

Coastal Access – Birkenhead to the Welsh border



Representations on BHW 2: Red Rocks, Hoylake to 'The Boat House' public house, Parkgate and Natural England's comments

March 2021

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	<ul style="list-style-type: none">• 'Attached sheet with details and references' - appended to representation form [redacted]• Additional information submitted by Email, dated 19th January [redacted]• Photo of WFPOSPS Signpost [redacted]• The Disabled Ramblers document: <i>Man-made Barriers and Least Restrictive Access</i> – Supplied separately	

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 Birkenhead to the Welsh border was submitted to the Secretary of State on 16th

December 2020. This began an eight week period during which representations and objections about each constituent report could be made.

In relation to report BHW 2: Red Rocks, Hoylake to 'The Boat House' public house, Parkgate, Natural England received 11 representations, of which 4 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 7 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

Representation number: MCA/BHW2/R/3/0963

Organisation/ person making representation:

[Name redacted] (Historic England)

Route section(s) specific to this representation:

Not specified

Other reports within stretch to which this representation also relates:

N/A

Representation in full

Historic England considers that the Coastal Access proposals for the section from Red Rocks Slipway to Parkgate would have little or no impact on the historic environment, due to the route selected and the nature of the work proposed. There would certainly be no impact on designated heritage assets such as scheduled monuments, listed buildings and registered parks and gardens.

Natural England's comments

Natural England is grateful for this confirmation from Historic England.

Relevant appended documents (see section 5):

None supplied

Representation number: MCA/BHW2/R/6/0930

Organisation/ person making representation:

[Name redacted] (The Ramblers)

Route section(s) specific to this representation:

Not specified

Other reports within stretch to which this representation also relates:

N/A

Representation in full

1. We support the route shown on map BHW 2a as an alternative that would need to be taken at the height of tides in excess of around 9 metres. This alternative route would currently only need to be used for 1 hour each side of a high tide for around 20 days a year.
2. We note and welcome the proposed route following the cliff tops between Station Road, Thurstaston BHW2 SO29 and Heswall Fields BHW2 SO37. This route is currently a permissive path, has been obstructed at certain hedged field boundaries, and the path surface is very muddy during wet periods and also through Heswall Fields. The obstructions will need to be removed and due consideration given to the provision of a path surface suitable for all seasons and to take account of the unstable cliffs.
3. At BHW2 SO39 the line of the path appears to descend off the clay cliffs onto the beach. Consideration will need to be given to the construction of a suitable path to protect the fragile cliff face. Parts of the section between BHW2 SO39 and BHW2 SO 55 are extremely muddy and a suitable path surface will need to be constructed.
4. We note the path is routed inland between Banks Road, Heswall BHW2 SO55 and Cottage Lane, Gayton BHW2 SO65. It is perfectly possible to walk between these two points along the saltmarsh margins on informal paths on the inshore side of the Gayton gully in particular. It is accepted there are numerous small gullies in this part of the saltmarsh. Whilst these gullies can be easily stepped over we accept the construction of a permanent path would present challenges and understand the reasoning for the proposed route. However we would ask if the situation can be kept under review.

Natural England's comments

1. We are grateful for this information and the support expressed.
2. We understand that the permissive access arrangements only extend over trail sections S029 to S034 inclusive, leading to a set of steps down onto the foreshore (now closed as they are in a poor state of repair). We can confirm that the proposed route (to S034) would be brought up to the required standard, if approved. Further work to improve access over the new sections of the route between S035 to S037 is also proposed.
3. We have noted that significant works will be required in this area, in order to create a safe and sustainable path. The exact design of the path creation works will be agreed with the landowner and the local authority, prior to the establishment phase.
4. Natural England acknowledges that parts of the proposed route in this area are further inland than would ideally be the case or than might have been expected. We invested considerable time and effort in trying to identify a route that followed the coast (around the landward edge of the saltmarsh) much more closely. However, various factors prevented this:
 - We have very limited powers to propose a route through areas of excepted land, such as gardens, as defined by the legislation. In several places along this part of the Wirral coast, continuous strips of such land stretch from the Wirral Way as far as the very edge of the saltmarsh. These effectively act as barriers to any continuous route above the saltmarsh but close to the coast.
 - In other locations, we have been able to propose that the route follows existing paths (both public footpaths and permissive routes) at the landward edge of the saltmarsh, as we have been able demonstrate that doing so will not significantly impact the species and habitats of the protected site through which these paths run (The Dee Estuary Special Protection Area). However, it is considerably harder to conclude such a lack of impact where existing public access is more limited or where this

would bring people much closer to areas where impacts would be highly detrimental (such as the important tidal channel known as Gayton Hole, between banks Road and Cottage Lane. Despite lengthy conversations aimed at identifying suitable mitigation measures to reduce the risk of impact on protected species of birds arising from a route at the very landward edge of the marsh, we were obliged to seek a route further inland in some cases.

We recognise that the outcome will be disappointing to some, but we are clear that we have proposed the best possible alignment available, taking such factors into consideration.

Relevant appended documents (see section 5):

None supplied

Representation number: MCA/BHW2/R/10/1040

Organisation/ person making representation:

[Name redacted] (Cheshire West and Chester Council)

Route section(s) specific to this representation:

BHW-2-SO65

Other reports within stretch to which this representation also relates:

N/A

Representation in full

With regards to the final row of the Table 5, it is recommended that the map(s) referenced in column 1 should include '2h' as it contains the latter part of the referenced route section.

Natural England's comments

We acknowledge that this is the case but do not consider that it materially affects our proposals.

Relevant appended documents (see section 5):

None supplied

Representation number: MCA/BHW2/R/11/1040

Organisation/ person making representation:

[Name redacted] (Cheshire West and Chester Council)

Route section(s) specific to this representation:

Not specified

Other reports within stretch to which this representation also relates:

BHW 3

Representation in full

With regards to the estimate of the capital costs for physical establishment of the trail on the proposed route, the stated sums are considered to be a significant underestimate of the requisite investment to ensure that the trail is fit for purpose given the anticipated high usage levels. The capital investment needs to extend beyond where new access is being created.

The annual maintenance budgets for the routes are also considered to be inadequate for the regular upkeep and maintenance of this proposal particularly with the additional infrastructure, signs etc that need to be maintained and inspected between BHW-3-SO13 and SO25. Historically there has been maintenance issues with regards to the reeds that will require the budget to be increased so that the Council and other parties responsible for future maintenance are not disadvantaged.

Natural England's comments

The estimated costs of establishment of the proposed route are based on discussions with officers of the authority. At the time of publication of our proposals, we would not necessarily expect to have concluded such discussions, which will continue up to the point that establishment works are completed. We aim to ensure that the coast path is built and maintained at an adequate standard throughout, with all reasonable costs being met via the coastal access programme.

The maintenance costs within our published proposals are based on a version of the standard formula for calculating the contribution made by government towards the maintenance of all national trails, including the England Coast Path. They are generalised and do not take account of each item of infrastructure to be maintained in the future. However, the expectation is that the local authority, or a new Trail Partnership, will take on maintenance of this stretch of the coast path, drawing on funding from government and other sources. The ongoing maintenance grant will not cover all maintenance costs; this takes into account the existing maintenance liability for public rights of way (where these form part of the coast path), for which the local authority already receives funding.

Relevant appended documents (see section 5):

None supplied

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

Representation ID: MCA/BHW2/R/1/1025

Organisation/ person making representation:

[Name redacted]

Name of site:

Not specified

Report map reference:

BHW 2b to BHW 2g

Route sections on or adjacent to the land:

BHW-2-S002 to S004, BHW-2-S019 to S023, BHW-2-S024 to S029, BHW-2-S030 to S032, BHW-2-S044 to S055, BHW-2-S063 and BHW-2-S055 to S065

Other reports within stretch to which this representation also relates

BHW 3

Summary of representation:

The representation suggests that insufficient consideration has been given to the route in terms of year-round access. Concerns are raised as to the expected high levels of use of the path, the need to ensure that it is suitable for less able users and the requirement for maintenance. The representation mentions the wet nature of the ground in various locations and suggests a suitable construction type. It states that the path should not be flanked by barbed wire.

The use of the Wirral Way as part of the ECP is not supported (S024 to S029), due to business of the Wirral Way and poor views to the coast.

Finally, the requirement for an 'exclusion of the coastal route' is questioned, in relation to S055 to S065.

Natural England's comment:

The precise details of path construction in this area are still being discussed with the local authority, who would be responsible for undertaking the work and maintaining the route in the future. We are keen to adopt a solution that will provide a safe and sustainable route long into the future, with maintenance requirements kept to a minimum. We agree that the solution must include a satisfactory way of carrying the path over areas of wet and muddy ground.

In relation to the use of the Wirral Way (S024 to S029), we invested considerable time in a search for a route closer to the coast in this area (and other sections further southeast). We commissioned a study of the possibility of creating a path along the top of the rock armour, adjacent to Caldy golf course, but concluded that the cost of both establishment and maintenance could not be justified when a reasonably suitable route already exists nearby. Southeast of the golf course, there are no options for a suitable path between the foreshore and the Wirral Way. However, the foreshore will become part of the coastal margin and will therefore be legally accessible when tidal conditions allow.

We can confirm that ongoing essential maintenance of the England Coast Path will be substantially funded by government.

We are not clear on the question relating to the 'exclusion of the coastal route' at sections S055 to S065. Here, we were obliged to propose that the ECP should follow the Wirral Way, on the basis of nature conservation concerns that would arise from aligning the route on the saltmarsh, as is explained in our Habitats Regulations Assessment, published alongside our coastal access proposals. An access exclusion would operate over much of the coastal margin (on the seaward side of the tidal creek shown on the maps as 'Gayton Hole') adjacent to these route sections, but would not affect the route itself.

Relevant appended documents (see Section 5):

'Attached sheet with details and references'-appended to representation form.

Representation ID: MCA/BHW2/R/2/0119

Organisation/ person making representation:

[Name redacted] (Caldy Golf Club)

Name of site:

Caldy golf course

Report map reference:

BHW 2c – 2d

Route sections on or adjacent to the land:

BHW-2-S027 to S030

Other reports within stretch to which this representation also relates

N/A

Summary of representation:

The representation expresses agreement with NE's decision not to propose that the main route should follow the top of the rock armour, adjacent to the golf course, mentioning the costs associated with this as being considerable. Other considerations are mentioned, including the risk of unseen walkers being in close proximity to playing area and risk of increased erosion.

A concern is then expressed over the identification of parts of the golf course as a Site of Biological Interest within NE's coastal access proposals, along with a suggestion that the proposed route should be described solely as the Wirral Way in the proposals, rather than 'Cycle track – pedestrian' and 'Other existing walked route'. It is suggested that these factors will increase the risk of trespass over the golf course.

Natural England's comment:

As explained in our published proposals, we agree that the costs of establishing and maintaining a new path along the top of the rock armour in this vicinity would be disproportionate to the public benefit, considering the availability of a generally suitable route nearby (the Wirral Way).

There is no mechanism by which our published reports might be amended and republished, so we cannot consider any request to change parts of the text within our reports. Furthermore, the location of the Site of Biological Interest is already in the public domain, so we do not consider that any reference to this within our published reports will have any significant effect on behaviours. We are obliged to consider the possible impacts of our proposals on sites and features designated for their nature conservation value – and we must show that we have done so by publishing the details.

Relevant appended documents (see Section 5):

Additional information submitted by Email, dated 19th January

Representation ID: MCA/BHW2/R/4/0936**Organisation/ person making representation:**

[Name redacted] (Wirral Footpaths and Open Spaces Preservation Society)

Name of site:

Not specified

Report map reference:

Not specified

Route sections on or adjacent to the land:

Not specified

Other reports within stretch to which this representation also relates

BHW 1, BHW 3

Summary of representation:

The representation opens with support for the England Coast Path programme and the proposals for this stretch, but also expresses disappointment with the proposed route of the path between Banks Road and Cottage Lane. It suggests that the route should ideally follow the edge of the marsh in this area.

The representation also considers the general requirement for new signage on this part of the coast path, asking that it be kept to a reasonable minimum and that any new signs might complement existing signs owned by the society, wherever possible.

Natural England's comment:

We are grateful to the Society for the message of support and the acknowledgement as to the effect of the proposed directions within our proposals.

Natural England acknowledges that parts of the proposed route in this area are further inland than would ideally be the case or than might have been expected. We invested considerable time and effort in trying to identify a route that followed the coast (around the landward edge of the saltmarsh) much more closely. However, various factors prevented this:

- We have very limited powers to propose a route through areas of excepted land, such as gardens, as defined by the legislation. In several places along this part of the Wirral coast, continuous strips of such land stretch from the Wirral Way as far as the very edge of the saltmarsh. These effectively act as barriers to any continuous route above the saltmarsh but close to the coast.
- In other locations, we have been able to propose that the route follows existing paths (both public footpaths and permissive routes) at the landward edge of the saltmarsh, as we have been able demonstrate that doing so will not significantly impact the species and habitats of the protected site through which these paths run (The Dee Estuary Special Protection Area). However, it is considerably harder to conclude such a lack of impact where existing public access is more limited or where this would bring people much closer to areas where impacts would be highly detrimental (such as the important tidal channel known as Gayton Hole, between banks Road and Cottage Lane. Despite lengthy conversations aimed at identifying suitable mitigation measures to reduce the risk of impact on protected species of birds arising from a route at the very landward edge of the marsh, we were obliged to seek a route further inland in some cases.

We recognise that the outcome will be disappointing to some, but we are clear that we have proposed the best possible alignment available, taking such factors into consideration.

We will ask the local authority to consider and discuss the suggested approach, as we move towards the establishment phase. We agree that, subject to other considerations, it would be a good idea to coordinate design/style, location and content of signs as much as possible, for the benefit of all concerned.

Relevant appended documents (see Section 5):

Photo of WFPOSPS Signpost

Representation ID: MCA/BHW2/R/5/1031

Organisation/ person making representation:

[Name redacted]

Name of site:

Not specified

Report map reference:

Not specified

Route sections on or adjacent to the land:

Not specified

Other reports within stretch to which this representation also relates

N/A

Summary of representation:

The representation questions the need for the proposed exclusion over the majority of the marsh, within the coastal margin, as detailed at 2.2.16 to 2.2.18 of the BHW 2 report. It also expresses dissatisfaction with the proposed route at Heswall, on the grounds that it is too far from the coast and offers limited views. It suggests that the public should not be excluded from the existing informal path at the landward edge of the marsh and that signs would be a preferable way of managing access in this area.

Natural England's comment:

The proposed direction to exclude access from large parts of the marsh does not in fact extend further inland than the tidal creek shown on maps as Gayton Hole. The existing informal path at the landward edge of the marsh is therefore not covered by the proposed exclusion.

In relation to the vicinity of Heswall, we acknowledge that parts of the proposed route in this area are further inland than would ideally be the case or than might have been expected. We invested considerable time and effort in trying to identify a route that followed the coast (around the landward edge of the saltmarsh) much more closely. However, various factors prevented this:

- We have very limited powers to propose a route through areas of excepted land, such as gardens, as defined by the legislation. In several places along this part of the Wirral coast, continuous strips of such land stretch from the Wirral Way as far as the very edge of the saltmarsh. These effectively act as barriers to any continuous route above the saltmarsh but close to the coast.
- In other locations, we have been able to propose that the route follows existing paths (both public footpaths and permissive routes) at the landward edge of the saltmarsh, as we have been able demonstrate that doing so will not significantly impact the species and habitats of the protected site through which these paths run (The Dee Estuary Special Protection Area). However, it is considerably harder to conclude such a lack of impact where existing public access is more limited or where this would bring people much closer to areas where impacts would be highly detrimental (such as the important tidal channel known as Gayton Hole, between banks Road and Cottage Lane. Despite lengthy conversations aimed at identifying suitable mitigation measures to reduce the risk of impact on protected species of birds arising from a route at the very landward edge of the marsh, we were obliged to seek a route further inland in some cases.

We recognise that the outcome will be disappointing to some, but we are clear that we have proposed the best possible alignment available, taking such factors into consideration.

Relevant appended documents (see Section 5):

None supplied

Representation ID: MCA/BHW2/R/7/1036

Organisation/ person making representation:

[Name redacted]

Name of site:

'The marsh from West Kirby to Welsh border'

Report map reference:

All maps

Route sections on or adjacent to the land:

Not specified

Other reports within stretch to which this representation also relates

BHW 3

Summary of representation:

The representation initially mentions dangers associated with the marsh, according to NE's proposals, and states that any such dangers should not prevent access. It is suggested that tide tables and information panels are adequate to reduce risk.

The representation then seems to generally support NE's proposed route for the England Coast Path, being further inland in places, provided that more coastal routes remain available.

The respondent expresses an understanding of the importance of the area for birds but suggests that there needs to be a reasonable balance between the needs of wildlife and the needs of people. On this basis, it is suggested that no further access exclusions or restrictions should be put in place. There is a suggestion that viewing platforms would be an improvement, so as to provide views over the marsh from the path and aid with public engagement.

Natural England's comment:

We should like to clarify that any proposed exclusion in our reports relates only to a new right of access under the Marine and Coastal Access Act 2009 and does not affect public rights of way or other access rights in any way.

We must carefully consider whether any such exclusions (or restrictions) are required in relation to our proposals – either for nature conservation reasons or access suitability reasons. In this case, we concluded that it would be necessary to exclude any new right of access from the pink-shaded area on grounds that we do not consider it suitable for such a right. This conclusion has taken several different factors into account, including the nature of the terrain, the network of creeks and channels that make it difficult to walk over and the risks that this might pose to visitors from further afield, who may not appreciate the terrain and effects of the tides in the same way as might local people.

The proposed exclusion, based on unsuitability for access, also currently removes the need to consider the requirement for a further direction over the same area for nature conservation

purposes, which we believe might also be necessary. As detailed in the Habitats Regulations Assessment, published alongside our coastal access reports, we have a specific duty to carefully consider any potential impact on designated sites and species, including the Dee Estuary Special Protection Area and the birds that roost, breed and feed there. In order to proceed with the proposals, we must show that the project will not have a significant impact on such sites and species, often by including mitigation measures such as access restrictions. Whilst existing levels and patterns of access are considered as part of this appraisal process, we must also take into account any likely increase in levels or changes in patterns. Natural England believes that it is possible for public access to take place safely and sustainably alongside the essential work of conserving our precious natural environment. In practice, this means that we must consider carefully where access (particularly new access) is appropriate and can be managed effectively. Inevitably, in some areas, the risk of disturbance is simply too high for us to safely conclude that new access would not cause an unacceptable impact.

We note the suggestion for viewing platforms and will discuss with the landowner and the local authority, to see if any such improvements might be made as part of or alongside the establishment of the England Coast Path.

Relevant appended documents (see Section 5):

None supplied

Representation ID: MCA/BHW2/R/8/1012

Organisation/ person making representation:

[Name redacted] (The Disabled Ramblers)

Name of site:

Not specified

Report map reference:

BHW 2a – 2h

Route sections on or adjacent to the land:

BHW-2-S001 to S006, S019, S023 to S057 and S064 to S070

Other reports within stretch to which this representation also relates

N/A

Summary of representation:

The representation details a range of generic and specific aspects of the proposals which would cause issues for users with reduced mobility – particularly users of large mobility vehicles. It registers a concern that the proposals do not adequately allow for all users, in terms of the infrastructure planned for the path, although there is an acknowledgement that some types of terrain or existing features may unavoidably limit access (in which case, alternative routes should be clearly promoted). Recommendations are included as to the required British Standard and the treatment of existing infrastructure, where this forms part of the route. Detailed suggestions are also included as to how infrastructure or general establishment works might be undertaken so as to maximise accessibility. Some sections of the route are highlighted as including barriers to those using mobility vehicles, with the request that alternative routes be clearly indicated locally.

Natural England's comment:

Natural England is very grateful for the considered and detailed response from the Disabled Ramblers. We can confirm that it is our intention to create a route that can be easily and safely enjoyed by all potential users, regardless of mobility. In general, we expect that the majority of this report length should be fully accessible, including for users of mobility vehicles.

However, there may be parts of the proposed route where unavoidable constraints make this difficult to achieve. In such cases, we will do all that we can to identify and promote alternatives, as suggested. Most importantly, we will share all the detailed recommendations and requests within this representation with the local authority and will subsequently discuss what improvements we might make, as part of the establishment phase.

We should emphasise that the descriptions of infrastructure items contained within our published proposals are somewhat basic and general in nature; the intention is always that more detailed design work is completed prior to establishment. In all cases, we would expect the local authority undertaking the establishment work to comply with relevant legislation and best practice.

Relevant appended documents (see Section 5):

The Disabled Ramblers document: Man-made Barriers and Least Restrictive Access

Representation ID: MCA/BHW2/R/9/1038**Organisation/ person making representation:**

[Name redacted]

Name of site:

Not specified

Report map reference:

BHW 2d – 2h

Route sections on or adjacent to the land:

BHW-2-S024 to S065

Other reports within stretch to which this representation also relates

BHW 3

Summary of representation:

The representation expresses concerns over the use of permissive paths as part of the England Coast Path, on the basis that such paths do not give sufficient rights. Concerns are also expressed about shared-use paths (on grounds of safety) and the proposal that the ECP should follow cycle paths in places. The respondent is unhappy that the proposed ECP route follows the Wirral Way, near to Heswall, rather than being much closer to the coast.

Finally, a request is made that no action should be taken to prejudice potential new rights of access over the marsh and foreshore, between Heswall and the Welsh border.

Natural England's comment:

We should first like to clarify that all parts of the approved route of the England Coast Path will benefit from a secure right of access in law, as a direct result of the Marine and Coastal Access Act 2009. Where the route follows existing public rights of way, the existing public access rights will continue. All other parts of the route will gain new rights of access (as will many parts of the coastal margin, typically between the trail itself and the seaward extent of the foreshore).

We note the concerns expressed over shared-use paths and we will aim to ensure that adequate signage is in place, reminding all users to be aware of other users.

In relation to the vicinity of Heswall, we acknowledge that parts of the proposed route in this area are further inland than would ideally be the case or than might have been expected. We invested considerable time and effort in trying to identify a route that followed the coast (around the landward edge of the saltmarsh) much more closely. However, various factors prevented this:

- We have very limited powers to propose a route through areas of excepted land, such as gardens, as defined by the legislation. In several places along this part of the Wirral coast, continuous strips of such land stretch from the Wirral Way as far as the very edge of the saltmarsh. These effectively act as barriers to any continuous route above the saltmarsh but close to the coast.
- In other locations, we have been able to propose that the route follows existing paths (both public footpaths and permissive routes) at the landward edge of the saltmarsh, as we have been able demonstrate that doing so will not significantly impact the species and habitats of the protected site through which these paths run (The Dee Estuary Special Protection Area). However, it is considerably harder to conclude such a lack of impact where existing public access is more limited or where this would bring people much closer to areas where impacts would be highly detrimental (such as the important tidal channel known as Gayton Hole, between banks Road and Cottage Lane. Despite lengthy conversations aimed at identifying suitable mitigation measures to reduce the risk of impact on protected species of birds arising from a route at the very landward edge of the marsh, we were obliged to seek a route further inland in some cases.

We recognise that the outcome will be disappointing to some, but we are clear that we have proposed the best possible alignment available, taking such factors into consideration.

Our proposals have no effect on the existing access situation over the majority of the marsh, as a result of the proposed direction to exclude a new right of access. Any such long-term directions must be periodically removed, which may lead to the direction being relaxed, modified or removed completely.

Relevant appended documents (see Section 5):

None supplied

5. Supporting documents

- ‘Attached sheet with details and references’- appended to representation form [redacted]

The Wirral is an area heavily urbanised along Merseyside and also close to the metropolis of Liverpool. As a consequence the area attracts a large number of users. Paths therefore suffer a disproportionate amount of wear.

Paths in Wirral are in very many cases unusable during the winter months from November to February being waterlogged and extremely muddy to the extent that the less-able members of the population (about one quarter) are unable to or discouraged from using them. This is hardly in keeping with the Equality Act

It is for this reason that many stretches of the Coastal way in Wirral, notably along Deeside, will need some form of hardening such as with crushed limestone or similar, boarding covered by wire net, and /or drainage notably along the Wirral Way.

1. BHW 2b BHW-2-S002-003-004

The alternative along the golf-course boundary incomplete boarding is deficient and in places hazardous with broken slats. Maintenance is imperative

2. BHW 2b BHW-2-S019 - 23

Maintenance required: invariable puddle or mud at KG SO19 during 4 winter months and any wet weather. Some hardening between S019 and S023 is required to avoid damage through overuse.

3. BHW 2c BHW 2d BHW-2-S024- 029

It is regretted that the Wirral Way is used here and elsewhere. The Wirral Way is already a busy route, enclosed in most places by high hedges obscuring the view, and relatively tedious.

4. BHW 2e BHW-2-S030 - 032

While the initial section is hardened the subsequent stretch becomes an unusable quagmire of mud. Hardening is required for both safety and convenience. *It must not be flanked by barbed wire.* It has been necessary to close sections in winter months.

5. BHW 2f BHW-2-S044 - 055

Sections are excessively muddy during the winter months and require boarding. Boards should be covered with wire netting to avoid pedestrians slipping and to prevent vandalism of boards taken for barbecues.

6. BHW 2g BHW-2 S063

See 2. above. Same comments apply to use of roadways.

7. BHW 2g_ BHW-2-S055-65

Reason for exclusion of coastal route?

8. BHW 3b BHW-3-S014-026

Several sections of this path between Moorside Lane and Old Quay are excessively muddy during especially winter months and require boarding. There are natural springs in this area. Boards should be metal, or *wood covered by wire netting to prevent vandalism and pedestrian slipping*

Path should not be flanked by barbed wire

9. BHW 3b BHW-3-S027-034

- Additional information submitted by email, dated 19th January [redacted]

Coastal Access – Birkenhead to the Welsh Border – under Marine and Coastal Access Act 2009.

Introduction

Caldy Golf Club received a Statutory Notice of the proposals formulated by Natural England in December 2020. Any objections or representations regarding the proposals have to be made online or by post on the relevant form (one for objections and one for representations) by midnight on Wednesday 10th February 2021. On both forms the Club has a relevant interest in some of the lands referred to in reports as it is the owner of those lands.

The proposed route adjacent to the Club's land is along the Wirral Way so probably no grounds for objection.

However as stated in my email 21 December 2020 I feel there are two issues on which the Club should make comment. Firstly, the consideration of an alternative route along the top of the rock armour protection to the River Dee boundary of the Club's land. Secondly route descriptions and the marking of the Club's land as one of Wirral's Sites of Biological Interest which could lead to increased incidence of trespass onto the Club's land.

It is possible that the consideration of the trail option behind the rock armour has been suggested by a local walking/environmental group. The Club needs to guard against future pressure from local groups to consider things like trail options and access to Sites of Biological Interest which impact on the Club's land." .

Representations to be considered

Issue 1 – Align the trail on top of the existing rock armour at Caldy Golf Course

Report BHW 2: Red Rocks Slipway, Stanley Road, Hoylake to "The Boat House" Public House, Parkgate

Part 2.3.3 Other options considered: Maps BHW 2a to BHW 2h – Red Rocks Slipway, Stanley Road, Hoylake to "The Boat House" PH, Parkgate

Table 5: Other options considered

Maps: BHW 2c & 2d

Routes section numbers: BHW-2-S026 to BHW-2-S028

Other option considered: Align the trail on the top of the existing sea defence structure (rock armour) to the seaward side of Caldy Golf Course.

Reasons for not proposing this option: We opted for the proposed route because: it is accessible at all states of the tide; it provides a more accessible route for users especially those with reduced mobility; and the option being considered might impact on the way in which the landowners maintain and manage the sea defence structure on the seaward side of the golf course. We therefore concluded that, overall, the proposed route struck the best balance in terms of the criteria described in chapter 4 of the Coastal Access Scheme.

Comment by Caldy Golf Club:

Caldy Golf Club agrees that it is the correct decision not to propose the option of aligning the trail on top of the existing rock armour structure. The Club hopes that the following issues were considered when deciding not to propose the option:

- Cost of providing and maintaining a suitable trail surface. The cost would substantially increase the sum of £154,379 referred to in Part 2.2.28 and Table 2 of the report. Over the past 30 years the Club has expended more than £600,000 in providing and maintaining the rock armour protection. A Marine Licence could be required to undertake work to construct and maintain a suitable trail.
- At the southern boundary of the Golf Course the trail option would have to be continued for approx. 150 m behind rock armour on land owned by Wirral BC. This would complete the section between Caldy Steps and Dee Sailing Club slipway. Over this section there are two crossings of land drainage outfalls which may require "bridging".
- It would bring "out of vision" walkers nearer to the golf playing area.
- The impact of increased pedestrian access on the stability of the cliff face and the sea defence structure would have to be considered in terms of responsibility for future maintenance.

Issue 2: Risk of trespass on Caldy Golf Club land

The incidence of trespass on the Club's land is currently very low, however the Club is concerned that some information in the documentation may lead to an increase in the incidence of trespass. The pieces of information which cause concern is the lack of reference to the trail following the Wirral Way adjacent to the Golf Club land and the highlighting of much of Caldy Golf Course as a Wirral Site of Biological Interest.

Report BHW 2: Red Rocks Slipway, Stanley Road, Hoylake to "The Boat House" Public House, Parkgate

Part 2.3.1 Section Details: Maps BHW 2a to BHW 2h - Red Rocks Slipway, Stanley Road, Hoylake to 'The Boat House' PH, Parkgate

Table 3: Section details

Map - BHW 2c, Route Section numbers - *BHW-2-S027 and BHW-2-S028, Current status of route section - Cycle track (pedestrian)

Map - BHW 2d & 2e, Route Section numbers - *BHW-2-S029 and BHW-2-S030, Current status of route - Other existing walked route

Suggestion is that on above Route Section numbers that the Current status of route should be changed to Wirral Way. This will ensure that those using the trail will be clear on the route of the trail adjacent to Caldy Golf Course.

Report Title - Assessment of Coastal Access Proposals between Birkenhead and the Welsh border on sites and features of nature conservation concern Date of publication: December 2020
Page 24 – Caldy Golf Course of Biological Importance

Page 25 – Map showing Caldy Golf Course SBI and proposed route of ECP

The Golf Club is concerned that the highlighting of the SBI will lead to an increase in trespass for the purpose of visiting the SBI.

The Caldy Golf Course SBI appears to have been included because of the definition of the proposed coastal margin. Could this written information be included on Page 26 – Wirral Way – Caldy to Heswall Site of Biological Importance and Pages 24 and 25 removed.

Many thanks for the opportunity to provide comments.

Kind regards

[redacted]

- Photo of Wirral Footpaths and Open Spaces Preservation Society (WFPOSPS) signpost [redacted]



- The Disabled Ramblers document: *Man-made Barriers and Least Restrictive Access* - supplied separately