

Coastal Access Final – Essex Mersea Island



Natural England's Summary of Other Representations

1. Introduction

This document categorises, summarises and comments on representations we have received on this report which have not come from those persons or bodies whose representations we are required to send in full to the Secretary of State.

2. Background

Natural England's report setting out its proposals for improved access to the coast on Mersea Island was submitted to the Secretary of State on Wednesday 28th June 2017. This began an eight week period during which formal representations and objections about the report could be made. A representation about the report could be made during this period by any person on any grounds and could include arguments either in support of or against Natural England's proposals.

In total Natural England received 0 representations 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. This document summarises and, where relevant, comments on the 1 representation submitted by other individuals or organisations, referred to here as 'other' representations.

Before making a determination in respect of a coastal access report, the Secretary of State must consider both documents relating to 'full' and 'other' representations.

No further representation(s) were received from individuals or organisations after the period of eight weeks beginning with the date on which the report was first advertised on Natural England's website.

3. Categorising representations

The following tables categorise the 'other' representations by several themes:

REPORT CHAPTER	Number of representations	Unique identifiers for reps
Chapter 1		
Chapter 2		
Chapter 3		
Chapter 4	1	MCA\Mersea Island\R\1\MSI0480
Chapter 5		
Chapter 6		
Total representations	1	

OVERALL REPORT (Themes)	Number of representations	Unique identifiers for reps
Need for signage with regards to appropriate use of footpath, dog control and littering	1	MCA\Mersea Island\R\1\MSI0480
Total representations	1	

OVERALL REPORT (Who made the representation)	Number of representations	Unique identifiers for reps
Individuals		
Public bodies		
Land owners/occupiers	1	MCA\Mersea Island\R\1\MSI0480
Voluntary and membership groups		
Total representations	1	

4. Summary of 'other' representations

Chapter 4:

Representation number:	MCA\Mersea Island\R\1\MSI0480
Organisation / person making representation:	[redacted]
Route section(s):	Chapter 4: MSI-4-S006 to MSI-4-S009
Summary of representation: The respondent's comments (in full) were:	

Please ensure that clear signage is incorporated on these sections of the wall to notify users of the path that at all times:

- a) The path is a footpath and must not be used by cycles, horses, motor cycles, quad bikes or any other form of transport
- b) That dogs must be kept on lead at all times as the land crossed by the path contain livestock/or nesting birds
- c) That dog walkers at all times must clear up dog mess after them
- d) That all users of the path must not drop litter or must clear up any litter they do drop

Clear signage to this effect is required to ensure a) that the path is used only as a footpath and b) that livestock/wildlife are not injured or effected by the actions of walkers or their dogs.

Natural England's comment:

These concerns were raised by the landowner during the development phase and reflect some of the issues that they have encountered through current use of the public footpath which forms the proposed route.

Natural England's proposals are for access on foot only and will not create any higher rights for cycles and horses. We do not consider that our proposals will result in either an increase in the unlawful use of the public right of way with respect to horses and cycles, or criminal use with respect to motorcycles and quad bikes. Any current or future unlawful use should be addressed through dialogue between the landowner and Essex County Council as Highway Authority. The KCIIECP National Trail signage will indicate that the trail is a footpath.

During discussions with the landowner when developing our proposals, we agreed to provide signs on this section to encourage responsible use of the path, particularly by dog owners. The Report proposes to include signs at the entry and exit points to this farmland and at boundary crossings, which will carry appropriate messages on this theme. As these sections of trail are on public rights of way there is no requirement to keep dogs on a lead as requested by the landowner, however there are some areas to the seaward side of the route which may be accessed by livestock, and which are subject to coastal access rights. In such areas there is a requirement under Part 1 of CROW that 'a person with a dog must keep it on a lead in the vicinity of livestock. As there is no physical barrier proposed between the Public Rights of Way on the trail and Coastal Access land, we will therefore recommend that signs will emphasise the need to keep dogs on a lead, rather than simply under close control in the presence of livestock.

Exact wording for these information signs has not yet been developed, but will be done in conjunction with the landowner and the Access Authority at the establishment stage. Other messages, such as in relation to dog fouling and litter can be included as appropriate.

Appendix A: see attached

n/a

Coastal Access – Mersea Island



Representations on MSI MR1: Mersea Outdoors to Coopers Beach Holiday Park (Anglian Water Sewage Works to Mersea Stone) and Natural England’s Comments

August 2022

List of Contents

1.	Introduction	1
2.	Background	2
3.	Record of ‘full’ representations and Natural England’s comments on them	2

5. Introduction

This document details representations we have received on the stated coastal access report which we are required to send in full to the Secretary of State. It also sets out any comments that Natural England choose to make in response to these representations.

6. Background

Natural England’s modification report setting out its proposals for improved access to the coast between Mersea Outdoors and Coopers Beach Holiday Park, Mersea Island was submitted to the Secretary of State on 25 May 2022. This began an eight-week period during which representations and objections about the modification could be made.

In relation to the report for MSI MR1: Anglian Waters Sewage Works to Mersea Stone (Mersea Outdoors to Coopers Beach Holiday Park), Natural England received 2 representations, of which 2 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.

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.

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

Representation number:	MCA/MSIMR1/R/2/MSI0689
Organisation/ person making representation:	[redacted], Historic England
Route section(s) specific to this representation:	MSI-MR1-S001 - MSI-MR1-S004
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
<p>We do not consider that the proposed modification will affect the significance of any highly graded designated heritage assets and do not have any concerns about the proposed modifications to the original proposals at Mersea Outdoors to Coopers Beach Holiday Park as part of the Anglian Water Sewage Works to Mersea Stone stretch of the Coast Path on Mersea Island.</p>	
Natural England's comments	
<p>We welcome the comments expressed in the representation from Historic England in relation to the proposed modification.</p>	

Representation number:	MCA/MSIMR1/R/3/MSI0019
Organisation/ person making representation:	[redacted], the Ramblers Association
Route section(s) specific to this representation:	MSI-MR1-S001 - MSI-MR1-S004
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
<p>Having reviewed the proposals, we were disappointed that the modified route is not closer to the shoreline. However, given the issues with erosion, we accept that a route using mainly existing footpaths is the most practical option.</p> <p>We wish to highlight a concern about an established badger sett at grid reference TM042138, around where the pond is marked on map MR1B at the right angle turn in the proposed route. This route is not much used currently, and people avoid the holes by widening the path around the area. Greater use may mean greater danger of falls</p>	
Natural England's comments	

We thank the Ramblers Association for their comments and note their disappointment that the modified route is not closer to the shoreline. However, as mentioned in the representation this was the most practical option due to the significant issues with erosion of the existing seawall which was impacting on the original proposed route.

We also thank the Ramblers Association for bringing to our attention the Badger Setts near to the proposed route. Badgers and public access happily coexist throughout the countryside. They are a protected species under Schedule 6 of the Wildlife and Countryside Act, so the Local Authority would need to apply for a licence if establishing or managing the coast path were likely to lead to any disturbance directly to these setts, or to prevent access to them. This would be equally applicable were badgers to create a new sett along the line of the Trail or any public right of way.

We attach a link to the official guidance on this for your information: Badgers: protection and licences - GOV.UK (www.gov.uk)

In relation to the comments on increased use. This route is currently used as an existing Public Right of Way. If these proposals are approved by the Secretary of State, we will work with the Access Authority to ensure the path is safe for walkers.