route is unsuitable and sometimes difficult to walk. A route in on the seaward edge of the fields should be strongly considered. We would prefer a route inland of Ferry Cottage and the stretch covered by proposals S060 to S063 where there is an existing track available for the most part.

We support NE's proposed route from SDC-3-S066 to SDC-3-S084.

SDC-3-S085 to SDC-3-S087: This route appears sustainable but we are disappointed that the current proposal goes so far inland from the coast.

We support NE's proposed route from SDC-3-S088 to SDC-3-S089.

SDC-3-S090 to SDC-3-S091: We find the choice of the road for this section of the path unacceptable. Not only is it subject to significant tidal inundation, build-up of flotsam and jetsam but also it can be most unpleasant to walk and there is no alternative route offered for in this section during periods of inundation. We believe that south of Snatchems the route could largely take advantage of the field edge/embankment. Alternatively, the investigation of a route to the rear of Snatchems and Oxcliffe Hill Farm could be investigated.

We support NE's proposed route from SDC-3-S092 to SDC-3-S095.

**Natural England's comments**

Natural England is grateful for the general support for its proposals. We note the various suggested modifications for a new path above the saltmarsh in two locations between Heysham and Sunderland Point. In

the case of the existing track over the marsh, south of Heysham, we believe that this is entirely suitable and only occasionally inundated. As it approaches Sunderland Point, the proposed route moves to higher ground (sections S026 & S027). The proposed route follows an existing public footpath for sections S057 to S059, which we believe to be suitable. It then continues for a short distance at the top of the foreshore, following a popular and generally adequate existing walked route. We agree that it would have been preferable to propose a more seaward route for S085 to S087, but this wasn't possible for a number of reasons. We looked for options for a route unaffected by tides past Snatchems, but land use considerations ruled this out. Unfortunately, there is no obvious Optional Alternative Route here, but we hope that any inconvenience caused to walkers by higher tides is limited.

**Relevant appended documents (see section 4):**

None

<b>Representation number:</b>	<b>MCA/SDC3/R/1/0909</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Route section(s) specific to this representation:</b>	Section Overton east of Bazil Point to public footpath to Overton Church. Section owned by farmer [redacted]. SDC-3-S060 to SDC-3-S066
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
<ul style="list-style-type: none"> <li>• The path between the public footpath and access to the shore east of Bazil Point (extension of Bazil Lane) to our own property - running along [redacted]'s field.</li> <li>• We propose that the path continues along the foreshore adjacent to [redacted]'s field, therefore making a continuous path along the foreshore from Bazil Point to the public footpath leading to Overton Church.</li> <li>• It is our understanding that the farmers with livestock are not well disposed to the coastal path being brought in the fields where there is livestock.</li> </ul>	
<b>Natural England's comments</b>	
<p>Whilst Natural England acknowledges that there is a strong existing desire line at the landward edge of the land above the foreshore, we understand that this area is occasionally inundated by high tides. In accordance with the approved Scheme (paragraph 7.8.2), we have identified a new route close by and slightly more elevated, that should be available at all states of the tide.</p>	
<b>Relevant appended documents (see section 4):</b>	
McHugh photograph of foreshore	

**4. Supporting documents**

MCA/SDC3/R/1/0909 – [redacted] Photograph of foreshore





# Coastal Access – Silverdale to Cleveleys



## Representations on SDC 5: Glasson Dock swing bridge to Fluke Hall Lane car park, Pilling - and Natural England's comments

March 2020

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### 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.

### Background

Natural England's compendium of reports setting out its proposals for improved access to the coast from Silverdale to Cleveleys was submitted to the Secretary of State on 8<sup>th</sup> January 2020. This began an eight week period during which representations and objections about each constituent report could be made.

In relation to the report for SDC 5, Natural England received 13 representations, of which 9 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.

As required by the legislation this document also summarises and, where relevant, comments on the 4 representations 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.

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

<b>Representation number:</b>	<b>MCA/SDC5/R/4/0801</b>
<b>Organisation/ person making representation:</b>	Jones Sandvilla – [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-5-S039 & S042
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
<p>JONES SANDVILLA FARM, SANDSIDE, COCKERHAM, LANCASTER, LA2 0EW SHEET 1</p> <p>We would like to propose modifications to the proposed trail section SDC-5-S042 on Map SDC5f: Pilling Embankment (Sandside) to Mill house pool to strike a fair balance in relation to farming practices. On the enclosed Map SDC 5f at the 2 places marked with Red dots A and B numbered 1 on the form. We require access for cattle and sheep to be able to come back to existing freshwater troughs to drink and for access to existing handling pens.</p> <p>Access is also required for agricultural vehicles and the emergency services.</p> <p>We propose a series of kissing gates at these points with a 30ft gap for the access.</p> <p>In point 5.2.25 on the Silverdale to Cleveleys report SDC5 Glasson dock swing bridge to Fluke Hall lane carpark Pilling, you have proposed that the Morecambe Bay Wildfowlers association are to manage the locked gated accesses for the alternative winter route. As the legal landowners: Jones Sandvilla, Sandvilla Farm, Sandside, Cockerham, Lancaster, LA2 0EW. We require access at all times to manage livestock on the marsh; So, propose that to strike a fair balance we should manage the locked gated accesses.</p> <p>We would also like to propose that dog waste bins are put at the start of the trail at Cocker bridge at SDC-5-S039 Marked by blue dot on map SDC 5e Cocker bridge to Pilling embankment (Sandside) numbered 2 on the form and at the end of the path as it crosses the A588 for easy access to be emptied by the local authority. We propose this as a fair balance as some dog walkers tend to hang waste bags on fences, in trees etc and these can be extremely harmful to wildlife, livestock and the environment. As waste disposal bags do not biodegrade, and aid in the spread of parasitic infection such as Neospora, which effects both Canines and Cattle.</p> <p>How will dogs on leads at specified times be effectively policed? According to The Farmer's Guardian 9 April 2019, there is a 67% rise in the last 7 years of sheep worrying due in part to ill equipped and irresponsible dog owners. We assume the council will play a role in spot checking that dogs are on lead and issuing fines if they do not comply, following in line with other on lead dog areas such as the promenades in both Morecambe and Fleetwood. The track SDC-5-S042 is a major lapwing nesting site and several swans nest in the ditches along this track which are marked as drains on the maps.</p> <p>The Animal Welfare Trust also quotes on their website that Sheep Watch UK (Support for Farmers and other people to encourage responsible dog ownership) reported 2,474 deaths of sheep in 2017 but since this crime is underreported nationally it is believed that the true figure could be as high as 15,000 sheep annually. Protecting livestock and wildlife from irresponsible dog walkers is of high importance to all farmers and to strike a fair balance between the rite of access and welfare of animals is of high importance.</p> <p>We would also like to clarify who is going to be responsible for the maintenance of the fence.</p>	
<b>Natural England's comments</b>	

The fencing that features in NE's proposals, to the seaward side of parts of the route adjacent to the Pilling embankment, would not prevent movement of stock; it does not extend as far as the two locations indicated. We will further discuss control of the proposed new locked kissing gates with all affected parties; however, it is possible to have a system involving more than one lock in a chain, whereby any key holder can effectively unlock the gate in question (it should also be noted that we have no intention of locking any of the existing field gates).

We fully understand the concerns about dogs and dog waste. Lancashire County Council, as access authority, will have powers in relation to the management of the new coastal access rights. The authority may choose to install waste bins in this area.

Lastly, we can confirm that the fencing will be maintained by Lancashire County Council, under an annual grant from NE.

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

Continuation Sheet 1 – this shows the above details of the full representation (not added to the appended documents below)

Annotated copies of maps SDC 5f and 5e

<b>Representation number:</b>	<b>MCA/SDC5/R/5/1403</b>
<b>Organisation/ person making representation:</b>	Lancashire Local Access Forum – [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-5-S041, S042 & S048 to S051
<b>Other reports within stretch to which this representation also relates:</b>	SDC 1-4, 6

**Representation in full**

The Lancashire Local Access Forum (LLAF) wishes to see the proposed exclusions period of 7 months each year, between 1<sup>st</sup> September and 31<sup>st</sup> March, to be reconsidered. We feel that this is excessive. We have taken account of the information presented by NE with regards to non-breeding birds. We do not have expert evidence to present to support our request for reconsideration. But we do not see any well-researched evidence presented with the Report to support the proposals.

We are not objecting to any other aspects of this Report or indeed to any other Reports presented for the Lancashire stretch. We feel that the proposals are very sound and to have been drafted after careful surveys of the coastline. We are keen to see the project keep to the current timeline so that completion is achieved in a reasonable period. We have sought to work closely with NE and, in this case, Lancashire County Council, both in formal and informal ways.

There are some further details which, we understand, will be drawn to your attention by individual LLAF members and/or the organisation(s) they represent.

**Natural England's comments**

Natural England thanks the Lancashire Local Access Forum for its general support and comments.

We believe that the proposed exclusion is necessary to protect birds roosting and feeding in this vicinity (Morecambe Bay Habitats Regulations Assessment, page 169) and represents the least restrictive measure suited to mitigate against the risk of disturbance.

Whilst the proposed restrictions are made for nature conservation purposes for the reasons outlined above (under s26(3)(a)), these sections of the trail are also affected at certain times of the year by wildfowling and other shooting operations. If there was ever a need to review and change the proposed nature conservation directions, we would also need to consider what other access management measures might be necessary in order to prevent disturbance to the quarry, danger to the public or disruption to the activity.

We note the hope that the project will maintain good progress - we, and Lancashire County Council, will do all that we can to ensure that this is the case.

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

None

<b>Representation number:</b>	<b>MCA/SDC5/R/6/1431</b>
<b>Organisation/ person making representation:</b>	Lancashire County Councillor – [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-5-S008 to S016
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
<p>I am concerned about and object to a loss of informal access to current coastal areas as a result of proposed access restrictions in this area.</p> <p>The proposed paths for coastal access are acceptable and indeed to be welcomed but the proposed restrictions to areas between the path and the river/sea are inappropriate and overly restrictive.</p> <p>I am concerned that while there has been concerted attempts to contact private land owners, there has been limited effort to engage with the public via public notices on the path itself, local media or via parish councils. (I gather that information was sent to out of date contacts which should/could have been checked on-line.)</p>	
<b>Natural England's comments</b>	
<p>As we state in our proposals, the proposed exclusion relates only to any new rights of access under MCA 2009. We have proposed exclusions only where we believe that it makes sense to do so. In making such decisions, we must take into account the possibility that people without good local knowledge of the areas in question might otherwise be tempted to explore areas that we believe are not generally suitable for a right of access, particularly in the absence of that key local knowledge.</p> <p>Natural England's engagement with people other than affected owners and occupiers is in accordance with the approved Coastal Access Scheme. We have gone to such lengths as our resources will allow.</p>	
<b>Relevant appended documents (see section 5):</b>	
None	

<b>Representation number:</b>	<b>MCA/SDC5/R/7/1395</b>
<b>Organisation/ person making representation:</b>	Lancashire County Council – [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-5-S039, S040, S041, S042, S043, S044 SDC-5-S047 and track running south between SDC-5-S047 and SDC-5-A010 RD
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
<p>There is fencing and gates proposed between SDC-5-S039, S040, S041, S042, S043, S044 to keep people off the embankment and manage seasonal restrictions. In the absence of a maintenance agreement with the Local Access Authority careful consideration must be given to who is going to be responsible for the locking, and more importantly unlocking, of the gates along with the ongoing maintenance of the fence.</p> <p>Under the proposals there is an amendment to the existing seasonal restriction between Broadfleet track (SDC-5-S048) and Fluke Hall (SDC-5-S050).</p>	

There is currently an Agreement dating back to 1984 allowing pedestrian access between Lane Ends Amenity Area and Broadfleet bridge along the embankment. The proposed line of the trail will terminate the Agreement and use of the track running south between SDC-5-S047 and SDC-5-A010 RD making users walk an unnecessary 930m of well used 60mph speed limited carriageway without a pavement during 1 September and 31 March each year. As such the use of the track should be reconsidered.

### Natural England's comments

Natural England notes the advice relating to the locking and unlocking of gates. The intention is that this will be managed by the access authority in conjunction with parties having an interest in managing the land. We also note the advice concerning the need for a maintenance agreement, and will be hoping to see such an agreement created, following commencement.

The proposed line of the trail will introduce a new right of access on the embankment even though there is a '1984 agreement' in place – our assessment is that this 1984 agreement (under the provisions in the 1949 National Parks and Access to the Countryside Act) does not make this s15 land as the flood bank is land used for flood defence purposes, and as such is 'excepted land' for the purposes of the 1949 Act.

However the '1984 agreement' to use the track between Broadfleet Bridge and the embankment only permits people to use that track at certain times of the year (no access at all between Boxing Day and Maundy Thursday) and does not allow dogs at any time. Neither would the track be classed as 'excepted land' (it does not form part of the flood embankment) and therefore would still be classed as s15 land where coastal access rights would not apply.

If the '1984' agreement was ever amended or terminated by either party then, as the land would not be subject to existing access rights and therefore no longer be classed as s15 land, it would be possible to reconsider whether the alternative route could be realigned.

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

None

<b>Representation number:</b>	<b>MCA/SDC5/R/8/0818</b>
<b>Organisation/ person making representation:</b>	Armitstead Barnett on behalf of [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-5-S041 to S051 and SDC-5-A005 to SDC-5-A019 and restriction 5F
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
<p>First and foremost, we believe that the implementation of the coastal path and the subsequent directions proposed to exclude or restrict access to the trail and the margins, should be fair for all. This should particularly be the case for neighbouring land and landowners to prevent inconsistencies occurring as the general public make use of the trail and pass through parcels of land owned by different parties.</p> <p>An argument we have with the proposed route is the potential infringement of a covenant on the part of the Environment Agency. The stretch of land on which the path passes across (LAN114696) was conveyed to the Environment Agency from our clients. Within the Charges Register, as attached, it states in section C 5(2) that the Environment Agency is "not to enter into any access agreement whereby the public at large or any sector or group of the public is permitted access to the property hereby conveyed".</p> <p>It is additionally stated under section C 6(2) that the Environment Agency is "Not to enter into any access agreement whereby the public at large or any sector or group of the public is permitted access to the property hereby conveyed between points marked 'C' 'D' and 'E' on the said plan without first consulting the Vendors or their successors in title and in particular to use its best endeavours to ensure that such access agreements contain terms banning dogs throughout the year on such property and preventing public access thereon between mid-January and Maundy Thursday in each year".</p>	

Assuming the coastal path must go somewhere, we refer to the terms laid out above relating to the banning of dogs throughout the year, and the duration of public access. The purpose of these terms is to ensure the risk to sheep posed by the general public and dogs was mitigated against whilst still allowing some access. We therefore propose that these terms be adhered to, or that an alternative route be drawn up whereby the route passes from the Lane Ends Amenity Area to Lane Ends Farm, to Pilling Hall to Gulf Farm to Wrampool Bridge. This would allow the terms in the conveyancing agreement to be adhered to whilst enabling public access to the land and the coastal path to continue through.

As it stands, referring to “Directions Map SDC 5F: Cocker Bridge to Fluke Hall Lane”, the stretch from Wrampool to Cocker Bridge proposes a direction stating that dogs are to be kept on leads between 1st April and 31st August every year and that public access is excluded between 1st September to 31st March, similarly between Fluke Hall Lane to Broadfleet, as per table 1. However, there are sheep present on the land that the footpath passes through all year round which would continue to be at risk from dogs on the loose whether they have lambs or otherwise. Most dogs are entirely capable of killing and maiming a fully-grown sheep as they are killing a lamb, therefore this oversight could pose a serious problem to our clients and their sheep.

Whilst the majority of dog walkers are considerate of the land they walk on and respect the footpath and the landowner, some show complete disregard, and our clients have suffered much inconvenience from people cutting down fences and vandalising signage directing walkers to follow certain rules. Whilst the directions across the land neighbouring our clients land either side is as discussed in the paragraph above, the directions on our clients land differ slightly stating that dogs are to be on a lead all year round and that public access is not subject to any durational restrictions. Therefore we feel that it would pose more problems than would be answered by continuing with these conflicting directions as walkers, in our client’s experience, would likely ignore the exclusion direction when they get to the sign and continue or find another way around having already been able to walk part way down the path. This would disrupt the activity of the surrounding sensitive wildlife, and cause issues to do with damage to property and trespassing on our client’s land. We would therefore suggest that, if it is not possible to conform to the legal covenant as mentioned above, that at the very least the directions across this entire stretch of land should be consistent whereby public access is restricted between 1st September to 31st March and dogs are to be kept on leads all year round.

Table 1: Proposed directions across proposed route in relation to the stretch from Fluke Hall Lane to Cocker Bridge

Stretch	Public Access	Dogs	Relating to
Fluke Hall Lane to Broadfleet	None between 1 <sup>st</sup> September to 31 <sup>st</sup> March	On leads 1 <sup>st</sup> April to 31 <sup>st</sup> August	Direction Map SDC 5F: Cocker Bridge to Fluke Hall lane
<b>Broadfleet to Lane Ends Amenity Area (our clients land)</b>	No direction	On lead all year round	Direction Map SDC 5F: Cocker Bridge to Fluke Hall lane
<b>Lane Ends Amenity Area to Wrampool (our clients land)</b>	No direction	On lead all year round	Direction Map SDC 5F: Cocker Bridge to Fluke Hall lane
Wrampool to Sand Side	None between 1 <sup>st</sup> September to 31 <sup>st</sup> March	On leads 1 <sup>st</sup> April to 31 <sup>st</sup> August	Direction Map SDC 5F: Cocker Bridge to Fluke Hall lane
Sand Side to Cocker Bridge	None between 1 <sup>st</sup> September to 31 <sup>st</sup> March	On leads 1 <sup>st</sup> April to 31 <sup>st</sup> August	Direction Map SDC 5F: Cocker Bridge to Fluke Hall lane

In terms of the value and quality of our clients land, the marsh land adjoining our client’s land on both sides is actively shot on every year, however, our clients hold their shooting rights in hand and do not shoot on the marsh land making it somewhat of a safe-haven for wildlife. Birds and general wildlife are safe from being shot on our client’s stretch of marsh and therefore it follows that the wildlife here will be improved in comparison to that of the neighbouring land due to the lack of any shooting activity or disturbance and it follows that there will be a greater density of nesting and breeding birds on our clients land.

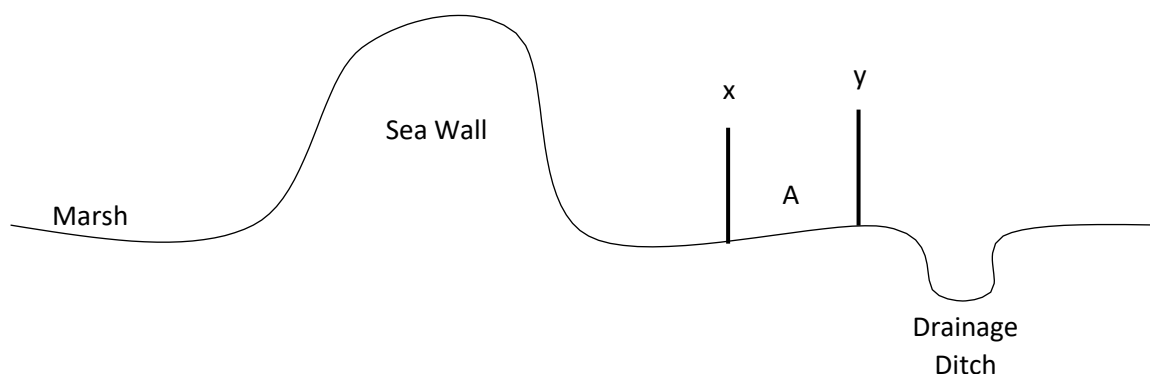
In addition to this, there are three borrow pits between Lane Ends Amenity Area and Wrampool inside the footpath. Materials have previously been removed from these pits in order that the sea wall be constructed during the reclamation process, however, they now act as small reservoirs for field drainage water when the tide is high. In serving this purpose, they have also become suitable habitat for nesting birds which are often spotted leaving and entering the borrow pits. The presence of these nesting habitats furthers the case for increased restriction in terms of duration of public access and further encouragement to ensure dogs are kept on leads.

It is therefore confusing to see that emphasis appears to have been put on the neighbouring land in terms of having sensitive wildlife by granting the neighbouring landowners with stricter directions in relation to the duration of public access.

Concerning the proposed alternative route from Fluke Hall Lane to Lane Ends Amenity Area, we are pleased to see that this is the case, however, it raises concerns that on meeting the drainage ditch, walkers will then ignore signage and walk directly towards the Lane Ends Amenity Area. We would like assurances to be made that this part of the route will be made secure in terms of preventing deviation from the mapped route by clear notice boards or sign.

Regarding the physical route, as per image 1, the proposed footpath passes through point 'A'. Access inland is restricted by a fence as per 'y' and then a drainage ditch, and access to the marsh is prevented by the sea wall. However, again inconsistencies arise between our client's land and neighbouring land as the footpath also passes through point 'B' on top of the sea wall on neighbouring land. This would likely lead to confusion and result in the public deviating from the footpath across our client's land as they walk on top of the sea wall. We propose that the footpath be consistent through point 'A' across our client's land and neighbouring stretches, and that this be encouraged by installing a fence as per 'x'. This will prevent that the general public from wandering dangerously onto the marsh, improving safety. Similarly, it will prevent dogs from passing over the sea wall out of sight of their owners where they could chase sheep or birds and potentially cause significant damage to habitat and wildlife. Due to the landscape of the marsh consisting of mudflats and a series of gullies, it is easy to get caught out by fast moving rising tides. Therefore, every measure should be taken to ensure public safety.

Image 1: Diagram of footpath location



Since our client's sheep graze on both the marsh and inland, they often pass across where the footpath has been proposed. Therefore, there must be some form of access which would allow sheep to pass through the fenced route at points to be confirmed with our clients. We suggest that there be breaks built into the fence wide enough to enable vehicular access (approximately 12 foot) with the ends of the fenced route stopped by kissing gates or similar, to prevent sheep from gaining access into the footpath. This is essential to ensure our clients can continue their agricultural activities.

It is worth noting that the coastal paths and the surrounding footpaths within this general area are used heavily by local people and dog walkers from the villages. Therefore, to ensure the safety and cleanliness of the proposed routes, we suggest that dog waste bins be installed at regular intervals, making the disposal of dog waste as easy as possible, and the emptying of which will be the responsibility of the relevant authority.

We believe that excluding the public access from Broadfleet to Wrampool from mid-January to Maundy Thursday and banning all dogs from the land would be consistent with the legally-binding covenants on the land whilst minimising any negative impacts of public access on the local wildlife which is likely present in greater densities on our clients land, and on our clients agricultural activities. In addition, we believe that ensuring consistency in

the directions across this stretch of the coastal path will encourage uptake of the given instructions as they would be easier to follow. This also applies to where the trail passes in terms of inside the sea wall within a fenced route. Not only that, but the installation of breaks enable sheep to pass from land to marsh, and of dog waste bins, will ensure that our clients can continue to operate their agricultural activities with minimum disruption whilst ensuring good public safety and promoting the cleanliness of the area. These suggestions ensure a greater level of safety for all parties involved enabling the coastal route to continue through.

These proposals conform to paragraph 3(6) of Schedule 1A of the National Parks and Access to the Countryside Act 1949 in so far as we believe them to be practical, believe them to conform to section 297(2) of the Marine and Coastal Access Act 2009 in relation to safety and the minimising of interruptions and section 301(4) (where appropriate) of the same Act, and finally is in accordance with the scheme approved under section 298 of that Act.

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

Natural England has taken the historic covenant into consideration during the planning of the England Coast Path in the Pilling area. We contend that the covenant is not relevant as our coastal access plans do not represent any type of agreement with the Environment Agency but instead derive directly from a duty under national legislation. Coastal access rights are not constrained by such covenants because of CROW section 12(2), and do not have effect under an enactment.

We understand that there are concerns about public access, dogs and the presence of sheep at certain times of the year. When access to the England Coast Path between Fluke Hall and Cocker Bridge is permitted (restrictions are proposed along the trail at certain times of the year), we have proposed that dogs should be kept on a lead at all times apart from within the Lane Ends Amenity Area, which is already fenced off and not used by livestock. Between Lane Ends Amenity Area and the river Wrampool, the proposed trail will be aligned within a fenced corridor that will also help to segregate walkers with dogs and livestock. However, in the absence of any additional direction to restrict dogs to leads, there is a national restriction obliging dogs to be kept on leads at all times, in the vicinity of livestock.

Proposed directions to restrict access along the line of the trail between Fluke Hall and Cocker Bridge (at certain times of the year), and the exclusion of coastal access rights, all year round, from the embankment (seaward of the trail), saltmarsh and flats forming the coastal margin will protect vulnerable nature conservation interests found on this part of the coast. Important breeding and roosting areas are located on either side of the embankment; however, our evidence suggests that existing nature conservation interests between Broadfleet and Lane Ends Amenity Area are more limited than elsewhere where existing public access is either currently unavailable or very limited.

Unlike the section of the trail between Broadfleet and the river Wrampool, the sections of the trail between Fluke Hall and Broadfleet, and Wrampool to Cocker Bridge are also affected at certain times of the year by wildfowling and other shooting operations. Although the proposed restrictions are made for nature conservation purposes, if there was ever a need to review and change the proposed nature conservation directions, we would also need to consider what other access management measures might be necessary in order to prevent disturbance to the quarry, danger to the public or disruption to the lawful activity.

New and improved signage and information boards will be installed at appropriate locations along the main trail, the alternative route and within the Lane Ends Amenity Area, to remind users of their responsibilities when using the coastal access rights, the importance of the area for nature conservation, the restrictions that are in place, the use of the alternative routes and any other relevant information about safety and access onto the marsh.

We acknowledge that there is a difference in the proposed alignment of the trail to the west and to the east of Lane Ends Amenity Area. To the west of Lane Ends Amenity Area, we propose that the alignment of the trail will be at the top of the embankment following the route which is already used by the public at certain times of the year. However, the proposed alignment of the trail heading east from Lane Ends Amenity Area will be at the base of the embankment on its landward side. There is currently no public right of access along this part of the embankment and, as it is much easier to manage new patterns of access than to influence more established patterns of use, we have proposed that between Lane Ends Amenity Area and the river Wrampool, the alignment of the trail will be within a fenced corridor, to steer walkers along the line of the trail and to prevent them from accessing the embankment and wider coastal margin (where new access rights would be excluded). This fenced corridor will be designed to ensure that existing access for livestock or farm machinery between landward and seaward sides of the embankment is maintained, whilst preventing access for walkers and dogs to seawards of the trail.

As a general principle, we must identify the least restrictive option in terms of management measures, sufficient to address any expected impact. The level of compliance with restrictions is likely to be inversely proportional to their extent and effect; we maximise the level of compliance by restricting access only where necessary and by clearly explaining the reasons to the public. We will continue to keep all long-term restrictions under review and will revise them if and when required.

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

Official copy (register of title) – LAN114696  
 Directions Map SDC 5F Cocker Bridge to Fluke Hall Lane

<b>Representation number:</b>	<b>MCA/SDC5/R/9/0019</b>
<b>Organisation/ person making representation:</b>	Ramblers – [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-5-S009 to S015; SDC-5-S016 to S037; SDC-5-S038 to S045; SDC-5-S047 to S051.
<b>Other reports within stretch to which this representation also relates:</b>	N/A

**Representation in full**

In general we welcome the proposal by NE for a continuous route for the ECP from Silverdale to Cleveleys. Some of this stretch of coast has been historically difficult for walkers and others to access and a number of the proposals for the route go some way to meeting the needs of the range of users for an ECP. However, there are a number of proposals we find unsatisfactory and we remain unconvinced that they provide an appropriate balance between the requirements of users and other interests. We highlight those matters below:

We support NE's proposed route from SDC-5-S001 to SDC-5-S008.

SDC-5-S009 to SDC-5-S015: We are hugely disappointed that the route is not to be nearer the coastline but accept there are some difficulties with this approach. Whilst the current bridleway (on SDC-5-S014 and S015) is reasonable well used, parts of this path (S015 particularly) are frequently subject to most unsatisfactory (wet) conditions underfoot and prove very difficult for users.

SDC-5-S016 to SDC-5-S037: We support this proposal but ask NE to give urgent reconsideration as to whether parts of the adjacent embankment may be used during times of tidal inundation.

SDC-5-S038 to SDC-5-S045: We are strongly opposed to the proposed route not being on the embankment (see also our representation re Directions and the comparison of the proposals here with those in Lincolnshire), being fenced, and sending people on an unacceptable alternative route for parts of the year.

The Pilling (or the Cockerham) Marsh Embankment, was built by the predecessors of the Environment Agency, part of the then North West Water Authority, with mainly public money. The Ramblers was given a public promise, during a radio interview, by the Authority that public access to the embankment would follow as a matter of course. That was in the late 1970's and the embankment was completed in 1981.

The Ramblers has raised the issue of the lack of promised public access on several occasions but the local landowners and Environment Agency have steadfastly resisted. We do not consider that either landowner opposition or unevicenced claims that walkers would disturb the roosting and nesting birds, or interfere with wildfowl being shot, are appropriate reasons for the ECP to be diverted away from the embankment.

The proposed route, between fences, at the shoreward side of the embankment for only part of a year will offer no views, just a dull and potentially wet slog. Indeed, at some times of the year walkers may have to take a longer, tedious inland and more arduous route which is totally divorced from the coast. (SDC-5-A0001 to 5-A004). The same road walking issues apply to SDC-5-A-010 to A019. All of this alternative route is unacceptable road walking for which we have seen no risk assessments. Walkers will be forced to mainly use a minor country road (mainly Gulf Lane), some miles from the coast, with only access to the coast being from Wrampool to Lane Ends, this being on the landward side of the Embankment.



Shooting will be allowed, for part of the year, across part of the Pilling Embankment, hence the diversion, to shoot the same birds deemed necessary of protection from ECP walkers who just wish to enjoy their part in nature.

We note, through the provision of access, with signs, from the road near the Cocker Bridge, that the route we seek is a currently walked route and we are unaware of any regular monitoring of this usage nor of any complaints regarding the disturbance of birds. The present proposals by NE thereby seek to restrict walkers of the coast path to a greater extent than the current informal local access. We are led to understand that birds (geese particularly) may feed during daylight, when the ECP is most likely to be used, in the fields nearby the proposed ECP route and therefore potentially subject to greater disturbance. During darker, winter hours the geese and wading birds roosting on the saltings would rarely, if ever, be affected by ECP walkers.

It is noted that other parts of the ECP such as through RSPB Reserves on the western side of The Wash which is also an important, perhaps more sensitive, locality for birds is not subject to the same strong proposed restrictions. We are concerned that an inconsistent approach to applying the Habitats Directive between regions will disadvantage users of the ECP in the north-west of England. We consider that access ought to be allowed to the top of the Embankment, which appears to be a wide flat surface, and where good views would be enjoyed. We note that equestrian use is allowed at the top of the embankment, which we understand is with the permission of the landowners.

SDC-5-S047 to SDC-5-S051: For the section from Lane Ends to Fluke, presently access is available for about 8½ months of the year, from Easter to Boxing Day. However Natural England are proposing to reduce this to six months of the year for ECP users. Currently, access is gained from near Sandford Cottage (near the junction of Fluke Hall Lane and Wheel Lane) to the Embankment, but this means of access to the Embankment does not feature in the report.

When access to the embankment to the west of the Picnic Site was granted it was meant to be without dogs, but on a recent visit we did not observe any notices to that effect. It was commented a few years ago to the Environment Agency that if good reasons exist for this restriction then it needs to be enforced, but if not, then for the restrictions should be removed. The situation that existed for several years gave access agreements a poor image. Natural England are now proposing major restrictions on dogs, which prompts questions about how this restriction will be enforced.

Access to the seaward side of the wood near Fluke Hall (SDC-5-S049 to SDC-5-S051) provides a welcome improvement on the present situation. We note that access is available on the eastern side of Broadfleet, from Broadfleet Bridge to the Embankment, but has not featured in the report.

We note that the existing notices at the Picnic Site and elsewhere on the Embankment are small. In order for the restrictions on access to be effective, we consider that larger notices will be needed amongst other interventions.

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

Natural England welcomes the general support for its proposals.

We acknowledge that the route west of Glasson Dock would ideally be closer to the coast. This is prevented by a combination of land management, suitability and nature conservation reasons. We expect to see considerable improvements to parts of Marsh Lane, prior to commencement.

We also accept that a preferred route for the ECP would have been on the top of the embankment at Pilling, rather than on its landward side. However, this was not possible, due to expected significant impacts on protected bird populations (as detailed in our published Habitats Regulations Assessment for Morecambe Bay). The alternative route proposed is the best solution available and largely follows the line of the existing Lancashire Way, by avoiding the main, busy road, although we recognise that it is not particularly convenient or direct.

The game shooting which lawfully takes place in this area involves non-protected species. We have had various discussions with the companies which operate these shoots and will continue to work with them to ensure that disruption to both walkers and lawful shooting is minimised.

Whilst we accept that enforcement of any legal restrictions is likely to be difficult, this does not mean that we should not propose such directions where we feel there is a need to do so. We aim to always use the least restrictive option in response to hazards or impacts; however, we will usually combine these with other measures, such as information panels to explain the reasons for the restriction. In this way, and by being proportionate in terms of restricting access, we hope to improve compliance. We would expect to work closely with partner organisations, including the RSPB and Morecambe Bay Partnership, over the content and design of information panels.

The route alignment and restrictions decisions are based on our Habitats Regulations Assessment and Nature Conservation Assessment, which we are obliged to complete by law. Each site must be considered carefully on its own merits, so meaningful comparisons are hard to draw between this and apparently similar sites elsewhere in the country.

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

None

<b>Representation number:</b>	<b>MCA/SDC5/R/10/0016</b>
<b>Organisation/ person making representation:</b>	The Open Spaces Society – [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-5-S009 to S015; SDC-5-S016 to S037; SDC-5-S038 to S045; SDC-5-S047 to S051.
<b>Other reports within stretch to which this representation also relates:</b>	N/A

**Representation in full**

In general we welcome the proposal by NE for a continuous route for the ECP from Silverdale to Cleveleys. Some of this stretch of coast has been historically difficult for walkers and others to access and a number of the proposals for the route go some way to meeting the needs of the range of users for an ECP. However, there are a number of proposals we find unsatisfactory and we remain unconvinced that they provide an appropriate balance between the requirements of users and other interests. We highlight those matters below:

We support NE's proposed route from SDC-5-S001 to SDC-5-S008.

SDC-5-S009 to SDC-5-S015: We are hugely disappointed that the route is not to be nearer the coastline but accept there are some difficulties with this approach. Whilst the current bridleway (on SDC-5-S014 and S015) is reasonable well used, parts of this path (S015 particularly) are frequently subject to most unsatisfactory (wet) conditions underfoot and prove very difficult for users.

SDC-5-S016 to SDC-5-S037: We support this proposal but ask NE to give urgent reconsideration as to whether parts of the adjacent embankment may be used during times of tidal inundation.

SDC-5-S038 to SDC-5-S045: We are strongly opposed to the proposed route not being on the embankment (see also our representation re Directions and the comparison of the proposals here with those in Lincolnshire), being fenced, and sending people on an unacceptable alternative route for parts of the year.

The Pilling (or the Cockerham) Marsh Embankment, was built by the predecessors of the Environment Agency, part of the then North West Water Authority, with mainly public money. The Ramblers was given a public promise, during a radio interview, by the Authority that public access to the embankment would follow as a matter of course. That was in the late 1970's and the embankment was completed in 1981.

The Ramblers has raised the issue of the lack of promised public access on several occasions but the local landowners and Environment Agency have steadfastly resisted. We do not consider that either landowner opposition or unevicenced claims that walkers would disturb the roosting and nesting birds, or interfere with wildfowl being shot, are appropriate reasons for the ECP to be diverted away from the embankment.

The proposed route, between fences, at the shoreward side of the embankment for only part of a year will offer no views, just a dull and potentially wet slog. Indeed, at some times of the year walkers may have to take a longer, tedious inland and more arduous route which is totally divorced from the coast. (SDC-5-A0001 to 5-A004). The same road walking issues apply to SDC-5-A-010 to A019. All of this alternative route is unacceptable

road walking for which we have seen no risk assessments. Walkers will be forced to mainly use a minor country road (mainly Gulf Lane), some miles from the coast, with only access to the coast being from Wrampool to Lane Ends, this being on the landward side of the Embankment.

Shooting will be allowed, for part of the year, across part of the Pilling Embankment, hence the diversion, to shoot the same birds deemed necessary of protection from ECP walkers who just wish to enjoy their part in nature.

We note, through the provision of access, with signs, from the road near the Cocker Bridge, that the route we seek is a currently walked route and we are unaware of any regular monitoring of this usage nor of any complaints regarding the disturbance of birds. The present proposals by NE thereby seek to restrict walkers of the coast path to a greater extent than the current informal local access. We are led to understand that birds (geese particularly) may feed during daylight, when the ECP is most likely to be used, in the fields nearby the proposed ECP route and therefore potentially subject to greater disturbance. During darker, winter hours the geese and wading birds roosting on the saltings would rarely, if ever, be affected by ECP walkers.

It is noted that other parts of the ECP such as through RSPB Reserves on the western side of The Wash which is also an important, perhaps more sensitive, locality for birds is not subject to the same strong proposed restrictions. We are concerned that an inconsistent approach to applying the Habitats Directive between regions will disadvantage users of the ECP in the north-west of England. We consider that access ought to be allowed to the top of the Embankment, which appears to be a wide flat surface, and where good views would be enjoyed. We note that equestrian use is allowed at the top of the embankment, which we understand is with the permission of the landowners.

SDC-5-S047 to SDC-5-S051: For the section from Lane Ends to Fluke, presently access is available for about 8½ months of the year, from Easter to Boxing Day. However Natural England are proposing to reduce this to six months of the year for ECP users. Currently, access is gained from near Sandford Cottage (near the junction of Fluke Hall Lane and Wheel Lane) to the Embankment, but this means of access to the Embankment does not feature in the report.

When access to the embankment to the west of the Picnic Site was granted it was meant to be without dogs, but on a recent visit we did not observe any notices to that effect. It was commented a few years ago to the Environment Agency that if good reasons exist for this restriction then it needs to be enforced, but if not, then for the restrictions should be removed. The situation that existed for several years gave access agreements a poor image. Natural England are now proposing major restrictions on dogs, which prompts questions about how this restriction will be enforced.

Access to the seaward side of the wood near Fluke Hall (SDC-5-S049 to SDC-5-S051) provides a welcome improvement on the present situation. We note that access is available on the eastern side of Broadfleet, from Broadfleet Bridge to the Embankment, but has not featured in the report.

We note that the existing notices at the Picnic Site and elsewhere on the Embankment are small. In order for the restrictions on access to be effective, we consider that larger notices will be needed amongst other interventions.

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

Natural England welcomes the general support for its proposals.

We acknowledge that the route west of Glasson Dock would ideally be closer to the coast. This is prevented by a combination of land management, suitability and nature conservation reasons. We expect to see considerable improvements to parts of Marsh Lane, prior to commencement.

We also accept that a preferred route for the ECP would have been on the top of the embankment at Pilling, rather than on its landward side. However, this was not possible, due to expected significant impacts on protected bird populations (as detailed in our published Habitats Regulations Assessment for Morecambe Bay). The alternative route proposed is the best solution available and largely follows the line of the existing Lancashire Way, by avoiding the main, busy road, although we recognise that it is not particularly convenient or direct.

The game shooting which lawfully takes place in this area involves non-protected species. We have had various discussions with the companies which operate these shoots and will continue to work with them to ensure that disruption to both walkers and lawful shooting is minimised.

Whilst we accept that enforcement of any legal restrictions is likely to be difficult, this does not mean that we should not propose such directions where we feel there is a need to do so. We aim to always use the least restrictive option in response to hazards or impacts; however, we will usually combine these with other measures, such as information panels to explain the reasons for the restriction. In this way, and by being proportionate in terms of restricting access, we hope to improve compliance. We would expect to work closely with partner organisations, including the RSPB and Morecambe Bay Partnership, over the content and design of information panels.

The route alignment and restrictions decisions are based on our Habitats Regulations Assessment and Nature Conservation Assessment, which we are obliged to complete by law. Each site must be considered carefully on its own merits, so meaningful comparisons are hard to draw between this and apparently similar sites elsewhere in the country.

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

None

<b>Representation number:</b>	<b>MCA/SDC5/R/11/1503</b>
<b>Organisation/ person making representation:</b>	Historic England – [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-5-S001 to S003
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
Historic England has no objection to, or issues with, the Coast Path proposals as they affect the Glasson Dock scheduled monument.	
<b>Natural England's comments</b>	
Natural England is grateful to Historic England for this confirmation.	
<b>Relevant appended documents (see section 5):</b>	
None	

<b>Representation number:</b>	<b>MCA/SDC5/R/12/1503</b>
<b>Organisation/ person making representation:</b>	Historic England – [redacted]
<b>Route section(s) specific to this representation:</b>	SDC-5-S018 & S019
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
Historic England has no objection to, or issues with, the Coast Path proposals as they affect the Cockersand Premonstratensian Abbey scheduled monument.	
<b>Natural England's comments</b>	
Natural England is grateful to Historic England for this confirmation.	

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

None

**Summary of ‘other’ representations making non-common points, and Natural England’s comments on them**

<b>Representation ID:</b>	<b>MCA/SDC5/R/1/1603</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	Glasson Dock to Crook Farm
<b>Report map reference:</b>	Report Map: SDC 5a Restrictions: Map SDC 5A: Crook Farm Map SDC 5B: Glasson Marsh Map SDC 5D: Chapel Hill
<b>Route sections on or adjacent to the land:</b>	SDC 5-S001 to S016 (Glasson Dock to Crook Farm) Restrictions in report 5
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b>	
<p>The representation expresses concerns over apparent loss of traditional access, as a result of NE's proposed directions to exclude access under s25A. It also mentions a specific circular route frequently undertaken by the respondent, which he believes will be no longer available to him as a result of NE's proposals. Concerns are also expressed about the basis for restrictions under s26 and for the surface of the proposed path in places, as well as for the flooding of Marsh Lane.</p> <p>There is a suggestion that NE should have consulted more widely, by placing notices on the paths affected.</p>	
<b>Natural England’s comment:</b>	
<p>As we have stated in our proposals, the proposed exclusion relates only to any new rights of access under MCA 2009. We have proposed exclusions only where we believe that it makes sense to do so. In making such decisions, we must take into account the possibility that people without good local knowledge of the areas in question might otherwise be tempted to explore areas that we believe are not generally suitable for a right of access, particularly in the absence of that key local knowledge.</p> <p>Natural England has a duty to put in place such exclusions and restrictions as it deems are necessary, in relation to various factors. These include not only lack of suitability for access over saltmarsh and flat, but also land management and nature conservation aspects. We are aware of the situation on Marsh Lane, but believe that a practical and effective solution can be put in place.</p>	
<b>Relevant appended documents (see Section 5):</b>	
None	

<b>Representation ID:</b>	<b>MCA/SDC5/R/2/1548</b>
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	Sea Wall at Pilling
<b>Report map reference:</b>	SDC 5e to 5g
<b>Route sections on or adjacent to the land:</b>	SDC5-S041 to S044 highlighted on the supporting evidence

<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b> Concerns focus primarily on the alignment of the route immediately inland of the flood embankment at Pilling, rather than on the top of the embankment. There are also concerns about the proposed direction to restrict dogs to leads.	
<b>Natural England's comment:</b> Natural England explored many options in this area, including aligning the path on the top of the embankment. The marsh to the seaward side of the embankment is a very important habitat for various species of protected birds, often roosting on the seaward flank of the embankment (particularly around spring tides). Our analysis of the potential impacts precluded aligning the ECP along the top of the embankment, as this would present a significant risk of disturbance.	
<b>Relevant appended documents (see Section 5):</b> Brian Fisher comments and map	

<b>Representation ID:</b>	<b>MCA/SDC5/R/3/1605</b>
<b>Organisation/ person making representation:</b>	Canal & River Trust – [redacted]
<b>Name of site:</b>	Glasson Dock swing bridge
<b>Report map reference:</b>	SDC 5a
<b>Route sections on or adjacent to the land:</b>	SDC-5-S001
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b> The representation expresses general support, with additional information around occasional closure of swing-bridge and the need for further discussion over proposed establishment works.	
<b>Natural England's comment:</b> Natural England is grateful for the support and clarification provided. We can confirm that Lancashire County Council will hold further discussions with landowners prior to undertaking establishment works.	
<b>Relevant appended documents (see Section 5):</b> None	

<b>Representation ID:</b>	<b>MCA/SDC5/R/13/1422</b>
<b>Organisation/ person making representation:</b>	Thurnham with Glasson Parish Council – [redacted]
<b>Name of site:</b>	Marsh Lane Bridleway and restrictions on Glasson Marsh
<b>Report map reference:</b>	Direction map SDC 5B
<b>Route sections on or adjacent to the land:</b>	SDC-5-S006 to S017
<b>Other reports within stretch to which this representation also relates</b>	N/A

**Summary of representation:**

The representation initially focuses on Glasson Marsh, raising concerns about both the trail and the extent of restrictions proposed in this area. It specifically notes the issue of flooding at Jansen's Pool, that would severely impact the proposed route, and advises that this must be addressed. There are strong concerns about the reduction in accessibility of the area of Glasson Marsh, and between Crook Farm and the marsh, with more restrictive proposals that exist in relation to the current CROW access land. The reasons of safety and to protect nesting birds are not regarded as reasonable. The result would be an overall reduction, rather than an improvement in public access in this area. Finally, the representation calls for the proposed access exclusions to be modified.

**Natural England's comment:**

As we have stated in our proposals, the proposed exclusion relates only to any new rights of access under MCA 2009. We have proposed exclusions only where we believe that it makes sense to do so. In making such decisions, we must take into account the possibility that people without good local knowledge of the areas in question might otherwise be tempted to explore areas that we believe are not generally suitable for a right of access, particularly in the absence of that key local knowledge. Similarly, any proposed directions under s26 of CROW are derived from our published Habitats Regulations Assessment and Nature Conservation Assessment, which we're obliged to complete by law. The resulting directions represent the least restrictive measures necessary to safeguard the protected features.

We are aware of the issue of flooding at Jansen's Pool and have had some discussions with the Environment Agency and Lancashire County Council over this. We believe that it should be possible to resolve this issue, prior to the commencement of new rights on this part of the coast.

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

None

## Supporting documents

MCA/SDC5/R/4/0801 Jones Sandvilla – [redacted]  
Coastal path modifications map 1



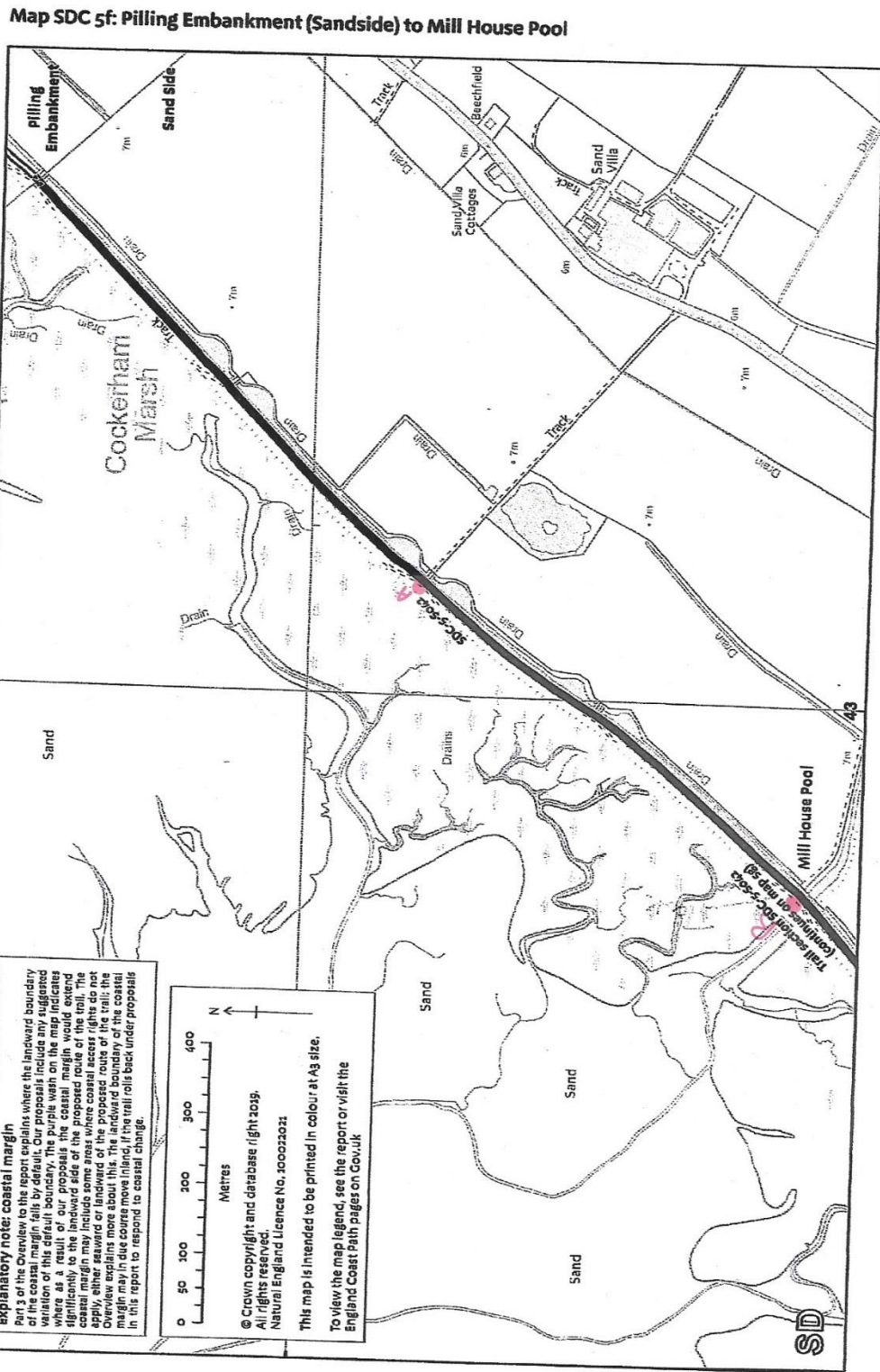
Coastal Access - Silverdale to Cleveleys - Natural England's Proposals  
 Report SDC 5: Classon Dock swing bridge to Fluke Hall Lane car park, Pilling  
**Map SDC 5f: Pilling Embankment (Sandside) to Mill House Pool**

**Explanatory note: coastal margin**  
 Part 3 of the Overview to the report explains where the landward boundary of the coastal margin falls by default. Our proposals include any suggested variation of this default boundary. The purple wash on the map indicates where as a result of our proposals the coastal margin would extend significantly to the landward side of the proposed coastal margin. The coastal margin may include some areas where coastal access rights do not apply, either seaward or landward of the proposed route of the trail; this map explains more about this. The landward boundary of the coastal margin is shown in red. The landward boundary of the coastal margin may be more inland, if the trail rolls back under proposals in this report to respond to coastal change.

0 50 100 200 300 400  
 Metres

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This map is intended to be printed in colour at A3 size.  
 To view the map legend, see the report or visit the England Coast Path pages on Gov.uk



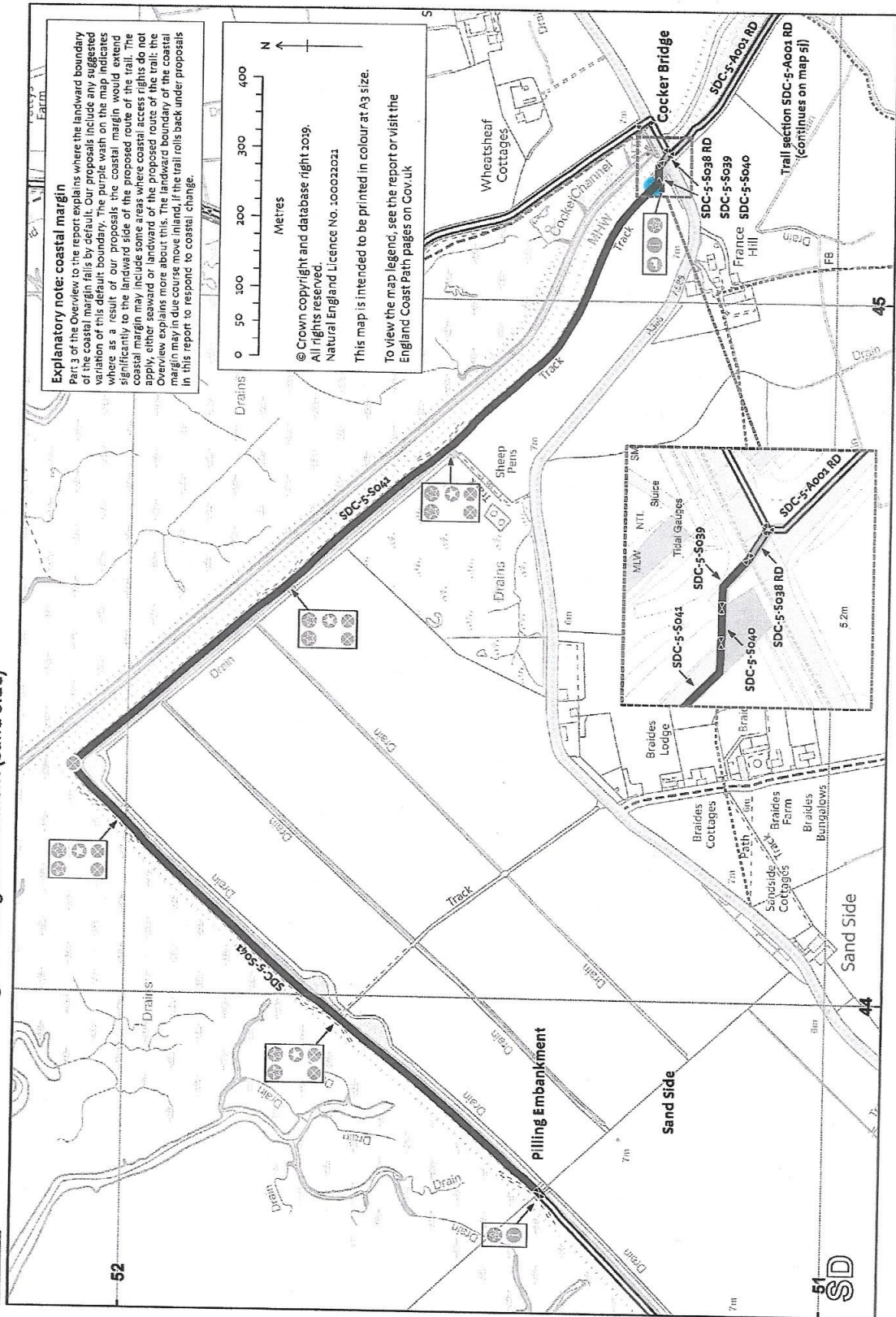
Map SDC 5f: Pilling Embankment (Sandside) to Mill House Pool

**MCA/SDC5/R/4/0801 Jones Sandvilla – [redacted]  
Coastal path modifications map 2**

Coastal Access - Silverdale to Cleveleys - Natural England's Proposals  
 Report SDC 5: Classon Dock, swing bridge to Fluke Hall Lane car park, Pilling  
**Map SDC 5e: Cocker Bridge to Pilling Embankment (Sand Side)**



**Map SDC 5e: Cocker Bridge to Pilling Embankment (Sand Side)**



**MCA/SDC5/R/8/0818 - Armistead Barnett on behalf of [redacted]**  
**Official copy (register of title) – LAN114696**

**A: Property Register**

This register describes the land and estate comprised in the title.

LANCASHIRE : WYRE

1 (25.02.2011) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land at Pilling, Preston.

NOTE: Any sewer, drain, disposal main, water main, resource main, water supply intake, discharge or other pipe, pumping station, cable, or other service, apparatus, or accessory laid in, on, over or under the land relating to functions as a water or sewerage undertaker are excluded from the title.

2 (25.02.2011) The mines and minerals including coal iron ore and mineral substances are excepted together with the following rights to work or get the mines and minerals...with full and free liberty for The Queen's Most Excellent Majesty in Right of Her Duchy of Lancaster or their Officers Grantees and Tenants and all persons in that behalf authorised by Her or them to enter into or upon the same premises or any part thereof and to open search for work take and carry away such mines minerals and mineral substances and with full liberty to make use of or employ any such workings for any purposes whatsoever but so nevertheless as to afford support to the firm land adjacent to the said lands and making reasonable compensation for any injury which may be done by reason of such workings or user to the said premises or any part thereof but such compensation shall not apply to any buildings erected thereon after the date of these presents.

3 In so far as the land is affected thereby it has the benefit of the rights contained in section 5 Schedule 6 Part II of the Transfer Scheme dated 1 September 1989 referred to in the Charges Register.

NOTE: Copy section 5 Schedule 6 Part II filed under title LAN101200.]

**B: Proprietorship Register**

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (25.02.2011) PROPRIETOR: ENVIRONMENT AGENCY of Regional Solicitor,

**B: Proprietorship Register continued**

Richard Fairclough House, Knutsford Road, Warrington, Cheshire WA4 1HT and of Horizon House, Deanery Road, Bristol BS1 5AH.

2 RESTRICTION: No charge of the registered estate by the proprietor of the registered estate is to be completed by registration.

**C: Charges Register**

This register contains any charges and other matters that affect the land.

1 The land is subject to such estate contracts, restrictive covenants, equitable easements and other matters (if any) that may affect the land and have been registered in the Land Charges Department under the Land Charges Act 1972.

2 (25.02.2011) By a Conveyance thereof and of other land dated 25 March 1946 made between (1) Alan Reginald Utley (Vendor) and (2) James Blundell Clarkson (Purchaser) the land tinted pink and yellow on the title plan was conveyed subject as follows:-

"... subject ... to any public or private rights whatsoever (except the right of His Majesty) over or in respect of such property and subject also the proviso contained in a Conveyance dated the twenty third day of December One thousand nine hundred and twenty five and made between Charles Windham Leycester Penrhyn-Hornby of the first part Arthur William Ladyman and Arthur Lawford Wigan of the second part and ...

Samuel Kellett of the third part"

NOTE: Neither the original Conveyance dated 23 December 1925 referred to nor a certified copy or examined abstract thereof was produced on first registration.

3 (25.02.2011) As to the land tinted mauve on the title plan a Conveyance dated 25 November 1964 made between (1) Richard Cropper Harrison and Margaret Harrison and (2) Richard Clegg Watson and Betty Watson contains covenants conditions agreements and declarations and exceptions and reservations but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.

4 (25.02.2011) The land tinted blue and brown on the title plan is subject to the following rights reserved by a Conveyance thereof and of other land dated 21 August 1967 made between (1) Anthony Feilden Mason- Hornby (Vendor) (2) Samuel Alfred William Kellet and others (Trustees) and (3) Samuel Alfred William Kellet and others (Purchasers):-

"SUBJECT to the exceptions and reservations specified in the Third Schedule hereto

The Third Schedule above referred to There are reserved unto the Vendor: -

all such rights and privileges in the nature of easements or quasi- easements relative to way water light drainage electricity or otherwise as now subsist or are enjoyed by the Vendor in respect of other property of the Vendor benefiting therefrom.

5 (25.02.2011) A Conveyance of the land tinted brown on the title plan dated 18 February 1981 made between (1) Richard Samuel Kellet and others (Vendors) and (2) North West Water Authority (Authority) contains the following covenants:-

"THE Authority with the intent and so as to bind (so far as practicable) the property hereby conveyed into whosoever hands the same may come and to benefit and protect the Vendors' adjoining or neighbouring property known as Pilling Hall Farm hereby covenants with the Vendors that it the Authority and its successors in title will at all times hereafter observe the following restrictions namely: -

(1) Not to dedicate allow permit cause or enable any person body or

C: Charges Register continued

authority to permit or allow the dedication of any part of the property hereby conveyed to be used as a public footpath or bridleway

(2) Not to enter into any access agreement whereby the public at large or any sector or group of the public is permitted access to the property hereby conveyed"

6 (25.02.2011) A Conveyance of the land tinted pink on the title plan and other land dated 18 February 1981 made between (1) Richard Samuel Kellet and others (Vendors) and (2) North West Water Authority (Authority) contains the following covenants:-

"THE Authority with the intent and so as to bind (so far as practicable) the property hereby conveyed into whosoever hands the same may come and to benefit and protect the adjoining or neighbouring lands of the Vendors known as Brick House Farm hereby covenants with the Vendors that it the Authority and its successors in title will at all times hereafter observe the following restrictions namely: -

(1) Not to dedicate allow permit cause or enable any person body or authority to permit or allow the dedication of any part of the land hereby conveyed to be used as a public footpath or bridleway

(2) Not to enter into any access agreement whereby the public at large or any sector or group of the public is permitted access to the property hereby conveyed between the points marked 'C' 'D' and 'E' on the said Plan without first consulting the Vendors or their successors in title and in particular to use its best endeavours to ensure that such access agreements contain terms banning dogs throughout the year on such property and preventing public access thereon between mid January and Maundy Thursday in each year"

NOTE: Copy Plan filed.

7 (25.02.2011) A Conveyance of the land tinted yellow, mauve and blue on the title plan and other land dated 10 July 1987 made between (1) James Gilbert Kellet and William Norman Kellet (Vendors) and (2) North West Water Authority (Authority) contains the following covenants:-

"THE Authority with the intent and so as to bind (so far as practicable) the property hereby conveyed into whosoever hands the same may come and to benefit and protect the Vendors' adjoining or neighbouring property known as Pilling Hall Farm hereby covenants with the Vendors that it the Authority and its successors in title will at all times hereafter observe the following restrictions namely: -

(1) Not to dedicate allow permit cause or enable any person body or authority to permit or allow the dedication of any part of the property hereby conveyed to be used as a public footpath or bridleway

(2) Not to enter into any access agreement whereby the public at large or any sector or group of the public is permitted access to the property hereby conveyed"

8 The land is subject to the general exceptions and reservations contained in sections 1 and 2 of Part 1 of Schedule 6 to the Transfer Scheme dated 1 September 1989 made between (1) North West Water Authority (2) North West Water Limited and (3) National Rivers Authority.

NOTE:-Copy sections 1 and 2 of Schedule 6 Part 1 filed under title LAN101200.

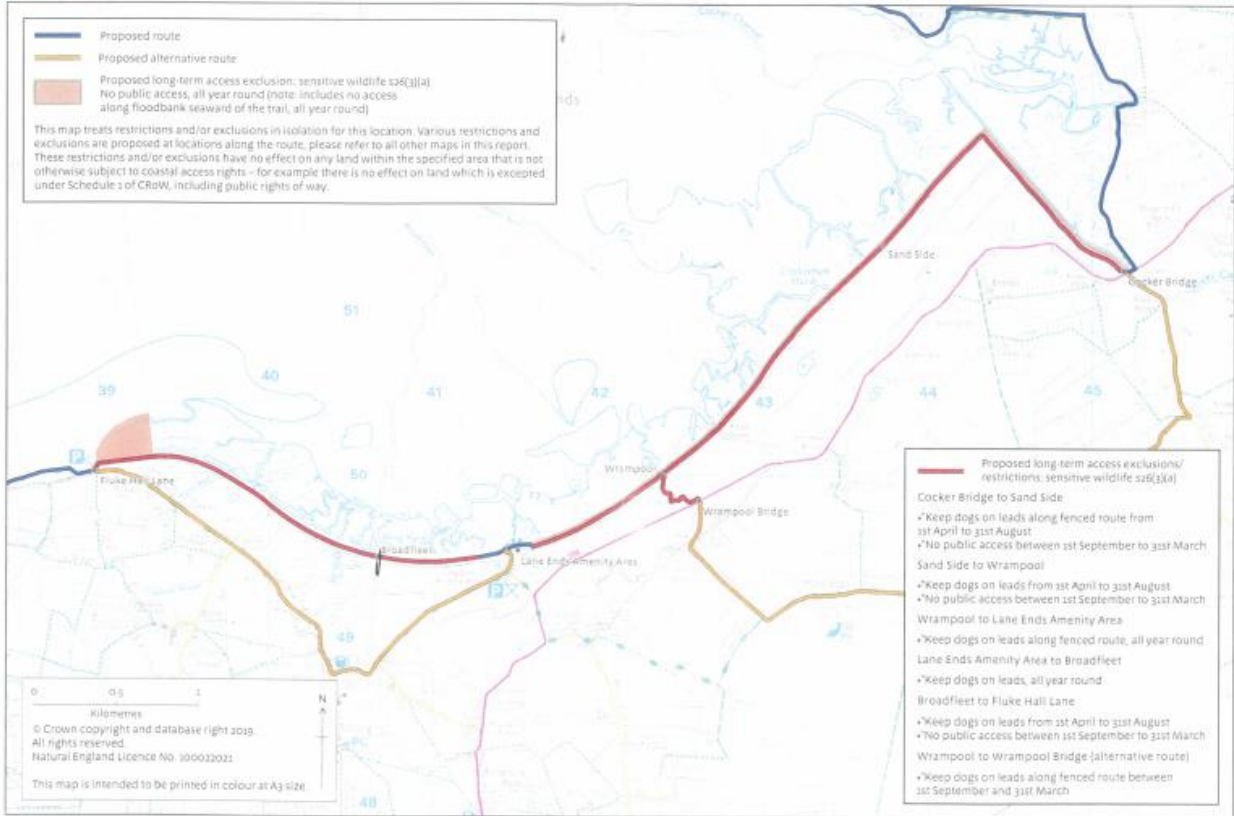
End of register



**MCA/SDC5/R/8/0818 - Armistead Barnett on behalf of [redacted]  
 Directions map SDC 5F Cocker Bridge to Fluke Hall Lane**



Coastal Access - Silverdale to Cleveleys - Natural England's Proposals  
 Report SDC 5: Glasson Dock swing bridge to Fluke Hall Lane car park  
**Directions Map SDC 5F: Cocker Bridge to Fluke Hall Lane**



Directions Map SDC 5F: Cocker Bridge to Fluke Hall Lane

**MCA/SDC5/R/2/1548 – [redacted]  
Comments and Map**

Stretch of access between River Cocker and Lane Ends amenity area

I write to enquire why, in view of the fantastic views from the embankment, it is necessary for the footpath to be at the base base the sea wall?

The sea wall was built by the by the then river board (now the environmental agency?) and enclosed a great acreage for the farmers in question. It was built with 'public' money and as I understood it at the time, the farmers who benefited had to contribute money in proportion to the land claimed etc..

This has obviously been paid back long since! Why then isn't the public allowed to walk on the sea wall with it's FANTASTIC views.....One of the reasons is ...Shooting rights, which are allowed and presumably people have to contribute to!

In addition, there is grazing (sheep and cattle etc..) rights on the marsh (Bear in mind a lot of land has been claimed by the building of the sea wall to which the land owners in question have benefited) , but the farmers still are not happy with the situation.

Remember, the sea wall was built with 'public money' and sits on land which the farmers own (quite rightly so), but they still claim the shooting rights (quite rightly so).

If the coastal path has to be on the 'landward' side of the sea wall, why not access on top of the wall(see my comments earlier!)

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Another objection is because of dogs.....should not these be kept on leads at all times? I notice Natural England's concern over wildlife (toads , birds, etc..) , ....People seem to forget that birds have wings and if there habitat is compromised, they can easily re-locate!

It seems to me, that the public are being held to ransom by the land owners AND Natural England, when the sea wall was built with public money, and the public are being denied access for what they contributed to in the first place!

Nowhere in my comments have I commented about entirely open access, but, as with other areas (indeed sections of the sea wall and it's surroundings) at certain times of the year are quite justifiably in operation.

Why cannot there be access on the top of the wall...Albeit restricted ( I think about dogs (on leads) and their proximity to cattle, sheep, etc.) at certain times, when the public can take advantage of the fantastic views from the sea wall.....Maybe , on a clear day, some of the best in the North-west of England?

I would be very grateful for your comments (and justified reasons) why restricted public access is not allowed on this section of the Coastal Path!



