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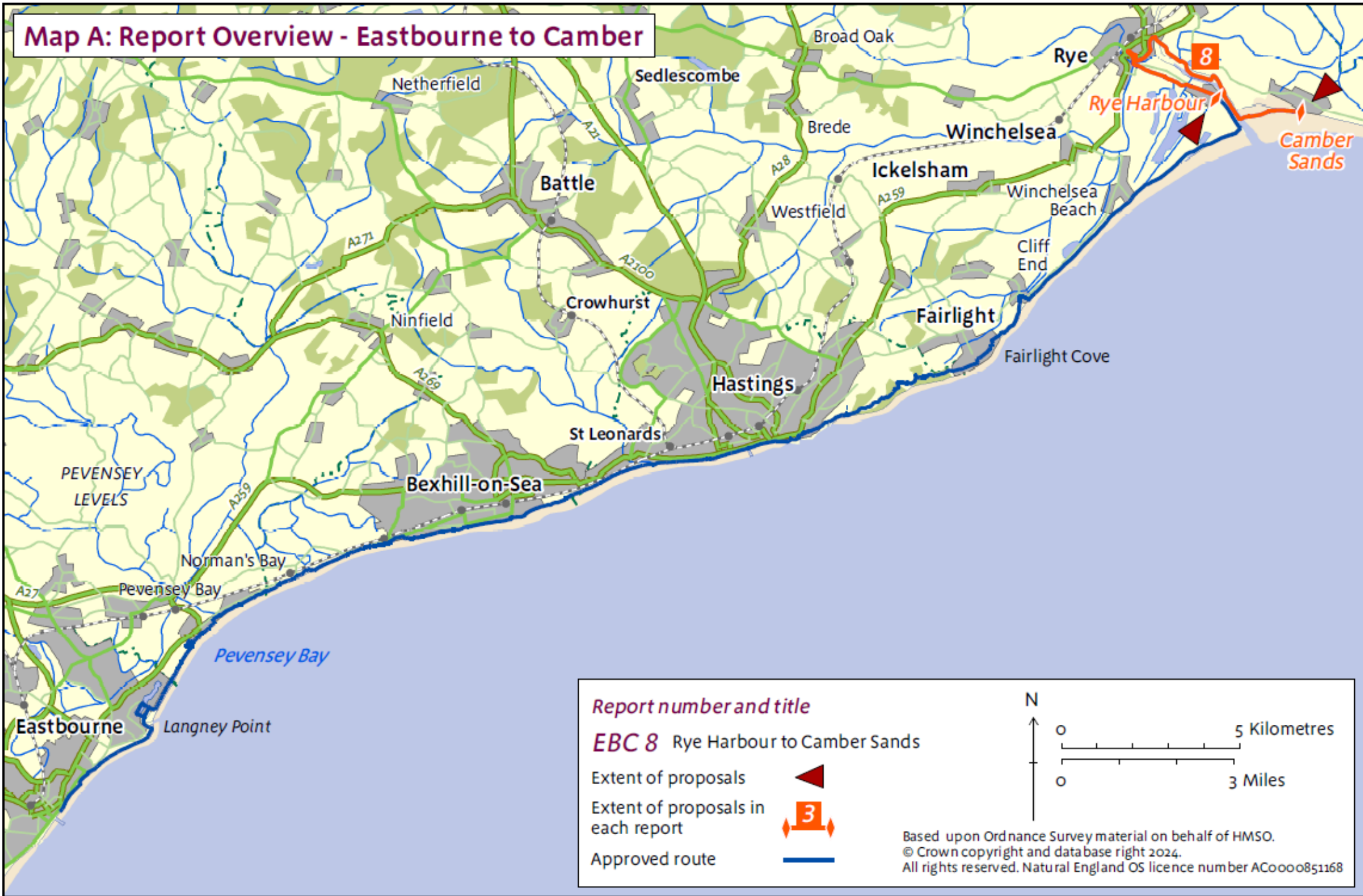
NATURAL
ENGLAND

King Charles III England Coast Path Stretch:
**Eastbourne to Camber: Report 8 Rye
Harbour to Camber Sands**

**Overview of Natural England's Statutory Report to the Secretary of State for
Environment, Food and Rural Affairs**



Map A: Report Overview - Eastbourne to Camber

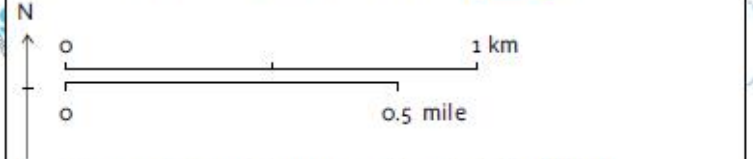


Map A1: Overview - Rye Harbour to Camber Sands

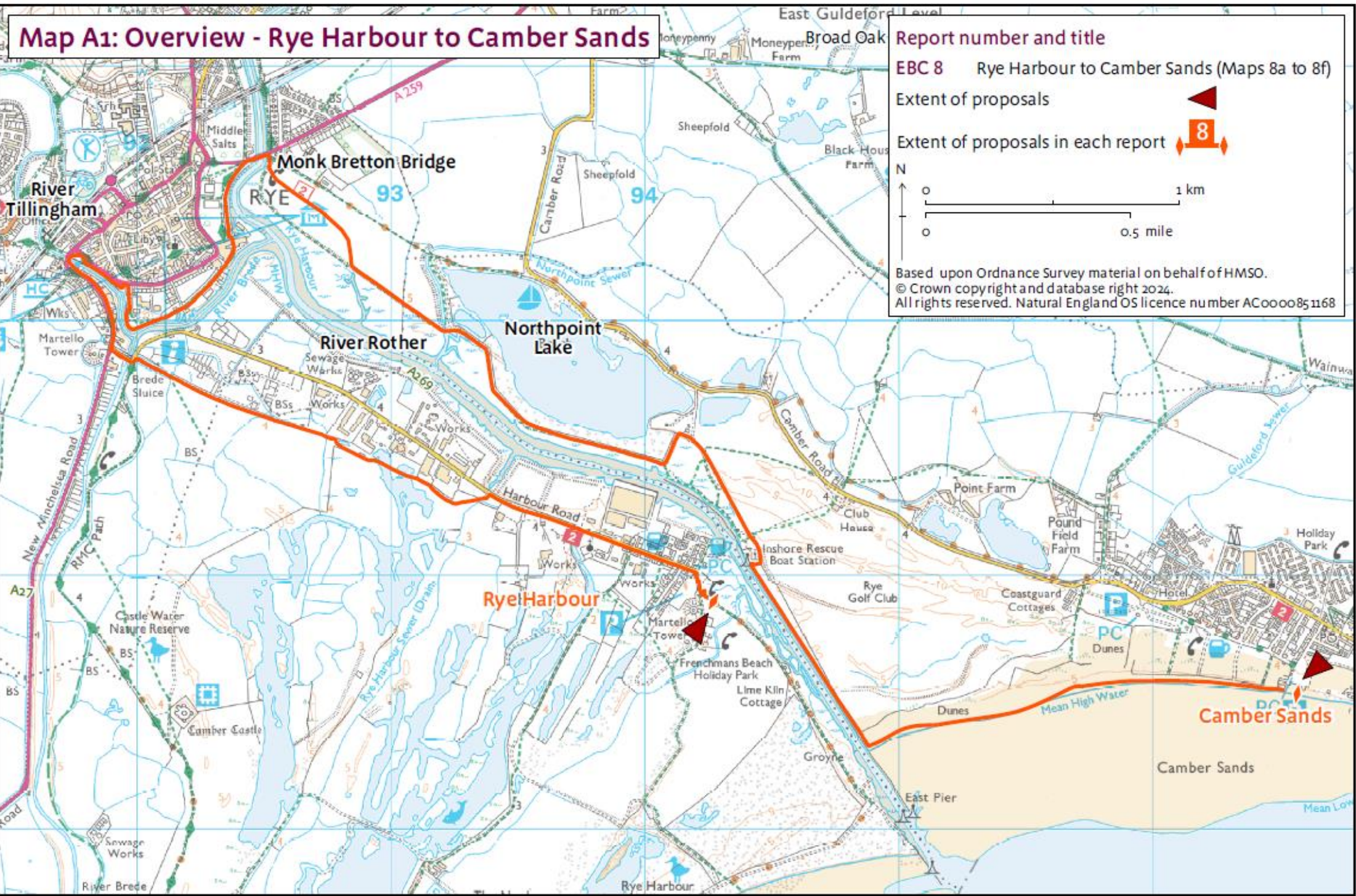
Report number and title
EBC 8 Rye Harbour to Camber Sands (Maps 8a to 8f)

Extent of proposals

Extent of proposals in each report **8**



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Using Map A and Map A1

Map A shows the whole of the Eastbourne to Camber (EBC) stretch. Map A1 shows the full extent of the Eastbourne to Camber: Rye Harbour to Camber Sands EBC 8 report.

Printing

If printing, please note that the maps in report EBC8 should ideally be printed on A3 paper. If you don't have the facility to print at A3 size, we suggest you print the text of the report you are interested in on A4 paper and view the associated map on your computer screen, using the zoom tool to view it at a suitable size.

Report EBC 8: Rye Harbour to Camber Sands (Maps EBC 8a to EBC 8f)

Background

The Eastbourne to Camber (EBC): Rye Harbour to Camber Sands overview and report EBC 8 detail the proposals to complete a continuous coastal route around the Rother Estuary, East Sussex. The extent of this report is defined by the adjacent stretches of approved/open National Trail, which include the approved reports (EBC 1 to EBC 7) between Eastbourne Pier and Rye Harbour (see Map A), and the open stretches of the King Charles III England Coast Path (KCIIIIECP) to the east.

EBC 8 report is the final part of the Eastbourne to Camber stretch to be published (see Map A1). On 27 February 2020, Natural England submitted a compendium of reports to the Secretary of State for Environment, Food and Rural Affairs, setting out proposals for improved access to the coast between Eastbourne Pier and Camber Sands. Accompanying that report was an Overview document for that entire stretch of coast. As part of the Overview document, Natural England concluded that it should not propose a route for the King Charles III England Coast Path around the Rother Estuary which leads up to the first public crossing point at Rye. Instead, only a partial route for the west bank of the river was proposed. The decision not to propose a continuous estuary route was taken because of a specific issue at Harbour Road near Brede Sluice in Rye, at the junction with the A259 New Winchelsea Road. At the time the original report was published, that junction was considered to present significant road safety issues that prevented us from including it in our proposals, because there was no way for the KCIIIIECP to continue through Rye without using this junction.

The Coastal Access Scheme (the methodology for the national KCIIIIECP delivery programme) emphasises the desirability for a continuous route around the English coast. The 2020 Overview document undertook that Natural England would reconsider the question of whether this break in continuity could be resolved by means of a route through Rye, if at any point in the future it was considered that a safe crossing point for the KCIIIIECP could in fact be provided in this area. Fresh analysis of the position, in liaison with National Highways, concluded that with suitable design improvements, it would be possible for KCIIIIECP users to make a safe crossing at the Rye location in question. As a result in August 2022, Natural England proposed a Modification to the original report EBC 7: Winchelsea Beach to Camber Sands to remove all previous proposals from Rye Harbour car park on the west bank of the River Rother, to Camber Sands on the east bank to allow Natural England to conduct a fresh alignment exercise to assess the feasibility of a continuous route in the vicinity of Rye. This Overview and EBC 8 report put forward our proposals for an estuary route around the Rother.

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Please read first!

This Overview document sets out the context for Natural England’s proposals to improve public access to and along the Eastbourne to Camber stretch of coast between Rye Harbour and Camber Sands.

It explains key common principles and background underlying the detailed proposals that we make in the linked statutory report EBC 8. This report should be read in conjunction with this Overview.

Taken together, they explain how we propose to implement the King Charles III England Coast Path (“the trail”) on this stretch of coast, and detail the likely consequences in terms of the wider ‘Coastal Margin’ that will be created if our proposals are approved by the Secretary of State. Our reports also set out:

- any proposals we think are necessary for restricting or excluding coastal access rights to address particular issues, in line with the powers in the legislation; and
- any proposed powers for the trail to be capable of being relocated on particular sections (through “roll-back”), if this proves necessary in the future because of coastal change.

EBC 8 details the proposals between Rye Harbour and Camber Sands, and seeks approval for them by the Secretary of State under section 52 of the National Parks and Access to the Countryside Act 1949.

We have carefully considered any potential environmental impacts of improving public access to this stretch of coast, and made any necessary adjustments to our proposals prior to publication in order to address these. Considerations in relation to environmental matters are explained in Section 6 of this Overview and in report EBC 8. Links are provided to relevant separately published documentation where appropriate.

The EBC 8 report is published on our web pages alongside this Overview and more general information about how the Coastal Access programme works.

The EBC 8 report is accompanied by the detailed Proposals Maps EBC 8a to EBC 8f.

Introduction

1. Improving coastal access

Natural England has a statutory duty under the Marine and Coastal Access Act 2009 to improve access to the English coast. The duty is in two parts: one relating to securing a long-distance walking route (“the trail”) around the whole coast: we call this the King Charles III England Coast Path; the other relating to a margin of coastal land associated with the route which, in appropriate places, people will also be able to enjoy on foot. Associated with this duty is a discretion given to Natural England to extend the trail up any river estuary on either or both sides beyond the seaward limit of the estuarial waters¹, as far as the first bridge or tunnel with pedestrian access, or as far as any point between the two.

To secure these objectives, we must submit statutory reports to the Secretary of State for Environment, Food and Rural Affairs recommending where the route should be and identifying the associated coastal margin. The reports must follow the approach set out in our methodology (the Coastal Access Scheme), which – as the legislation requires – has been approved by the Secretary of State for this purpose.

This Overview and the associated report EBC 8 relate to the coast of East Sussex between Rye Harbour and Camber Sands. Taken together, our report proposals would make the following key improvements to the existing arrangements for access to this part of the coast:

- For the first time, there would be secure statutory rights of public access to most areas of beach and other coastal land on this stretch of coast;
- A safe and continuous promoted pedestrian route linking Rye Harbour, Rye and Camber, would be created;
- For the first time, there would be secure and long term statutory rights of public access to a riverside route between Rye town and Camber Sands;
- The coastal path would be able to ‘roll back’ or forward as the coastal habitats erode or accrete, or when other forms of coastal change occur.

This is a significant opportunity to improve public access to this stretch of coast in these ways, with benefits for residents, businesses and visitors. More people will have easier and more extensive access to the coastal environment for open-air recreation, which is widely acknowledged to have significant benefits for human health and well-being.

Once approved and established, this part of the King Charles III England Coast Path will be managed as part of the family of National Trails.

¹ section 301 of the Marine and Coastal Access Act 2009

2. The determination process

Report EBC 8 is submitted in accordance with our statutory duty under section 296 of the Marine and Coastal Access Act 2009 ('the 2009 Act') to improve access to the English coast.

Publication of the report has been advertised locally and online in accordance with the requirements of the coastal access legislation.

Following publication:

- Any person may make representations to Natural England about any of the reports; and
- Any owner or occupier of affected land may make an objection to Natural England.

In order to be treated as valid, all objections and representations must be received by Natural England no later than the end of the advertised eight week period following publication. The specific closing date appears in the statutory notice for Eastbourne to Camber: Rye Harbour to Camber Sands, which can be viewed here <https://www.gov.uk/government/publications/king-charles-iii-england-coast-path-from-rye-harbour-to-camber-sands-ebc8-comment-on-proposals> together with more information about how to make representations or objections.

The Planning Inspectorate will consider any objections and any related representations before passing recommendations to the Secretary of State, who in turn will consider both representations and objections and then make a decision as to whether to approve our proposals. Chapter 3 of our Coastal Access Scheme explains these processes in more detail (see Annex A: Bibliography).

The Secretary of State may confirm the proposals in the report in full, confirm with modifications, or reject some or all of them. If the conclusion is that some modification to our proposed approach is required, further consideration may need to be given as to whether any further environmental assessment is necessary. We may need to prepare an amended report for consideration by the Secretary of State, relating to the part(s) of the coast affected by any rejected proposals. The same procedures for representation and objection would apply to the amended report.

Once proposals have been confirmed, there will be a preparation period before the new access rights come into force. This period is to enable any necessary physical establishment of the trail to be carried out and to put in place any necessary local management arrangements (including any approved local access restrictions or exclusions).

Once the preparation period is complete, the rights will be brought into force by order on a date decided by the Secretary of State. Normally one single commencement date is used for the whole stretch. We will publicise the commencement of the rights to ensure they are known about and understood locally.

Parts 2 to 4 of each report explain more about the further steps that will be taken to establish the route, provisions for its future maintenance and the procedures which we will follow to make any subsequent changes that prove necessary once proposals for this part of the coast have been approved.

3. Understanding the proposals and accompanying maps

Before looking at the proposals and accompanying maps, it will help you if you read the following notes and then look carefully at the key to the maps.

Our Proposals:

The proposals are made within report EBC 8, relating to Rye Harbour to Camber Sands. EBC 8 is accompanied by the detailed maps EBC 8a to EBC 8f, which illustrate the proposals.

The **report** comprises four parts:

- **Part 1: Introduction** – This sets the context for our proposals between Rye Harbour and Camber Sands.
- **Part 2: Proposals Narrative** - This summarises our alignment proposals in general, including any proposed use of our discretions to align the route along an estuary, or recommended changes to the default landward coastal margin. It also summarises the main access management measures that will need to be introduced and the overall accessibility (ease of use for all) of this length of coast, for all users. Additionally, it may identify any future changes of which we are aware that are likely to impact on this part of the coast, and explain how our proposals deal with this change. In each report the Part 2 Proposals Narrative, in conjunction with the Part 3 Proposals Tables and the Part 4 Proposals Maps, sets out our formal proposals to the Secretary of State in relation to the length of coast in question, for which we are seeking approval under section 52 of the National Parks and Access to the Countryside Act 1949.
- **Part 3: Proposals Tables** – These line-by-line listings set out in more detail our formal proposals to the Secretary of State for the length of coast in question, and should be read in conjunction with the Proposals Narrative and the relevant Proposals Maps.
- **Part 4: Proposals Maps** – These show in map form the proposals set out in the Proposals Narrative and Proposals Tables.

Part 3 Proposal Tables Explained

These notes explain how the various tables found in each report work:

- In the first table or set of tables, we set out detailed information for each section of coast under the following column headings:
 - Map(s) – This column indicates which of the report maps to view alongside the details in the other columns in the same row.
 - Route section number(s) – This is the unique identification number for the route section concerned. In some cases, two or more adjacent route sections will be amalgamated into a single row in the table, if all other displayed details happen to be identical.
 - Current status of route section(s) – This describes the current status of the route we have proposed and whether it has any existing access rights. Public highways, including public rights of way such as footpaths, are excepted from new coastal access rights because the existing public rights to use such highways will remain in force, and the trail is able to make use of these. Other sections of the proposed trail that do not currently have any access rights or where access is currently permitted by the landowner will become subject to new coastal access rights if our proposals are approved. These new rights, and any national or local restrictions on them, will not affect any existing access arrangements for cyclists, horse-riders or other types of recreational

user that may currently exist at the local level - for example by formal agreement with, informal permission from or traditional toleration by the owner of the land, or through any type of pre-existing legal right that remains in force.

- Roll-back proposed? – This indicates whether we propose that, in the event of significant coastal erosion or other geomorphological processes or significant encroachment by the sea, a section of trail which is affected by such factors should be capable of being repositioned in the future in accordance with this formal proposal, without needing further confirmation of the change at that time by the Secretary of State. Roll-back may be used to adjust the trail either in direct response to such changes or in order to link with other parts of the route that need to roll back in response to such changes. The column also indicates whether the ‘roll-back’ requirement is likely to give rise to a normal or more complex change on this section. (In the case of more complex outcomes, further details are provided in the ‘Roll-back implementation’ table). Section 4.10 of the Coastal Access Scheme explains in more detail how roll-back works.
- Landward margin contains default coastal land type? – Certain coastal land types are automatically included in the coastal margin where they fall landward of the trail if they touch it at some point. These coastal land types are: foreshore, cliff, bank, barrier, dune, beach, flat or section 15 land. This column identifies where one of the coastal land types is present in the landward coastal margin.
- Proposal to specify landward boundary of margin – This sets out any proposals for the default landward boundary of the coastal margin on this section to be altered or clarified - see iv below in the Notes on Maps.
- Reason for any proposed use of landward boundary discretion – This provides an explanation for any such proposal to alter or clarify the default margin on this section. This may be either because we are proposing a clear boundary around land that in our view would be margin by default, because it matches the description of ‘coastal land’ explained at paragraph 4.8.8 of the Scheme; or because we propose using our discretion to add land to or remove it from the default margin, as described at paragraphs 4.8.11 of the Scheme.
- Explanatory notes – This contains any additional information which may help further explain the proposal for this route section or group of sections.
- Where there is an alternative route or optional alternative route we set out the details of those routes in a separate table. The table includes columns that describe the landward and seaward boundaries of the alternative route strip. Alternative routes/optional alternative routes have a default width of two metres either side of the approved line. We propose specific landward and/or seaward boundaries to the route strip where doing so would add further clarity to the extent of access rights along the route, by working with the grain of what is already there. It should be noted that where the alternative route/optional alternative route follows an existing path corridor, the trail may adopt a variable width as dictated by existing physical features.
- Each report also includes a table that sets out any other options that were considered during our initial planning (in relation to the route and the coastal margin), and explains why they did not form part of our proposals.
- The final table or set of tables for each report provides further details of any situation where local circumstances mean that implementation of roll-back is likely to be more complex. We identify the key issue and our expected resolution.

Annotated examples of these various tables are given below, to illustrate how they are used.

In each report the Part 3 Proposals Tables, in conjunction with the Part 2 Proposals Narrative and the Part 4 Proposals Maps, set out our formal proposals to the Secretary of State in relation to the length of coast in question, for which we are seeking approval under section 52 of the National Parks and Access to the Countryside Act 1949.

Examples of tables found in each report, with explanation of their contents:

Example table 1: Section details

1	2	3	4	5a	5b	5c	6
Map(s)	Route section number(s)	Current status of route section(s)	Roll-back proposed? (See Part 7 of Overview)	Landward margin contains coastal land type?	Proposal to specify landward boundary of margin (See maps)	Reason for landward boundary proposal	Explanatory notes
ABC 1a	ABC-1-S003	Public footpath	No	No			
ABC 1b	ABC-1-S011	Public footway (shared use)	No	No	Pavement Edge	Clarity and cohesion	
ABC 1c	ABC-1-S018	Other existing walked route	Yes	Beach			
ABC 1d	ABC-1-S045	Other existing walked route	No	Bank	Edge of path	Clarity and cohesion	Top break of slope provides the greatest clarity for walkers

The route section number(s), as shown on the Proposals Map(s).

This column shows whether we are proposing that this route section could be repositioned in future in response to erosion etc. without further approval by Secretary of State. See notes to table. More complex situations are explained in Example Table 4 below.

If column 5b proposes any change or clarification to the landward extent of the margin, this column says why.

This column may offer further explanation of a more complex situation involving the margin.

The relevant Proposal Map(s) for the route section(s).

This column specifies the current access status of the proposed trail section.

We indicate here whether the landward coastal margin for this route section includes a default coastal land type.

This column shows any proposal we are making to align the landward boundary of the coastal margin for this route section with the physical feature shown. No text here means that for this route section the landward edge of the margin would be that of the trail itself - or if any default coastal land type is shown in column 5a, would be its landward boundary instead.

Example table 2: Alternative routes and optional alternative route details

1	2	3	4	5a	5b	6
Map(s)	Route section number(s)	Current status of route section(s)	Roll-back proposed? (See Part 7 of Overview)	Proposal to specify seaward boundary of alternative route strip	Proposal to specify landward boundary of alternative route strip	Explanatory notes
ABC 2a	ABC-2-A001	Public Footpath	No			
ABC 2b	ABC-2-OA001	Public Footway (shared use)	No	Pavement edge	Pavement edge	
ABC 2b	ABC-2-OA002	Other existing walked route	Yes	Fence	Various	The landward boundary corresponds with various features including a wall, fence and bramble hedge.

The route section number(s), as shown on the Proposals Map(s).

This column shows whether we are proposing that this route section could be repositioned in future in response to erosion etc. without further approval by Secretary of State. See notes to table. More complex situations are explained in Example Table 4 below.

This column may offer further explanation of a more complex situation, e.g. involving the boundaries of the route strip.

The relevant Proposal Map(s) for the route section(s).

This column specifies the current access status of the proposed trail section.

These columns show any proposal we are making to align either or both boundaries of the alternative route strip with a physical feature on the ground. No text in either column means that the edge of this section of the alternative route strip would be that of the trail itself.

Example table 3: Other options considered

Map(s)	Section number(s)	Option(s) considered	Reasons for not proposing this option
ABC 3b	ABC-3-S011 to ABC-3-S019	We considered aligning the trail along the route of the existing public footpaths through the boat yard and along the flood bank.	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ it offers a safer and more convenient route with a newly created tarmac surface which is accessible to all. ■ it avoids passing through the working area of the boat yard. ■ the surface of the existing footpath along the flood bank is uneven and often waterlogged. <p>Under our proposals, the public footpaths would remain available for people to use but would not form part of the designated trail.</p>
ABC 3c	ABC-3-S017 to ABC-3-S020	We considered aligning the trail along the route of the existing public footpath on the cliff edge around the western edge of Cranham Hill.	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ it avoids increased footfall on the fragile limestone grassland flora which is designated as a SAC and SSSI feature. ■ it is comparable, in terms of the safety and convenience of walkers. <p>Under our proposals, the public footpath would remain available for people to use but would not form part of the designated trail.</p>

The relevant Proposal Map(s) for the route section(s).

The route section number(s), as shown on the Proposals Map(s).

This column describes other options we considered for the route or margin for the identified route section(s).

This column summarises the reason(s) that the other options we considered were not preferred.

Example table 4: Roll-back implementation – more complex situations

Map(s)	Route section number(s)	Feature(s) or site(s) potentially affected	Our likely approach to roll-back
ABC 4f	ABC-4-S040 to ABC-4-S045	Super Camp Holiday Village	<p>If it is no longer possible to find a viable route seaward of the specified campsite, we will choose a new route after detailed discussions with all relevant interests, either</p> <p>(a) to pass through the site, or (b) if this is not practicable, to pass somewhere on the landward side of it.</p> <p>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.</p>

The relevant Proposal Map(s) for the route section(s).

The route section number(s), as shown on the accompanying map(s).

This column identifies any areas that could cause us to consider a more complex solution to roll back than would normally be required.

This column summarises our expected approach to roll back in these circumstances.

Part 4 Proposals Maps explained

The notes that follow will help explain the maps provided for each report.

The proposed route of the trail:

- i. The thickness of the line used to depict the proposed route on the maps is intended to make it easy to find on the map. Different shading on the line differentiates between sections of the route that would use existing rights of way, sections that appear to follow other existing walked lines on the ground, and sections that do neither. The thickness of the line on the map is not an indication of the width of the actual trail on the ground. The proposed route simply follows the centre of the line shown. The legislation makes the default width of the trail four metres, but its actual width varies in practice according to the detail included section by section in our proposals.
- ii. In places there are differences between the line of public rights of way recorded on the local Definitive Map that is maintained by the local highway authority, and paths currently used and managed on the ground as public rights of way. Some of these differences may be attributed to adaptation of the path over time to cope with coastal erosion and other processes, whilst others appear to arise from anomalies in the way the rights were originally recorded on the definitive map. The maps in this report show the public rights of way as recorded on the definitive map, and depict them as accurately as possible at the scale used. See part 4.7 of the Scheme for further information.

The coastal margin:

- iii. The proposed route of the trail shown on the maps is important in understanding the extent of the coastal margin that would apply to either side of it. Under the legislation:
 - the coastal margin is a single, continuous corridor of land which includes the trail itself;
 - the margin includes all land seaward of the trail land - although not all of that land would be subject to a new right of access (see point vi below);
 - the landward extent of this margin is by default the trail itself, or the inland edge of any land adjoining the trail on its landward side that is foreshore, cliff, dune or beach, or a bank, barrier or flat, or section 15 land (see Annex B: Glossary of terms).
- iv. We have the discretion to propose that the landward boundary of the coastal margin should coincide with a recognisable physical feature on the ground – even if the effect of doing so is to add land into the margin, or to remove land from it. We may use this discretion:
 - to propose that instead of the default trail width of four metres set by the legislation, particular physical features such as walls, fences or pavement edges should be used where appropriate to define the landward extent of the trail land on that section of the route: such features cannot be depicted on the maps at the scale used, but they are described in the Proposals Tables;
 - to clarify or adjust the boundaries of a landward area included by default as margin, in order to create a better ‘fit’ with the circumstances on the ground; or
 - to propose in some places that additional areas of land should be added to the coastal margin landward of the trail: land which is affected by such proposals is indicated on the maps with a purple wash and described in parts 2&3 of each report.

Further explanation of these powers can be found at part 4.8 of the Coastal Access Scheme. Our proposals take full account of any views expressed by the owner or occupier of affected land about whether the powers should be used in any of these ways.

- v. Land which forms part of the coastal margin would be subject to access rights, other than:
 - any **excepted** land, such as land covered by buildings or their gardens or curtilage: Annex C summarises in full the categories of excepted land under the legislation; or
 - any land where coastal access rights would be **excluded** under our statutory powers: we indicate in the report where we already know of circumstances that make this necessary, and make any proposals accordingly.
- vi. **Spreading room** is the term used in the reports to describe any land, other than trail land, which would form part of the coastal margin and would have public rights of access. It does not therefore include any excepted land within the margin, or any existing access land on the landward side of the trail that is omitted from the margin.

Annex B (Glossary of terms) includes a full definition of these terms which you may find helpful in understanding the report.

Voluntary access dedication

- vii. Land that was previously dedicated as access land under section 16 of the Countryside and Rights of Way Act 2000 (CROW) will become subject to the coastal access regime if it forms part of the coastal margin in any of the ways described above. There is also provision in the legislation for a land owner or long leaseholder to dedicate other land voluntarily as coastal margin if it lies adjacent to it or within it. Dedicating land as coastal margin means the excepted land provisions do not apply there and may also be used to relax or remove specific national restrictions that would otherwise apply. Parts 4.8.20 to 4.8.23 of the Coastal Access Scheme explain these provisions in more detail.

In each report the Part 4 Proposals Maps, in conjunction with the Part 2 Proposals Narrative and the Part 3 Proposals Tables, set out our formal proposals to the Secretary of State in relation to the length of coast in question, for which we are seeking approval under section 52 of the National Parks and Access to the Countryside Act 1949.

4. Preparation of the report

To secure the twin objectives under the legislation we have followed the approach set out in our Coastal Access Scheme, as approved by the Secretary of State on 9 July 2013. Chapter 3 of this detailed document sets out the stages of implementation we must follow.

In line with this, before making the proposals, we reviewed our previous consultations within the Rye area and conducted extensive preliminary work in two main stages:

- Stage 1: Prepare – defining the extent of the coastal stretch with access authorities and identifying the key issues and opportunities, including sensitive features, in conjunction with key organisations; and
- Stage 2: Develop – checking the alignment on the ground, sharing our initial thoughts with land owners and offering to ‘walk the course’ with them, planning for the protection of key features, talking further with key interests and reality checking our proposals.

Stage 1 - Prepare

This stage involved us working closely with the access authority (East Sussex County Council) to understand the nature of access around the Rother Estuary and at Camber Sands. We reviewed or revisited our earlier consultations (to develop the original Eastbourne to Camber EBC1-7 proposals) with national and local organisations that have a strategic interest in this stretch of coast. We also took account of the Representations and Objections that were made to the 2020 proposals regarding the Rye area. Organisations contacted include:

- the East Sussex Local Access Forum;
- District Council officers, including ecology, geology, historic environment, planning, transport and countryside ranger staff;
- local officers from the Environment Agency, in relation to their role as Harbour Authority, flood defence and coastal erosion management on this stretch of coast;
- local officers of Historic England, in relation to historic features on this stretch of coast; and

We also sought input from representatives of specific interest groups, including:

- Town and Parish Council representatives;
- the Ramblers Association;
- the Open Spaces Society;
- the British Mountaineering Council;
- the National Farmers Union;
- the British Association for Shooting and Conservation;
- the Country Land and Business Association;
- Sussex Wildlife Trust;
- Royal Society for Protection of Birds;
- Sustrans;
- HM Coastguard, and
- RNLI;

We publicised on our website when work on EBC 8 started.

We also engaged with internal specialists and relevant organisations locally - including Sussex Wildlife Trust and the Sussex Biological Records Centre - to consider any potential for impacts on key sensitive features.

In addition to these discussions we took into account a wide variety of information, plans and strategies that we considered relevant to the alignment process. Those that are published on the internet are listed in Annex A: Bibliography.

We then took all reasonable steps to identify owners, occupiers and those with a legal interest in the land which could be affected.

Stage 2 - Develop

This stage involved us contacting, and discussing our initial thoughts with, relevant owners, occupiers and other legal interests.

We asked for their views and invited them to join us when we visited the land to 'walk the course' so that we could discuss options for alignment based on mapped summaries of our emerging proposals.

In most cases this was done through separate site meetings with the individuals and businesses concerned. In the interests of efficiency we also held a small number of larger meetings to discuss our proposals with groups of people with a common legal interest, for example where homes or businesses occupy adjacent coastal frontages, e.g. near Rock Channel, Rye (Map EBC 8b).

We also took reasonable steps to identify and contact any other owners, occupiers or other legal interests who could foreseeably be affected in the future as a result of any roll-back that may prove necessary). See part 7 – Future Changes – below.

We then held further detailed discussions with internal and external specialists to refine our thinking on protecting key sensitive features, carrying out any necessary assessments.

After further discussions with key local and national organisations we refined our proposals and checked them on the ground before moving onto Stage 3 – Propose, which is the substance of these reports.

Key issues along this stretch

5. Discretion to include part or all of an estuary or estuaries

The Rye Harbour to Camber Sands stretch includes the estuarial waters of the River Rother and its tributaries the Brede and Tillingham. Part of the River Rother estuary already supports an approved section of the King Charles III England Coast Path – between the open coast at Rye Harbour Nature Reserve and Rye Harbour village car park.

a) Introduction

This part of the Overview:

- introduces the core statutory duties and considerations for the national programme as a whole in relation to exercising the discretion to include part, or all, of an estuary within our proposals;
- describes the overall nature of the estuary system(s) found in this part of England, identifying the geographical limits of our discretion to align the trail around the River Rother included within this stretch of coast;
- goes on to explain in more detail how each of the specific estuary considerations set out at section 301 of the 2009 Act affects our view of the options for the River Rother;
- sets out the options for estuary trail alignment which we have identified as a result of this analysis, and;
- describes and explains our chosen proposal.

b) Estuary discretion

Under the 2009 Act there is no requirement for the trail to extend up any estuary further than the seaward limit of estuarial waters that is explained below under “Geographical limits of our discretion”.

But Natural England has a discretion to propose that the trail should extend from the seaward limit as far as the first bridge over which, or tunnel through which, there is a public right of way, or a public right of access, by virtue of which the public are able to cross the river on foot, or as far as any specified point in between. In exercising its discretion, Natural England must have regard to the core national duties and considerations described in Part B and Chapter 10 of the Coastal Access Scheme.

c) Core national duties and considerations relevant to estuaries

Section 296 of the 2009 Act places a legal duty (the Coastal Access Duty) on Natural England and the Secretary of State to secure a walking route around the whole of the open coast of England, together with an associated margin of land for the public to enjoy either in conjunction with their use of the route, or otherwise.

Section 297 goes on to require both, in discharging this duty, to have regard among other things to the desirability of ensuring that so far as reasonably practicable, interruptions to this route are kept to a minimum. This is a key consideration for the whole of the national delivery programme for coastal access. The whole concept of the King Charles III England Coast Path relies on delivering continuity of the route so far as reasonably practicable for the whole country. Although proposing a route around each estuary is a discretion rather than a legal duty, if the presence of an estuary would interrupt this **continuity of access** along the open coast then this will constitute a strong prima facie reason for the trail to serve the estuary too, at least to the extent necessary to enable users to continue their onward journey around the coast.

The Scheme notes at paragraph 10.1.4 that because the seaward limit of estuarial waters is an arbitrary point from an access perspective, we are likely to use our discretion at most estuaries to extend the trail upstream to a more convenient point than this seaward limit. Paragraph 10.1.5 then adds “We will always give careful consideration to our option to extend the trail as far as the first bridge or tunnel with pedestrian public access” – both for reasons of continuity, and with a view to any additional recreational benefits that might result within the estuary itself from doing so.

Chapter 10 of the Scheme explains the **statutory estuary criteria** that section 301(4) of the 2009 Act requires to be taken into account in deciding whether or not to include an estuary in our proposals. These are discussed in more detail in subsection e) below in relation to the River Rother estuary.

The other key considerations, including achieving a fair balance with the interests of owners and occupiers, are discussed in part 6 of this Overview.

d) Overall nature of estuary systems in this part of England

The Rother Estuary is mainly a narrow, relatively straight river which passes through Rye and flows into the sea between Rye Harbour Nature Reserve on the west bank and Camber Sands on the east bank. It is tidal for 3.7 miles (6km) inland. The headwaters of the River Rother are in the High Weald near Rotherfield.

The Rother meets the tidal Rivers Brede and Tillingham just east of Rye town.

e) River Rother Estuary

Geographical limits of our discretion

The seaward limit of the estuarial waters of the River Rother is at its mouth, between Rye Harbour Nature Reserve and East Pier (see map A2). The first bridges with pedestrian access are at Rye, crossing the River Brede sluice on the western side of the town, the River Tillingham sluice in central Rye and the River Rother on the eastern side of the town.

The statutory estuary criteria

We have considered below each of the section 301 criteria under the headings given in Chapter 10 of the Scheme.

i) Ferry services

There is no ferry service operating across the River Rother.

ii) Character of the Estuary

Estuary width

The width of the River Rother is variable. At its widest it measures 88 metres across at Rye Harbour. It is 64 metres wide at its mouth, creating an enclosed landscape even at its widest extent. Whilst the river contains some features that give it a coastal feel in places (see below), its narrow width is not one of them.

Topography of the shoreline

The shoreline of the River Rother estuary is canalised towards its mouth with seawall revetment banks, giving it a long, straight appearance. The Rother’s shorelines are punctuated in places by inlets, and the Rother, Tillingham and Brede rivers all contain areas of mudflat and salt marsh.

Nature of affected land

The surrounding landscape is flat, with shingle beach forming the Rye Harbour Nature Reserve on the western side and Camber Sand Dunes on the eastern side of the river at its mouth. The sand dunes on the eastern side are gradually accreting seawards.

The eastern side of the Rother as far upstream as Rye is predominantly rural in character, although the majority of the land adjacent to the river is managed commercially as farmland and a golf course. A section of seawall just seaward of Monk Bretton Bridge is currently being set back from the river through a managed re-alignment scheme by the Environment Agency. The western shoreline is more developed, containing caravan parks, industrial units, and the Rye Harbour village and developments including a lifeboat station. The shoreline of the Tillingham and Brede are predominantly urban in character, with residential and light commercial land use adjacent to the rivers – including boat yards and moorings.

Features of interest

Rye Harbour is a small village, with attractive houses, a river viewpoint, caravan park, pub & café facilities and river boat trips. There is also a wharf where small ships dock to load and unload cargo. The Rye Harbour Nature Reserve on the western side of the Rother is managed by the Sussex Wildlife Trust where visitors are welcome and where a new visitor centre, exhibition space and café, lies just down-river of EBC 8. There is considerable wildlife interest within the Reserve, particularly for bird watchers with bird hides and circular trails. Rye Harbour village has a large car park, from which it is easy to access the Nature Reserve, river viewpoint and other activities and facilities.

The area's main feature of interest is the historic town of Rye, located on a low hill set just inland of the confluence of the rivers Brede, Tillingham and Rother. It attracts many tourists with its narrow streets, ancient walls with gate houses, hilltop church and waterfront with warehouses, marinas and fishing fleet. Many of the boats moor at Rye or downstream at Rye Harbour at small wooden quays and jetties.

To the east of the river is Northpoint Lake, a boating venue. South from this is another sporting facility: the Rye Golf Course. Camber Sands: a particularly popular tourist destination, which is served by a number of car parks, has a wide sandy beach and sand dunes as well as associated tourist facilities. The dunes and beach both support important wildlife.

iii) Recreational Benefit

There is generally good access on foot on each side of the river from the coast to Rye, however some access issues exist, as described below.

Between Rye Harbour village and Brede Sluice, there are no public rights of way along the riverside, and significant areas of light industry and wharf businesses occupy the river frontage. Existing, promoted access exists along a shared cycle/ footpath beside the busy Harbour Road, which serves the industrial estates as well as the Rye Harbour village and Nature Reserve. In addition, there is a more direct, off-road path through the Rye Harbour Nature Reserve (RHNR) – landward of Harbour Road. This route follows a Sussex Wildlife Trust Nature Trail and an informal path along an old tramway, as well as a small portion of public footpath near Brede Sluice. The Nature Reserve paths are narrow and waterlogged in places.

The junction of Harbour Road and A259 New Winchelsea Road near Brede Sluice was not considered a safe crossing option for a promoted trail when Natural England's coast path proposals were submitted in 2020. A crossing here would be necessary to provide a continuous promoted route around the estuary, as no other suitable route can be taken in this area. Advice from National Highways has now indicated that improvements to this junction would be possible to support a National Trail.

From the A259 New Winchelsea Road to Monk Bretton Bridge there is existing access on roads, the quayside and along rights of way that run close to the river through Rye, as well as good connections into the town centre. Some sections of public rights of way are waterlogged and muddy.

Access exists along the eastern bank of the River Rother between the A259 at Monk Bretton Bridge and Camber Beach, using a mix of public rights of way, a licensed footpath and an informal path. The riverside rights of way are currently closed due to flood defence works, but when these are completed, the public footpath will run south from Monk Bretton Bridge, along a seawall overlooking the estuary and the Environment Agency's new salt marsh creation scheme. Near Rye Golf Course, this public footpath becomes unusable where it leaves the seawall and crosses eroding mudflats and saltmarsh.

There is a licensed footpath along the seawall to Rye Golf Course, where the path crosses the golf course and continues along a surfaced track to near the Harbour Master's office. This section of path is in place due to a licence agreement between East Sussex County Council and Rye Golf Course. Signs currently alert walkers that they are entering a golf course at their own risk, to allow golfers to have priority and to beware of driven golf balls. South from the Harbour Master's office to Camber Beach, an informal path continues alongside the river to the mouth of the river and Camber Sands, where the wide sandy beach and dunes have de-facto access.

Many local people aspire to a continuous, promoted route around the estuary, joining Rye with the open coast. Reasons cited included the tourism and local economy benefits of connecting the KCIIIECP with other long-distance paths that converge at Rye, and creating increased connectivity for walkers through the town - an issue highlighted in the Rye Neighbourhood Plan. Stakeholder views were illustrated when all those that made representations to Natural England's Eastbourne to Camber proposals, published in 2020 (which did not align the trail up to Rye), called for a continuous route around the estuary.

In summary, the recreational benefit of creating a safe and continuous trail around the estuary would be significant: including a safe and suitable road crossing at the Harbour Road / A259 junction; resolving the impermanent nature of some of the existing routes around the estuary – especially on the eastern bank of the river; improving the surface of sections of the existing paths, and the strong support of local groups for the creation of a continuous route around the estuary to support the local economy.

iv) Excepted land

Some of the western side of the river in and near to Rye Harbour village and within Rye town would be excepted land, consisting of industrial units, marinas, jetties and wharf, buildings and their curtilage as well as residential houses and gardens. On the eastern bank, the golf course would be excepted land - however, where appropriate, Natural England has the ability to propose an access strip through excepted golf course land. The Harbour Master's buildings and their curtilage would also be excepted. These areas of excepted land might, in places, prevent a waterside route from being established.

v) Options for River Rother

- Option 1 – align the trail around the River Rother to the first crossing point(s) in Rye. This would fulfil local aspirations to improve existing routes and create a continuous, and safe, promoted route around the estuary. There may not be significant new riverside access because of existing land uses and nature conservation sensitivities.
- Option 2 – do not extend the trail upstream of Rye Harbour village on the west bank and from the open coast at Camber Sands on the east bank of the Rother. This would not deliver any improvements to access around the estuary and would not deliver upon our aspiration to provide a continuous route around the coast of England.




Proposed route of the trail

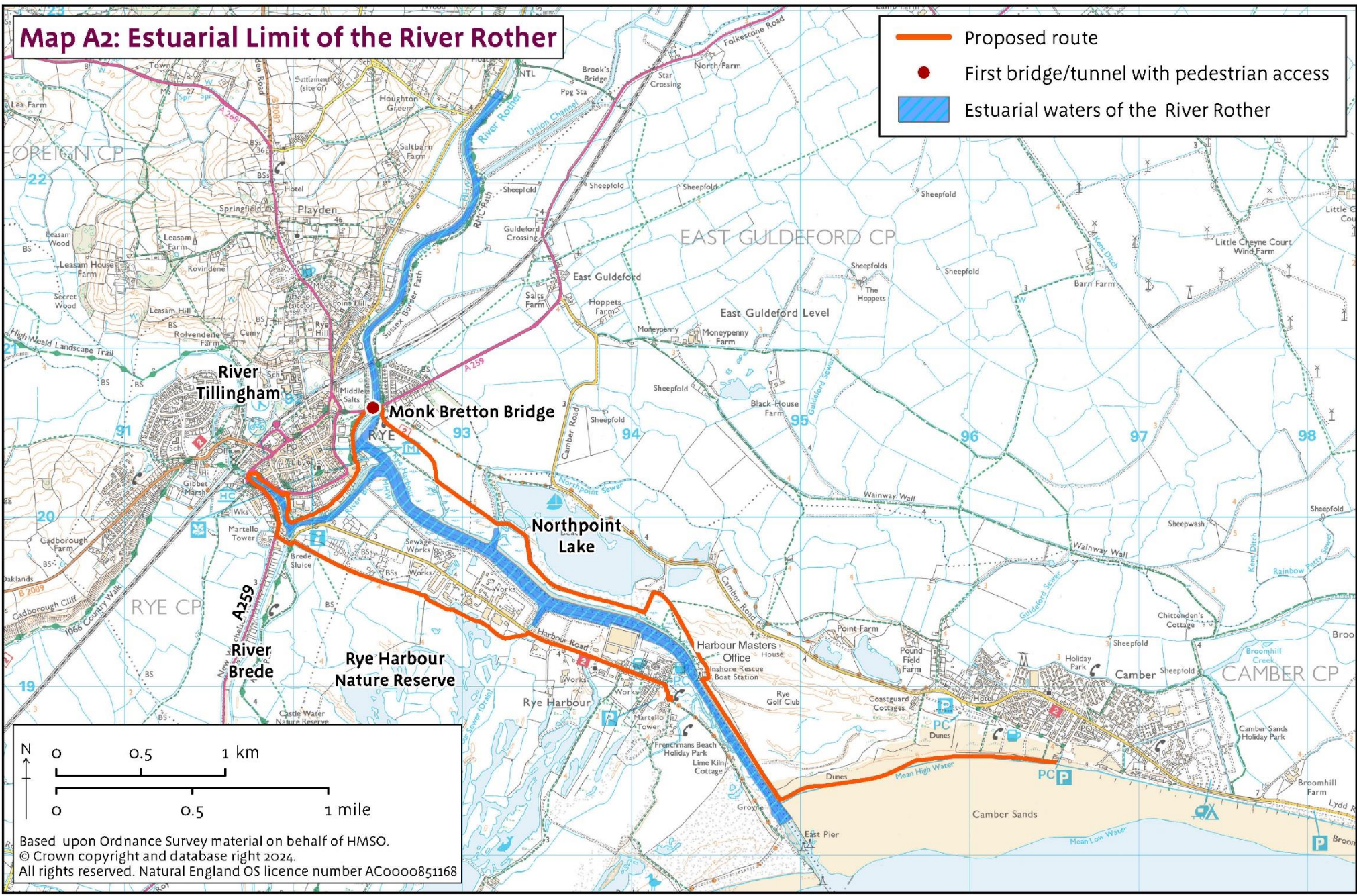
There is a clear local desire for a walked route around the Rother Estuary via Rye. The local benefits of Option 1 are potentially significant and we are clear that such a route would bring significant new recreational benefits.

Option 2 would leave the trail ending in Rye Harbour and on the open coast at Camber. Walkers would be dependent on the existing range of paths or require public transport in and out of Rye to reach the next part of the trail. This option would fall short of achieving our aspiration of providing a continuous route around the coast of England.

Therefore our proposal is to align the trail around the estuary to the first crossing point(s) in Rye.

Map A2: Estuarial Limit of the River Rother

-  Proposed route
-  First bridge/tunnel with pedestrian access
-  Estuarial waters of the River Rother



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0 0.5 1 mile

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6. Other considerations on this stretch

a) Recreational Issues

The recreational issues and benefits of a trail around the estuary have been summarised in section 5e(iii) of this document.

During consultation on the coast path, the recreational issues raised by local people and stakeholders included:

- An aspiration for an off-road route between Rye Harbour and Brede Sluice – either along the river's edge or through Rye Harbour Nature Reserve (RHNR).
- Preference for a route away from the heavy, industrial traffic on the 1.5 mile (2.5km) stretch of Harbour Road, between Rye Harbour and Brede Sluice.
- Concerns that the narrow width (in parts) of the shared walking/cycling path along Harbour Road creates conflicts between walkers and cyclists; and potential dangers from lorries turning across the walkway into industrial units.
- Concerns that the Nature Trail through Rye Harbour Nature Reserve is not always useable as sections are often muddy and unpassable.
- In Rye, concerns raised about the muddy, narrow section of public footpath near Rock Channel, close to River Brede.
- On the east bank of the river, a preference for a riverside, off-road route, away from the Sustrans cycle route which runs, in part, alongside heavy traffic on Camber Road.
- Support for the provision for a continuous, promoted route around the estuary, joining Rye with the open coast, particularly regarding the recreational benefits of connecting the KCIII ECP with other long-distance paths that converge at Rye, and creating increased connectivity for walkers through the town - an issue highlighted in the Rye Neighbourhood Plan.

The proposals address some of the recreational issues raised by stakeholders. They include plans to improve the waterlogged sections of path at Rye Harbour Nature Reserve which would create an all-weather route. In addition, some vegetation will be cleared back to emphasise the entrance to the Reserve near Brede Sluice. The aspiration to establish a coastal path along the riverside between Rye Harbour industrial area and Brede Sluice has not been addressed fully in our proposals, for reasons set out elsewhere in the EBC 8 report.

In Rye, planned surface improvements to some sections of path near Rock Channel would improve access along the route through the town.

The proposals for aligning the trail along the licensed path through Rye Golf Course and south on an informal path to Camber Sands would provide riverside access. This would guarantee coastal access rights in perpetuity along this part of the east bank of the estuary, rather than relying on licence agreements and informal use. In addition, the proposals include new signage at the golf course. In the area where the trail passes through the golf course, access management could be significantly improved through signage and other possible measures, such as the use of golfer-operated traffic lights, to increase awareness of how and when to allow golfers priority – to avoid potential conflict, especially during busy, summer days when the golf course and the footpath may be busy.

As part of the proposals there would also be ‘new’ spreading room in places over land where there are currently no secure public rights of access. It includes land on the seaward side of the trail, which would become accessible by default under the legislation, and areas on the landward side, either as additional land or due to default land type such as dunes.

For more details of proposed improvements, see the ‘Establishment of the trail’ section in EBC 8 report.

b) Protection of the environment

This stretch of coast is estuarine in character, with seawalls or wharves bounding the river. Mudflats are present along the Rother, Brede and Tillingham rivers, with wider sections of salt marsh along the Rother. To the west of the River Rother, Rye Harbour Nature Reserve contains shingle exposures and wetlands where past gravel extraction has taken place. The Reserve is largely managed by Sussex Wildlife Trust and is an important area for both breeding and overwintering birds. To the east of the River Rother is Camber Sands, where the sand dunes have been gradually accreting. This area is in multiple ownership, but is mainly managed by Rother District Council.

Rye Harbour Nature Reserve, Rye town and Camber Sands are all popular tourist destinations, for wildlife watching, sightseeing, and for summer days on the beach, respectively. Rye Harbour Nature Reserve has a Discovery Centre and café which opened in 2021, alongside nature trails and hides. Camber Sands has up to 25,000 visitors each day in the peak season (RNL 2021), mainly located in the central area of the beach and is a popular site for kitesurfing in the UK.

The whole area is also popular for walkers and cyclists, with several promoted walking routes in the vicinity and the Sustrans Route 2 connecting Rye Harbour, Rye and Camber with the neighbouring Sussex coast and Romney Marsh countryside in Kent. Large car parks are present at Rye Harbour and Camber Sands for visitors.

There are multiple environmental and historical designations, the location of which are summarised in Maps C and D, and listed below:

- Dungeness Special Area of Conservation (SAC)
- Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA)
- Dungeness, Romney Marsh and Rye Bay Ramsar
- Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest (SSSI)
- Rye Harbour Site of Special Scientific Interest (SSSI)
- Rye Harbour Local Nature Reserve known as Rye Harbour Nature Reserve (RHNR)
- Local Geological Site at Camber Dunes
- Martello tower no 28 at Rye Harbour
- Martello tower no 30, 300m east of Gate Borough Cottage

As a result of the proposals described in this Overview and report EBC 8: Rye Harbour to Camber Sands, the quality of coastal paths will be improved and there will be greater certainty and clarity about the rights people have within the coastal margin. Use of the coast for outdoor recreation can, if not carefully managed, add to environmental pressures such as the presence of people causing disturbance to wildlife or new paths leading to removal and fragmentation of habitat. Part of the process we go through on each

length of coast when we are developing our detailed proposals is about finding ways to avoid or reduce such impacts, and ensure compliance with legislation to protect the environment.

In developing our detailed proposals for coastal access we have taken account of environmental protection objectives and these are, where relevant, discussed in more detail in the report EBC 8, and the following documents that we have published separately:

- A single Habitats Regulations Assessment [<https://www.gov.uk/government/publications/king-charles-iii-england-coast-path-from-rye-harbour-to-camber-sands-ebc8-comment-on-proposals>] relating to any potential impact on the conservation objectives of affected sites from the proposals we make in each report for the stretch. This assessment considers any potential impacts to the length of coast covered by this report.
- Our Nature Conservation Assessment [<https://www.gov.uk/government/publications/king-charles-iii-england-coast-path-from-rye-harbour-to-camber-sands-ebc8-comment-on-proposals>] for the stretch, in which we document our conclusions in relation to any other potential impacts on nature conservation.

c) Interests of owners and occupiers

In discharging our coastal access duty we must aim to strike a fair balance between the interests of the public in having rights of access over coastal land, and the interests of owners and occupiers of land over which any coastal access rights would apply. This was a key driver in the design of our proposals, which were discussed in detail with the owners and occupiers of the affected land during ‘walking the course’ or other communications.

Rye Harbour and Rye Harbour Nature Reserve

The issues raised by owners and occupiers on this part of the stretch generally related to privacy of residents and businesses in Rye Harbour and potential increased use of the existing tracks and roads in the area, where located close to the coastal path or in the coastal margin.

Rye town

The issues raised by owners and occupiers on this part of the stretch generally related to privacy of residents who would be located close to the coastal path or in the coastal margin and security/safety of those residents.

East bank of Rother

Along the east side of the River Rother, there is an existing public footpath from Rye along the raised river bank which joins with a licensed footpath to the coast through Rye Golf Club. The Club is concerned that if this existing riverside path is promoted as part of the King Charles III England Coast Path, increased numbers of walkers between Rye and Camber would lead to heightened public safety risks, significantly disrupt play and affect the commercial viability of the golf course. Increasing amounts of antisocial behaviour and picnicking on the site were also raised as a concern, along with risks to public safety on coastal margin land near the golf course.

Camber Sands

The main issue raised relating to Camber Sands is in regard to managing access to and across the dunes to reduce trampling and erosion of the special plant communities. Rother District Council manages access

across most of the beach and dunes including path clearance, signage, beach patrols in the peak periods and a Coastal Officer to help reduce access, trampling and erosion of sensitive geological and biological dune features. With additional people using the trail, the managers consider that additional signage along the trail would reinforce awareness of the dune wildlife and reduce potential erosion effects. Another landowner has raised concerns regarding the ability to manage access on the dunes, as a result of coastal access rights.

In general, the issues raised by owners and occupiers on this part of the stretch relate to the operational needs of businesses or to the privacy of residents. Some of these issues are addressed by the provisions in the legislation for particular categories of land to be automatically excepted from the coastal access rights – including land covered by buildings and their curtilage and land used as a garden.

Elsewhere, the existing public access provisions are already managed effectively alongside adjacent land uses, but after discussion with relevant interests we have been able to identify adjustments which better integrate recreational benefits with the interests of owners and occupiers, such as where the trail passes through Rye golf course, access management could be significantly improved to increase awareness of how and when to allow golfers priority – to avoid potential conflict.

These adjustments are described in the report EBC 8.

d) Coastal processes

The principal source of information regarding coastal processes on this stretch of coast is the South Foreland to Beachy Head Shoreline Management Plan (see Annex A: Bibliography), a non-statutory policy document for the management of flood risk and coastal erosion. With reference to this document, and with advice from the Environment Agency, their contractors and officers from relevant local authorities, we have identified the parts of the coast within this stretch which are particularly susceptible to coastal erosion or other geomorphological processes.

In general where the coast is defended with some certainty, we have not made any specific proposals to enable the trail to adapt to coastal change - for example, where the trail would be:

- on, or on the landward side of sea defences which would protect it; or
- landward of the roads and railway which would be protected under the policies set out in the Shoreline Management Plan ².







However, in some cases we have identified a possible requirement for roll-back even in scenarios like this, to ensure that we can maintain continuity of the trail should a nearby section of the trail be affected by coastal change (see Part 4.10 of the approved Scheme).

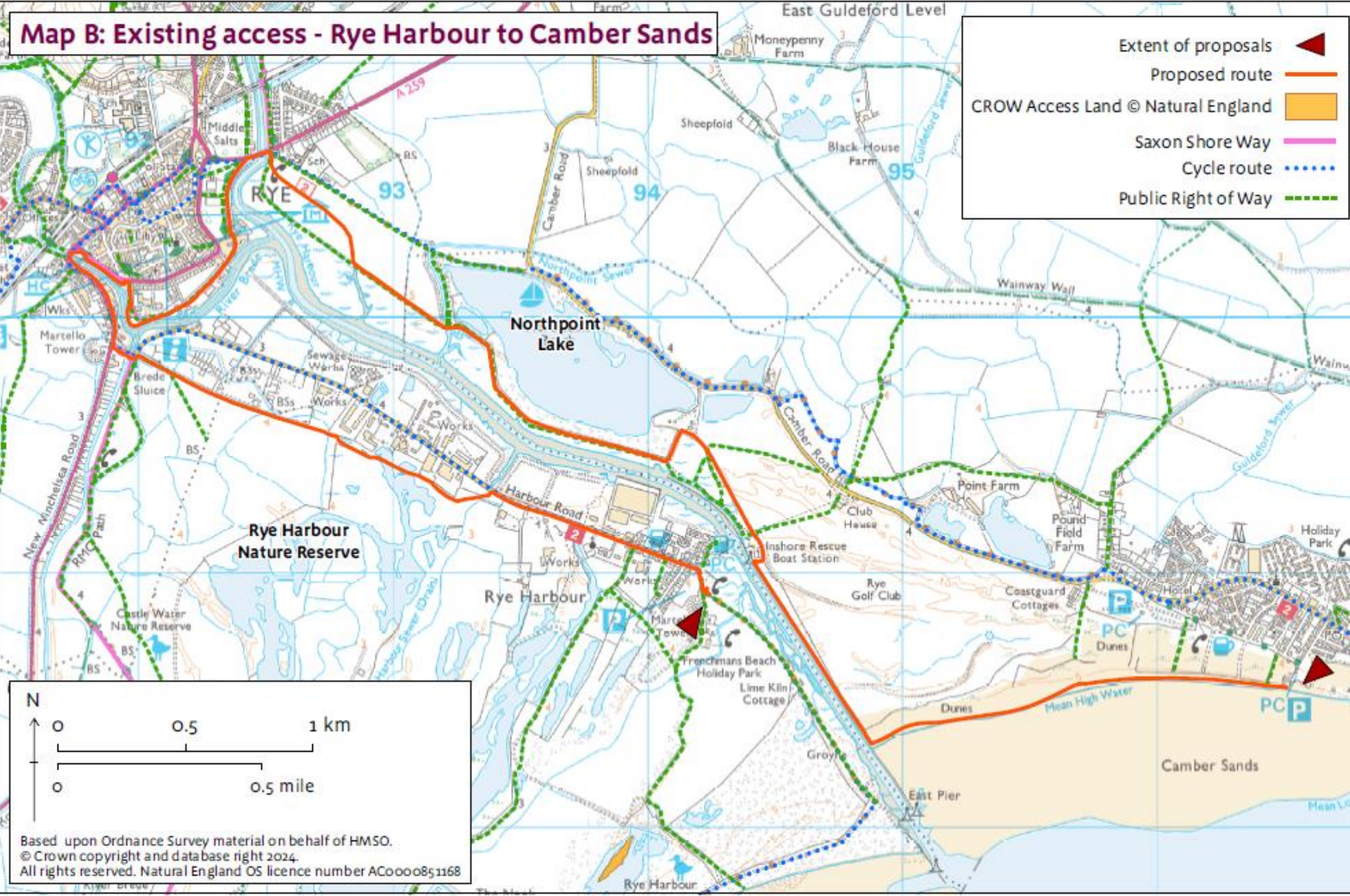
The short, medium and long term policies for the affected stretches of the Rother, Brede and Tillingham are to 'hold the line'. Current Environment Agency work near Monk Bretton Bridge is raising the embankments along part of the eastern bank of the Rother. There are areas susceptible to localised flooding, for example in Rye town, and with sea level rise, further replacement sea defences may be required in the longer term. On the majority of the coast around the estuary using sea defences, we propose to recommend that the trail is able to be repositioned without further reference to the Secretary of State, once the initial route has been approved.

At Camber Sands the policy is also 'hold the line', through dune management. This might involve active management of the dunes or its surroundings to increase its width, length, height, or resilience. The dunes have been accreting and in this instance the trail may need to roll forward to remain on the open beach.

There is more detail about these roll-back arrangements in part 7 of the Overview and in the report EBC 8.

Map B: Existing access - Rye Harbour to Camber Sands

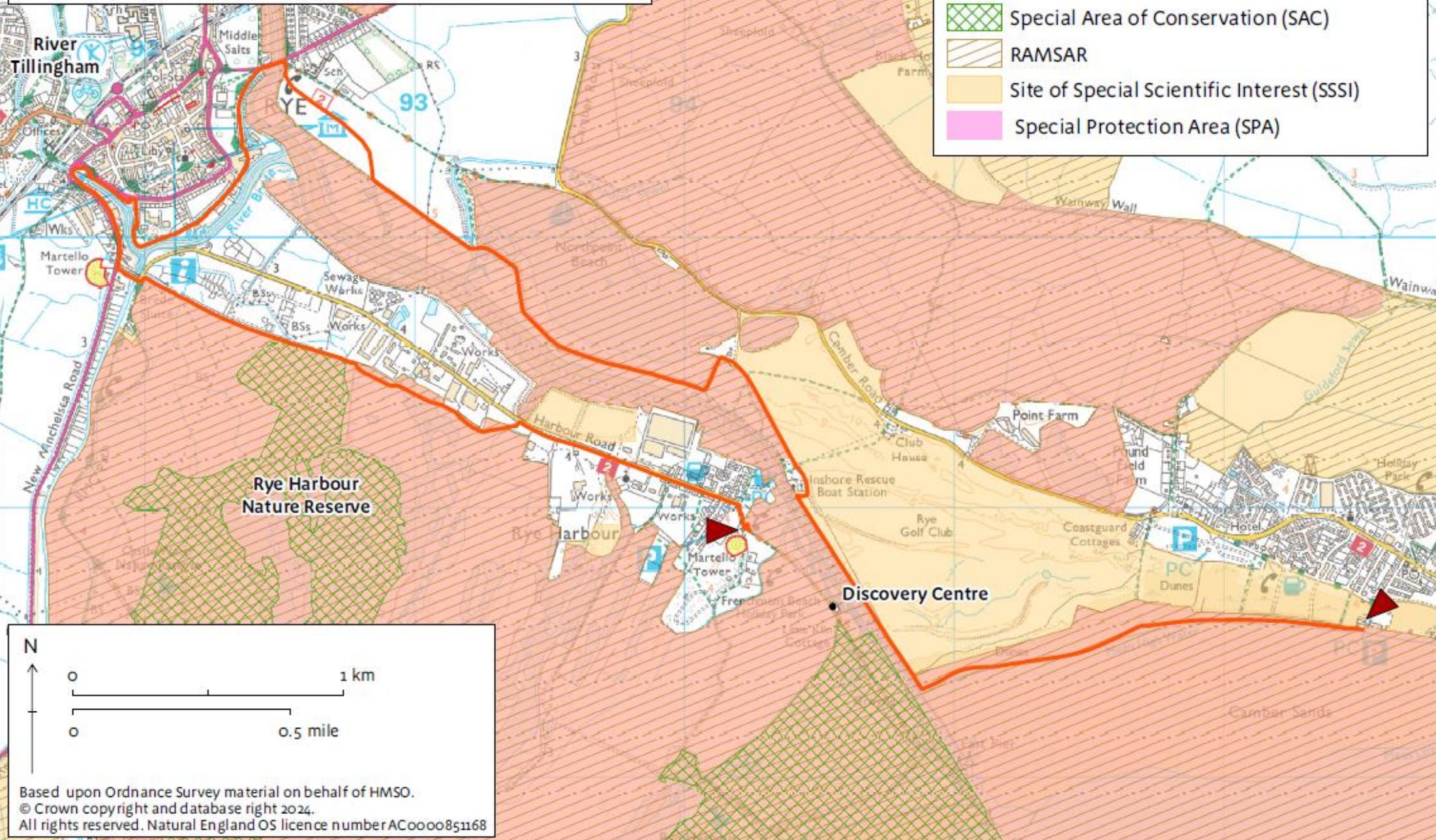
- Extent of proposals 
- Proposed route 
- CROW Access Land © Natural England 
- Saxon Shore Way 
- Cycle route 
- Public Right of Way 



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Map C: Statutory environmental designations Rye Harbour to Camber Sands

- Proposed route
- Scheduled Ancient Monument (SAM)
- Special Area of Conservation (SAC)
- RAMSAR
- Site of Special Scientific Interest (SSSI)
- Special Protection Area (SPA)



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Other issues

7. Future changes

Below we explain the procedures for future changes to the coastal access provisions once proposals have been approved by the Secretary of State. Where the need for future changes was foreseeable at the time of preparing the proposals we have indicated this in the relevant reports.

Roll-back

Report EBC8 includes proposals for specified parts of the route to 'roll back' either:

- in direct response to coastal erosion or other geomorphological processes, or significant encroachment by the sea; or
- in order to link with other parts of the route that need to roll back as a direct result of coastal erosion or other geomorphological processes, or significant encroachment by the sea.

Where sections of the approved route need to change for these reasons in order to remain viable, the new route will be determined by Natural England without any requirement for further reference to the Secretary of State. Coastal erosion can happen at any time and so, in some cases, this provision may need to be invoked between approval of the report and commencement of new access rights.

In particular, so far as we consider it necessary in order to maintain the viability of the route as a whole, we may determine that any part of the route is to be repositioned landward of any physical boundary feature, area of excepted land or area from which we consider it necessary to exclude access e.g. a protected site designated for its conservation value.

In determining the new route, we will take into account:

- the local factors present at that time, including any views expressed by people with a relevant interest in affected land;
- the terms of the Coastal Access duty (see Annex B: Glossary of terms), including the requirement to aim to strike a fair balance between the interests of the public and the interests of any person with a relevant interest in the land; and
- the criteria set out in part B of the Coastal Access Scheme.

Any changes to the route in accordance with these proposals will come into force on a date decided by us. On this date, coastal access rights will come into force as necessary along any new alignment. The date of change will follow any necessary physical establishment work, including any installation of signs to enable the public to identify the modified route on the ground. We will take reasonable steps to ensure that anyone with a relevant interest in land directly affected by the change is made aware this date.

In places where the trail rolls back in this way in response to coastal change, the landward extent of the coastal margin may also move inland automatically:

- with the trail itself, or
- because a landward area of section 15 land (see Annex B: Glossary of terms) or foreshore, cliff, dune, or beach, or a bank, barrier or flat, newly touches the trail when it rolls back, with the result that it automatically becomes part of the margin under the terms of the legislation.

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. This and the above information is intended as a guide only, based on information available to us at the time of writing, and on expert advice provided by the access authority, Environment Agency and others. We have taken and will continue to take all reasonable steps to discuss implications and options with all parties likely to be affected by such changes, both during the initial planning work that preceded the writing of the reports for each length, and during any future work to plan and implement a 'rolled back' route.

Other changes

We will normally be required to submit a variation report seeking approval from the Secretary of State in order to make any other changes to the route of the trail (or to propose non-automatic changes to the landward boundary of the coastal margin) - for example if the land was subject to new build development. Such changes would be subject to the same procedures for consultation, representations and objections as our initial reports. We are not aware of any developments that could potentially affect the route.

However, even without a variation report:

- i We would be able to impose new or modify existing local restrictions or exclusions on coastal access rights as necessary, and people with a legal interest in the land would be able to apply to us for such directions under certain circumstances – see chapter 6 of the Coastal Access Scheme.
- ii Further work could be carried out where necessary either to establish or maintain the route, or to provide any means of access to the coastal margin, using powers and procedures set out in Schedule 20 of the Marine and Coastal Access Act 2009 and chapter 3 of Part 1 the Countryside and Rights of Way Act 2000.
- iii. If at any time the use of affected land should change, the normal rules in relation to excepted land would apply, so for example land newly covered by buildings and their curtilage, and land in the course of development, would automatically become excepted from the coastal access rights – see Annex C: Excepted Land Categories.

8. Restrictions and exclusions

In certain circumstances we can restrict or exclude access to the trail and margin. The legal term for an exclusion or restriction is a direction.

Below, we summarise the directions to exclude or restrict coastal access rights proposed by these reports.

Refer to Part 6.7 and Figure 19 of the approved Coastal Access Scheme for more information.

Report reference	Location/extent (see relevant map for more information)	Type of direction	Purpose of direction	Grounds and relevant section of CROW	Duration
EBC 8	The saltmarsh and flat seaward of route sections EBC-8-S001 to EBC-8-S091 See Map E and the directions map in report EBC 8.	Exclusion	Unsuitable for public access	Saltmarsh and flat S25A	All year

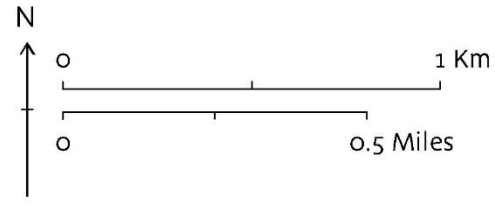
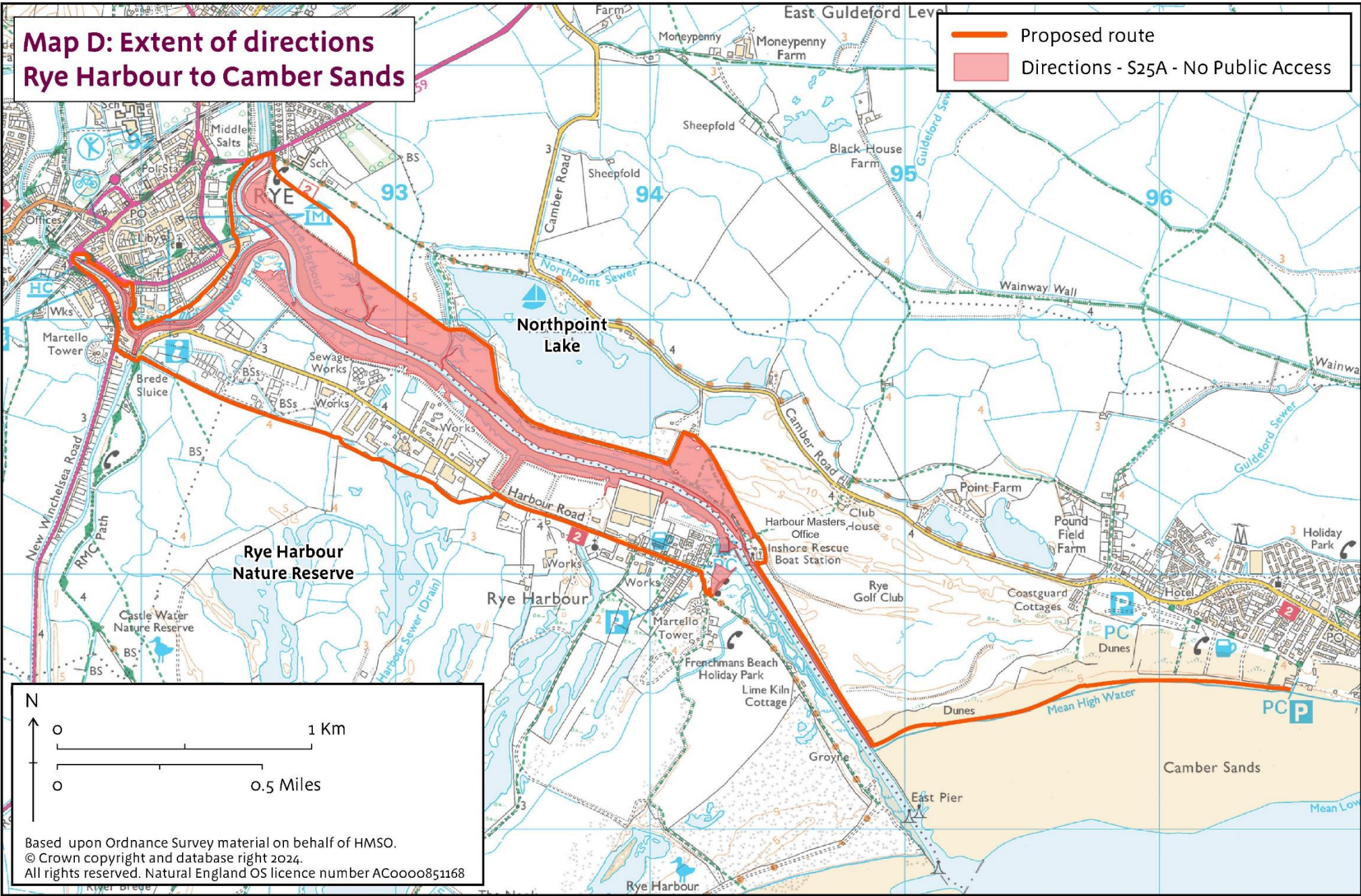
These directions will not prevent or affect:

- any existing local use of the land by right: such use is not covered by coastal access rights;
- any other use people already make of the land locally by formal agreement with the landowner, or by informal permission or traditional toleration; or
- use of any registered rights of common or any rights at common law or by Royal Charter etc

Any such use is not prohibited or limited by these arrangements.

Map D: Extent of directions Rye Harbour to Camber Sands

- Proposed route
- Directions - S25A - No Public Access



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Annex A: Bibliography

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Natural England

www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast

Information about the statutory framework for coastal access:

Department for Environment, Food and Rural Affairs

www.gov.uk/government/publications/marine-and-coastal-access-act-2009

Coastal Access Scheme

NE446 - Coastal Access: Natural England's Approved Scheme
Natural England

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Marine and Coastal Access Act 2009

www.legislation.gov.uk/ukpga/2009/23/part/9/crossheading/the-coastal-access-duty

Countryside & Rights of Way Act 2000 [CROW]

www.legislation.gov.uk/ukpga/2000/37/contents

The Access to the Countryside (Coastal Margin) (England) Order 2010

www.legislation.gov.uk/uksi/2010/558/contents/made

National Parks and Access to the Countryside Act 1949

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The Coastal Access Reports (Consideration and Modification Procedure) (England) Regulations 2010

www.legislation.gov.uk/uksi/2010/1976/contents/made

Environmental legislation referred to in the reports:

The Conservation of Habitats and Species Regulations 2017 (as amended)

<http://www.legislation.gov.uk/uksi/2017/1012/contents/made>

The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

<http://www.legislation.gov.uk/uksi/2018/1307/contents/made>

Other published information used in the preparation of the report:

A register of coastal climbing sites in England

British Mountaineering Council

www.thebmc.co.uk/Download.aspx?id=692

South Foreland to Beachy Head Shoreline Management Plan

<https://environment.data.gov.uk/shoreline-planning/shoreline-management-plan/SMP11>

The New deal; Management of National Trails in England from April 2013 (NE426)

<http://Publications.naturalengland.org.uk/publication/6238141>

Rye Neighbourhood Plan 2016-2028, 10 May 2019, Rye Town Council

<https://rdcpublish.blob.core.windows.net/website-uploads/2020/01/1. Rye Neighbourhood Plan 2016-2028 - Referendum Version 10 May 2019.pdf>

Sussex Biological Records data 2023: provided with permission of Sussex Biodiversity Record Centre acting on behalf of the contributing biological recorders.

Annex B: Glossary of terms

1949 Act means the National Parks and Access to the Countryside Act 1949. The 1949 Act includes provisions and procedures for the creation of long-distance routes (now more commonly known as National Trails). These provisions were amended and added to by the 2009 Act for the purpose of identifying the coastal trail. See Bibliography for publication details.

2009 Act means the Marine and Coastal Access Act 2009. Part 9 of the 2009 Act includes provisions to improve public access to the coast. There are supplementary provisions relating to:

- consideration of coastal access reports, objections and representations by the Secretary of State – in Schedule 1A of the 1949 Act (inserted by Schedule 19 of the 2009 Act);
- the establishment and maintenance of the English coastal route – in Schedule 20 of the 2009 Act.

Section 1.2 of the Coastal Access Scheme includes a brief overview of the main provisions, which are explained in more detail in subsequent chapters. See Bibliography for publication details.

alignment is the term we use to describe the choices we make about the proposed route of the trail and the landward boundary of the coastal margin.

alternative route means a route proposed to the Secretary of State under section 55C of the 1949 Act, to operate as a diversion from the ordinary route at certain times. The associated term optional alternative route denotes a route which the public has the *option* to use at times when the ordinary route is unsuitable for use because of flooding, tidal action, coastal erosion or other geomorphological processes. Neither type of alternative route creates any seaward margin. Paragraphs 4.10.16 to 4.10.18 of the Scheme explain more about the potential use of optional alternative routes.

building has the same meaning given in Schedule 1 to CROW, as amended for the coast by the Order. The term includes any structure or erection and any part of a building. For this purpose “structure” includes any tent, caravan or other temporary or moveable structure. It does not include any fence or wall, anything which is a means of access (as defined by CROW section 34 – for example steps or bridges), or any slipway, hard or quay.

coastal access duty means Natural England’s duty under section 296 of the 2009 Act to secure improvements to public access to the English coast. It is explained in more detail in 1.2 of the Coastal Access Scheme.

coastal access rights is the term we use to describe the rights of public access to the coast provided under section 2(1) of CROW as a result of the provisions of the 2009 Act and the Order. Coastal access rights are normally rights of access on foot for open-air recreation. These rights are by default subject to national restrictions and may additionally be subject to directions which restrict or exclude them locally. Section 2.4 of the Coastal Access Scheme explains more about the nature and management of coastal access rights.

coastal margin or margin means a margin of land at the coast falling within one or more of the descriptions given at article 3 of the Order. Its main component is land subject to the coastal access rights, but it also contains other land, including some land that is not accessible to the public. A land owner may also voluntarily include land in the coastal access margin by making a dedication. Section 2.3 of the Scheme explains these other categories of land and how they fit in.

coastal processes is a term used in the reports to mean coastal erosion, encroachment by the sea or other physical change due to geomorphological processes such as landslip. Where any part of the trail could be significantly affected by coastal processes, either directly or because of the need to maintain

continuity with a part that is directly affected, we have included recommendations for it to roll back in accordance with a description in the relevant report.

CROW means the Countryside and Rights of Way Act 2000. Coastal access rights take effect by virtue of CROW section 2(1). Certain provisions in CROW are amended or added to by the 2009 Act and the Order for the purposes of the coast. Chapter 2 of the Coastal Access Scheme provides an overview of how the amended CROW provisions apply to the coast. See Bibliography for publication details.

dedicate/dedication means any voluntary dedication of land by the owner or long leaseholder under section 16 of CROW so that it will be subject to access rights under that Act. A dedication may also make provision for specific national restrictions that would otherwise apply over the affected land to be removed or relaxed.

Land within the coastal margin that was previously dedicated as access land under CROW becomes subject to the coastal access regime, including the national restrictions and the reduced level of liability operating on other parts of the margin with coastal access rights. On certain land, a dedication may be used to 'opt in' to the coastal access regime land where it would not otherwise apply. Chapter 2 of the Coastal Access Scheme explains these scenarios in more detail.

definitive map means the legal record of public rights of way. It shows public footpaths, bridleways, restricted byways, and byways open to all traffic.

direction means a direction under chapter II of CROW Part 1 to impose local restrictions or exclusions on the use of the coastal access rights.

estuarial waters are defined in section 309 of the 2009 Act as any waters within the limits of transitional waters within the meaning of Council Directive 2000/60/EC (the European Community Water Framework Directive). Transitional waters are defined in Schedule 1 to the Directive as "bodies of surface water in the vicinity of river mouths which are partially saline in character as a result of their proximity to coastal waters but which are substantially influenced by freshwater flows". The Environment Agency has mapped their seaward limit on each English estuary. Section 10.1 of the Scheme explains the relevance of estuarial waters to our proposals for coastal access at estuaries.

excepted land – see Annex C.

exclude/exclusion refer to local exclusion of the coastal access rights by direction (as opposed to the national restrictions that apply on all coastal access land by default). In this way the use of the rights may where necessary either be excluded completely, or restricted in specified ways by means of a local restriction. Section 6.6 of the Coastal Access Scheme explains the provisions in detail and our approach to their use.

foreshore is not defined in the 2009 Act or the Order. In the reports and this Overview it is taken to mean the land between mean low water and mean high water.

gate is used in several ways in the reports:

- 'Field gate' means a wide farm gate, for vehicle access.
- 'Kissing gate' means a pedestrian access gate, sometimes suitable for wheelchairs.
- 'Wicket gate' means a narrow field gate, sometimes suitable for wheelchairs, but unsuitable for larger vehicles.

guide fencing is a term the reports may use to describe simple temporary fencing which can be put up and taken down with minimal cost or effort – see figure 18 in chapter 6 of the Coastal Access Scheme.

Habitats Regulations Assessment means an assessment made in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

the legislation is the term the reports use to describe four pieces of legislation which include provisions relevant to the implementation of our proposals: the 2009 Act, the 1949 Act, CROW and the Order. There are separate entries in the glossary which describe each of these in more detail.

a **length** is the term used to describe the part of the stretch covered by each individual report.

local access forum means a local access forum established under section 94 of CROW. Natural England is required to consult the relevant local access forum in the preparation of the reports, and to invite representations from it on its proposals – see chapter 3 of the Coastal Access Scheme for details.

margin (see coastal margin)

national restrictions – see Annex D.

National Trail means a long-distance route approved by the Secretary of State under section 52 of the 1949 Act.

objection means an objection by a person with a relevant interest in affected land (i.e. its owner or occupier) to Natural England about a proposal in a report. An objection must be made on certain specified grounds, in accordance with the provisions in Schedule 1A of the 1949 Act (as inserted by Schedule 19 of the 2009 Act). Stage 3 of the implementation process described in chapter 3 of the Coastal Access Scheme provides an overview of the procedures for considering objections.

ordinary route means the line normally followed by the trail.

the **Order** means the Access to the Countryside (Coastal Margin) (England) Order 2010 (S.I. 2010/558), made under section 3A of CROW. It sets out descriptions of land which are coastal margin and amends Part I of CROW in certain key respects for the purposes of coastal access. See Bibliography for publication details.

public right of way (PRoW) means a public footpath, bridleway, restricted byway or byway open to all traffic. These public rights of way are recorded on the definitive map.

relevant interest means a relevant interest in land, as defined by section 297(4) of the 2009 Act. This is a person who:

- holds an estate in fee simple absolute in possession in the land;
- holds a term of years absolute in the land, or
- is in lawful occupation of the land.

A relevant interest must therefore own or occupy the land in question, rather than simply having some other kind of legal interest over it.

representation means a representation made by any person to Natural England regarding proposals in any of its reports. A representation may be made on any grounds, in accordance with the provisions in Schedule 1A of the 1949 Act (as inserted by Schedule 19 of the 2009 Act). Stage 3 of the implementation process described in chapter 3 of the Coastal Access Scheme provides an overview of the procedures for considering representations.

restrict/restriction – see “exclude/exclusion”.

Roll-back is the term the Scheme uses to describe arrangements made under the provisions of section 55B of the 1949 Act, whereby we may propose to the Secretary of State in a coastal access report that the route of a specified part of the trail which is subject to significant erosion or other coastal processes, or which links to such a section of trail, should be capable of being repositioned later in accordance with the proposals in our relevant report, without further confirmation by the Secretary of State. Section 4.10 of the Scheme explains in more detail how this works, and part 6(d) of this Overview explains this in the context of the stretch.

route section is the term used in the reports to describe short sections of the proposed route for the trail. Each route section is assigned a nationally unique serial number which we use to refer to it in the proposals and on the accompanying maps.

section 15 land means land with public access rights under:

- section 193 of the Law of Property Act 1925;
- a local or private Act;
- a management scheme made under Part I of the Commons Act 1899; or
- an access agreement or access order made under Part V of the National Parks and Access to the Countryside Act 1949;

or land subject to, or potentially subject to, public access under section 19 of the Ancient Monuments and Archaeological Areas Act 1979.

Where Section 15 land forms part of the coastal margin (which it may do in any of the ways explained in section 4.8 of the Coastal Access Scheme), these rights apply instead of the coastal access rights. Figure 6 in Section 2.4 of the Coastal Access Scheme shows the relationship of Section 15 land to the coastal access regime in more detail.

spreading room is the term we use to describe any land, other than the trail itself, which forms part of the coastal margin and which has public rights of access.

In addition to land with coastal access rights it therefore includes areas of section 15 land. Spreading room may be either seaward or landward of the trail, according to the extent of the margin. Section 4.8 of the Scheme explains in more detail the ways in which land may become spreading room. Spreading room may be subject to directions that restrict or exclude the coastal access rights locally from time to time. However, the Scheme does not use the term to describe land which is subject to a direction which excludes access for the long-term. Land is not described as spreading room in the Scheme if it falls into one of the descriptions of excepted land, although it may become spreading room if it loses its excepted status as a result of a change of use, or if the owner dedicates it as coastal margin. Where highways such as roads or public rights of way cross spreading room, they remain subject to the existing highway rights rather than becoming subject to coastal access rights.

statutory duty means the work an organisation must do by order of an Act of Parliament.

stretch is the whole area covered by our compendium of statutory reports making coastal access proposals to the Secretary of State, each covering one length within the stretch.

temporary route means a diversionary route which operates while access to the trail is excluded by direction. Unlike an alternative route, a temporary route may be specified later by or under the direction without requiring confirmation by the Secretary of State, though land owner consent is needed in some circumstances. Figure 17 in chapter 6 of the Coastal Access Scheme explains the provisions for temporary routes in more detail.

the trail is the term we use to describe the strip of land people walk along when following the route identified for the purposes of the Coastal Access Duty. See part 1.3 of the Coastal Access Scheme. Following approval by the Secretary of State of our proposals, the trail along that stretch becomes part of the National Trail known as the King Charles III England Coast Path. By default, it is the land within 2 metres on either side of the approved route line, but often it is wider or narrower than this. The trail forms part of the coastal margin.

variation report means a report to the Secretary of State under section 55(1) of the 1949 Act. Natural England may prepare a variation report recommending changes to coastal access proposals that have previously been approved. Figure 10 in chapter 3 of the Coastal Access Scheme explains in more detail the circumstances when a variation report is necessary.

A variation report may also be prepared by Natural England (in the context of our recommendations for the trail which we have a duty to secure under section 296 of the 2009 Act) to recommend that the route of another National Trail at the coast is modified.

Annex C: Excepted land categories

The effect of Schedule 1 to the Countryside and Rights of Way Act 2000 is that some categories of land are completely excluded from the coastal access rights, even if they fall within the coastal margin:

- land covered by buildings or the curtilage of such land;
- land used as a park or garden;
- land used for the getting of minerals by surface working including quarrying (except, under certain circumstances, the removal of sand or shingle from an area of foreshore or beach);
- land used for the purposes of a railway (including a light railway) or tramway;
- land covered by pens in use for the temporary detention of livestock;
- land used for the purposes of a racecourse or aerodrome;
- land which is being developed and which will become excepted land under certain other excepted land provisions;
- land covered by works used for the purposes of a statutory undertaking (other than flood defence works or sea defence works) or the curtilage of such land;
- land covered by works used for an electronic communications code network or the curtilage of any such land;
- land the use of which is regulated by byelaws under section 14 of the Military Lands Act 1892 or section 2 of the Military Lands Act 1900;
- land which is, or forms part of, a school playing field or is otherwise occupied by the school and used for the purposes of the school; and
- land which is, or forms part of, a highway (within the meaning of the Highways Act 1980) – see below.

Some other land categories are excepted by default, but we may propose that the trail should cross them on an access strip – in which case the strip itself is not excepted from the coastal access rights. Where land in any of these categories would form part of the coastal margin in proposals, it would therefore be fully excepted from coastal access rights. That includes:

- land on which the soil is being, or has at any time within the previous 12 months been, disturbed by any ploughing or drilling undertaken for the purposes of planting or sowing crops or trees;
- land used for the purposes of a golf course;
- land which is, or forms part of, a regulated caravan or camping site; and
- land which is, or forms part of, a burial ground.

Highways are also excepted from the coastal access rights. This does not prevent the trail from following a public footpath or other highway, and people can continue exercising their rights to use highways that fall within the wider spreading room. Such highways form part of the coastal margin even though the access rights along them are afforded by other legislation.

Land owners may choose, under the legislation, to dedicate excepted land as a permanent part of the coastal margin. These provisions are explained in more detail in Chapter 2 of our Coastal Access Scheme.

Annex D: National restrictions

The coastal access rights which would be newly introduced under our proposals include most types of open-air recreation on foot or by wheelchair including walking, climbing and picnicking.

The scope of these coastal access rights is normally limited by a set of rules that we call in the Coastal Access Scheme the “national restrictions”.

They list some specific activities not included within the coastal access rights – for example camping, horse riding and cycling. The national restrictions on the coastal access rights are set out on the pages that follow.

The national restrictions do not prevent such recreational uses taking place under other rights, or with the landowner’s permission, or by traditional tolerance – for example on an area of foreshore where horse riding is customary. In particular, these national restrictions have no effect on people’s use of public rights of way or Section 15 land (see the entry for ‘section 15 land’ in the Glossary).

The land owner (or in some circumstances a long leaseholder or farm tenant) also has the option to include such recreational uses within the coastal access rights on a particular area of land, or on his holdings generally. He can do this:

- permanently (i.e. on behalf of himself and future owners of the land), by dedicating such rights under section 16 of the Countryside and Rights of Way Act 2000 (CROW); or
- until further notice, by agreeing that we should give a direction under CROW Schedule 2 paragraph 7 to this effect.

We can provide more information about these options on request.

Countryside and Rights of Way Act 2000

SCHEDULE 2 RESTRICTIONS TO BE OBSERVED BY PERSONS EXERCISING RIGHT OF ACCESS (Section 2)

General restrictions

- 1 (1) Subject to sub-paragraph (2), section 2(1) does not entitle a person to be on any land if, in or on that land, he –
- (a) drives or rides any vehicle other than an invalid carriage as defined by section 20(2) of the Chronically Sick and Disabled Persons Act 1970,
 - (b) uses a vessel or sailboard on any non-tidal water,
 - (c) has with him any animal other than a dog,
 - (d) commits any criminal offence,
 - (e) lights or tends a fire or does any act which is likely to cause a fire,
 - (f) intentionally or recklessly takes, kills, injures or disturbs any animal, bird or fish,
 - (g) intentionally or recklessly takes, damages or destroys any eggs or nests,
 - (h) feeds any livestock,
 - (i) bathes in any non-tidal water,
 - (j) engages in any operations of or connected with hunting, shooting, fishing, trapping, snaring, taking or destroying of animals, birds or fish or has with him any engine, instrument or apparatus used for hunting, shooting, fishing, trapping, snaring, taking or destroying animals, birds or fish,
 - (k) uses or has with him any metal detector,
 - (l) intentionally removes, damages or destroys any plant, shrub, tree or root or any part of a plant, shrub, tree or root,
 - (m) obstructs the flow of any drain or watercourse, or opens, shuts or otherwise interferes with any sluice-gate or other apparatus,
 - (n) without reasonable excuse, interferes with any fence, barrier or other device designed to prevent accidents to people or to enclose livestock,
 - (o) neglects to shut any gate or to fasten it where any means of doing so is provided, except where it is reasonable to assume that a gate is intended to be left open,
 - (p) affixes or writes any advertisement, bill, placard or notice,
 - (q) in relation to any lawful activity which persons are engaging in or are about to engage in on that or adjoining land, does anything which is intended by him to have the effect –
 - (i) of intimidating those persons so as to deter them or any of them from engaging in that activity,
 - (ii) of obstructing that activity, or
 - (iii) of disrupting that activity,
 - (r) without reasonable excuse, does anything which (whether or not intended by him to have the effect mentioned in paragraph (q)) disturbs, annoys or obstructs any persons engaged in a lawful activity on the land,
 - (s) engages in any organised games, or in camping, hang-gliding or para-gliding, or
 - (t) engages in any activity which is organised or undertaken (whether by him or another) for any commercial purpose.
- (2) Nothing in sub-paragraph (1)(f) or (j) affects a person's entitlement by virtue of section 2(1) to be on any land which is coastal margin if the person's conduct (to the extent that it falls within sub-paragraph (1)(f) or (j)) is limited to permitted fishing-related conduct.

- (3) In sub-paragraph (2) the reference to permitted fishing-related conduct is a reference to the person –
- (a) having a fishing rod or line, or
 - (b) engaging in any activities which –
 - (i) are connected with, or ancillary to, fishing with a rod and line, or with a line only, in the exercise of a right to fish, and
 - (ii) take place on land other than land used for grazing or other agricultural purposes.
- 2 (1) In paragraph 1(k), “metal detector” means any device designed or adapted for detecting or locating any metal or mineral in the ground.
- (2) For the purposes of paragraph 1(q) and (r), activity on any occasion on the part of a person or persons on land is “lawful” if he or they may engage in the activity on the land on that occasion without committing an offence or trespassing on the land.
- 3 Regulations may amend paragraphs 1 and 2.
- 4 (1) During the period beginning with 1st March and ending with 31st July in each year, section 2(1) does not entitle a person to be on any land if he takes, or allows to enter or remain, any dog which is not on a short lead.
- (2) Sub-paragraph (1) does not apply in relation to land which is coastal margin.
- 5 Whatever the time of year, section 2(1) does not entitle a person to be on any land if he takes, or allows to enter or remain, any dog which is not on a short lead and which is in the vicinity of livestock.
- 6 In paragraphs 4 and 5, “short lead” means a lead of fixed length and of not more than two metres.
- 6A (1) Whatever the time of year, section 2(1) does not entitle a person to be on any land which is coastal margin at any time if –
- (a) that person has taken onto the land, or allowed to enter or remain on the land, any dog, and
 - (b) at that time, the dog is not under the effective control of that person or another person.
- (2) For this purpose a dog is under the effective control of a person if the following conditions are met.
- (3) The first condition is that –
- (a) the dog is on a lead, or
 - (b) the dog is within sight of the person and the person remains aware of the dog's actions and has reason to be confident that the dog will return to the person reliably and promptly on the person's command.
- (4) The second condition is that the dog remains –
- (a) on access land, or
 - (b) on other land to which that person has a right of access.
- (5) For the purposes of sub-paragraph (4), a dog which is in tidal waters is to be regarded as remaining on access land.
- 6B (1) Section 2(1) does not entitle a person to be on any land which is coastal margin if, on that land, the person obstructs any person passing, or attempting to pass, on foot along any part of the English coastal route, any official alternative route or any relevant temporary route.
- (2) In this paragraph –
- “the English coastal route” means the route secured pursuant to the coastal access duty (within the meaning of section 296 of the Marine and Coastal Access Act 2009);
- “official alternative route” has the meaning given by section 55J of the National Parks and Access to the Countryside Act 1949;
- “relevant temporary route” means a route for the time being having effect by virtue of a direction under section 55I of that Act to the extent that the line of the route passes over coastal margin.

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Enquiries about the proposals should be addressed to:

South East Coastal Access Delivery Team

Natural England

Floor 9, International House

Dover Place

Ashford

Kent

TN23 1HU

Telephone: 0208 026 8045

Email: SouthEastCoastalAccess@naturalengland.org.uk

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<https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast>

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