

Coastal Access – Iwade to Grain



Representations on IGR 4: Funton Brickworks to Lower Halstow and Natural England's comments

March 2021

List of Contents

1.	Introduction	1
2.	Background	1
3.	Record of 'full' representations and Natural England's comments on them	2
4.	Summary of any similar or identical points within 'other' representations, and Natural England's comments on them	12
5.	Summary of 'other' representations making non-common points, and Natural England's comments on them	31

1. Introduction

This document details representations we have received on the stated coastal access report. These fall into two categories:

- Representations received from persons or bodies that must be sent in full to the Secretary of State ('full' representations, reproduced below); and
- Those which have not come from those persons or bodies whose representations we are required to send in full to the Secretary of State ('other' representations, summarised below).

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

2. Background

Natural England's compendium of reports setting out its proposals for improved access to the coast from Iwade to Grain was submitted to the Secretary of State on 15 January 2020. This began an eight week period during which representations and objections about each constituent report could be made.

In relation to the report for Ridham Dock (Iwade) to Kingsferry Bridge, Natural England received 41 representations, of which 5 were made by organisations or individuals whose representations must be sent in full to the Secretary of State in accordance with paragraph 8(1)(a) of Schedule 1A to the National Parks and Access to the Countryside Act 1949. These 'full' representations are reproduced in Section 3 of this document together with Natural England's comments where relevant.

As required by the legislation this document also summarises and, where relevant, comments on the 36 representations submitted by other individuals or organisations, referred to here as ‘other’ representations.

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

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

Representation number:	MCA/IGR4/R/7/IGR2397
Organisation/ person making representation:	Ramblers [redacted], [redacted]
Route section(s) specific to this representation:	Report IGR 4
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
<p>We would prefer to see the route follow the sea wall around Barksore Marshes. While we fully recognise and support the need to avoid disturbance to birds we are not convinced that the number of walkers who would use this relatively remote route section would cause a serious problem.</p> <p>Historically it is almost certain that there would have been public access along the sea wall. We note that there is no mention in the Report or Habitats Regulations Assessment of the disturbance to birds of the wildfowling and shooting that takes place in this area.</p> <p>Several sections of the Coast Path in Kent follow the sea wall across or adjacent to SPA, Ramsar and SSSI sites without significant problem.</p> <p>The Ramblers have been fully consulted throughout the preparation of the Report and I have had every opportunity to argue this case before.</p> <p>Having made the point, in the absence of a route along the sea wall, we do fully support the proposed route to the north of Great Barksore Farm.</p>	
Natural England’s comments	
<p>We have welcomed the positive engagement from the Ramblers during the development of our proposals.</p> <p><u>Route around Barksore Marshes</u></p> <p>In determining the proposed alignment, we considered a number of options in this area, as described in Table 4.3.2 Other Options Considered of the report. These included aligning on the seawall around Barksore Marshes and along the coastline to the west, as preferred by the Ramblers. The option on the seawall would have brought public benefits, as it is close to the coast and has continuous sea views, however new access was discounted here due to concerns over the potential impacts on wildlife.</p> <p>The fields and marshes and the intertidal areas near the seawall have been identified as important breeding and/or wintering bird sites in the southern Medway Estuary and form a crucial part of the network of high tide roost sites.</p> <p>In the Habitats Regulation Assessment, we concluded that new access around the Marshes would result in disturbance to the important bird populations at Barksore Marshes at all times of year, by affecting the birds’ ability to feed, rest effectively and roost in the winter, spring and autumn, with nesting affected in spring and summer. As a result, new access was discounted around the peninsula as we couldn’t conclude that there would be no adverse impact on the bird populations of the Medway</p>	

Estuary and Marshes Special Protection Area (SPA) and Ramsar site (as considered as part of the published HRA). The precautionary principle applies in such cases, if we cannot rule out a possible adverse effect, then the proposal cannot go ahead.

Other recreational activities in the area

A number of recreational activities already take place in the southern part of the Medway Estuary, as mentioned in the representation. These include some wildfowling. These are highlighted in the HRA as a factor in the existing distribution of bird population in the area (see p27 of the HRA). It is important that any new project, such as the England Coast Path, does not exacerbate the existing situation, especially on parts of the estuary with high levels of bird use, such as the Barksore peninsula. Therefore, our HRA focusses on ensuring that our proposals do not create additional impact on the bird populations.

Coast path adjacent to designated sites

As the representation also mentions, there are several sections around the Medway Estuary where the proposed England Coast Path runs adjacent to designated sites. These are mostly sections that follow existing rights of way, where the internationally important bird population has co-existed alongside long-standing path use. Even in these locations, increasing the number of walkers as a result of the Coast Path, may still have negative impacts upon the bird populations, especially when climate change is exacerbating habitat availability, such as where rising sea levels flood out roosting, feeding and breeding grounds, so birds rely even more on suitable areas of higher land. This is why we also assess, in our HRA, the potential impacts of aligning the new, promoted England Coast Path along existing coastal footpaths.

In all the reports where we have proposed that the coast path follows seawalls across or adjacent to designated sites (both on existing paths or, in a few cases, as new access), we have assessed potential impacts and concluded that the Coast Path will not have an adverse effect on the Medway Estuary and Marshes SPA and Ramsar site.

Despite this stretch of coast being heavily designated we have been able to find a new path where ECP users will be able to enjoy coastal views.

Representation number:	MCA/IGR Stretch/R/1/IGR2405
Organisation/ person making representation:	Historic England [redacted], [redacted]
Route section(s) specific to this representation:	Whole Stretch
Other reports within stretch to which this representation also relates:	IGR 2, IGR 3, IGR 4 , IGR 5, IGR 6, IGR 7, IGR 8, IGR 9, IGR 10, IGR 11, IGR 12. There are more specific comments on the four scheduled monuments which appear in reports IGR 6, IGR 8, IGR 9 and IGR 12.
Representation in full	
Historic England are making a representation about this report as we are a statutory consultee, and advise in particular on proposals that affect designated monuments (e.g. scheduled monuments, listed buildings). Please find our advice and recommendations below.	
We do not have any objections to the Iwade - Grain proposal as we think it is in general a low impact proposal that will cause little to no harm to heritage significance. However the advice below does highlight those more historically sensitive areas of the route; whether other permissions/consents may be required for works in them (e.g. Scheduled Monument Consent); and advice on how to limit harm to the historic environment in general.	

The path as proposed passes through the following scheduled monuments:

- World War II Heavy Anti-aircraft gunsite (TS3) at Wetham Green, 460m north of Red Brick Cottage (List Entry Ref: 1020387)
- Chatham Lines, section at Chatham Gun Wharf (List Entry Ref: 1021379)
- Cockham Wood Fort (List Entry Ref: 1003362)
- Coastal Artillery Defences on the Isle of Grain (List Entry Ref: 1019955)

The path also passes over or near the following listed structures:

- Passes over grade II Rochester Bridge (List Entry Ref: 1086431)
- Passes close to a number of grade II listed anti-tank cubes (List Entry Ref: 1393814) and pillboxes (List Entry Refs: 1393816 & 1393815) and the grade II Grain Crossing Signalling Box (List Entry Ref: 1415162)

The path also goes through the following conservation areas:

- Lower Halstow, Swale
- Upnor
- Chatham historic dockyard
- Brompton lines
- Star hill to Sun Pier, Medway
- Frindsbury and Manor Farm

The above summary provides an overview of all designated assets that have the potential to be impacted by the proposal (although we think the actual impact is likely to be low-nil).

In terms of the scheduled monuments, Scheduled Monument Consent (SMC) would only be required if any new installations (e.g. signage) are to be placed in the scheduled area; or if the introduction of new paths/use of existing paths through the scheduled area will involve any additions (e.g. new surfacing) or any ground disturbance (e.g. digging to create/resurface paths). If this is the case, Natural England will need to apply for SMC to Historic England in advance of any works in the scheduled areas commencing.

You should consult the local conservation officer with regards to impact upon the setting of grade II listed buildings or conservation areas. Finally, you should also consult the county archaeologist about impacts to non-designated archaeology.

Natural England's comments

We welcome the positive engagement from Historic England during the development of our proposals – and their supportive comments. Throughout this process we have consulted with Historic England, as well local officers at Kent County Council regarding Historic Environment Records (in line with para 4.9.5 Coastal Access Scheme) to ensure that our proposals would not have a detrimental effect on designated and local heritage assets.

Report IGR 4 does not contain any designated Scheduled Monuments, therefore no consents or further liaison with Historic England will be necessary prior to establishment of the proposals between Funton Brickworks and Lower Halstow.

The proposed trail passes through Lower Halstow Conservation Area. Kent County Council, the relevant Access Authority establishing the trail, if approved, will liaise with the Swale Borough Council team responsible for the conservation area, to ensure that the design and location of the signs are in keeping with the designation.

Representation number:

MCA/IGR Stretch/R/5/IGR2394

Organisation/ person making representation:	The Kent County Council Public Rights of Way and Access Service [redacted]
Route section(s) specific to this representation:	Whole stretch
Other reports within stretch to which this representation also relates:	IGR 2, IGR 3, IGR 4, IGR 5, IGR 6 including more specific comments on IGR 4.
Representation in full	
<p>In broadest terms, the Kent County Council (KCC) Public Rights of Way (PRoW) and Access Service support the creation of the England Coast Path, recognising the benefits this new National Trail will bring to the County. The establishment of the England Coast Path will supplement the delivery of Kent's Rights of Way Improvement Plan by encouraging active lifestyles, providing sustainable travel choices and supporting the Kent economy.</p> <p>Having worked closely with Natural England during the development of this stretch, we are grateful for the opportunity we have been given to input into this process. While it is disappointing to see the proposed trail has not being aligned closer to the sea in places, the reasons for the preferred route are understood given the wildlife and environmental constraints of the existing landscape. We also fully understand the difficulties that have been encountered when balancing public and private interests.</p> <p>Natural England has acknowledged the existence of the Saxon Shore Way and proposed that the England Coast Path follows much of this route. While the Saxon Shore Way provides extensive opportunities to explore the North Kent Coast, the route does not always follow the principles of the Coastal Access Scheme. Further, the Saxon Shore Way was limited to passing along PRoW and public highways when it was originally created in 1980. It is therefore pleasing to note that Natural England has taken the opportunity presented by the Coastal Access Scheme to create new public access and provide alternatives to the existing on road sections of the Saxon Shore Way.</p> <p>Particular attention is drawn to the section of trail proposed on Map IGR 4b, where the Saxon Shore Way passes along the Sheerness Road. Natural England has acknowledged the advice from Kent Highways and understood that the Sheerness road is not suitable for a National Trail, with its expected levels of public use. The proposed trail alignment is welcomed as it would provide a safer off-road alternative to the existing Saxon Shore Way and adhere to the general principles of the Coastal Access Scheme.</p> <p>The KCC PRoW and Access Service look forward to working with Natural England in the future and delivering this stretch of the England Coast Path.</p>	
Natural England's comments	
<p>We welcome these supportive comments and the positive engagement from [redacted] during the development of our proposals.</p> <p>We also appreciate KCC's acknowledgement of the constraints that we have had to work within during the development of our proposals. For instance wildlife and environmental constraints, balancing public and private interests and assessing whether existing paths meet the principles of the Coastal Access Scheme.</p> <p>We have worked closely with KCC over exploring the many route options investigated in Report IGR 4 and welcome their support for the proposed trail alignment away from the existing Saxon Shore Way.</p>	
Representation number:	MCA/IGR4/R/14/IGR2400
Organisation/ person making representation:	National Farmers Union: [redacted]

Route section(s) specific to this representation:	The representation is principally made in relation to land at Great Barksore Farm and Harval Farm, Sections IGR-4-S008 and IGR-4-S009. However in order to mitigate the adverse effect to the landowners on this section, it is suggested that an amendment would be needed between IGR-4-S001 and IGR-4-S010.
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
<p>The National Farmers Union wishes to make this representation in relation to the foreseeable impacts on the [redacted] family who live and work at Great Barksore Farm, Lower Halstow. The path alignment at S008-009 is proposed to be located in close proximity to the main farm buildings and core farming areas used by the business.</p> <p>The consequence of the current proposal is that it will have a disrupting impact on the landowners business; and does not strike a fair balance between their needs and the wider needs of the public.</p> <p>In summary the current proposal is likely to impact the landowner in the following ways:</p> <ul style="list-style-type: none"> • Countryside stewardship – The current route option causes an immediate impact on existing agreements and may restrict eligibility from participating in similar work in future. This will have a direct financial impact on the farm as well as being a retrograde step for the environmental work they are committed to. • Farming flexibility – The introduction of a new public footpath will create an additional duty of care to the public, which is likely to be more pronounced if certain breeds of livestock are introduced to the farm. In this regard the proposed route will limit the farming options available to the farm in future. This unit is relatively small and only has a limited number of viable options to support its commercial future. The proposed route will directly impact on the commercial options available to the farm. We feel this impact would be avoided if a different route option is considered, taking the footpath away from its existing alignment. • Development and Diversification – The family is in the process of considering a range of future options for the farm, involving the conversion of some existing buildings. There is a risk that alignment of the footpath will create an immediate constraint to these plans, which in our view could be managed more sensitively if the above alternative route is considered. • Security – Given the very close proximity of large urban centres, the family feel very much that the designation exposes them and their business to a personal level of risk, which they have not needed to consider previously. This seems to be a great personal price to pay for general public recreation, especially within the circumstances where existing rights of way already provide nearby recreational access. This should also be seen within the context of the very close route that the path will take to the house and farm buildings. <p>Taken cumulatively we believe the combination of issues represents a substantial risk to the farm business where the layers of additional management and restriction that the farm will be compelled to consider will be disproportionate to the level of public benefit achieved.</p> <p>In light of the cumulative, overlapping levels of disruption, which the farm is clearly at risk of, we would be very keen to see a direction applied for the purposes of land management (i.e. CROW s24). In light of the fact that there is no requirement in the Act to enter estuaries, there seems to be no strict requirement for the route to deviate from the Saxon Shore Way, however we recognise the implications this would have for spreading room on the seaward side of the trail. For this reason, we believe this specific farm should be considered for an exclusion.</p>	
Natural England's comments	
<p><u>Countryside Stewardship Scheme (CSS)</u>: The proposed trail along section IGR-4-S010 follows a ~440m strip of grass landward of an arable field. This length of grass is part of a larger unit of grassland (mainly located along the coastline, see Annex A) under a Countryside Stewardship Scheme agreement (option GS2: permanent grassland with very low input). The environmental benefit of this option is to provide a varied sward structure and more flowering grasses and wildflowers, in order to increase the habitat and food available for invertebrates, birds and other animals. The agreement ends in December 2023.</p>	

There is usually no direct conflict between options in agri-environment schemes and access (Scheme section 8.8) and public rights of way are not uncommon on land under these schemes. There is also nothing within the eligibility criteria of the GS2 option which prevents land with tracks, paths and public rights of way from entering the Stewardship scheme, as long as requirements can still be met.

The GS2 option requirements include that the grass should be managed but that any hay cuts should be timed outside the main bird breeding season - that runs from mid-March to the end of June (prescription P133). Prescription 441 also states that the agreement holder should: 'only carry out mechanical operations or allow other activities' outside of the main bird breeding season.

Compliance with the scheme is determined by the Rural Payments Agency. To aid compliance with these prescriptions, Kent County Council will need to take account of the requirements around the main bird breeding season in any preparation works or grass cuts necessary to establish the route along IGR-4-S010, prior to opening – as well as in relation to ongoing maintenance of the trail. In many situations, the footfall of walkers maintains an adequate trodden path that does not require regular cutting, and this situation would also reduce the risks of contravening P441 from mid-March to the end of June.

In relation to the prescription that the agreement holder must not 'allow other activities' on the GS2 land during the bird breeding season, the presence of this new path and the walkers using it would be outside the owner's control – having been proposed, since their agreement started, as a part of the implementation of the Marine and Coastal Access Act 2009. Therefore they are not allowing this activity, rather it would be there by law.

In proposing to align here, we considered that a new path within the grassed corridor of IGR-4-S010 would not impact on the environmental benefits arising from this GS2 option, and that the risk of penalties around prescriptions 133, 441 and 456 is low. Therefore, we concluded that the financial impact on the current income from CSS to the farm is not likely to be significant.

Regarding the eligibility for future agri-environment agreements on the farm, we cannot say for certain what options will be available for farmers in 2024, as a [new scheme](#) is currently being developed by Defra (due for launch in 2024/5). Most options currently available under the CSS do not exclude land with rights of access.

The new scheme will be founded on the principle of 'public money for public goods'. As such, the significant wildlife interest that has been created and maintained by the owners at Barksore Marshes and elsewhere on the farm, as well as the use of the proposed coast path, are likely to enhance the options available to the farm, rather than limit them.

Farming flexibility: The proposed alignment across Great Barksore Farm is located only in the southern portion of the farm. Much of the farm's land lies to the north of the trail, and will be largely unaffected by the coastal access rights as existing arable land is excepted under Schedule 1 of CROW and the extent of Barksore Marshes and other shoreline areas are excluded by direction under CROW s26(3)(a) from new access (see Directions Map IGR 4a).

The trail is aligned to reduce impacts on the land use of the fields it runs through, be they used for hay, stock or crops. Currently all these fields are in arable use, and the trail is largely located along their grass margins, reducing impact on farm operations. If future land use changes and breeds of livestock are considered along or adjacent to the trail alignment, section 8.4 of the Approved Coastal Access Scheme highlights that stock and access are broadly compatible. The main concerns generally relate to the presence of dogs and dog walkers will be aware of their responsibility to keep dogs to lead in the vicinity of livestock, under national restrictions. There are also further management techniques, such as temporary signing or the strategic positioning of water and food stations or in some special circumstances, directions, available from Natural England to restrict visitors to the trail, which can further separate stock from walkers.

In regards to a duty of care, there is existing legislation that requires those responsible to ensure, so far as is reasonably practicable, the health and safety of persons affected by their work activities. While new access is proposed on part of this farm, such risk assessments of work practices will be relatively standard and are unlikely to be a significant additional burden on the owners given the compatibility of access and arable, grazing or hay production in the fields affected. In addition, the legislation reduces the occupiers' liability on land subject to coastal access rights.

Development and diversification: Land use along the coast is always changing, and the England Coast Path should not be an impediment to such development. Where new development is proposed that would obstruct the trail, Natural England liaises with the relevant planning / consenting authorities and/or the land owners to seek a new alignment that meets the Scheme's principles. Any new alignment would require a Variation Report and this would bring with it the opportunity for objections and representations from the landowner and others.

Some disused buildings exist along section IGR-4-S009, and the trail passes them at a distance of ~20m. The potential nature of the conversion is not known, however these buildings would remain excepted land. Any new curtilage created as part of the conversion of these existing buildings (eg a new garden) would also become excepted land. Many potential uses for the buildings, for example holiday rental, might be well benefit from a close proximity to a long distance walking route.

Security: We do not have evidence that a new path through farm fields would bring about the anti-social or illegal behaviour anticipated by the family. The vast majority of walkers are law abiding individuals and their presence may often be a deterrent against illegal activities. The proposed route is aligned a distance away from the farm yard buildings at Great Barksore Farm – with the closest point >75m. Other buildings, for example at Harval, near IGR-4-S010, are separated from the trail by a hedged field boundary. The Great Barksore Farm yard and associated buildings are not included in the coastal margin and most walkers would instinctively keep, minimising the likelihood of unintentional trespass.

Use Saxon Shore Way and exclude Great Barksore Farm through CROW s24 direction

The Saxon Shore Way is aligned, in part, along Sheerness Road, inland of Great Barksore Farm. When considering aligning the route along or across a highway, Natural England consults with the relevant highway authority over safety and convenience, to consider the likely level of visitors' familiarity with and expectations of the risks (Scheme paras 4.2.4 to 4.2.5). In this instance the Highways Authority, Kent County Council, undertook a highway safety assessment on site at Natural England's request. They advised us that use of any part of the carriageway along Sheerness Road, west of Bassar Hill, would not be appropriate for a promoted National Trail with the increased visitor use that it would bring, due to a combination of poor sightlines and the lack of verges and refuges for pedestrians.

The location of the site on an estuary does not change the principles that we follow. Section 301/MCA specifies that if the estuary discretion is used by Natural England - the same alignment criteria will apply as they would on the open coast.

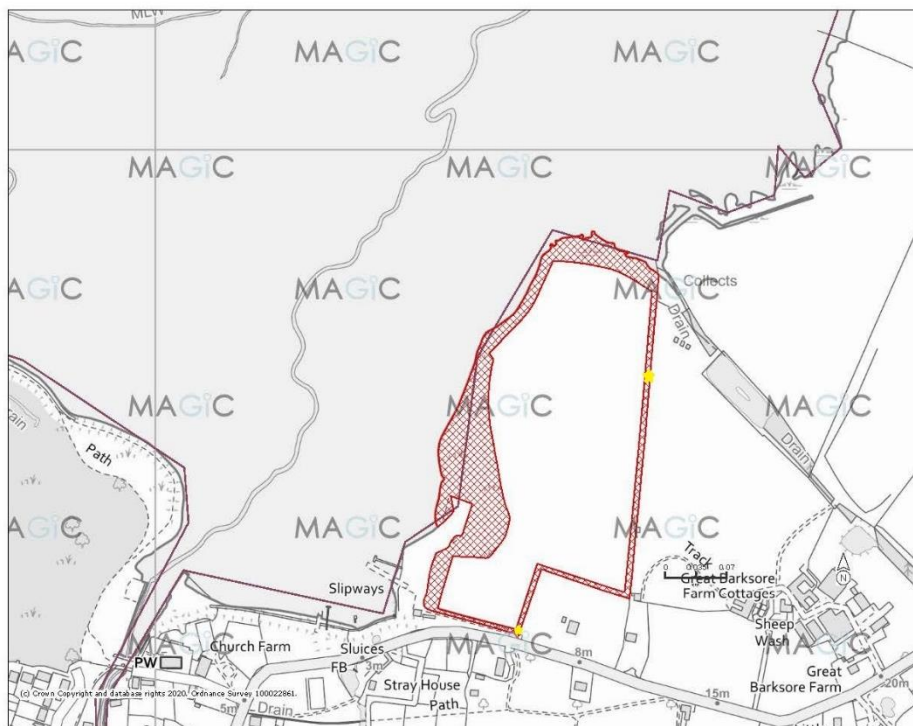
[redacted] also suggests that a whole farm exclusion for land management purposes would be appropriate if the route were to pass inland of the farm. As described above, an inland route along the SSW is not feasible for safety reasons but it should be noted that safety reasons aside, Natural England would not favour this route over the proposed alignment. The Scheme also reminds us that we must deploy the least restrictive access management measures within the coastal margin, to meet the need.

We have proposed one area of S24 land management / s25(1)(b) safety exclusion at Great Barksore Farm, on some of the land leased to Lower Halstow Yacht Club. This exclusion relates to potential management and safety concerns in a confined area of the Yacht Club used for hoisting and working on boats (see Directions Map IGR 4a). Grazed land across Barksore Marshes, the field to the north of section IGR-4-S009 and grassland along the shoreline are all excluded for nature conservation purposes.

We have considered the land management practices across the rest of Great Barksore Farm, in developing our proposals, and consider them compatible with the proposed access. Therefore, a whole farm exclusion from the new access rights would not meet the requirements of the least restrictive principle (Scheme 6.3).

Annex A

Extent of Countryside Stewardship GS2 option (hatched) and proposed ECP alignment (between yellow markers).



Representation number:	MCA/IGR4/R/1/IGR0004
Organisation/ person making representation:	Country Land and Business Association: [redacted]
Route section(s) specific to this representation:	IGR 4a to IGR 4b
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

The CLA have looked at this section of coast and would ask the Secretary of State to take account of concerns landowners have in respect of sections IGR-4-S004 to IGR-4-S024:

Natural England is required to achieve a fair balance and in particular the following issues have been drawn to our attention:

- IGR-4-S009: there appears to be a contradiction in the report between existing land management practices and proposals for designation of the coastal trail. It is stated in the report (4.2.26) that when shooting takes place at Great Barksore Farm public access may temporarily be diverted away from the main trail between IGR-4-S009 and IGR-4-S010 into adjacent fields however, those adjacent fields fall into land that is not subject to public access due to a s26(3)(a) direction which is year-round. For public safety we would suggest the alternative route to be used at this time should be the existing and well-established Saxon Shore Way.

- The proposed trail currently follows a seemingly convoluted, albeit close to the coast, route (IGR-4-S006 to IGR-4-S011), we note that the report states other options were considered (map IGR 4b, route section IGR-4-S006 to IGR-4-S016) however, it passes through primarily agricultural land, most of which is arable. Farmers raise concerns about the impact on their enterprises, especially as there are very limited measures to take account of the impact of the new access on a farming business. It is our view that the balance has not been struck and as there is no legal requirement within the Marine and Coastal Access Act 2009 to enter an estuary we consider this alignment to be unjustified.

Suggested Modifications

It seems to us that between Basser Hill and Lower Halstow it would be far more reasonable if use is made of the existing Saxon Shore Way and Sheerness Road. This would still meet a number of reasons mentioned in the report; particularly the impact on associated wildlife but also farming practices. The report states that Kent Highways advise the section of route is not safe despite it already being an existing route. We note that further east at IGR-3-S008 to IGR-3-S003 the proposed route is to follow the Sheerness Road, we believe a more consistent approach would benefit both the public and land managers. In relation to the cost of tree removal along the Sheerness Road we would question that this could be outweighed by the savings of using an existing route and lack of need therefore of new furniture and establishment works between IGR-4-S006 and IGR-4-S011. Furthermore, if the Saxon Shore Way were utilised, in accordance with s296 of the Marine and Coastal Access Act 2009, the second objective of securing a margin of land for the public to enjoy would be better met.

Natural England's comments

No available alternative route during shooting

We were alerted by the landowners that duck shooting used to take place on the ponds east of section IGR-4-S009, and that these 'flight ponds' *may* be restored in the future to allow shooting. Perhaps prematurely, we included reference to occasional shooting in the proposals (para 4.2.26) alongside a view that the public could be informally diverted off section IGR-4-S009 of the alignment (nearest the ponds), and that this future activity could be compatible with access.

If restoration does take place in the future, shoots at flight ponds are at times when walkers are less likely to be present, as they usually take place at dusk or dawn (see [BASC guidance](#)). There is no aspect of CROW legislation that would prevent a temporary route over the land adjacent to the trail, i.e. to the south of the proposed alignment - and no direction is proposed on this arable land (such as the S26(3)(a) suggested in the representation). However, to reduce trampling of crops during the duck shooting season (Sept – Jan inclusive) it would be reasonable to consider the use of the arable field margins west and south of section IGR-4-S009 for such a route. Where necessary, directions to exclude people from any future active shoot area, for safety, can also be considered. Directions could be provided in conjunction with the provision of a formal temporary route.

Where pest control (shooting) may be required on the farm, this is a common activity on agricultural land and it is extremely rare for countryside visitors to be injured as a result. Those undertaking the work have a legal duty under health and safety at work legislation to take all reasonably practical steps to ensure no one is put at risk, following codes of practice that ensure public safety.

The standard precautions are normally sufficient to reduce risks to the public to an acceptable level. Signs can also be erected at the entry points of the farm to alert walkers to when and where shooting is taking place, so the public is alert. Lookouts are another established and effective means to alert visitors to shooting activity. These measures are commonplace and allow pest control to continue, without the need to close the path and re-route it inland.

Route through arable will impact upon business

The path is close to the coast and offers views of the sea along its length. It mainly follows the physical boundaries of the land (field edges and hedgerows) and where there are turning points along its length, these will be clearly signed for walkers to follow.

The proposed alignment passes through arable fields in a limited portion of the farm only, where much of the trail is located on grassland strips adjacent to the crops. Crops will be clearly visible on the ground and easy for walkers to recognise and avoid. Given this alignment, we consider that access will be compatible with arable land use and will not impact unduly on the current farm business.

If the land use along the alignment were to change in the future, informal management techniques can also be employed – including for example temporary signing or the positioning of water and food stations away from the trail if grazing is introduced. In some, special circumstances, directions can be available from Natural England for land management purposes (see Chapter 8 of the Scheme). With these management measures and the proposed alignment of the trail, we consider the proposals will not adversely affect the farm business in the future.

Use SSW for consistency, reduced costs and provides coastal margin

The SSW is a long established walking route of 163 miles (262 km), which follows the historic line of the coast between Hastings, in East Sussex, and Gravesend, in Kent. It was set up in the 1980s and follows existing rights of way, highways, permissive and de-facto paths. In this area, the SSW follows the carriageway of Sheerness Road, west from the junction with Basser Hill, before turning onto a public footpath towards Lower Halstow. The SSW then crosses Sheerness Road and follows a lane towards Halstow Creek (see Annex B).

The SSW was set up decades ago and what once may have been considered safe is not necessarily still considered so under modern standards. In several places along the North Kent Coast, the SSW follows carriageways, and concerns were raised by the Highways Authority (KCC) on the potential use of these for the ECP (as highlighted in the Overview, section 6a Recreational Issues). While there are no traffic accident reports along this stretch of the SSW, Kent County Council has advised that it is an unsuitable route for a new National Trail. Use of any part of the carriageway along Sheerness Road, west of Basser Hill, would not be appropriate for a promoted National Trail with increased visitor use due to a combination of poor sightlines and the lack of verges and refuges for pedestrians.

The representation mentions an alignment further east that is located along this coast road. Sections IGR-3-S003 to IGR-3-S008 are located off the carriageway, and on the verge, as advised by Kent County Council, for road safety reasons.

Substantial tree removal would be required to create a crossing at Basser Hill junction. The cost of removing these trees is only one of the costs that would likely be incurred in road alterations to create a safe walking route along Sheerness Road. In comparison, the low cost of establishing limited infrastructure requirements (mostly signs and some gates) along the whole length of report IGR 4 (estimated at ~£3,500 per km), will in our view provide a substantial, long term improvement of the recreational experience in this area and better meet the alignment criteria.

We are surprised that the representation argues that an inland route would better meet the objective of securing a coastal margin. We have a duty to secure a coastal margin, but that duty doesn't direct us to maximise its width. In fact the alignment criteria set out in the MCA require us to have regard to the desirability of aligning the path to the periphery of the coast. Doing so would normally minimise the size of the coastal margin and would likely reduce the amount of land affected by the new coastal access rights.

4. Summary of any similar or identical points within 'other' representations, and Natural England's comments on them

Representation ID:	Name / organisation
MCA/IGR4/R/10/IGR2979	[redacted]
MCA/IGR4/R/12/IGR2981	[redacted]
MCA/IGR4/R/13/IGR2982	[redacted]
MCA/IGR4/R/15/IGR2985	[redacted]
MCA/IGR4/R/18/IGR2990	[redacted] and [redacted]
MCA/IGR4/R/19/IGR2991	[redacted]
MCA/IGR4/R/20/IGR2992	[redacted]
MCA/IGR4/R/21/IGR2993	[redacted]
MCA/IGR4/R/23/IGR2996	[redacted]
MCA/IGR4/R/29/IGR3005	[redacted]
MCA/IGR4/R/32/IGR3008	[redacted]
MCA/IGR4/R/35/IGR3011	[redacted]
MCA/IGR4/R/36/IGR3012	[redacted] and [redacted]
MCA/IGR4/R/9/IGR2977	[redacted]
MCA/IGR4/R/8/IGR2976	[redacted]
MCA/IGR4/R/5/IGR2973	[redacted]
Name of site:	Great Barksore Farm to Lower Halstow
Report map reference:	IGR 4a & 4b
Route sections on or adjacent to the land:	IGR-4-S006 to IGR-4-S024
<p>Summary of representations on the proposed route of the trail across Great Barksore Farm</p> <p>Natural England has failed to consider that some of the key criteria of the scheme are:-</p> <ul style="list-style-type: none"> i) the path should be convenient and safe ii) the path should make onward progress iii) the path should reach the coast <p>The path is a convoluted route and does not improve on the existing Saxon Shoreway long distance route</p> <p>The path is neither convenient nor safe. One area is full of rabbit holes/divots and another is extremely muddy and flooded and has been impassable for much of the winter.</p> <p>The public would not benefit from access to the coast as they are not allowed down to the water because of the Sensitive Wildlife Areas of the site.</p> <p>Natural England's comment:</p> <p><u>Path is convoluted:</u> The proposed alignment across the farmland of Great Barksore Farm is part of the ~1.5km route between Bassier Hill (near section IGR-4-S006) and the head of Halstow Creek, near St Margaret's Church (at section IGR-4-S024). This ~1.5km stretch of trail is seaward of the existing Saxon Shore Way (SSW) and less than half a kilometre longer than the Saxon Shore Way. The proposed alignment does not slavishly follow the shoreline of the Barksore peninsula and for ~1km (sections IGR-4-S006 to IGR-4-S013) it passes inland of the coastline following the grain of the landscape along hedgerows and field margins (which is typical of many countryside paths). In our view, walkers would not consider this route unreasonably indirect as it provides an enjoyable countryside walk and provides views of the coast.</p> <p>The proposed alignment across Great Barksore Farm, along sections IGR-4-S008 to IGR-4-S010 mainly follows field edges and offers coastal views from an inland, elevated route. We recognise the trail is not a straight line and walkers will need to turn corners, however these will be clearly signed, and it is not uncommon to have countryside paths that follow the boundaries of fields. Notices to</p>	

explain why walkers are not permitted along or towards the shoreline north and east of the trail can be placed at strategic points to highlight the reasons for no entry to these areas. These notices and 'no access' roundels will be provided by Natural England. Once the trail is established, a trodden route will also be visible for walkers to follow.

Our comments on the suggested use of the Saxon Shore Way are covered below.

Trail alignment is not convenient or safe, and impassable:

The proposed alignment follows grassed field edges through a rural, farmed landscape and along a seawall. It avoids steep, narrow or oppressive sections of terrain and allows space for two people to walk comfortably abreast.

Concerns are raised over the availability of the trail all year due to waterlogging and the presence of rabbit holes along the alignment across Great Barksore Farm. The Scheme highlights that where new access is provided, a natural surface is typical, and it also states that Natural England should have regard to the safety of those using the route (para 4.1.1).

Mud is a common occurrence on countryside walks and usually a temporary feature after heavy rain – with the summer months (the most popular for walkers) being drier. Localised deep mud or flooding was not evident during several site visits to Great Barksore Farm, however in light of these comments, we will review the conditions with Kent County Council and make any necessary improvements as part of the establishment works, prior to opening the route. Kent County Council has significant experience in maintaining public rights of way and National Trails, including managing access in areas of localised waterlogging. They visited the site and support this alignment.

The presence of rabbit holes in the vicinity of the trail alignment is not necessarily considered a significant hazard to visitors, however the route alignment will be assessed by KCC prior to installing infrastructure and opening the trail. If any additional surface preparation is required, works will be undertaken as part of the establishment, in liaison with the landowners.

The Scheme also states that in identifying a convenient alignment, Natural England should make the trail as easy to use as we reasonably can (para 4.3.8). For the proposed alignment across Great Barksore Farm, we have avoided creating new barriers to access by choosing the least restrictive infrastructure that is practical in these circumstances, such as chicane barriers (section IGR-4-S007) and a new pedestrian gate (IGR-4-S010) to enable those with mobility scooters and pushchairs to pass. The existing field gate on the seawall (section IGR-4-S015) will be left open and unlocked to make it easier to traverse the seawall in this area. There will also be a new gap created next to an existing field gate (section IGR-4-S019) and the path near Lower Halstow will be widened to avoid the area becoming overly muddy.

The Scheme states that after considering the key principles and interests of the landowners, where there is a choice of routes, we should favour the one which is most accessible to the widest range of people. Along the proposed alignment, we recognise that the uneven nature of the grass and bare paths may be a barrier to access to some, but on balance the route provides a convenient and pleasant walk. In addition, the suggested option of aligning along the Saxon Shore Way would also contain uneven paths and include a section of Sheerness Road we have been advised to avoid (by Kent County Council), as inappropriate for a National Trail due to safety concerns.

The public are not allowed down to the water because of the Sensitive Wildlife Area: On Great Barksore Farm the proposed route is aligned inland, between IGR-4-S004 and IGR-4-S013, with the shoreline, seaward of the trail largely excluded from new coastal access rights. The Scheme recognises that in some circumstances the trail will not always follow the shoreline and direct access to the sea will not always be provided as part of the seaward coastal margin, due to practical considerations or other uses of the land, such as wildlife sensitivities. Our proposed trail avoids areas of wildlife sensitivities on the shoreline and prevents access to them, through directions - but offers sea views from elevated land where walkers will be able to enjoy the coastal outlook. The trail re-joins a shoreline path relatively quickly, at IGR-4-S013 near Lower Halstow Yacht Club to the west and at

IGR-3-S008 on Raspberry Hill Lane to the east. We do not consider the temporary lack of direct shoreline access would significantly reduce the public's enjoyment of the coast in this area.

Representation ID	Organisation/ person making representation:
MCA/IGR4/R/5/IGR2973	[redacted]
MCA/IGR4/R/8/IGR2976	[redacted]
MCA/IGR4/R/9/IGR2977	[redacted]
MCA/IGR4/R/27/IGR3003	[redacted]
MCA/IGR4/R/28/IGR3004	[redacted]
MCA/IGR4/R/30/IGR3006	[redacted] and [redacted]
MCA/IGR4/R/31/IGR3007	P and A Love Ltd
MCA/IGR4/R/36/IGR3012	[redacted] & [redacted] (WMH Leisure)
MCA/IGR4/R/35/IGR3011	[redacted] and [redacted]
MCA/IGR4/R/21/IGR2993	[redacted]
MCA/IGR4/R/32/IGR3008	[redacted]
MCA/IGR4/R/12/IGR2981	[redacted]
MCA/IGR4/R/15/IGR2985	[redacted]
MCA/IGR4/R/29/IGR3005	[redacted]
MCA/IGR4/R/11/IGR2980	[redacted]
MCA/IGR4/R/10/IGR297	[redacted]
MCA/IGR4/R/6/IGR2975	[redacted]
MCA/IGR4/R/23/IGR2996	[redacted]
Name of site:	Great Barksore Farm
Report map reference:	IGR 4b
Route sections on or adjacent to the land:	IGR-4-S006 – IGR-S016
Summary of representations on impacts to landowners): <ul style="list-style-type: none"> • The trail will cross private land - a different route would be better. • The public are not allowed down to the water because of the sensitive wildlife areas. How are the owners supposed to police that? This leads to the conclusion that there is no fair balance as the wildlife and the owners would face daily disruption. • The farm is a relatively small enterprise and the damage, disturbance and nuisance that public access would bring to their landscape is disproportionate. • The proposals “do not strike a fair balance between public gain and landowner’s loss” • The owners must be currently suffering economic loss and stress, and if this route is adopted this will continue. 	
Natural England’s comment: <p><u>The trail should not be aligned adjacent to or through private property:</u> NE has been tasked with implementing government policy - backed by legislation – to secure a route around the whole of the English coast. To achieve this it will be necessary to secure new access over private land but in doing so our alignment must meet the tests set out by the legislation and the Approved Statutory Scheme. Natural England proposals 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 any land over which any coastal access rights would be conferred. The general point about whether it is correct to allow new access over private land is a challenge to government policy that in our opinion falls outside of the scope of this representations process.</p> <p>Chapter 5 of the Scheme introduces general principles relating to the interest of owners and occupiers that we must consider in order to achieve a balance between public and private interests. Chapter 8</p>	

explains our likely approach in relation to coastal land uses and activities. This ensures Natural England has examined issues such as land management, commercial enterprise, security and, privacy as well as the impacts on land use within any area considered as part of the proposals. The current proposals are in Natural England's view a fair balance between private and public interests, and this enables the trail to be proposed across private property. Our comments on other options we explored (including the SSW) can be found below.

Impact on landowners - daily disruption policing exclusion areas: The proposed alignment across Great Barksore Farm is located only in the southern portion of the farm. Much of the farm's land lies to the north of the trail, and will be largely unaffected by the coastal access rights as existing arable land is excepted under Schedule 1 of CROW and the extent of Barksore Marshes and other shoreline areas are excluded by direction under CROW s26(3)(a) from new access (see Directions Map IGR 4a).

In the main, the proposed trail in the southern portion of Great Barksore Farm is aligned to separate walkers from the shoreline and the sensitive wildlife found there. In addition, coastal access rights will be excluded from land adjacent to the shoreline. Existing hedge boundaries or fences will act to contain walkers and dogs in this defined area of the farm – and guide people away from the shoreline. The exclusions will be appropriately signed on the ground, so that every walker is clear about where they can and cannot go. By working with the grain of the farmed landscape to create an obvious route that separates walkers from the sensitive areas, we have minimised the likelihood of walkers venturing along the shoreline and significant disturbance to wildlife. Therefore, we do not expect the proposals to need 'policing' by the landowners or others, as the vast majority of walkers will stick to the well signed route and understand why certain areas of the farm are off limits.

Impacts on landowners - small farm enterprise: The proposed alignment aims to reduce impacts on the landowner. The proposed alignment passes through arable fields in a limited portion of the farm only, where much of the trail is located on grassland strips adjacent to the crops. Crops will be clearly visible on the ground and easy for walkers to recognise and avoid. Given this alignment, we consider that access will be compatible with arable land use and not impact unduly on the current farm business.

If the land use along the alignment were to change in the future, informal management techniques can also be employed. For example, if grazing were introduced, temporary signing to alert the public to national restrictions to keep dogs on lead - or the positioning of water and food supplements can help separate stock from walkers. If the alignment passed through or directly adjacent to any hay crops in future, the main potential impacts would be related to trampling by people or their dogs or contamination of crops by dog faeces. People can usually see the crop and avoid walking on it, especially where a clear route is mown and signed and informal management, such as explanatory signage can highlight the impacts of dog contamination, to walkers.

These management solutions are common to paths through successfully farmed landscapes and are likely to be sufficient to avoid impacting farm operations and management. If circumstances do arise in the future, where additional measures are required, the landowner can contact Natural England about directions, for instance, to keep dogs on leads where the trail runs through or next to hay fields.

The trail's proposed location, as well as the limited spreading room seaward of the alignment (due to excepted arable land and directions - see Restrictions Map IGR4a), will keep the risk of disruption to farming operations in the rest of the farmland – and the farm enterprise as a whole - low.

Impacts on landowners - antisocial public behaviour & security: There is no reason to believe that a new path through the farm fields would bring about the anti-social or illegal behaviour envisioned in the representations. The vast majority of walkers are law abiding individuals and their presence may often be a deterrent against illegal activities. The proposed route is aligned a distance away from the farm yard buildings at Great Barksore Farm – with the closest point >75m. Other buildings, for example at Harval, near IGR-4-S010, are separated from the trail by a hedged field boundary. These areas are not included in the coastal margin and most walkers would instinctively keep clear of the

farm yard and other buildings at Great Barksore Farm, minimising the likelihood of unintentional trespass.

Undue burden on landowner of small farm: We have considered the proposed alignment on operational needs of the land, risk to income and future use of the land, as described above. With the proposed alignment largely on field edges across only the southern portion of this farm and extensive areas of the farm remaining unaffected by coastal access rights, we have concluded that the new access rights will be compatible with current and future land management. We do not consider the proposals presents an undue burden on the landowner and is a fair balance between public benefits and private interests.

Of course, no two farms are the same, however it should be noted that the public access situation we have proposed here is similar to that which already exists on countless farms around the country.

Impacts on landowners - health & wellbeing: Natural England is aware of the depth of feeling of the landowners regarding coastal access. Natural England has always sought to listen and develop proposals with landowners to look for a fair and balanced outcome. Our proposed alignment is designed to limit impact on farm business and on the privacy of the farm residences, as described above. With these measures, we expect that walkers and the farm business will be compatible and hope that, like thousands of farms with rights of way, that walkers become an accepted part of the landscape.

We understand the significance of this change to the landowners, and that different views have persisted throughout the development of these proposals. The statutory process has provided the opportunity for formal objections and representations to be made to the Secretary of State, who will ultimately decide on the proposals.

Representation ID	Organisation/ person making representation:
MCA/IGR4/R/16/IGR2986 MCA/IGR4/R/18/IGR2990 MCA/IGR4/R/28/IGR3004 MCA/IGR4/R/36/IGR3012 MCA/IGR4/R/12/IGR2981 MCA/IGR4/R/11/IGR2980	[redacted] [redacted] and [redacted] [redacted] [redacted] and [redacted] [redacted] [redacted]
Name of sites:	Lower Halstow Yacht Club
Report map reference:	IGR 4b
Route sections on or adjacent to the land:	Lower Halstow Yacht Club: IGR-4-S011 to IGR-4-S016
Summary of representations on impacts to Lower Halstow Yacht Club <ul style="list-style-type: none">• It is not right to put the trail through a private yacht club.• Thefts of property that have occurred in the past will only increase in number if the club cannot keep their site secure.• The proposed route passes through a boatyard.	
Natural England's comment: <p>Yacht clubs are a common feature along the Kent coast, with boats stored near the water and associated buildings and facilities nearby. Many successful yacht clubs have access through them or nearby.</p> <p>The trail is aligned along the top of a raised seawall, landward of the club facilities. By positioning the trail on the seawall, this avoids the boat yard operations and any buildings, trailers or equipment stored landward of the trail.</p>	

In addition, we have proposed a s24 Land management and public safety s25(1)(b) direction to exclude coastal access rights to the boat storage area to avoid potential safety hazards related to hoisting and moving boats. We also extended this direction area to cover other club land seaward of the trail (including some areas of excepted land, such as the club's buildings). Natural England will also supply 'no-access' roundels and direction notices to explain the reasons for the exclusion. These arrangements will leave walkers in no doubt that the working area of boat yard is out of bounds and we would expect them to avoid that area.

In relation to security, we are aware that boat yards can suffer from theft, however we do not have evidence that pedestrian footpaths increase this risk. More walkers may well have a deterrent effect on such activities, by increasing the presence of law-abiding people in an area.

Boat clubs such as this are already alert to security risks (whether formally accessible or not) and undertake basic security measures such as securing loose equipment and kayaks and locking equipment on stored boats etc, as well as limiting easy vehicular access, where possible. In terms of 'securing the site', Natural England does occasionally install stretches of new fencing to guide walkers along the trail ('guide fencing') or in rare instances to separate walkers from other land uses where significant impacts could arise as a result of new access. In this instance, we do not consider the trail would lead to significant new risks to security if the standard security measures described above are employed across the yacht club.

Do not support trail adjacent/through a private yacht club: Chapter 5 of the Scheme introduces general principles relating to the interest of owners and occupiers that we must consider in order to achieve a balance between public and private interests. Chapter 8 explains our likely approach in relation to coastal land uses and activities, including maritime facilities. This ensures Natural England has examined issues such as land management, commercial enterprise, security and, privacy as well as the impacts on land use within any area considered as part of the proposals. The current proposals are in Natural England's view a fair balance between private and public interests, and this enables the trail to be proposed across private property. Our comments on other options (including the SSW) can be found below.

NE has been tasked with implementing government policy - backed by legislation – to secure a route around the whole of the English coast. To achieve this it will be necessary to secure new access over private land but in doing so our alignment must meet the tests set out by the legislation and the Approved Statutory Scheme. Natural England proposals 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 any land over which any coastal access rights would be conferred. The general point about whether it is correct to allow new access over private land is a challenge to government policy that in our opinion falls outside of the scope of this representations process.

Representation ID:	Name / organisation
MCA/IGR4/R/5/IGR2973	[redacted]
MCA/IGR4/R/12/IGR2981	[redacted]
MCA/IGR4/R/13/IGR2982	[redacted]
MCA/IGR4/R/15/IGR2985	[redacted]
MCA/IGR4/R/18/IGR2990	[redacted] and [redacted]
MCA/IGR4/R/19/IGR2991	[redacted]
MCA/IGR4/R/20/IGR2992	[redacted]
MCA/IGR4/R/21/IGR2993	[redacted]
MCA/IGR4/R/22/IGR2995	[redacted]
MCA/IGR4/R/28/IGR3004	[redacted]
MCA/IGR4/R/29/IGR3005	[redacted]
MCA/IGR4/R/32/IGR3008	[redacted] & [redacted] (WMH Leisure)
MCA/IGR4/R/33/IGR3009	[redacted]

MCA/IGR4/R/35/IGR3011 MCA/IGR4/R/36/IGR3012 MCA/IGR4/R/9/IGR2977 MCA/IGR4/R/2/IGR2943 MCA/IGR4/R/8/IGR2976 MCA/IGR4/R/30/IGR3006 MCA/IGR4/R/11/IGR2980 MCA/IGR4/R/10/IGR297	[redacted] [redacted] and [redacted] [redacted] [redacted] [redacted] [redacted] and [redacted] [redacted] [redacted]
Name of site:	Great Barksore Farm
Report map reference:	Map IGR 4b
Route sections on or adjacent to the land:	IGR-4-S006 to IGR-1-S016
Summary of representations on impacts to wildlife <ul style="list-style-type: none"> • The proposed path provides easy access to Barksore Marshes and there is no way of preventing visitors from straying on to them. There is a desire among local people to access the marshes and there will be a detrimental effect on wintering waders and wildfowl. • The proposed route does not adequately mitigate the threat of access to sensitive areas and it would be preferable for the route to continue along the Saxon Shore Way • There is also no way of ensuring that dogs are kept on leads along this coastal strip. • Aligning the path beside the pond at Great Barksore Farm will cause disturbance to an area of national and international importance for migratory birds, which is located in the immediate vicinity of the pond. • Wildfowl are under intense shooting pressure along this area of coastline during the winter months and the bay to the east of Halstow Creek offers one of the few undisturbed refuges • The public can already enjoy viewing the rich birdlife from the area locally known as The Brickfields in Lower Halstow. If access was allowed on Great Barksore Farm these birds would then move further away. • Existing disturbance to creek wildlife near Brickfields will be exacerbated. 	
Natural England's comments <p>We fully recognise that Great Barksore Farm supports important wildlife, especially waders and wildfowl. This is reflected by the Medway Estuary and Marshes Special Protection Area (SPA), Ramsar and SSSI designations that cover part of the farm. Barksore Marshes, located to the north-east of the farm, is an internationally important area of freshwater for wintering and breeding birds. In addition, the designated intertidal flats that surround the farm, including the mudflats up Halstow Creek to Brickfields, support feeding birds in winter. A high tide roost for wintering birds is also found on the farm, along the eastern bank of Halstow Creek. For the locations of these features, see Map 4 of the Habitats Regulation Assessment: Design of the access proposals to address possible risks at Barksore Marshes.</p> <p>The wildlife interests of the internationally designated sites are set out within the published Habitats Regulations Assessment. The potential impact of the ECP was examined to consider whether its predicted increased use and spreading room would have an adverse impact on any of the key sensitive features of the designated sites (Scheme 4.9.4), including at Great Barksore Farm which currently has no public access (see section D3.2C Barksore Marshes). Data was collated from local birders to understand the use and inter-relation of feeding and roosting areas in this south Medway area, which informed our proposed alignment and directions.</p> <p>The proposed trail at Great Barksore Farm is aligned to avoid impacting on important areas for wildlife. The key area of sensitivity is Barksore Marshes to the north-east of the farm, which supports feeding and roosting winter and passage birds, and breeding birds in summer. The area will be excluded from new access rights. There is a significant distance (some 700m) between the Marshes and the proposed route, across farmed fields and cropped land, which will deter walkers. We consider the risk of people making their way to the marshes area and causing significant disturbance is low. We will help to reinforce this by providing a well signed route that leads people away from the area. The directions to exclude access will also be explained on notices at key points along the trail. We will also</p>	

provide no access roundels that can be used in appropriate places to deter people from leaving the trail.

Notices at the entrance point to the farm, nearest Barkshore Marshes, will help explain the exclusion areas and the reasons for them – and as the landowner has raised particular concerns about this location, Natural England will offer to install a small section of guide fencing near the new access gate between sections IGR-4-S007 & IGR-4-S008 to further highlight the trail alignment to walkers.

There are also sensitivities relating to a spring tides winter bird roost, located on the shoreline, and winter bird feeding activity on the mudflats of Halstow Creek, which are closer to the proposed trail. The proposals include directions to exclude access to much of the coastal land that lies alongside the intertidal feeding habitat and the shoreline roost. Sections IGR-4-S009 to IGR-4-S013 have also been aligned inland to direct people away from these exclusion areas and getting too close to the shoreline.

We do not consider that walkers and their dogs along the trail would disturb birds using the intertidal habitat or high tide roost here, as the route is set a distance from the shore and is mainly landward of existing fences, crops and scrub. Walkers and their dogs would therefore not be immediately visible to the birds using the intertidal habitat.

Access to the shoreline areas will also be discouraged by the presence of good way-marking and the existing field boundaries and/or cropped land that largely create a physical separation between the trail and the excluded land. At points along IGR-4-S009 and IGR-4-S010 and near Lower Halstow Yacht Club (sections IGR-4-S011 to S016), where the path is closest to exclusion areas, there will be clear and visible direction notices explaining the reasons for the access restrictions and for staying on the inland route. In addition, 'no access' signage will be provided for use by any gaps and gates leading into or towards the excluded areas. We consider that walkers will respond to this information and keep to the proposed alignment, and that the winter high tide roost and birds feeding on the mudflats of Halstow Creek, near Brickfields, will not be adversely affected by the proposals.

Natural England maintains that walkers will largely stay on a well-marked path and refrain from trespass, as is the case with most countryside public rights of way and National Trails. In our own experience of reviewing CROW open access, many landowners reported that they initially had similar worries about walkers leaving paths but 5 years on did not see the need for restrictions to keep people to paths. In addition, Natural England's own estate of National Nature Reserves has been dedicated to open access and again, in our experience the vast majority of walkers keep to well-marked paths.

We have assessed the likely access use and the bird sensitivities of the designated area, within our Habitats Regulations Assessment. We maintain that the proposals for new access here would not create an adverse impact on the designated features of the Special Protection Area, Ramsar and SSSI - and therefore do not consider it necessary to avoid Great Barksore Farm completely by routing further inland. Any other route landward of the farm (see our comments below on using other routes) would also place all of Great Barksore Farm within the coastal margin, creating a greater area with new coastal access rights.

We have worked closely with Bird Wise North Kent to identify sites we consider it necessary to increase signage and interpretation regarding wildlife sensitivities. Bird Wise is an organisation that oversees an access management strategy of the Medway coast (The North Kent Strategic Access Management and Monitoring Strategy), specifically relating to recreational disturbance of the Medway and Estuary Marshes SPA birds from walkers and dogs. They will maintain a range of interpretation associated with our Iwade to Grain and Grain to Woolwich proposals, and have confirmed that they would work with the Great Barksore Farm landowners if any future information boards were needed across this site.

In addition, we will also work with Bird Wise North Kent to try and identify a suitable location to establish some new Bird Wise signage near the car park (at Lapwing Drive, Lower Halstow), to highlight and explain the importance and sensitivity of the creek's wildlife to local dog walkers.

Representation ID:	Name / organisation
MCA/IGR4/R/3/IGR2969	[redacted]
MCA/IGR4/R/4/IGR2971	[redacted]
MCA/IGR4/R/5/IGR2973	[redacted]
MCA/IGR4/R/6/IGR2975	[redacted]
MCA/IGR4/R/8/IGR2976	[redacted]
MCA/IGR4/R/9/IGR2977	[redacted]
MCA/IGR4/R/10/IGR2979	[redacted]
MCA/IGR4/R/11/IGR2980	[redacted]
MCA/IGR4/R/12/IGR2981	[redacted]
MCA/IGR4/R/13/IGR2982	[redacted]
MCA/IGR4/R/15/IGR2985	[redacted]
MCA/IGR4/R/16/IGR2986	[redacted]
MCA/IGR4/R/17/IGR2987	[redacted]
MCA/IGR4/R/18/IGR2990	[redacted] and [redacted]
MCA/IGR4/R/19/IGR2991	[redacted]
MCA/IGR4/R/20/IGR2992	[redacted]
MCA/IGR4/R/21/IGR2993	[redacted]
MCA/IGR4/R/23/IGR2996	[redacted]
MCA/IGR4/R/28/IGR3004	[redacted]
MCA/IGR4/R/29/IGR3005	[redacted]
MCA/IGR4/R/30/IGR3006	[redacted] and [redacted]
MCA/IGR4/R/31/IGR3007	P and A Love Ltd
MCA/IGR4/R/32/IGR3008	[redacted]
MCA/IGR4/R/33/IGR3009	[redacted] and [redacted]
MCA/IGR4/R/35/IGR3011	[redacted]
MCA/IGR4/R/36/IGR3012	[redacted] and [redacted]
MCA/IGR4/R/27/IGR3003	[redacted]
MCA/IGR4/R/2/IGR2943	[redacted]
Name of site:	Great Barksore Farm
Report map reference:	IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S006 to IGR-S016
Summary of the representations about using the Saxon Shore Way <ul style="list-style-type: none"> Multiple people thought that the England Coastal Path would make use of existing promoted routes. This short section of the Saxon Shoreway is used by both pedestrian and cycling participants and therefore the England Coastal Path should be aligned along it, with the necessary 'road safety issues' addressed to the benefit of all. The proposed route would only be beneficial to walkers, as there could not be access for horse riders, cyclists nor disabled persons. These persons would still have to use the stretch of road from Bassar Hill, along the Sheerness Road. The cost involved in introducing traffic calming measures along that stretch of road and through the village of Lower Halstow would be of greater long term benefit to the community than a path "which does not add anything for the community itself". Kent Highways are avoiding the issue of the traffic through the village from Bassar Hill onwards. It should be investing money in ensuring a reduced speed limit though the village to allow for walkers, cyclists and horse riders. Natural England should not spend public funds on work to improve things for a few people, when there is already a path(s) that can be upgraded for a fraction of the cost. The cost involved in introducing traffic calming measures along that stretch of road and through the village of Lower Halstow would be of greater long term benefit to the community than a path which does not add anything for the community itself. 	

- This is a perfect opportunity to improve the situation for the villagers who run, cycle, walk as well as horse riders.

Natural England's comment:

Use existing walked route - the Saxon Shore Way (SSW): Natural England considered a wide range of alignment options near Great Barksore Farm on both the north and south sides of Sheerness Road. These are set out in 4.3.2 Other options considered: Maps IGR 4a and IGR 4b – Funton Brickworks to Lower Halstow of the proposals. This includes the existing walked route along the Saxon Shore Way, that lies landward of Great Barksore Farm.

The Scheme states that where there is a clear walked line along the coast, whatever its status, we normally propose to adopt it as the line for the England Coast Path, so long as: it meets the criteria and principles set out in the Scheme to balance public and private interests; it is safe and practicable for the public to use, and it can be used at all times. The Saxon Shore Way within the Report IGR 4 area is all located inland of the coast.

The SSW is a long-established walking route of 163 miles (262 km), which follows the historic line of the coast between Hastings, in East Sussex, and Gravesend, in Kent. It was set up in the 1980s and follows existing rights of way, highways, permissive and de-facto paths. In this area, the SSW follows the carriageway of Sheerness Road, west from the junction with Basser Hill, before turning onto a public footpath towards Lower Halstow. The SSW then crosses Sheerness Road and follows a lane towards Halstow Creek (see Annex B).

When considering aligning the route along or across a highway, Natural England consults with the relevant highway authority over safety and convenience, to consider the likely level of visitors' familiarity with and expectations of the risks. In this instance the Highways Authority, Kent County Council, undertook a highway safety assessment on site at Natural England's request. They advised us that use of any part of the carriageway along Sheerness Road, west of Basser Hill, would not be appropriate for a promoted National Trail due to a combination of poor sightlines and the lack of verges and refuges for pedestrians (See Annex C and Annex D).

The SSW was set up decades ago and what once may have been considered safe is not necessarily still considered so, under modern standards. In several places along the North Kent Coast, the SSW follows carriageways, and concerns were raised by the Highways Authority (KCC) on the potential use of these for the ECP (as highlighted in the Overview, section 6a Recreational Issues). While there are no traffic accident reports along this stretch of the SSW, Kent County Council has advised that it is an unsuitable route for a new National Trail, as encouraging more walkers may increase the risk of incidences. Kent County Council supports the off-road alignment of the trail in this area.

On balance, we maintain that the proposed off-road route between section IGR-4-S005 and IGR-4-S024 best meets the s297 alignment criteria and would favour this route over other inland options even if Sheerness Road was deemed safe for walkers. The proposed alignment provides a safe, practical and continuous route, with elevated views of the Medway Estuary from the alignment across Great Barksore Farm and beside Halstow Creek (west of section IGR-4-S013). It avoids adverse impacts on wildlife (see comments above) and is a fair balance between public and private interests (see comments above).

Improve the short section (0.2miles) of road (eg reduction to 20 mph, warning signs and road markings):

Kent County Council provided Natural England with advice about the use of Sheerness Road/SSW for the ECP. No simple, cost effective mitigation measures such as zebra crossings or road markings were suggested to overcome their conclusion that the road was not suitable for a National Trail.

KCC observed that this road is effectively a 'rat run' that becomes busy at rush hour periods. Potential mitigation works (traffic calming 'build out' chicanes, traffic lights, single file carriageway etc) would have a severe impact on traffic flow and there would be no guarantee that such a scheme would

obtain approval from the relevant KCC Transportation Board. If any road improvement works were to take place here, it would involve a significant and costly programme.

In terms of whether changes to the speed limit here (including 20 or 30mph zones) would remove the safety concerns, this was not highlighted by KCC as a potential solution to the issues they raised about Sheerness Road. We did not investigate extending the limit of the village 30mph zone out along the rural roads to Basser Hill (>900m). Kent County Council has since informed us that “a change in speed limit alone does not affect speeds and there are a number of considerations that we must go through when deciding whether to embark on a consultation about a proposed change to a speed limit. The speed limit on a road should reflect the local environment, nature of the road and its use; not be manufactured to facilitate other demands,” and that “it is costly and time consuming and must have a valid road safety reason behind it”. Speed limits are therefore not a simple fix to road safety issues.

Any road improvements works here would involve a significant and costly highways programme, rather than a low cost option. A full feasibility and design phase for significant road improvements would likely cost >£10,000, prior to any Highways approval or implementation costs. If works involved widening the verges to create refuge areas, significant landscape and wildlife considerations would also need to be taken into account as both verges of Sheerness Road are steep in places and well vegetated. The estimates for establishing the trail in the proposals are <£10,000. This offers good value for money in terms of offering a safe, off-road coastal walking route.

Investment in road improvement would benefit more people than the proposals do (local community and runners, cyclists, disabled, horse riders as well as walkers): The duty given to Natural England by the legislation is to provide a long distance walking route for the whole of the English coast. It is important to bear this in mind when reading our proposals as we have a limited remit, and – as in this case - the ECP cannot be seen as a panacea for a range of other existing problems.

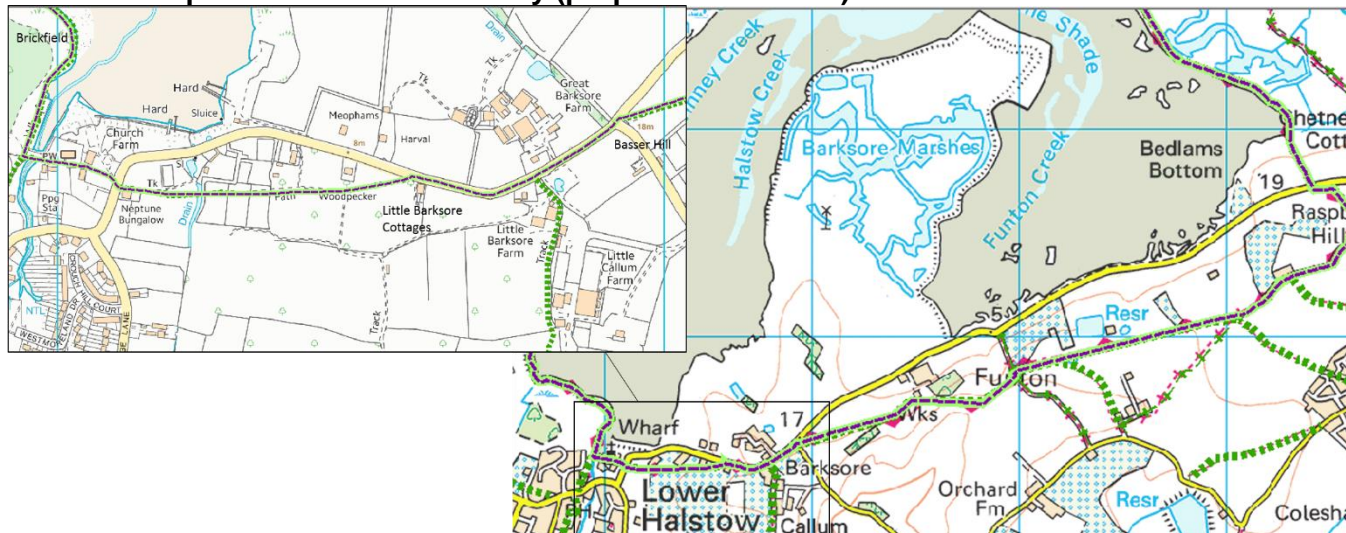
We fully understand that local people would like to see improvements in the local rights of way network for other path users, such as riders and cyclists. This is sometimes possible where landowners give permission for higher rights along the trail, however the proposed trail between IGR-4-S006 and IGR-4-S024, like many sections of the coast path, is for pedestrian rights only.

The presence of a coast path along the proposed alignment would not prevent other investment in the road system or cycle network in this area by Kent County Council, if they consider it necessary.

The proposed trail will provide a safe, off-road walking opportunity, with views of the sea, close to the coast – and as such which will offer benefits for local people as well as for long distance walkers. We have also made adjustments in our proposals to reduce barriers for disabled people by choosing the least restrictive infrastructure that is practical in these circumstances, such as chicane barriers (section IGR-4-S007) and a new pedestrian gate (IGR-4-S010) to enable those with mobility scooters and pushchairs to pass. The existing field gate on the seawall (section IGR-4-S015) will also be left open and unlocked to make it easier to traverse the seawall in this area. There will be a new gap created next to an existing field gate (section IGR-4-S019) and the path near Lower Halstow will be widened to avoid the area becoming overly muddy. While the uneven surface along the grassed field margins may create a barrier for some visitors, we consider that the trail offers an accessible countryside walk.

Currently, the estimate for the whole length of report IGR 4 works out at ~£3,500/km, which in our view provides good value for a substantial, long term improvement of the recreational experience in this area. Investing in improving the highway would not be as good value for money, when the proposed alignment meets the Scheme principles, is low cost in comparison, and, in our view, balances private and public interests.

Annex B: Map of the Saxon Shore Way (purple dashed lines) near Great Barksore Farm



Annex C: Extract of Kent County Council's 'Safety measures at Highway interfaces, Sept 2018'

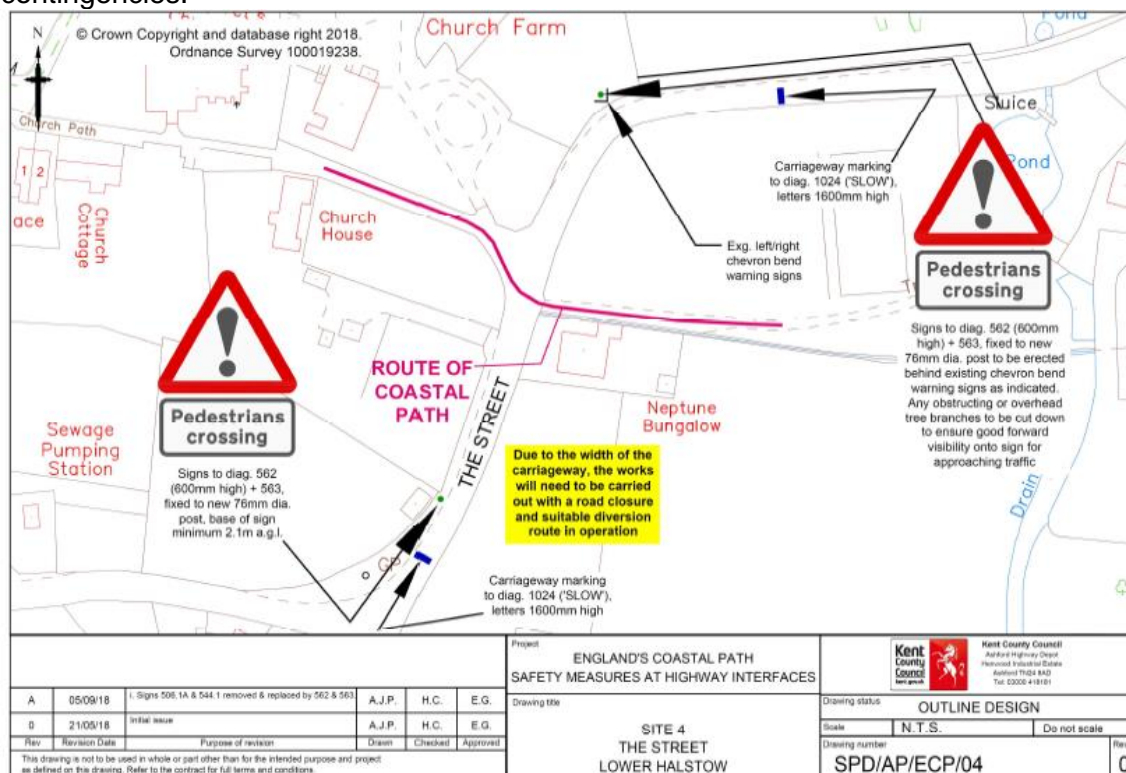
Site 4 – The Street, Lower Halstow

Please see drawing SPD/AP/ECP/04 at the end of this site briefing.

The proposed coast path crosses The Street at approximately 90 degrees to its course. The Street has sharp bends in it either side of the path's crossing point and, although this slightly restricts visibility for pedestrians of oncoming vehicles, traffic speed should be reasonably low due to the bends. Due to the fact that pedestrians will be crossing the road perpendicularly, providing they proceed with average levels of traffic awareness when crossing the road, the risk to pedestrian safety is assessed as minimal.

To mitigate risk, warning signs are recommended to be installed either side of the length of road to be utilised, as shown in the drawing.

The estimated cost of the works by Amey HTMC, at 2018/19 rates, is £1,700, including 15% contingencies.



Site 5 – Basser Hill nr. Lower Halstow

At the time of preparation of this report, the final routeing of ECP had not been agreed upon due to ongoing negotiations with landowners. The preferred route was as shown in drg. No. SPD/AP/ECP/05/1, the land under discussion being that to the northwest of Sheerness Road/Raspberry Hill Lane.

Should that become finalised, the proposed highway safety measures would be to improve the verge to the southeast of Basser Hill to improve the walking route towards crossing Raspberry Hill Lane. A short length of asphalt footway would be constructed to guide pedestrians to a new entrance into the footpath on private property, constructed by KCC PRoW. 'Pedestrians crossing' signs would be installed on the Raspberry Hill Lane and Sheerness Road approaches to enhance pedestrian safety. It is not considered that a warning sign is necessary on the Basser Hill approach as traffic would be approaching a 'give-way' 'T'-junction, slowing it to almost stationary, whilst having good visibility of crossing pedestrians.

The verges in the vicinity of the proposed crossing point have extensive vegetation that would need to be cleared to maximise forward visibility of approaching vehicles onto crossing pedestrians. The constructed footway would also assist in maintaining that visibility, but the verges beyond would require an ongoing future maintenance programme to ensure adequate levels of visibility were maintained.

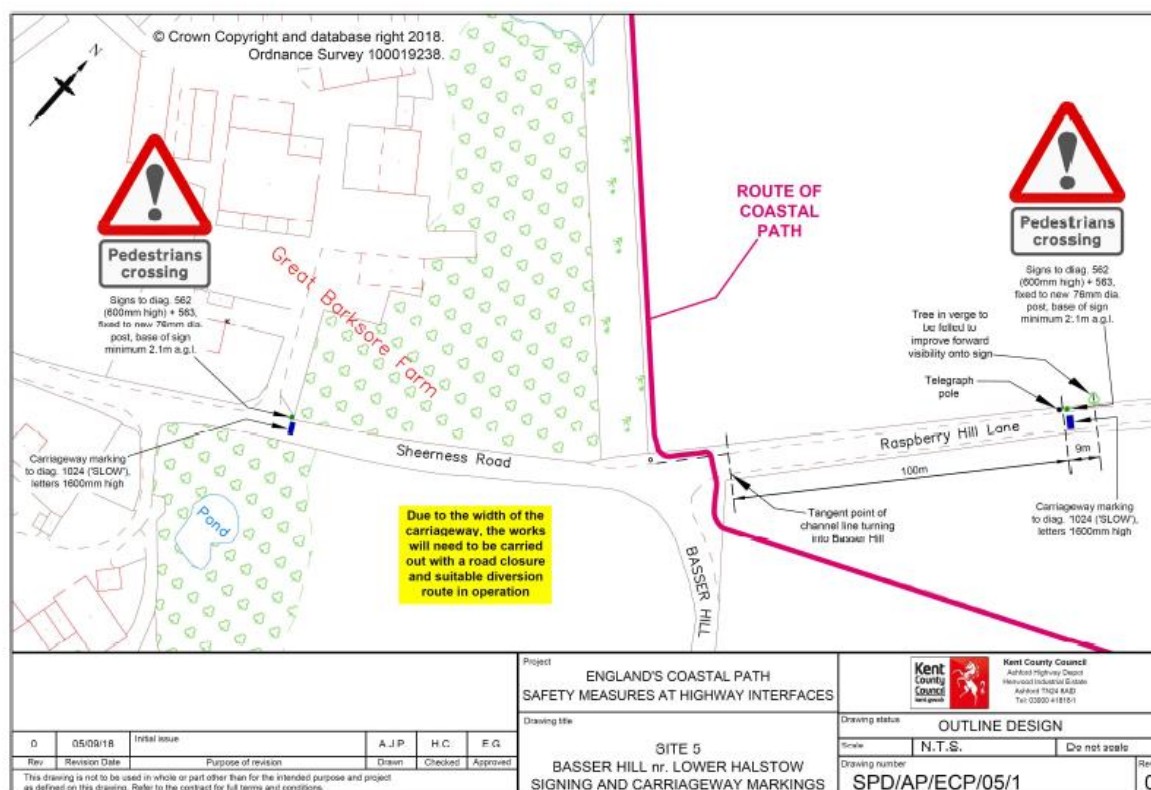
Please see drawings SPD/AP/ECP/05/1 and 05/2 at the end of this site briefing for details of the proposed measures.

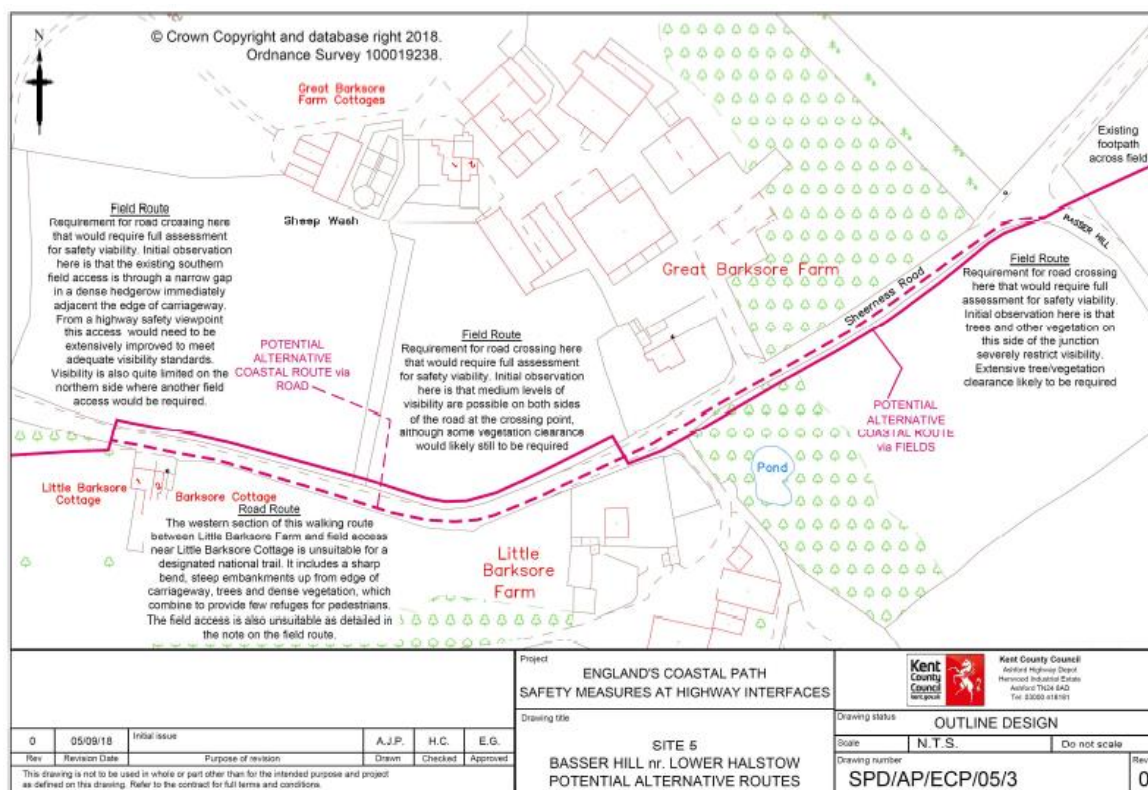
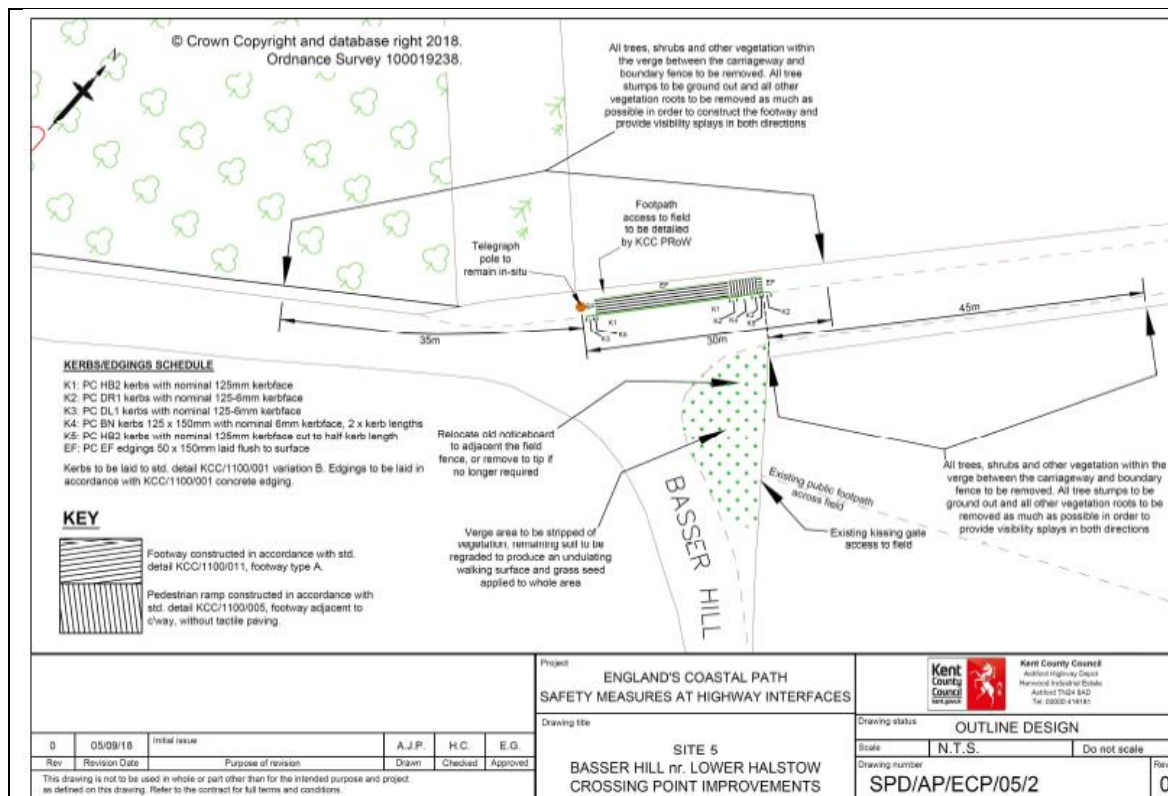
The estimated cost of the works by Amey HTMC, at 2018/19 rates, is £7,200, including 15% contingencies.

If the outcome of landowner negotiations were not to result in the provision of the route shown in drg. No. -05/1, the author was requested to investigate highway safety implications for the following alternative routes:

1. Linking up with the existing footpath to the west of Little Barksore Cottage by way of new footpaths created in fields adjacent Sheerness Road ('Field Route') and,
2. Linking up with the existing footpath to the west of Little Barksore Cottage by on carriageway walking (Road Route').

A highway safety assessment of both options was carried out in a site visit. Please see drawing SPD/AP/ECP/05/3 at the end of this site briefing for that assessment. Were either of these options to be required to be implemented, detailed design work and cost estimates would be required, none have been carried out as part of this report.





Annex D

Email from Kent County Council 26 November 2020 - Kent Highways assessment of the Sheerness Road

Dear Jenny

England Coast Path:

Section ECP/IGR-4-S010 - Kent Highways assessment of the Sheerness Road

Further to your recent enquiry, I write to clarify the Kent County Council Highways assessment of the Sheerness Road (Lower Halstow), with regards to its suitability for the England Coast Path (ECP).

To provide some background context, we previously asked Kent Highways to assess highway interfaces along potential ECP alignment options. This included 'on road' walking routes and potential

road crossings. Where possible, recommendations for highway works were provided, which would make a proposed alignment acceptable for a National Trail walking route.

Following this request, a Kent Highways Engineer conducted a series of site visits during March 2018 and assessed potential ECP alignments. I accompanied the Highways Engineer during these sites visits, so that I could clarify the proposed alignment options and listen to their observations. The route assessments and recommendations were then summarised in the report titled 'England Coast Path Project – Safety Measures at Highways Interfaces, September 2018'.

With reference to Page 13 of this report, I understand there is some ambiguity regarding the assessment of the proposed 'Road Route' between Basser Hill and Public Footpath ZR41. Specifically, the report states that the western section of this road route is unsuitable for a National Trail, but does not give an opinion on the eastern section of the road route, located between Little Barksore Farm and Basser Hill.

For the avoidance of doubt, please note that the eastern section of this road route, located between Little Barksore Farm and Basser Hill road, was assessed and considered to be unsuitable for a National Trail walking route. The visibility along the route was found to be restricted by trees, vegetation and the slight curvature of the road. Combined with the frequency and speed of vehicular traffic along the Sheerness Road, concerns were raised with the prospect of increasing numbers of pedestrians walking along the carriageway, as a result of the National Trail ECP status, which could increase the potential for conflict between pedestrians and vehicles.

Details of this eastern section were not included in the final report, as the entire length of the road route was considered as a single alignment option. The western section was found to be of greater concern when considering the overall road route proposal, providing sufficient justification to declare the 'Road Route' option unsuitable for a National Trail, without providing further detail on the 'eastern section'.

Further, at the time of this Highways Assessment, an alternative trail alignment was being considered by Natural England, which passed along a field edge between Little Barksore Farm and Basser Hill. Given the preference for a traffic free, off-road alignment, the report provided greater detail on that 'Field Route' option, instead of the eastern section of Sheerness Road.

Taking these points into account, the KCC PRoW and Access Service did not support the proposed 'Road Route' alignment option along the Sheerness Road. Instead, the KCC PRoW and Access Service recommended that an alternative route was chosen, which fulfilled the criteria of the Coastal Access Scheme and did not introduce highway safety concerns. Naturally, the Service is willing to collaborate with Natural England and local stakeholders to identify a trail alignment solution in this area.

This response is made on behalf of Kent County Council Public Rights of Way and Access Service. The views expressed should be considered only as the response of the County Council in respect of public rights of way and countryside access matters relating to the England Coast Path.

Yours sincerely
 Thomas Kennedy
 Countryside Access Improvement Plan Officer
 Public Rights of Way & Access Service

Representation ID:	Name
MCA/IGR4/R/19/IGR2991	[redacted]
MCA/IGR4/R/20/IGR2992	[redacted]
MCA/IGR4/R/10/IGR2979	[redacted]
Name of site:	Great Barksore Farm
Report map reference:	Map IGR 4b
Route sections on or adjacent to the land:	IGR-4-S008 to IGR-4-S016
Summary of representations Anyone getting into difficulty could remain undetected for a potentially fatal period of time (e.g. after a fall, snake bite or getting stuck in mud). It is also inaccessible to emergency vehicles due to gates being locked for protection purposes and in the event of a full blown catastrophe, the farmer could be working in fields further away and be unaware of a very serious situation.	

Natural England's comment:

Emergency access: Barksore Farm is not a particularly remote area. The trail here should be of 'national trail standard', but at the very least will be similar in condition to countless other well used trails found in England's countryside. If, in the unfortunate event someone falls ill or is injured along the trail, emergency services will be familiar with these types of situations and are normally well equipped to deal with them.

Representation ID:	Name
MCA/IGR4/R/29/IGR3005 MCA/IGR4/R/36/IGR3012 MCA/IGR4/R/31/IGR3007	[redacted] [redacted] and [redacted] [redacted]
Name of site:	Report IGR 4
Report map reference:	Map IGR 4a and 4b,
Route sections on or adjacent to the land:	
Other reports within stretch to which this representation also relates	IGR 1-3 and IGR 5-8
Summary of representation about entering Medway Estuary It is disappointing that Natural England are spending a large sum of money on this in the Medway Estuary, given the large areas of 'excepted land' surely it would have been better to adopt the following policy between Iwade and Rochester Bridge: 'The ECP and its associated rights are suspended between Iwade and Rochester Bridge and walkers are advised you use the Saxon Shore Way'.	
Natural England's comment: In considering the merits of extending the trail around the Medway Estuary, Natural England's proposals explained our decision to exercise our estuary discretion against each of the s301(4) estuary criteria. In August and November 2020 the Secretary of State approved the use of the estuary discretion for Reports IGR1-IGR3, IGR5 and IGR7 to IGR12, which includes the stretch of coast between Otterham Creek and Rochester Bridge. The approval of our proposals for IGR 4 & 6 would complete the alignment around the Medway Estuary. Regarding breaking the trail between Basser Hill junction and Halstow Creek, this would in our opinion, result in more walkers utilising Sheerness Road to progress along the coast. This would equate to promoting Sheerness Road as the ECP, which Kent County Council state is unsuitable in safety terms.	

Representation ID:	Name
MCA/IGR4/R/19/IGR2991 MCA/IGR4/R/20/IGR2992	[redacted] [redacted]
Name of site:	Lower Halstow
Report map reference:	Map IGR 4b
Route sections on or adjacent to the land:	IGR-4-S013 to IGR-4-S024
Summary of representations on Rollback There is no indication of any alternative route, should there be any reason for the proposed coastal path not to be available. There is no roll back plan so surely this route could potentially be lost and as such the Saxon Shore Way is a much safer and a more sensible plan	
Natural England's comment: Rollback is not proposed on the alignment between IGR-4-S002 and IGR-4-S024. Much of the route here is on elevated land, unaffected by increasing sea levels.	

Sections IGR-4-S013 to IGR-4-S024 are along a sea wall. We explored the future viability of the seawalls along this shoreline with the Environment Agency and are satisfied that it is a long term, viable walking route. If flooding were to unexpectedly affect the use of the ECP in the future, Kent County Council and Natural England would need to consider another route and undertake a Variation Report. This would be subject to Secretary of State approval.

Representation ID:	Name
MCA/IGR4/R/9/IGR2977	[redacted]
MCA/IGR4/R/21/IGR2993	[redacted]
MCA/IGR4/R/12/IGR2981	[redacted]
MCA/IGR4/R/19/IGR2991	[redacted]
MCA/IGR4/R/20/IGR2992	[redacted]
MCA/IGR4/R/29/IGR3005	[redacted]
MCA/IGR4/R/35/IGR3011	[redacted]
MCA/IGR4/R/36/IGR3012	[redacted] and [redacted]
MCA/IGR4/R/5/IGR2973	[redacted]
Name of site:	Lower Halstow
Report map reference:	IGR 4b
Route sections on or adjacent to the land:	N/A
Summary of representations on the Proposals Map: Misleading report – unclear what the white areas on the Map IGR 4a indicate as these are not covered in the key (is it part of Great Barksore Farm?). The map does not clearly indicate the correct alignment of the existing footpath/SSW, using the green dots.	
Natural England's comment: <u>Proposals Maps:</u> Our proposal maps utilise OS base maps, with its standard symbology. The white space constitutes land - but do not symbolise any particular land ownership or land use. Public rights of way - such as public footpaths, public bridleways and byways are also included on our proposals maps. We do not normally map locally promoted trails and permissive paths as we aim to keep the maps as uncluttered and easy to understand as possible. The SSW is not a Public Right of Way in its own right, however it follows a number of the public footpaths shown on the Proposals Maps, as well as a stretch of highway (Sheerness Road), near Great Barksore Farm. The SSW's location is described in the proposals text, as it is one of the options under consideration in table 4.3.2 Other options considered: Maps IGR 4a and IGR 4b – Funton Brickworks to Lower Halstow.	

Representation ID:	Name:
MCA/IGR4/R/9/IGR2977	[redacted]
MCA/IGR4/R/36/IGR3012	[redacted] and [redacted]
MCA/IGR4/R/35/IGR3011	[redacted]
MCA/IGR4/R/29/IGR3005	[redacted]
MCA/IGR4/R/5/IGR2973	[redacted]
MCA/IGR4/R/21/IGR2993	[redacted]
MCA/IGR4/R/12/IGR2981	[redacted]
Name of site:	Report IGR 4
Report map reference:	IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S001 to IGR-4-S024

Summary of representations on the cost of infrastructure

These people are “disgusted” to read that the cost of putting in just two (of the five) kissing gates will be £9969 (plus VAT where applicable) when there is no need, if the Saxon Shore Way, was used.

Natural England’s comment on costs of infrastructure:

The costs highlighted within the report reflect Kent County Council’s estimates for installing and preparing the trail along the whole alignment of report IGR 4. This works out at ~£3,500/km, which in our view provides good value for a substantial, long term improvement of the recreational experience in this area which provides a safe, off-road walking route with views of the coast.

The reference to £9969 (plus VAT where applicable) in Report IGR 4 covers far more than two kissing gates, and includes: signs, road safety carriageway markings, surfacing work, vegetation clearance, chicane access barriers, pedestrian gates and project management costs.

Representation ID:	Name:
MCA/IGR4/R/19/IGR2991	[redacted]
MCA/IGR4/R/36/IGR3012	[redacted] and [redacted]
MCA/IGR4/R/20/IGR2992	[redacted]
Name of site:	Report IGR 4
Report map reference:	
Route sections on or adjacent to the land:	IGR-4-S001 to IGR-4-S024
Summary of representations:	
Sea views that are already accessible to the public are not significantly different to those that might be gained by the proposed coastal footpath for Natural England.	
Natural England’s comment:	
The Scheme highlights that the trail should normally offer views of the sea, however it may also lose sight of the sea temporarily for safety, convenience or accommodating other land uses. Along the proposed alignment in report IGR 4, there are distant views of the coast from parts of the elevated paths forming sections IGR-4-S001 to IGR-4-S005, direct sea views from sections IGR-S013 to IGR-4-S024 and elevated views of the coast from section IGR-4-S010. In addition, as the land dips down towards the coastline, there are some distant views of the coast between IGR-4-S007 and IGR-4-S009, which may be partially obscured by vegetation in summer. Overall, the route offers good views of the estuary and gives a good sense of being on a coastal path, near the water.	
Natural England is required by section 297(2) of the 2009 Act to have specific regard to providing “views of the sea”. However, this is one of many alignment criteria to which NE must have regard. Our alignment decision is based on a number of factors, such as safety and convenience, proximity to the coast, convenience and recreational value. It therefore not appropriate to choose between route options based solely on the sea views they offer.	

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

Representation ID:	MCA/IGRStretch/R/2/IGR2959
Organisation/ person making representation:	[redacted]
Name of site:	Whole route
Report map reference:	Whole route
Route sections on or adjacent to the land:	N/A
Other reports within stretch to which this representation also relates	IGR 2, IGR 3, IGR 5, IGR 6, IGR 7, IGR 8, IGR 9, IGR 10, IGR 11, IGR 12.
<p>Summary of representation:</p> <p>The reports only make passing reference to cycling. Unlike other parts of the Thames and the Kent coast, there is no official cycling trail along the shoreline between Whitstable and Dartford. National Cycle Network 1 is mainly away from the shore, except in Riverside Country Park. The England Coast Path route should be open to cycling, unless there is a good reason otherwise. Barriers should be removed along the route and surfaces could be improved in the long term. Making the route better for cycling would make it better for disabled access.</p>	
<p>Natural England’s comment:</p> <p><u>Right to cycle</u></p> <p>In line with the Coastal Access duty to create clear and consistent public access rights along the coast for open-air recreation on foot, our reports to the Secretary of State set out proposals for a walking route only. Coastal access rights include most types of recreation on foot or by wheelchair including walking, climbing and picnicking. However, there are general restrictions on the scope of coastal access rights which are called “national restrictions”, for example the coastal access rights do not normally include camping, horse riding or cycling. This does not prevent such recreational uses taking place by virtue of an existing right, with the landowner’s permission or by traditional tolerance (sections 2.4.1 and 2.4.2 of the Coastal Access Scheme). Where there are existing higher rights along our proposed trail (such as the existence of bridleways, cycle tracks, public highway), we have highlighted those additional rights in the proposals table and associated maps within each of the 12 reports.</p> <p>In preparing the report, we met with local stakeholders to explore any issues and opportunities the England Coast Path presented. This included the Kent Countryside Access Forum (KCAF) and Medway Local Access Forum, who did not raise any specific aspirations about establishing new cycling rights along this stretch of coast. Where appropriate we also raised the potential for the dedication of higher rights with land owners affected by the trail. Whether or not to dedicate higher rights in this way is a decision for the landowners, not Natural England.</p> <p>Nonetheless, we note [redacted]’s points and have forwarded them to both the Medway and Kent Access Fora for their consideration, in relation to implementing their Rights of Way Improvement Plans. Any new rights to cycle along the England Coast Path in future would need to be negotiated with the relevant landowners before proceeding with either a direction to relax general restrictions, or a dedication under S16 of the CROW Act.</p> <p><u>Barriers to access</u></p> <p>In developing our proposals for the England Coast Path we seek to balance the key principles set out in the statutory criteria for establishing the trail, namely: closeness to the sea (or estuary), sea views, safety and convenience (see section 4.1 of the Coastal Access Scheme). In doing this we always seek to avoid creating any unnecessary new barriers to access by choosing the least restrictive infrastructure that is practical in the circumstances.</p> <p>Where there is a choice of routes (and taking into account the key principles outlined above), we will generally favour the one that is accessible to the widest range of people or most easily adapted for that purpose (section 4.3.8 of the Coastal Access Scheme). In addition and where appropriate, our proposals include further targeted adjustments to make the trail more accessible for people with</p>	

reduced mobility, such as removing barriers to access such as replacing stiles with kissing gates or replacing kissing gates with gaps (section 4.3.10 of the Coastal Access Scheme). Land management requirements and local circumstances sometimes prohibit the removal of all gates, and we have indicated where we intend to remove barriers to access in the Accessibility section of each of the 12 reports.

Representation ID:	MCA/IGRStretch/R/3/IGR0008
Organisation/ person making representation:	The Disabled Ramblers [redacted]
Name of site:	Whole route
Report map reference:	Whole route
Route sections on or adjacent to the land:	N/A
Other reports within stretch to which this representation also relates	IGR 2, IGR 3, IGR 5, IGR 6, IGR 7, IGR 8, IGR 9, IGR 10, IGR 11, IGR 12.
<p>Summary of representation: [redacted] notes that it was really encouraging to read of the positive changes being proposed to improve access for mobility vehicles as well as why it is not possible to improve matters in certain places. She appreciates that Natural England will consider more accessible options when change is made to some sections of the route in the near future.</p> <p>[redacted] was also really pleased to read of the inclusion of some step-free routes that will be sign-posted to get around some unavoidable barriers and she thanks Natural England for our hard work on this, and for helping to open up the opportunities available to those with limited mobility.</p> <p>Natural England's comment: <u>Accessibility</u> We welcome the positive engagement from [redacted] during the development of our proposals and the supportive comments made by The Disabled Ramblers' Association.</p> <p>In developing our proposals for the England Coast Path we seek to balance the key principles set out in the statutory criteria for establishing the trail, namely: closeness to the sea (or estuary), sea views, safety and convenience (see section 4.1 of the Coastal Access Scheme). In doing this we always seek to avoid creating any unnecessary new barriers to access by choosing the least restrictive infrastructure that is practical in the circumstances.</p> <p>Where there is a choice of routes (and taking into account the key principles outlined above), we will generally favour the one that is accessible to the widest range of people or most easily adapted for that purpose (section 4.3.8 of the Coastal Access Scheme). In addition and where appropriate, our proposals include further targeted adjustments to make the trail more accessible for people with reduced mobility, such as removing barriers to access and leaving gaps or signposting step-free routes (section 4.3.10 of the Coastal Access Scheme). We have indicated where we intend to remove barriers to access in the Accessibility section of each of the 12 reports.</p> <p>In regard to the mention of future changes to the route, this comment is likely to be related to the potential roll-back identified in the reports. With any new route, Natural England and the relevant Access Authority (Kent County Council) would seek to identify the most accessible route, balanced against the key principles described above, for the new trail alignment. Any new alignment would also need 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 any land over which coastal access rights would be conferred.</p>	

Representation ID:	MCA/IGR4/R/10/IGR2979
Organisation/ person making representation:	[redacted]

Name of site:	Saxon Shore Way, Sheerness Road, Lower Halstow
Report map reference:	Map IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S001 to IGR-4-S024
Other reports within stretch to which this representation also relates	Report IGR 3
Summary of representation: This representation makes several points which are dealt with in section 4 of this document. However, two residual point are made, which we address below: <ul style="list-style-type: none"> • “the original path via a traveller community has been deemed too dangerous by the local police and avoided - is this fair or acceptable. Surely one rule should apply to everyone.” • that if Natural England continue to ignore the dangers of collisions between cars and walkers along the SSW section of Sheerness Road, having had the opportunity to rectify the safety issues, this organisation would hold themselves legally and financially accountable for any future accidents or compensation here, due to the lack of action taken. 	
Natural England’s comment: <u>Avoiding travellers’ community:</u> We understand that this point raises a potential inconsistency in the alignment of the trail near Great Barksore Farm property and the alignment in the vicinity of a property situated on the (inland) Saxon Shore Way, to the east of this report. Our proposals in the relevant report: IGR 3, aligned the trail along the shoreline near Raspberry Hill Lane (visible on Map IGR 4a). This alignment was not made with the sole purpose of avoiding this inland property, it was because our proposed alignment better meets the alignment criteria set out by the legislation. Please refer to report IGR 3 for further details. This report was approved by the Secretary of State in 2020. We do not recognise any inconsistency in the approaches taken in reports IGR 3 and IGR 4 – as both of these alignments seek to meet the principles of the Scheme (close to the coast and views of the sea) while reducing impact on private interests. <u>Natural England responsible for future accidents, if SSW not improved:</u> By providing a safe, off-road route, Natural England has addressed the safety concerns raised by Kent County Council regarding a National Trail being aligned along the SSW section of Sheerness Road. The route will also provide a pleasant walk for locals as it is close to the coast, with views of the estuary. The existence of the England Coast Path along the proposed alignment, if approved, does not prevent any future improvements to Sheerness Road, if KCC considers its level of use poses an unacceptable risk to pedestrians and others.	

Representation ID:	MCA/IGR4/R/12/IGR2981
Organisation/ person making representation:	[redacted]
Name of site:	Great Barksore Farm
Report map reference:	Map IGR 4b
Route sections on or adjacent to the land:	IGR-4-S006 to IGR-4-S024
Summary of representation: [redacted] makes several points which are dealt with in section 4 of this document. However, she makes the residual point which we address below: <ul style="list-style-type: none"> • The trail should not be aligned along the garden fences of three private dwellings. • The alignment of the trail would be a breach of the farm owners’ privacy. 	

Natural England's comment:

Aligned near garden fences: Sections IGR-4-S008 to IGR-4-S024 are all aligned seaward of residential properties. Section IGR-4-S010 is aligned seaward of a tall garden fence, with scrub and trees along the boundary. The trail is set over 50m from the house and because of this there will not be visual intrusion. Sections IGR-4-S019&20 are aligned on a raised and scrubbed seawall, with limited view into the adjacent, landward gardens. We do not consider that aligning near these gardens will impact on the owners' privacy.

Privacy of farm owners: The proposed trail at sections IGR-4-S008 to IGR-4-S010 is aligned along the edge or through arable fields, seaward of and set away from the immediate vicinity of Great Barksore Farm house and farm yard. The proposed trail is largely hidden from these buildings by established hedgerows and separated from the buildings by marked field boundaries. Where walkers will be visible from Great Barksore Farm buildings (on section IGR-4-S009), the closest point between the path and buildings is >75m. This part of the trail is also at a lower level than the farm buildings, so intrusive views into residential properties are avoided.

Representation ID:	MCA/IGR4/R/13/IGR2982
Organisation/ person making representation:	[redacted]
Name of site:	Report IGR 4 Funton to Lower Halstow Saxon Shore Way, Sheerness Road, Lower Halstow
Report map reference:	Maps IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S006 to IGR-4-S024

Summary of representation:

This representation makes several points which are dealt with in section 4 of this document. However, it makes the following residual points:

NE's proposal is not suitable as it does not offer anything new that cannot already be enjoyed from the Brickfields which is a large public open amenity space on the estuary. Access to the water's edge is possible at The Brickfields but it is not at Great Barksore due to the sensitive wildlife areas.

Natural England's comment:

No added benefit of alignment, as Brickfields SSW provides access to shoreline: The coast path aims to improve public access to, and enjoyment of, the coastline. This includes the provision of new access near to the coast even where there is existing access to the shoreline in the vicinity. Each length of the proposed trail is considered on its own merits and against the Scheme's principles and criteria.

The proposed alignment along the eastern bank of Halstow Creek (sections IGR-4-S013 to IGR-4-S024), provides additional shoreline access to that at Brickfield (on the western bank), while the elevated route across Great Barksore Farm provides a very different experience to that provided by the amenity open space, with different views and perspective on the creek and wider estuary.

We consider the proposed alignment meets the Scheme's requirements as it is close to sea, offers views of the coast and provides a safe, off road walk in the coastal environment. It does this whilst balancing private and public interests.

Representation ID:	MCA/IGR4/R/15/IGR2985
Organisation/ person making representation:	[redacted]
Name of site:	Report IGR 4 Funton to Lower Halstow Saxon Shore Way, Sheerness Road, Lower Halstow
Report map reference:	Maps IGR 4a and 4b

Route sections on or adjacent to the land:	IGR-4-S006 to IGR-4-S024
<p>Summary of representation:</p> <p>The path that follows the coast in the area locally known as “The Brickfields” becomes so saturated that it is impassable. To rectify this would incur large costs to the public purse and an ongoing cost to the parish council to maintain. The proposed route close to the water’s edge is made of clay, so as soon as it rains, walkers would get bogged down.</p> <p>Many walkers would get to the yacht club and just join the road to get to Basser Hill, thus endangering themselves and other road users.</p> <p>Natural England’s other department have designated the area where your proposed path would go, as a “Sensitive Wildlife Area” where there are stipulations to what can and cannot be done. One of these stipulations is that the public are not allowed down to the water because of the Sensitive Wildlife Area. I would question why one half of Natural England would want to plough through an area, designated by the other half of Natural England, as Sensitive Wildlife Areas!</p>	
<p>Natural England’s comment:</p> <p><u>Clay soils along the route will become impassable and costly to manage:</u> In developing the alignment, we take account of the local conditions and, where possible, identify any significant works required to address any local hazards.</p> <p>Mud is a common occurrence on countryside walks and usually a temporary feature after heavy rain – with the summer months (the most popular for walkers) being drier. The proposed route across the farm and along the top of a seawall have been viewed a number of times, and the alignment avoids areas of permanent waterlogging. As part of our proposals (para 4.2.10), we recognised that a wider path is necessary near to Lower Halstow to reduce localised waterlogging and this will be part of the establishment works undertaken by Kent County Council prior to opening the route (funded through Natural England).</p> <p>If KCC consider that the condition of the path in other places creates a significant barrier or is not to the required standard, localised improvements as part of the establishment works can be carried out.</p> <p>The England Coast Path is maintained by Kent County Council, not the Parish Council. KCC will also keep an overview of the condition of the open trail, if approved, and may undertake works on parts of the trail where it needs improving. It has expertise in maintaining rural paths, as part of its public rights of way duties across Kent – which includes miles of coastal paths along clay seawalls and across farmland. KCC worked with Natural England to identify the proposed alignment here, and did not raise concerns regarding maintenance / costs due to the clay soil.</p> <p><u>Walkers joining Sheerness Road by Lower Halstow Yacht Club to progress along the coast:</u> At section IGR-4-S011 the trail is aligned along the top of a seawall, and separated from Sheerness Road by a fence and gate, which would prevent or deter walkers from joining the road here. We consider that most England Coast Path walkers would not consider the proposed alignment eastwards from here, across the farm, to be unreasonably indirect to proceed along the coast, and would enjoy the 1.2km walk which provides an off-road path with views of the coast.</p> <p><u>Natural England’s dual remits:</u> We recognise that Great Barksore Farm contains important wildlife, however that in itself does not necessarily make it incompatible with public access.</p> <p>Before making our proposals, we considered the existing wildlife interest of the site and likely use by the public - and those areas where access would be likely to impact on birds sensitive to disturbance. This information is set out in the Nature Conservation Assessment and the Habitats Regulations Assessment, and is informed by relevant local organisations and local birders as well as Natural England officers.</p>	

We maintain an appropriate separation of duties between the England Coast Path Team and our Responsible Officers within Natural England to ensure impartial judgement is made on the nature conservation impacts of proposed access, before finalising our proposals. As a result of our Responsible Officer's concerns over the sensitive wildlife at Barksore Marshes and along Halstow Creek flats, our proposals align the trail inland from the shoreline. In addition, land adjacent to sensitive wildlife sites is excluded from new coastal access rights, with walkers informed to stay away from them.

Representation ID:	MCA/IGR4/R/16/IGR2986
Organisation/ person making representation:	[redacted]
Name of site:	Property occupied by Lower Halstow Yacht Club
Report map reference:	Map IGR 4b
Route sections on or adjacent to the land:	IGR-4-S011 to IGR-4-S016

Summary of representation:

This representation makes several points which are dealt with in section 4 of this document. However, it makes the following residual point:

There will be privacy issues for Lower Halstow Yacht Club members should any footpath be routed through the club land at Lower Halstow.

Natural England's comment:

Privacy at Lower Halstow Yacht Club: The proposed trail is aligned along a raised seawall immediately landward of the club buildings and boat storage area. The buildings are clearly excepted land and are also covered by a proposed direction to exclude access.

Natural England has considered the distance between the building and the proposed trail (~ 7m) and we are comfortable that the raised trail is sufficiently separate from the club building so as not to be intrusive.

Objections were raised relating to possible intrusion into a shower room within one of the portacabins on site. (MCA/IGR4/O/3/IGR2761 & MCA/IGR4/O/4/IGR2989). As existing blinds and security panels are already present at the back of the club building nearest to the proposed trail alignment (see photo in Annex E, supplied as part of the objection from [redacted] MCA/IGR4/O/10/IGR1682) the likelihood of visual intrusion is minimal. However we have said that if Lower Halstow Yacht Club considers that their blind no longer serves the required purpose, Natural England could supply an additional window treatment (eg a frosted panel/covering), as part of the establishment works.

Along the coast there are many instances where walkers pass by, or through, boat clubs without impacting on club activities. Although the proposals will introduce new access along the side of this yacht club, walkers are likely to follow the trail, respect club members and keep to the path.

Annex E

Photo of Yacht Club facilities from the proposed alignment - provided by objection
MCA/IGR4/O/10/IGR1682)



Representation ID:	MCA/IGR4/R/18/IGR2990
Organisation/ person making representation:	[redacted] and [redacted]
Name of site:	Funton to Lower Halstow Report IGR 4 Maps IRG 4a and 4b
Report map reference:	Maps IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S006 to IGR-4-S024
<p>Summary of representation:</p> <p>[redacted] and [redacted] are residents in the nearby village of Newington and wish to register an objection to the proposal to create a new section of the path through Great Barksore Farm. This representation makes several points which are dealt with in section 4 of this document. However, it makes the following residual point:</p> <p>“We wonder whose responsibility it would be to oversee the well-being of walkers, wildlife and businesses – presumably not NE?”</p>	
<p>Natural England’s comment:</p> <p><u>Responsibility for overseeing the well-being of walkers:</u> Most people understand the inherent risks of walking in the countryside. Our key principle is that visitors should take primary responsibility for their own safety and others in their care, and decide on the level of personal risk they wish to take. Our approach to risk management is therefore light touch, but our proposals seek to minimise risks. Land subject to coastal access rights also benefits from the lowest level of occupiers’ liability known under English Law. This makes it extremely unlikely that the landowner/occupier could be successfully sued for injury on land with coastal access rights.</p>	

The alignment has been designed to avoid key areas of risk, such as the boat yard at Lower Halstow Yacht Club. The boggy condition of the trail is highlighted in the representation, which was not evident during site visits, however if localised surface improvements are necessary before the trail is open, KCC will undertake these. KCC is also responsible for the maintenance of the National Trail once open, with the aim of maintaining the surface as a safe and passable route.

Responsibility for wildlife and businesses: When developing the proposals for the England Coast Path, Natural England has a responsibility to seek to find a fair balance – see 6.1.2 of the Scheme. This includes considering effects of public access on wildlife and income.

We looked into these aspects as part of the iterative development of the proposals and maintain that the proposed alignment past the Yacht Club and through farmland would be compatible with the wildlife interests of the area and commercial viability of the businesses. See our comments on impacts on landowners and impacts on wildlife, above.

Representation ID:	MCA/IGR4/R/19/IGR2991
Organisation/ person making representation:	[redacted]
Name of site:	IGR4 Funton Brickworks to Lower Halstow
Report map reference:	Maps IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S006 to IGR-4-S024

Summary of representation:

Having been born in Kent and then working as a teacher in Sittingbourne in her early career, [redacted] has become familiar with the footpaths around Lower Halstow. Although she no longer lives in the area, she makes frequent visits to family and friends in the county. This representation makes several points which are dealt with in section 4 of this document. However, it also makes the following residual points:

- The route would also mean that the village pub would be by passed and could have a detrimental effect on its survival and thus the community itself.
- “As a retired teacher who has taught in this area of Kent and who in later years became very much involved in International Education, with an emphasis on maintaining our own culture and heritage, I am disappointed that English Coast Path “team” deem it necessary to submit a route which avoids part of the existing Saxon Shore Way. This is how our heritage is eroded and we should be fighting hard to maintain it.”

Natural England’s comment:

Cultural heritage: Natural England liaises with Historic England over any issues relating to the trail and historic interests along the trail. Historic England did not raise any concerns over our alignment here.

The Saxon Shore Way was established in the 1980s to follow, as closely as possible (on existing paths and roads), the coastline during Saxon times. It is not an ancient walking route, nor despite its name is it a coast path in the same sense as the ECP (where coastal views and proximity to the sea lie at the heart of its statutory purpose). In addition, we would also like to clarify that these proposals do not include a change of status for the existing Saxon Shore Way.

The proposals aim to align the trail off the existing SSW route for a short stretch, to provide a safe, off-road route closer to the modern day coastline, and would not reduce any cultural appreciation of the ancient shoreline of Kent. The proposed alignment across Great Barksore Farm is also likely to be closer to the old Saxon shore than the existing SSW, as it crosses elevated land likely to have been part of the historic shoreline.

Survival of the pub: The SSW currently links coastal walkers to Lower Halstow village centre via a footpath near IGR-4-S024. Additional waymarkers on the ECP near Halstow Creek will also flag the

direction into the village, so visitors can enjoy its cultural assets as well as the food and other facilities the village has to offer.

Coast Path walkers are likely to seek out refreshments and amenities in coastal villages such as Lower Halstow. With some additional promotion of these facilities, including local pubs and information about the church, on the National Trails website, walkers will be more aware of what the local village has to offer and where to find them. This could bring economic benefits to the area.

Representation ID:	MCA/IGR4/R/20/IGR2992
Organisation/ person making representation:	[redacted]
Name of site:	IGR4 Funton Brickworks to Lower Halstow
Report map reference:	Maps IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S008 to IGR-4-S024

Summary of representation:

This representation makes several points which are dealt with in section 4 of this document. However, it also makes the following residual point:

- that aligning along the currently accessible Saxon Shore (instead of across Great Barksore Farm) would maintain some of the existing heritage of this part of the county.

Natural England's comment:

Cultural heritage: Natural England liaises with Historic England over any issues relating to the trail and historic interests along the trail. Historic England did not raise any concerns over our alignment here.

The Saxon Shore Way was established in the 1980s to follow, as closely as possible (on existing paths and roads), the coastline during Saxon times. It is not an ancient walking route, nor despite its name is it a coast path in the same sense as the ECP (where coastal views and proximity to the sea lie at the heart of its statutory purpose).

The proposals aim to align the trail off the existing SSW route for a short stretch, to provide a safe, off-road route closer to the modern day coastline, and would not reduce any appreciation of the ancient shoreline of Kent or access into Lower Halstow to enjoy its local heritage. The proposed alignment across Great Barksore Farm is also likely to be closer to the old Saxon shore than the existing SSW, as it crosses elevated land likely to have been part of the historic shoreline.

Representation ID:	MCA/IGR4/R/22/IGR2995
Organisation/ person making representation:	[redacted]
Name of site:	Path north of Great Barksore Farm and by the Sheerness Road
Report map reference:	Map IGR 4b
Route sections on or adjacent to the land:	IGR-4-S009 and IGR-4-S011

Summary of representation:

IGR-4-S011: Routing the path beside Sheerness Road is dangerous. There is right-handed bend just west of the path route. Traffic leaving Lower Halsow rounding this bend will immediately come upon walkers in a relatively narrow part of the road.

Natural England's comments:

At section IGR-4-S011 the trail is aligned along the top of a seawall, and separated from Sheerness Road by a fence and gate, which would prevent or deter walkers from joining the road.

Representation ID:	MCA/IGR4/R/27/IGR3003
Organisation/ person making representation:	[redacted]
Name of site:	Great Barksore Farm
Report map reference:	IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S006 to IGR-4-S016
<p>Summary of representation:</p> <p>[redacted] knows the land at Great Barksore Farm very well as he has helped the owners with vermin control for the past 20 years. He believes the proposal is “appalling and totally unnecessary”.</p> <p>The disturbance and destruction that will result from letting the public onto this land is not justified. He says that he has already written to the owners to explain that he is not prepared to help him with the vermin control because of the public safety issues around firearms.</p> <p>“As a farmer with multiple footpaths on my land, and suffering from continual disturbance and damage from walkers and their dogs, poachers, trespassers and criminal activity, I fully support [redacted] in his fight to maintain the status quo, to keep the public off their land for the benefit of his farming enterprise.</p> <p>Mike must have the right to close the path when we need to control vermin, in line with NE's request to do so. The public will then use the existing Saxon Shore Way footpath, which then negates the need for this proposal through his farm at any time.”</p>	
<p>Natural England's comments:</p> <p><u>Shooting (pest control) and safety:</u> Shooting pests is a common activity on farmland and it is extremely rare for countryside visitors to be injured as a result. Those undertaking the work have a legal duty under health and safety at work legislation to take all reasonably practical steps to ensure no one is put at risk, and most will be used to following codes of practice that ensure public safety.</p> <p>The standard precautions are normally sufficient to reduce risks to the public to an acceptable level. Signs can also be erected at the entry points of the farm to alert walkers to when and where shooting is taking place, so the public is alert. Lookouts are another established and effective means to alert visitors to shooting activity. These measures are commonplace and allow pest control to continue, without the need to close the path and re-route it inland.</p> <p>It is also worth highlighting that if the trail were aligned landward of Sheerness Road, the default coastal margin and areas of spreading room would extend across more of Great Barksore Farm land than currently proposed.</p>	

Representation ID:	MCA/IGR4/R/29/IGR3005
Organisation/ person making representation:	[redacted]
Name of site:	Saxon Shore Way – Great Barksore Farm
Report map reference:	IGR4a and 4b
Route sections on or adjacent to the land:	IGR-4-S006 to IGR-4-S024
Other reports within stretch to which this representation also relates	Reports IGR 2 to IGR 8

Summary of representation:

This representation makes several points which are dealt with in section 4 of this document. However, it also makes the following residual point:

[redacted] works in the care sector with vulnerable adults. [redacted] believes it is disappointing that NE is spending a large sum of money on the ECP in the Medway Estuary. Her service users will not be able to access this proposed path across Great Barksore Farm. NE has said the England Coastal Path is an opportunity to improve access to the coast for people. Rather than spend a lot of money creating a new path that some people will not be able to access it would be much better if NE used this opportunity to improve the access around the Brickfields sea wall so that wheelchair users and those with mobility aids would be able to enjoy the coastal views and the birdlife. There is ample parking at the end of Lapwing Drive for minibuses - her service users would then be able to access the seawall and enjoy the views down the estuary, which they currently are unable to do. "This new section is very selfish and does not help the people I work with".

Natural England's comments:

Improvements to accessibility along Brickfields: In developing our proposals for the England Coast Path we seek to balance the key principles set out in the statutory criteria for establishing the trail, namely: closeness to the sea (or estuary), sea views, safety and convenience (see section 4.1 of the Coastal Access Scheme). In doing this we always seek to avoid creating any unnecessary new barriers to access by choosing the least restrictive infrastructure that is practical in the circumstances. The proposals covering the western shoreline of Lower Halstow Creek near Brickfields were part of our proposals for Report IGR 5: Lower Halstow to Shoregate Creek. This report was approved in 2020. As part of the establishment works, a new ramp to access an existing footbridge near Homestead Farm will be provided and a field gate removed to make progress onto and along this seawall easier. However, there are physical rather than funding constraints to replacing the existing kissing gates along the seawall near Lapwing Drive car park with larger alternatives and we recognise that they may not provide enough space for those with larger mobility scooters or pushchairs. Surfacing near these kissing gates will, however, be improved to make it easier and safer for other visitors to pass through.

Natural England will alert Kent County Council of these concerns regarding accessibility on the seawall near Brickfield. When establishment works on this approved section of the coast path are planned, KCC can review whether any opportunities are available to improve the kissing gates for larger mobility scooters or pushchairs.

Representation ID:	MCA/IGR4/R/30/IGR3006
Organisation/ person making representation:	[redacted] and [redacted]
Name of site:	Report IGR 4 and Great Barksore Farm
Report map reference:	Map IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S005 to IGR-4-S016
Summary of representation: This representation makes several points which are dealt with in section 4 of this document. However, it also makes the following residual points: As neighbouring tenants to the coastal path and a customer of hay from W.H.Mouland and son, we write to object to the proposed route. The security of our property will be compromised, and the prospect of contamination of the hay by dog faeces is a strong possibility resulting in having to source feed from elsewhere.	
Natural England's comments:	

Security on tenanted land: We are not certain to which area of land [redacted] and [redacted] are tenants.

Outside of the Great Barksore Farm property, sections IGR-1-S001 to S004 of report IGR 4 follow existing public rights of way through farmland. In this area, the proposed trail is aligned along tracks, including the Saxon Shore Way. There is no reason to believe that this alignment through farmed fields would bring about anti-social or illegal behaviour. The vast majority of walkers are law abiding individuals and their presence may often be a deterrent against illegal activities.

Contamination of hay crop: The proposed trail alignment between IGR-4-S005 and IGR-4-S010 does not pass directly adjacent to, or through, any fields currently used to grow hay. The fields from which a hay crop is currently taken are located some distance from the proposed trail. Therefore, we consider the risk of contamination to be low.

If, in the future, the land use changes so that the alignment runs through or directly adjacent to any hay crops, the main potential impacts would be related to trampling by people or their dogs or contamination of crops by dog faeces. People can usually see the crop and avoid walking on it, especially where a clear route is mown and signed and informal management, such as explanatory signage can highlight the impacts of dog contamination, to walkers. These solutions are likely to be sufficient to avoid contamination of any hay crops and loss of customers/sales. If circumstances do arise in the future, where additional measures are required, the landowner can contact Natural England about directions, for instance, to keep dogs on leads where the trail runs through or next to hay fields.

Representation ID:	MCA/IGR4/R/31/IGR3007
Organisation/ person making representation:	[redacted]
Name of site:	land crossing Great Barksore Farm
Report map reference:	IGR 4a & 4b
Route sections on or adjacent to the land:	IGR-4-S008 to IGR-4-S016,
Other reports within stretch to which this representation also relates	Reports IGR2 to IGR 12

Summary of representation:

This representation makes several points which are dealt with in section 4 of this document. However, it also makes the following residual points:

Having recently been in discussion with W.H.Mouland and Son with regard to the possibility of grazing in-lamb ewes on Great Barksore Farm, [redacted] has been informed that there is a proposal to align the England Coastal Path through TQ86676362. He says this would result in unacceptable disturbance of his flock and fouling of grass by dogs, and therefore prohibits any chance that this diversification can proceed.

Having looked at the relevant maps and read the contents of the Act, [redacted] can see no reason for this proposal to be considered. He says that this is an attempt to create a new right of way only without any financial compensation being offered.

Natural England's comments:

Grazing in-lamb ewes: Sections IGR-4-S008 to IGR-4-S010 of the proposed trail are aligned along the edge of or through arable fields. The trail is not aligned through fields currently used for grazing. Much of the land seaward of the proposed alignment is excepted (arable fields) or excluded from coastal access rights, for example across Barksore Marshes (see Directions Map IGR 4a in the Proposals). Sheep grazing here would be at a distance from the path and therefore dogs would be unlikely to come into contact with the sheep.

The location on Great Barksore Farm that [redacted] and [redacted] discussed for grazing is unclear (as TQ 86676362 lies some miles from this area). If the current arable land along or adjacent to the trail alignment is under consideration, the Scheme suggests that the main concern would be dog disturbance to heavily pregnant ewes or lambs during the lambing season or spread of animal disease. The proposed trail is largely aligned along the edge of the fields which minimises close contact between people and livestock. General restrictions require dogs to be on a lead in the vicinity of livestock, and there are also further management techniques, such as temporary signing or the strategic positioning of water and food stations to further separate the sheep from walkers. Where periodic handling and pregnant ewes are present on smaller fields, such as these, Natural England would also consider restricting visitors to the trail during sensitive periods.

No compensation offered:

The issue of compensation was discussed during the passage of the legislation. Parliament considered that because of the range of controls built into the coastal access arrangements, financial compensation for the creation of any new rights was not justified. These built-in controls include:

- The duty for Natural England to aim to strike a fair balance between public and private interests when developing its proposals, and the provision for objections on this point to be independently determined.
- The inherent flexibility of the path alignment power, including when roll-back is invoked, to enable sensible decisions to be made in all the circumstances.
- The commitment to discuss alignment issues with the owner or occupier of affected land, including when roll-back has to be invoked because of natural processes.
- The inherent limitations on the application of coastal access rights, through:
 - a. the automatic exception of the most unsuitable categories of land from their application, even where they occur within the coastal margin (Schedule 1 to CROW); and
 - b. the national restrictions on the activities people may pursue while exercising any new rights (Schedule 2 to CROW).
- Natural England's ability to avoid any unreasonable impacts being caused by any new rights that will potentially apply, by giving legal directions to exclude or restrict them to the extent necessary for this purpose, on the grounds set out in CROW Part 1 Chapter 2.

Representation ID:	MCA/IGR4/R/32/IGR3008
Organisation/ person making representation:	[redacted]
Name of site:	Report IGR 4: Saxon Shore Pathway, Sheerness Road Lower Halstow
Report map reference:	IGR 4a & 4b
Route sections on or adjacent to the land:	

Summary of representation:

This representation makes several points which are dealt with in section 4 of this document. However, it also makes the following residual points:

[redacted] has been surveying Harvest mice nests, for a Wildwood/Kent Mammal Group funded lottery project. She found one nest in January 2019 at IGR-4-S006 on the roadside. She approached [redacted] and [redacted] to survey further areas, and was permitted to search Great Barksore Farm. She has since found more nests at IGR-4-S008 and IGR-4-S010. These field margins where the proposed pathway Natural England is proposing are undisturbed habitat, which in turn will impact the species that live there.

She is also a Friend of the Lower Halstow Brickfields (which borders the seawall in Lower Halstow also). This area has the Saxon Shore path running along the sea wall. She have been working with Bumblebee Conservation Trust to improve the habitat for rare bumblebees and have recorded red shanked carder and Brown Banded carder bumblebees on the site. These bumblebees would be foraging on the area

of the proposed new path on Great Barksore Farm. Her point is that nature does not seem to have a high priority over people and their proposed spreading room with the disturbance impacts this could have. She deals with the regular detrimental impact of humans on the Brickfields path on the sea wall, with litter, anti-social behaviour and dog faeces (often in trees). Regularly she litter picks this area voluntarily.

One other thing that has also been highlighted in the report, is the fact that this area is subject to No Active Intervention by the Environment Agency in its 100 year plan; therefore if this area is too badly affected then the path can be just moved back further. "A land grab by a different description".

Natural England's comments:

Wildlife not prioritised over access: Natural England's duty is to consider the potential impacts on designated sites and sensitive wildlife in light of the potential increase of use due to the coastal access proposals (Scheme 4.9.4). Our conclusions are set out within the published Habitats Regulation Assessment and Nature Conservation Assessment. Our proposed alignment is designed to avoid areas of wildlife sensitivity, including the important populations of wintering, passage and breeding wildfowl on the farm – both along the shoreline and at Barksore Marshes. These areas are excluded from new coastal access rights.

The proposed trail alignment across Great Barksore Farm follows ~1km of grassed field margin (sections IGR-4-S008 to IGR-4-S010), where walkers may create a strip of more trodden grass and some bare ground along these grassland strips. In the context of the local area and other available habitats, both on the farm and around Brickfields, we would not consider that this level of trampling would significantly affect the availability of bumblebee foraging habitat.

We have considered the potential impacts of our proposals on harvest mice (see p17 of the Iwade to Grain Nature Conservation Assessment), such as the loss of suitable nesting habitat due to trampling of grass on the trail and the proposed removal of 2m of bramble hedge near Sheerness Road, at section IGR-4-S008. The proposals may make the grassland near the route less suitable for nesting harvest mice, however, the proposals make up a very small area of the total farm area and there is alternative habitat suitable for nesting in the wider farm and local area. To avoid any direct impacts on nests, the removal of 2m of hedge will be carried out during winter months.

We have therefore assessed the likely access use and wildlife sensitivities of the designated Special Protection Area, Ramsar and SSSI, within our Habitats Regulations Assessment and Nature Conservation Assessment. We maintain that the proposals would not create an adverse impact on wildlife populations – and therefore do not consider it necessary to avoid Great Barksore Farm completely by routing further inland. Any other route landward of the farm (see our comments on using other routes) would also place all of Great Barksore Farm within the coastal margin, creating a greater area with new coastal access rights.

Environment Agency policy: Rollback is not proposed on the alignment between IGR-4-S002 and IGR-4-S024. Although the shoreline around some of Great Barksore Farm is identified as 'no active intervention' within the Environment Agency's Medway Estuary and Swale Coastal Flood and Erosion Risk Strategy (2019), much of the proposed route is on elevated land, unaffected by increasing sea levels.

Sections IGR-4-S013 to IGR-4-S024 are along a sea wall. We explored the future viability of the seawalls along this shoreline with the Environment Agency and are satisfied that it is a long term, viable walking route. If flooding were to unexpectedly affect the long term use of the ECP in the future, Kent County Council and Natural England would need to consider another route and undertake a Variation Report. This would be subject to Secretary of State approval.

Dog fouling, antisocial behaviour and litter: We predict the trail at Great Barksore Farm will be popular, given that this would be new access in the vicinity of a village and carpark. The small car park near Brickfields (close to section IGR-4-S024), provides access to Lower Halstow village and along the Saxon Shore Way, west of Halstow Creek. Some of the regular dog walkers there would be likely to walk the >300m along the seawall from the car park to the new alignment at Great Barksore Farm.

We do not consider that the presence of dogs will create significant impacts on Great Barksore Farm, as the vast majority of dog walkers are responsible and keep their dogs under effective control. There is increasing social awareness about bagging and binning dog mess and that all waste bins take it, which helps reduce the likelihood of excessive dog fouling. All locations vary, however most fouling takes place close to car arrival points and in this area a dog/litter bin is clearly visible at the car park.

Natural England is creating some signage designs regarding the Countryside Code messages on effective control of dogs, which can also be supplied to the landowner, for use on their site if they wish.

The North Kent coast is popular with dog walkers, and we are discussing with Bird Wise North Kent (and Bird Wise East Kent) the potential for Natural England to help fund some of their specific engagement events with walkers between Ramsgate and Cliffe, prior to the opening of the England Coast Path. Establishing an awareness of the special wildlife of this coast amongst local dog walkers will further help walkers understand the benefits of keeping effective control of their dogs and understanding local coastal access exclusions.

Potential litter is also highlighted in the representation as a concern due to localised problems at Brickfields, near the Lapwing Drive car park (near section IGR-4-S024). Footpaths through farm fields are common in the countryside, the vast majority of which exist without experiencing litter problems. We see no particular reason why the path across Great Barksore Farm would be any different. We certainly wouldn't anticipate the concentration of walkers sometimes associated with troublesome litter problems, such as adjacent to car parks or at promoted visitor attractions or parks.

Representation ID:	MCA/IGR4/R/34/IGR3010
Organisation/ person making representation:	[redacted] (Bumblebee Conservation Trust)
Name of site:	Report IGR 4
Report map reference:	Maps IGR 4a & 4b
Route sections on or adjacent to the land:	IGR-4-S008 to IGR-4-S016, land crossing Great Barksore Farm
Summary of representation: <p>Section 41 bumblebee species present on land adjacent (such as the Brickfields site) to Great Barkshore Farm. Due to lack of recording at Great Barkshore Farm there are no current records of these bumblebees on this site. The farm manages habitat for pollinators and other wildlife and it is likely that Section 41 and other bumblebee species are using areas on the farm such as flower rich margins around field boundaries.</p> <p>[redacted] recommends surveys prior to the route being finalised so important areas of flower rich forage or tussocky grassland nesting habitat is avoided or damage mitigated if rare and scarce species are present. Bumblebees use flower rich field margins as corridors to travel across the environment, not just as a food source so are important to be kept in good condition in areas that support important pollinator populations.</p>	
Natural England's comment: <p>The proposed trail alignment across Great Barksore Farm follows ~1km of grassed field margin (sections IGR-4-S008 to IGR-4-S010), where walkers may create a strip of more trodden grass and some bare ground along these grassland strips. In the context of the local area and other available habitats, both on the farm and around Brickfields, we would not consider that this level of trampling would significantly affect the availability of flowering plants or tussocky habitat for foraging or bumblebee habitat corridors.</p> <p>Footpaths are common in areas used by bumblebees, such as the Brickfield site. There are other examples good populations of bees can be found on even more heavily accessed sites, for example at Seaford Head on the Sussex coast, which supports the very rare potter flower bee. Bare ground along</p>	

path edges can also be of benefit to other invertebrates, such as providing nesting sites for solitary bees.

We therefore consider that the trail through Great Barksore Farm would not significantly affect the local populations of these s41 species and, while surveys of bumblebees are always useful of course, we do not think that on this occasion a special survey of the route is necessary.

Representation ID:	MCA/IGR4/R/36/IGR3012
Organisation/ person making representation:	[redacted] and [redacted]
Name of site:	Report IGR 4 - Great Barksore Farm, Sheerness Road, Saxon Shore Way
Report map reference:	Maps IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S006 to IGR-4-S024
Other reports within stretch to which this representation also relates	Reports IGR 2 to IGR 8

Summary of representation:

[redacted] are regular visitors to The Brickfields, Lower Halstow. They wish to object to the proposal to create a new section of the path through Barksore Farm and recommend that instead the Saxon Shore Way is used at Bassar Hill towards the village. This representation makes several points which are dealt with in section 4 of this document. However, it makes the following residual points:

- NE does not mention that the area is mainly mud flats with dangers to novice walkers.
- The trail should not be aligned near the garden fences of three private dwellings.
- The proposed route won't improve access to the shore line.

Natural England's comment:

Dangerous mud flats: A key principle of coastal access is that visitors should take primary responsibility for their own safety when visiting the coast and decide for themselves the level of personal risk they wish to take.

The Medway Estuary is made up of mudflats and salt marsh, habitats that that are a potential safety hazard to walkers. Most people are already understand that the coast can be a dangerous environment and are aware of these risks, especially as mudflats are a common feature in this area as, for example, the existing Saxon Shore Way follows seawalls adjacent to wide expanses of deep mud.

Our approach to signing such hazards is light touch, where the risk is apparent. However, we agree that mudflats in this part of the Medway Estuary are unsuitable for access and have proposed a direction to exclude coastal access rights from them, on safety grounds (see Direction Map IGR 4a). In establishing the path, we will work with Kent County Council (the relevant authority) to identify if and where additional notices regarding this hazard may be placed along the coastline.

On Great Barksore Farm, any risk relating to access to the mudflats is further reduced by the positioning of the trail inland, together with proposed directions excluding new coastal access rights from much of land along the shoreline (for nature conservation reasons and safety reasons).

Proximity to garden fences: Sections IGR-4-S008 to IGR-4-S010 and IGR-4-S018 and S019 are all aligned seaward of residential properties, within agricultural fields, but we think that [redacted] and [redacted] are referring specifically to the three gardens of: Great Barksore farmhouse (near section IGR-4-S008) and Harval and Meophams (near section IGR-4-S010).

There is a dense hedgerow/field boundary that separates IGR-4-S008 from the buildings and garden at Great Barksore Farm – which blocks visual intrusion. A hedged field boundary also screens out any significant visual intrusion into the properties at Harval, from IGR-4-S010. At Meophams, section IGR-4-S010 is aligned seaward of a tall garden fence around Meophams, with scrub and trees along the boundary. The trail is set over 50m from this house and therefore avoids significant visual intrusion. Sections IGR-4-S018 & 19 are aligned on a raised and scrubbed seawall to the west of Great Barksore Farm, with limited view into the adjacent, landward gardens. We do not consider aligning near these gardens will impact on the owners' privacy.

Proposals won't improve public access to the coast: The proposed trail will provide a safe, off-road walking opportunity suitable for a nationally promoted long distance walking route. It will have views over the estuary and will be aligned along the shoreline between Lower Halstow Yacht Club and near St Margarets Church. As a nationally promoted trail it will also bring added economic activity to villages along its length, which can help local businesses - especially through promotion on the National Trails website. The IGR Overview describes the improvements between Iwade and Grain.

Representation ID:	MCA/IGR4/R/6/IGR2975
Organisation/ person making representation:	[redacted]
Name of site:	Saxon Shore Way, Sheerness Road, Lower Halstow
Report map reference:	Maps IGR 4a & 4b
Route sections on or adjacent to the land:	
Summary of representation: <p>This representation makes several points which are dealt with in section 4 of this document. However, it makes the following residual points:</p> <ul style="list-style-type: none"> • The proposed road crossing at IGR-4- S007 is unsafe. • The trail should remain to the South of the road. This would avoid a dangerous road crossing and could be made to re-join the existing path in the village would seem a less disruptive solution. 	
Natural England's comment: <p><u>Proposed crossing unsafe:</u> We received advice from Kent County Council regarding road safety along Sheerness Road, including the highway crossing points in the area. Given the length of sight line available at section IGR-4-S007, KCC considered this crossing point into Great Barksore Farm to be suitable for the National Trail. New road safety signs on Sheerness Road will also alert motorists to pedestrians crossing at this point.</p> <p><u>Align the trail south of Sheerness Road to avoid road safety concerns:</u> A small, off-road path to avoid the section of carriageway on Sheerness Road, would require a route south of the road between Basser Hill junction and Little Barksore Farm or Little Barksore Cottage. Other land uses, including near farm buildings south of Sheerness Road, would be impacted by such an alignment. The Scheme highlights that wherever possible, the trail should be aligned on the seaward side of private residences, or that the trail may also pass on the landward side of residences and their curtilage if no suitable seaward route can be found. In our view this would be a more intrusive option than the proposed alignment which is located significantly closer to the sea and is set away from the yard and buildings of Great Barksore Farm.</p> <p>An inland alignment also creates a wider coastal margin. We have a duty to secure a coastal margin, but that duty doesn't direct us to maximise its width. In fact the alignment criteria set out in the MCA require us to have regard to the desirability of aligning the path to the periphery of the coast. Doing so would normally minimise the size of the coastal margin and would likely reduce the amount of land affected by the new coastal access rights. Coastal margin created by an inland route here would also bring new coastal access rights closer to a number of properties along Sheerness Road, land close to Great Barksore Farm buildings and across some land north of Sheerness Road (near sections IGR-4-</p>	

S011 to IGR-4-S018), where the current land use does not appear to sit comfortably with the categories highlighted in Schedule 1 of the CROW Act (excepted land).

In addition, any such route would require significant tree clearance for the road crossing at Basser Hill, to provide adequate visibility standards, as advised by Kent County Council. This would impact on the local landscape.

Representation ID:	MCA/IGR4/R/8/IGR2976
Organisation/ person making representation:	[redacted]
Name of site:	Report IGR 4: Great Barksore Farm
Report map reference:	Maps IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S006 – IGR-4-S024
Other reports within stretch to which this representation also relates	Report IGR 6 – Shoregate Creek to Otterham Quay

Summary of representation:

[redacted] is a resident in the neighbouring village and a friend of the family who own Barksore Farm. He is also the organiser of The Six Churches Challenge which challenges participants to walk to all six churches in the benefice. The SSW is used for this event without any problems.

This representation makes several points which are dealt with in section 4 of this document. However, it also makes the following residual points:

- There seems to be a lack of consistency in the proposals. If the proposal is adopted to follow the Saxon Shore Way between Ham Green (GR TO849692) and Otterham Quay (GR TO832671) then why shouldn't it also follow the SSW from Basser Hill to Lower Halstow?
- The proposed route from Ham Green to Otterham Quay follows the existing Saxon Shore Way. A true coastal path between these two points should go along the seawall NW, S then SW around the peninsula. This used to be a right of way and should be reinstated as such.

Natural England's comment:

Consistency of approach: Natural England has a duty to follow the alignment criteria set out in legislation as well as the statutory principles set out in the Coastal Access Scheme. We discharge our duties as consistently as possible. However, of course each section of the coast is unique and presents a different set of alignment challenges. Our aim is to ensure that we have achieved a 'fair balance' between public and private interests when applying the alignment criteria in all of the unique individual circumstances.

In developing our proposals for Report IGR 6 – Shoregate Creek to Otterham Quay, we considered a number of options, which included following the seawall around the shoreline between Ham Green and Otterham Quay, as described. In this instance, as at Great Barksore Farm, the sensitivity of the wildlife along parts of the shoreline (including areas used for wintering and passage wildfowl, as well as extensive areas of freshwater habitat used by breeding birds) meant that we had to find an inland route away from these sensitive sites.

The proposed trail alignment in Report IGR 6 was also influenced by Kent County Council's advice that rural roads north of Ham Green and a stretch of the Saxon Shore Way (which runs along the carriageway of Horsham Road, west of Upchurch) are unsuitable for a National Trail on safety grounds. Our proposed alignment follows part of the inland SSW near Ham Green as this, on balance, provides a safe, off road route for the trail. West of Upchurch (sections IGR-6-S014 to S025), the proposed alignment is located seaward of the SSW, while inland of the sensitive wildlife sites - an approach similar to the Report IGR 4 proposals at Great Barksore Farm.

Representation ID:	MCA/IGR4/R/24/IGR3000
Organisation/ person making representation:	[redacted]
Name of site:	Funton Brickworks to Lower Halstow
Report map reference:	Maps IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S005 to IGR-4-S016
Other reports within stretch to which this representation also relates	
<p>Summary of representation:</p> <p>Upon review of Natural England's Report IGR 4 "England Coast Path Stretch: Iwade to Grain" (the "Report"), please find the following representation made by one of the land owner's sons.</p> <p>Assessment of the proposed "trail" highlights a number of shortcomings and contradictions that should be brought to the attention of the Secretary of State. These are detailed below, with reference to the relevant route section.</p> <p>In summary, the proposed trail is in direct contradiction to the key principle of Natural England's statutory duty (through the Marine and Coastal Access Act 2009) to "improve access to the England coast", and should therefore be adjudged 'not fit for purpose':</p> <ul style="list-style-type: none"> - IGR-4-S004 to IGR-4-S010: the Report explicitly details that the natural coastal terrain of the proposed trail "is often challenging" given the nature of the land to which the trail encompasses. The Report makes no direct consideration to this, and instead focuses on improving accessibility at other sections of the proposed trail, which, given the very nature of the land to which S004 – S010 affects. The wet local climate of the area and the current use of the land lead to "uneven grass" and mud. This proposed trail is therefore not an improvement. -The sheer number of exclusions as detailed in the Report indicate that the proposed trail is inherently unsuitable. These have led to a number of imperfect considerations and solutions to be proposed, all of which have an associated 'cost', but to which only some are explicitly detailed. For example, Part 4.2.19 and 4.2.20 detail access exclusions to surrounding land of sections IGR-4-S009 and IGR-4-S011 given the "internationally important" number of protected bird species. However, the Report fails to detail at any point as to how this will be 'policed' or maintained. The fact that the direction of IGR-4-S009 starts and ends with a sharp change in direction to the adjoining IGR- 4-S010 creates a risk that users of the trail will not adhere to the proposed route, thereby contradicting this exclusion. <p>As such, 'policing' of the route will fall under the onus of the land owner, creating both an economic and mental cost given the nature of the business to which the proposed route impacts. This fails to strike the balance that NE should strive for. A second example is detailed in Part 4.2.26; the aforementioned route sections impacts land used for shooting activity. The proposed consideration to this is that access "may be temporarily diverted away from the main trail". This diversion is not explicitly detailed, but given the location of sections IGR-4-S009 and IGR-4-S010, would contradict a number of access exclusions, including the one mentioned above (see Parts 4.2.16, 4.2.18 and 4.2.22 for other examples).</p> <ul style="list-style-type: none"> -Based on the above, the Report notes the consideration of potential 'roll-backs' to the proposed route, in the event that the proposed route is deemed inaccessible. However, the aforementioned access exclusions referred to in the Report make implementing said 'roll-backs' unfeasible. For example, the westerly field adjacent to IGR-4-S010 is used for crop growing, to which its westerly boarder aligns to a Sensitive Wildlife area (Section 26; see Map IGR 4B). As such, any adjustment to the route would be unfeasible, given it cannot go through the field - as this is used for crop growing and creates accessibility risks for users of the trail, and it cannot go around the field to the westerly boarder, as this would encroach on the Sensitive Wildlife area. Furthermore, the possibility of 'spreading room' via the 	

coastal margin principle westerly of the path at section IGR- 4-S010 creates a risk that the westerly Sensitive Wildlife site will be disturbed. A similar access issue applies for section IGR-4-S009 of the proposed trail, with a Sensitive Wildlife area north of the route.

-The Report fails to quantify the costs of ensuring the implementation and the maintenance of the proposed route will be sustainably managed. Significant costs to the local council are required to create the path in its first instance, but the examples mentioned above ('policing of the route to ensure users do not interfere with Sensitive Wildlife areas, the threat of trespassing into private land used by the business owner at Great Barksore Farm) have no such considerations. One should not assume that users of the proposed trail will fully understand its direction, given its convoluted nature. Table 1 in the Report is an example of that, and summarises how the Report fails to ensure users will stay on the path as required.

- Given its shortcomings and contradictions the report indicates that the proposed route is not fit for purpose. It fails to reach the coast, it fails to make onward progress, it is difficult to walk, it fails to afford sea views of note, it offers no coastal rights and fails to protect the Wildlife Sensitive Areas. The proposed alignment should be removed and NE should adopt the existing Saxon Shore Way, a promoted, long distance route well used which runs close by, for the England Coastal Path. In so doing NE would achieve more of its key criteria within the scheme, critically balancing public gain with landowners' loss.

Natural England's comments:

Uneven and mud surfaces not an improvement:

The majority of the proposed trail in Report IGR 4 will be on bare soil or grass paths along flat or gentle inclines. The surface may be uneven in nature, however this is typical of most footpaths in the area, including the existing SSW. If muddy conditions create a significant barrier along the trail, localised improvements as part of the establishment works can be carried out by Kent County Council, prior to opening the route. Kent County Council will also keep an overview of the condition of the open trail and may undertake works on parts of the trail where it needs improving.

We have sought to avoid creating any unnecessary new barriers to access by choosing the least restrictive infrastructure that is practical in the circumstances, and consider the trail across Great Barksore Farm meets the Scheme's principles of convenience and safety.

Trail fails to reach the shore as there are large amounts of excluded coastline: On Great Barksore Farm the proposed route is aligned inland between IGR-4-S004 and IGR-4-S013, and the shoreline, seaward of the trail will be largely excluded from new coastal access rights. The Scheme recognises that in some circumstances seaward spreading room will not always give access to the shoreline or provide direct access to the sea as part of the seaward coastal margin, due to practical considerations or other uses of the land, such as wildlife sensitivities. Our proposed trail avoids areas of wildlife sensitivities on the shoreline, but offers sea views from elevated land where walkers will be able to enjoy the coastal outlook. The trail re-joins a shoreline path relatively quickly, at IGR-4-S013 near Lower Halstow Yacht Club to the west and at IGR-3-S008 on Raspberry Hill Lane to the east. We do not consider the temporary lack of direct shoreline access would significantly reduce the public's enjoyment of the coast in this area.

We do not agree that the "sheer number of exclusions as detailed in the Report indicate that the proposed trail is inherently unsuitable", in fact we believe that the presence of these directions demonstrates that we have taken all suitable measures to ensure that public access is compatible with the natural features as well as the human land use of the area.

Sharp changes of direction and lack of onward progress along the coast:

The proposed alignment across Great Barksore Farm, along sections IGR-4-S008 to IGR-4-S010 mainly follows field edges and offers coastal views from an inland, elevated route. We recognise the trail is not a straight line and walkers will need to turn corners, however these will be clearly signed, and it is not uncommon to have countryside paths that follow the boundaries of fields. Notices to explain why walkers are not permitted along or towards the shoreline north and east of the trail can be placed at strategic points to highlight the reasons for no entry to these areas. These notices and 'no access' roundels will be provided by Natural England. Once the trail is established, a trodden route will

also be visible for walkers to follow. We consider that the vast majority of walkers will follow this trail and not stray into the areas beyond.

The proposed alignment across the farmland of Great Barksore Farm is part of the ~1.5km route between Basser Hill (near section IGR-4-S006) and the head of Halstow Creek, near St Margaret's Church (at section IGR-4-S024). This ~1.5km stretch of trail is seaward of the existing Saxon Shore Way and less than half a kilometre longer than the SSW. The proposed alignment does not slavishly follow the shoreline of the Barksore peninsula and for ~1km (sections IGR-4-S006 to IGR-4-S013) it passes inland of the coastline following the grain of the landscape along hedgerows and field margins. In our view, walkers would not consider this route unreasonably indirect to proceed along the coast, as it provides an enjoyable countryside walk and provides views of the coast.

Policing by the landowner: Thousands of rights of way are aligned through farms without day to day disruption to land management or land owners. The trail is aligned across Great Barksore Farm in a way to contain walkers within the fields of the southern portion of the farm. We do not expect the proposals to need 'policing' as the vast majority of walkers will stick to the well signed route and understand why other areas of the farm are off limits.

No available alternative route during shooting

We were alerted by the landowners that duck shooting used to take place on the ponds east of section IGR-4-S009, and that these 'flight ponds' may be restored in the future to allow shooting. Perhaps prematurely, we included reference to occasional shooting in the proposals (para 4.2.26) alongside a view that the public could be informally diverted off section IGR-4-S009 of the alignment, and that this future activity could be compatible with access.

If restoration does take place in the future, shoots at flight ponds are at times when walkers are less likely to be present, as they usually take place at dusk or dawn (see [BASC guidance](#)). There is no aspect of CROW legislation that would prevent a temporary route over arable land adjacent to the trail, i.e. to the west of the proposed alignment of section IGR-4-S009. However, to reduce trampling of crops during the duck shooting season (Sept – Jan inclusive) it would be reasonable to consider the use of the arable field margins west and south of section IGR-4-S009 for such a route. Where necessary, directions to exclude people from any future active shoot area, for safety, can also be considered. Directions would normally be provided in conjunction with the provision of a temporary route.

Where vermin control by shooting occurs on farms, this is a common activity and extremely rare for countryside visitors to be injured as a result. Those undertaking the work have a legal duty under health and safety at work legislation to take all reasonably practical steps to ensure no-one is put at risk, and are used to following codes of practice that ensure public safety. The standard precautions are normally sufficient to reduce risks to the public to an acceptable level, however signs can also be erected at the entry points of the farm to alert walkers to when and where shooting is taking place, and lookouts are another established and effective means to alert visitors to shooting activity.

Roll back unfeasible on the farm: Roll back is not proposed on the trail alignment across Great Barksore farmland. Sections IGR-4-S008 to IGR-4-S010 are on elevated land, unaffected by increasing sea levels.

Wildlife disturbed near sections IGR-4-S009 and S010: Natural England's considers that walkers will largely stay on a well-marked path and refrain from trespass, as is the case with most countryside public rights of way and National Trails. This will avoid any adverse impact on the wildlife areas identified in the report. This conclusion draws on our own experience of reviewing CROW open access, where many landowners initially had similar worries about walkers leaving paths but 5 years on did not see the need for restrictions to keep people to paths. In addition, Natural England's own estate of National Nature Reserves has been dedicated to open access and again, in our experience the vast majority of walkers keep to well-marked paths.

The key area of sensitivity is Barksore Marshes to the north-east of the farm, which supports feeding and roosting winter and passage birds, and breeding birds in summer. The area will be excluded from new access rights, and the significant distance (some 700m) between the Marshes and the proposed route at IGR-4-S009, across farmed fields and cropped land, will deter walkers. With a well signed route to follow, no-access roundels and the proposed exclusions explained through notices - we consider the risk of people making their way to the marshes area and causing significant disturbance is low.

There are also sensitivities relating to an occasional winter bird roost and winter bird feeding activity along Halstow Creek, which are closer to the proposed trail. The proposals include directions to exclude access to this shoreline as well. Sections IGR-4-S009 and IGR-4-S010 have also been aligned to direct people away from entering these exclusion areas and getting too close to the shoreline. We do not consider those using the path here would disturb birds using the intertidal habitat, as the route is set mainly landward of fences, crops and scrub, and the walkers and dogs would not be immediately visible to the birds.

Access to the shoreline areas will be discouraged by the presence of good way-marking and the existing field boundaries and/or cropped land that largely separates the trail from the shoreline. At points along IGR-4-S009 and IGR-4-S010, where the path is closest to sensitive habitats and exclusion areas, there will be clear and visible direction notices explaining the reasons for the access restrictions and for staying on the inland route. We consider that walkers will respond to this information and keep to the proposed alignment, and the winter bird interest along this shoreline will not be adversely affected.

We have therefore assessed the likely access use and the bird sensitivities of the designated Special Protection Area, Ramsar and SSSI, within our Habitats Regulations Assessment. We did not find that the proposals would create an adverse impact on the designated features – and therefore do not consider it necessary to avoid Great Barksore Farm completely by routing further inland. Any other route landward of the farm would also place all of Great Barksore Farm within the coastal margin, creating a greater area with new coastal access rights.

We have worked closely with Bird Wise North Kent to identify sites we consider it necessary to increase signage and interpretation regarding wildlife sensitivities. Bird Wise is an organisation that oversees an access management strategy of the Medway coast (The North Kent Strategic Access Management and Monitoring Strategy), specifically relating to recreational disturbance of the Medway and Estuary Marshes SPA birds from walkers and dogs. They will maintain a range of interpretation panels associated with our Iwade to Grain and Grain to Woolwich proposals, and have confirmed that they would work with the Great Barksore Farm landowners if any future information boards were needed across this site.

In addition, we will also work with Bird Wise North Kent to try and identify a suitable location to establish some new Bird Wise signage near the car park (at Lapwing Drive, Lower Halstow), to explain the importance and sensitivity of the Creek's wildlife to local dog walkers.

Costs not fully explained: The costs highlighted within the report (Table 1) reflect Kent County Council's estimates for installing and preparing the trail along this route. Currently, the estimate for the whole length of report IGR 4 works out at ~£3,500/km, which in our view provides good value for a substantial, long term improvement of the recreational experience in this area.

At 4.2.34 of our report we set out the estimated costs to maintain the trail – which is £1,496 annually (exclusive of VAT). In developing this estimate we have taken account of the formula used to calculate Natural England's contribution to the maintenance of other National Trails.

In terms of the costs of policing, as described by [redacted] above, the trail is aligned across Great Barksore Farm in a way to contain walkers within the southern portion of the farm, with clear

information so that walkers will understand the need to stay away from the shoreline and other areas where coastal access rights do not apply. We do not expect the proposals to need 'policing'.

No sea views of note: The Scheme highlights that the trail should normally offer views of the sea, however it may also lose sight of the sea temporarily for safety, convenience or accommodating other land uses. Along the proposed alignment in report IGR 4, there are distant views of the coast from parts of the elevated paths forming sections IGR-4-S001 to IGR-4-S005, direct sea views from sections IGR-S013 to IGR-4-S024 and elevated views of the coast from section IGR-4-S010. In addition, as the land dips down towards the coastline, there are some distant views of the coast between IGR-4-S007 and IGR-4-S009, which may be partially obscured by vegetation in summer. Overall, the route offers good views of the estuary and gives a good sense of being on a coastal path, near the water.

Natural England is required by section 297(2) of the 2009 Act to have specific regard to providing "views of the sea". However, this is one of many alignment criteria to which NE must have regard. Our alignment decision is based on a number of factors, such as safety and convenience, proximity to the coast, convenience and recreational value. It therefore not appropriate to choose between route options based solely on the sea views they offer.

Adopt Saxon Shore Way to balance public gain with landowners loss: When considering aligning the route along or across a highway, Natural England consults with the relevant highway authority over safety and convenience, to consider the likely level of visitors' familiarity with and expectations of the risks. In this instance the Highways Authority, Kent County Council, undertook a highway safety assessment on site at Natural England's request. They advised us that use of any part of the carriageway along Sheerness Road, west of Bassar Hill, would not be appropriate for a promoted National Trail due to a combination of poor sightlines and the lack of verges and refuges for pedestrians.

Natural England considered a wide range of alignment options near Great Barksore Farm on both the north and south sides of Sheerness Road. These are set out in 4.3.2 Other options considered: Maps IGR 4a and IGR 4b – Funton Brickworks to Lower Halstow of the proposals. On balance, we maintain that the off-road route proposed best meets the s297 alignment criteria by providing a safe and continuous route, with views of the estuary while still striking a fair balance between public and private interests.

Representation ID:	MCA/IGR4/R/25/IGR3001
Organisation/ person making representation:	[redacted]
Name of site:	All sections in between and surrounding the proposed route across Great Barksore Farm
Report map reference:	Map IGR 4a and 4b
Route sections on or adjacent to the land:	IGR-4-S005 to IGR-4-S016
Summary of representation: <p>The Natural England Report IGR 4 has many problems with it, from the problems with the surface in wet conditions for users of the England Coast Path and the views along these sections do not offer acceptable views of the coast or the sea. Natural England should remove the proposed route in the report IGR 4 and continue the ECP along the current in use and well used Saxon Shore Way.</p> <p>The amount of money NE have said the route IGR 4 will cost is massively short of the true cost The signage, kissing gates, field gates, pedestrian gates, bridge over a drain, making the whole route including sections IGR-4-S006 to and including all areas around IGR-4-S016 will be far more than the estimated capital cost. This is without including making the surface safe for users, making the route and sections safe with over hanging trees safe for public access.</p>	

The costs which have been laid out in section 4.2.33 Table 1 should be used to improve the safety of the 0.22 miles of newly tarmac road on the existing and well used SSW. This would help users of the SSW including walkers, horse riders, cyclists, wheelchair, push chairs and users of mobility aids.

Natural England and Kent Highways should enforce a 20MPH speed limit on Sheerness Road from the bottom of Basser HilJ to Church Path or even better to Breach Lane in Lower Halstow to keep the rural community of Lower Halstow safe. There is already signage in use letting users of the road that the road narrows and privately funded signage for residents of 1 & 2 Little Barksore Cottages safety. The fact that there are no recorded incidents of accidents this shows these signs are effective.

The destruction of undisturbed areas around the route of report IGR 4 from IGR-4-S006 to and including all areas around IGR-4-S016 will be catastrophic, is unnecessary and goes against the conservation aspirations of NE.

For users of the ECP there will be much confusion about where they can and cannot go. Signs will not be sufficient enough to stop the general public accessing areas which have been excluded from the ECP, including Barksore Marshes, as by their own admission they recognize 24% of people stray from the correct path.

LHYC have been granted no public access all year round due to commercial vehicle movements, yet Great Barksore Farm, a working farm has not, this decision is absurd. Vehicle access, heavy machinery including agricultural machinery is needed at all times to allow Great Barksore Farm to continue every day farming activities. NE have once again failed to recognise the safety implications the ECP will have on general public with machinery movements. It is not good enough to say there are plenty of farms with public footpaths. This is a small scale farm and the risk to public safety and our own personal safety is totally without justification.

Natural England have also failed to protect the security of Great Barksore Farm along sections IGR-4-S005 to and including IGR-4-S009.

The ECP will be within the curtilage of the working farm putting the land owner and families of the land owner's well being at huge risk. This is not acceptable.

The views of the coast on sections IGR-4-S008 to and including areas around IGR-4-S009 are non-existent if you are walking towards Sheerness Road. When walking away from Sheerness Road the view is limited on IGR-4-S008 and for the majority of IGR-4-S007. This is due to evergreen conifer trees. There have been many failings in Report IGR 4. This is why I would call on the Secretary of State and Natural England to adopt the SSW and remove all of section IGR-4-S007 to and including all areas of IGR-4-S016. The public gain is minimal and NE have not found a fair balance between land owner and public.

Natural England comments:

Wet condition of trail: The Scheme highlights that Natural England should have regard to the safety of those using the route (para 4.1.1). In developing the alignment, we take account of the local conditions and, where possible, identify any significant works required to address any local hazards. In this instance, we do not believe that there is a need for any major surfacing works along the proposed trail.

Mud is a common occurrence on countryside walks and usually a temporary feature after heavy rain – with the summer months (the most popular for walkers) being drier. However, if muddy conditions create a significant barrier along the trail, localised improvements as part of the establishment works can be carried out by Kent County Council, prior to opening the route. Kent County Council will also keep an overview of the condition of the open trail and may undertake works on parts of the trail where it needs improving.

Poor views of sea on route: The Scheme highlights that the trail should normally offer views of the sea, however it may also lose sight of the sea temporarily for safety, convenience or accommodating other land uses. Along the proposed alignment in report IGR 4, there are distant views of the coast from parts of the elevated paths forming sections IGR-4-S001 to IGR-4-S005, direct sea views from

sections IGR-S013 to IGR-4-S024 and elevated views of the coast from section IGR-4-S010. In addition, as the land dips down towards the coastline, there are some distant views of the coast between IGR-4-S007 and IGR-4-S009, which may be partially obscured by vegetation in summer. Overall, the route offers good views of the estuary and gives a good sense of being on a coastal path, near the water.

Natural England is required by section 297(2) of the 2009 Act to have specific regard to providing “views of the sea”. However, this is one of many alignment criteria to which NE must have regard. Our alignment decision is based on a number of factors, such as safety and convenience, proximity to the coast, convenience and recreational value. It therefore not appropriate to choose between route options based solely on the sea views they offer.

Use the SSW: Natural England considered a wide range of alignment options near Great Barksore Farm on both the north and south sides of Sheerness Road. These are set out in 4.3.2 Other options considered: Maps IGR 4a and IGR 4b – Funton Brickworks to Lower Halstow of the proposals. On balance, we maintain that the off-road route proposed best meets the s297 alignment criteria by providing a safe and continuous route, with views of the estuary while still striking a fair balance between public and private interests.

When considering aligning the route along or across a highway, Natural England consults with the relevant highway authority over safety and convenience, to consider the likely level of visitors’ familiarity with and expectations of the risks. In this instance the Highways Authority, Kent County Council, undertook a highway safety assessment on site at Natural England’s request. They advised us that use of any part of the carriageway along Sheerness Road, west of Bassier Hill, would not be appropriate for a promoted National Trail due to a combination of poor sightlines and the lack of verges and refuges for pedestrians (See Annex C and Annex D).

Underestimated costs: The establishment costs outlined in the report are an estimate provide by Kent County Council for undertaking the planned work. Kent CC has significant experience in not only establishing the ECP elsewhere in Kent, but also maintaining a National Trail alongside a network of public rights of way. We recognise that the final costs may increase slightly from this estimate, particularly if there is significant time between publication of the proposals and the Secretary of State’s decision. The infrastructure in this report is limited to road signs, gates and signs, and therefore relatively low cost. If further works are required eg localised surface preparations or vegetation clearance, the costs will increase, however we still consider the public benefits here will outweigh the costs.

The budget should be used to improve SSW for all users: The duty given to Natural England by the legislation is to provide a long distance walking route for the whole of the English coast. It is important to bear this in mind when reading our proposals as we have a limited remit, and – as in this case - the ECP cannot be seen as a panacea for a range of other existing problems.

The Coastal Access programme is designed to benefit walkers, as it is a long distance pedestrian route. Other users can sometimes benefit from trail improvements, where there is existing shared use of the trail – or where landowners give permission for cyclists and other users on the trail. In this area, the relatively low investment in creating a safe, off road coastal route does not prevent other investment in the road system or cycle network in this area, by Kent County Council, if they consider it necessary.

We do not consider that road improvements here would be a low cost option or better value for money than the proposals. Kent County Council provided Natural England with advice about the use of Sheerness Road/SSW for the ECP, and no simple, cost effective mitigation measures such as zebra crossings or road markings were suggested to overcome their conclusion that the road was not suitable for a National Trail.

KCC observed that this road is effectively a ‘rat run’ that becomes busy at rush hour periods. Potential mitigation works (traffic calming ‘build out’ chicanes, traffic lights, single file carriageway etc) would have a severe impact on traffic flow and there would be no guarantee that such a scheme would

obtain approval from the relevant KCC Transportation Board. If any road improvement works were to take place here, it would involve a significant and costly programme.

In terms of whether changes to the speed limit here (including 20 or 30mph zones) would remove the safety concerns, this was not highlighted by KCC as a potential solution to the issues they raised about Sheerness Road. We did not investigate extending the limit of the village 30mph zone out along the rural roads to Basser Hill (>900m). Kent County Council has since informed us that “a change in speed limit alone does not affect speeds and there are a number of considerations that we must go through when deciding whether to embark on a consultation about a proposed change to a speed limit. The speed limit on a road should reflect the local environment, nature of the road and its use; not be manufactured to facilitate other demands,” and that “it is costly and time consuming and must have a valid road safety reason behind it”. Speed limits are therefore not a simple fix to road safety issues and any works here would involve a significant and costly programme.

A full feasibility and design phase for significant road improvements would likely cost >£10,000, prior to any Highways approval or implementation costs. If works involved widening the verges to create refuge areas, significant landscape and wildlife considerations would also need to be taken into account as both verges of Sheerness Road are steep in places and well vegetated.

The estimates for establishing the trail in the proposals are <£10,000. This offers good value for money in terms of offering a safe, off-road walking route.

Destruction of undisturbed wildlife areas: The Medway Estuary and Marshes Special Protection Area (SPA), Ramsar and SSSI designation covers part of Great Barksore Farm – with Barksore Marshes being an internationally important area of freshwater for wintering and breeding birds to the north-east of the farm (see Map 4 of the Habitats Regulation Assessment: Design of the access proposals to address possible risks at Barksore Marshes). In addition, the intertidal area that surrounds the farm supports feeding birds and one occasional high tide roost seaward of the proposed alignment. The wildlife interests of the internationally designated sites are laid out within the published Habitats Regulations Assessment. The potential impact of the ECP was examined to consider whether its predicted increased use and spreading room would have an adverse impact on any of the key sensitive features of the designated sites (Scheme 4.9.4), including at Great Barksore Farm which currently has no public access (see section D3.2C Barksore Marshes). Data was collated from local birders to understand the use and inter-relation of feeding and roosting areas in this south Medway area, which informed our proposed alignment and directions.

The representation refers to a Natural England report (we understand from other submissions about report IGR 4 that this refers to a report by Fearnley, H. & Liley, D. (2011). North Kent Visitor Survey Results. Footprint Ecology) that states that “23% of visitor routes strayed from the path network and crossed onto the intertidal areas”. On reviewing the report, this average figure disguises the variability of how those visitors surveyed behaved at different sites. The data does not take account of how these sites manage access locally. For example, the data includes three sites where straying onto the intertidal was reported as routine – and this is as would be expected at the popular, sandy beaches found at those sites (ie at Shellness, on the Isle of Sheppey and two car parks by Sealsalter beach). Five sites, including the Upchurch seawall and Cliffe, were also listed where 100% of walkers kept to the path – where the intertidal habitats are less appealing to walkers. Site characteristics, the history of access and promotion and the location of the path in relation to the shoreline are therefore crucial in determining how people behave.

The key area of sensitivity is Barksore Marshes to the north-east of the farm, which supports feeding and roosting winter and passage birds, and breeding birds in summer. The area will be excluded from new access rights, and the significant distance (some 700m) between the Marshes and the proposed route, across farmed fields and cropped land, will deter walkers. With a well signed route to follow, no access roundels and the proposed exclusions explained through notices - we consider the risk of people making their way to the marshes area and causing significant disturbance is low.

There are also sensitivities relating to an occasional winter bird roost and winter bird feeding activity along Halstow Creek, which are closer to the proposed trail. The proposals include directions to exclude access to land along this shoreline as well. Sections IGR-4-S009 and IGR-4-S010 have also

been aligned to direct people away from entering these exclusion areas and getting too close to the shoreline. We do not consider those using the path here would disturb birds using the intertidal habitat, as the route is set mainly landward of fences, crops and scrub, and the walkers and dogs would not be immediately visible to the birds. Access to the shoreline areas will be discouraged by the presence of good way-marking and the existing field boundaries and/or cropped land that largely separates the trail from the shoreline. At points along IGR-4-S009 and IGR-4-S010, where the path is closest to sensitive habitats and exclusion areas, there will be clear and visible direction notices explaining the reasons for the access restrictions and for staying on the inland route. We consider that walkers will respond to this information and keep to the proposed alignment, and the winter bird interest along this shoreline will not be adversely affected.

We have therefore assessed the likely access use and the bird sensitivities of the designated Special Protection Area, Ramsar and SSSI, within our Habitats Regulations Assessment. We did not find that the proposals would create an adverse impact on the designated features – and therefore do not consider it necessary to avoid Great Barksore Farm completely by routing further inland. Any other route landward of the farm (see our comments on using other routes) would also place all of Great Barksore Farm within the coastal margin, creating a greater area with new coastal access rights.

We have worked closely with Bird Wise North Kent to identify sites we consider it necessary to increase signage and interpretation regarding wildlife sensitivities. Bird Wise is an organisation that oversees an access management strategy of the Medway coast (The North Kent Strategic Access Management and Monitoring Strategy), specifically relating to recreational disturbance of the Medway and Estuary Marshes SPA birds from walkers and dogs. They will maintain a range of interpretation associated with our Iwade to Grain and Grain to Woolwich proposals, and have confirmed that they would work with the Great Barksore Farm landowners if any future information boards were needed across this site.

In addition, we will also work with Bird Wise North Kent to try and identify a suitable location to establish some new Bird Wise signage near the car park (at Lapwing Drive, Lower Halstow), to explain the importance and sensitivity of the creek's wildlife to local dog walkers.

Farm operations and the need to exclude access rights for safety: The proposed trail will avoid much of the farm land on Great Barksore Farm as it plots a path through the fields in the southern part of the farm. With signage and strategically placed notices / 'no access' signs along the route, the limits of coastal access rights will be clear to the public and public presence off the trail is unlikely to impact on farm operations or provide a significant risk to public safety or warrant a farm wide exclusion of coastal access rights.

Operational use of heavy machinery on Great Barksore Farm is in common with many farms used for arable, hay crops and grazing – including those with public access. Section 8.13 of the Approved Coastal Access Scheme describes how disruption to operations using vehicles and agricultural machinery and concerns over the safety of the public can largely be dealt with through careful alignment of the trail and informal management measures.

On Great Barksore Farm the proposed trail alignment largely avoids areas with regular operations requiring heavy machinery. Sections IGR-4-S008 and IGR-4-S010 are aligned along grassed field edges, which are currently separated from the adjacent arable land by rabbit fencing. Section IGR-4-S009 will follow the margin of an arable field, before crossing this field along a short, 50m route (see Map IGR-4b). With the field under crops, the presence of farm machinery will be more frequent – however with a clear trodden path (access strip) established across the arable and along the field margin, we would not foresee particular risks relating to machinery or managing the crops as walkers would be aware of operations in this open field.

Visitors along the proposed trail are likely to hear/see approaching vehicles and are unlikely to intentionally disrupt their movements. If further access management were required, the landowners

could erect a simple notice alerting the walkers to the presence of vehicles on the farm and request they stop to let vehicles by where necessary, to help farming practices.

The representation suggests that a land management direction to exclude access should be considered for the entirety of Great Barksore Farm, akin to the direction proposed at the Lower Halstow Yacht Club. The proposed exclusion at the Yacht Club covers a small area of land within the margin of the trail – where a range of activities that are incompatible with safe public access, such as boat movement/hoisting and maintenance, take place within a confined area.

The open landscape of Great Barksore Farm, where the proposed path is aligned, is very different - with land management operations visible and excepted land (arable) a very obvious feature, easy for walkers to identify and avoid by following the trail. The Scheme reminds us at 6.3 that we must follow the principle of the least restrictive option. In other words we must deploy the least restrictive access management measures that meet the need. A farm-wide direction to exclude access would not be the least restrictive option at Barksore; instead, as informal management measures, as suggested above, would be sufficient.

Security concerns at Great Barksore Farm: There is no reason to believe that a new path through the farm fields would bring about anti-social or illegal behaviour. The vast majority of walkers are law abiding individuals and their presence may often be a deterrent against illegal activities.

The proposed route is aligned a distance away from the farm yard buildings at Great Barksore Farm – with the closest point >75m. Other buildings, for example at Harval, near IGR-4-S010, are separated from the trail by a hedged field boundary. These areas are not included in the coastal margin and most walkers would instinctively keep clear of the farm yard and other buildings, minimising the likelihood of unintentional trespass.

Impacts the curtilage of Great Barksore Farm: The term “curtilage” is not defined, but it generally means a small area, forming part and parcel with the house or building to which it is attached. In most cases the extent of curtilage will be clear: typically, an enclosure around a dwelling containing a garden, garage and side passage; a walled enclosure outside a barn, or a collection of buildings grouped around a farm house and farm yard.

The proposed alignment along IGR-4-S008 & IGR-4-S010 is separated from the main farm yard and house by hedgerows or fences. Along IGR-4-S009 the alignment passes through an open field seaward of the main farm yard and farm house at a distance of >75m. Some disused, stand-alone, buildings are situated in the coastal margin of IGR-4-S009. These buildings would clearly be considered excepted land, but as they stand in an open field, they do not comfortably meet the Defra definition of having any curtilage.

In our view, the farmland of Great Barksore Farm does not comfortably sit with the definition of curtilage set out above.

Representation ID:	MCA/IGR4/R/26/IGR3002
Organisation/ person making representation:	[redacted]
Name of site:	Report IGR 4
Report map reference:	IGR 4a & 4b
Route sections on or adjacent to the land:	IGR-4-S005 to IGR-4-S016 (including all sections in-between and surrounding the proposed route)
Other reports within stretch to which this representation also relates	
Summary of representation:	

As the land owner's son I have significant interest in this proposal and its future consequences. In my opinion, Natural England have failed to recognise the true implications of this route, IGR-4-S006 to and including all areas around IGR-4-S016.

Secretary of State and Natural England should scrap the route of IGR 4 including IGR-4-S006 to and including all areas around IGR-4-S016 and continue to use the well-used Saxon Shore Way.

The proposed route is deliberately leaving the existing well used Saxon Shore Way (SSW) to attempt to allow the general public access to the coast IGR-4-S007 to IGR-4-S010 are not near the coast. If you are walking from Lower Halstow towards the SSW and Sheerness Road you are walking away from the coast. Views of the coast 9 months out of 12 will be compromised on IGR-4-S008 & S009 due to the vegetation on the trees. The section IGR-4-S008 offers very limited views of the coast due to the trees including conifers which evergreen trees.

The sections IGR-4-S014 & S024 show how the proposed ECP route will cross the curtilage of the buildings at Lower Halstow Yacht Club. NE have given no guidance on how LHYC and land lord will be able to protect their property which has been private with no public rights of way and locked gates at all times to deter thieving activities taking place.

IGR-4-S010 to IGR-4-S011: Where Natural England would like to put this ECP is on a Countryside Stewardship Scheme which protects wildlife and the environment leaving sections IGR-4-S010 undisturbed for ground nesting birds and wildlife to thrive. Having the ECP along this section would deter any wildlife making this a habitat as general public access and dog access will disrupt a perfect area for them to make a habitat. Natural England are not allowed to access this section.

There is a significant amount of vegetation along the proposed route. Harvest mice are known to be present and nests are recorded with the Kent Mammals Trust. The area has been managed sensitively for over a decade and if the ECP goes ahead it will prevent any wildlife from using this section. The clearance of vegetation in my experience is a major task and has been underestimated in the estimated capital cost. 4.2.33 Table 1.

This statement is completely misleading inaccurate. The buildings along IGR-4-S009 are home to a pair of barn owls. "Barn Owls are covered by the basic legal protection afforded to most wild birds and also extra legal protection against disturbance when nesting. The Wildlife & Countryside Act 1981 provides protection for Barn Owls and most other wild bird species in England, Scotland and Wales" Therefore NE will have to scrap this route and continue the ECP with the existing SSW.

All year round, especially winter months (October - April), the whole stretch from IGR-4-S006 to IGR-4-S016 is impassable for mobility scooters and or wheelchairs/pushchairs, uneven surfaces leaves the proposed route impassable while excessive rain has rendered it impassable on foot at present. There is no true capital cost of these projects under 4.2.44 Table 1 and the proposed route will need further funding.

It would make complete sense for the inspector to adopt the current SSW. The need to slow traffic down on Sheerness Road is minimal, but if needed, making this country road a 20mph road would be sufficient, and many people would benefit. There are already in place some signage warning drivers of resident's drives and road narrowing, which are clearly effective as there are no statistics which imply this road has 'road safety issues'.

Although in Report IGR 4 explains the 'Exclusion areas' there is no guidance of how these 'exclusion areas' will be policed or appropriate signage along the coast around the sections IGR-4-S016 to and including IGR-4-S006 and along the coastline around Great Barksore Farm coastline & Barksore Marshes. This leads me to conclude that no balance has been struck.

Because the Habitats Regulation Assessment has concluded that access would have a significant effect on Barksore Marsh, the only real means of preventing this disturbance is to extend the exclusion

to include the whole farm. No public access, all year round. The proposed route is too close to these areas.

4.2.26 is a misleading statement. The land is private and if pest control takes place it can be when and wherever is safe to do so, like it has done for many a decade. There is also no indication of what "adjacent" fields this will be. Along IGR-4-S009, to the North East is a "Sensitive wildlife, Section 26 (3) (a), No Public Access, Year round" and to the South is Great Barksore Farm, which NE can not align the path. There is also no indication on how this will be implemented and policed. The public are not kept safe with this proposal. The reality is there are no temporary alternatives available and we must have the right to close the path to users when shooting takes place on the grounds of public safety.

With these weaknesses highlighted in the proposed alignment, I believe that NE have failed to strike an appropriate balance.

I urge the Secretary of State to remove this alignment and adopt the Saxon Shore Way. This already well used path is clearly delineated, makes onward progress, protects all the Wildlife Sensitive Areas on Great Barksore Fann and Barksore Marsh, has a good even surface and will have no adverse effects on the landowner.

Natural England's comments:

No benefits of shoreline access: On Great Barksore Farm the proposed route is aligned inland between IGR-4-S004 and IGR-4-S013, and the shoreline, seaward of the trail will be largely excluded from new coastal access rights. The Scheme recognises that in some circumstances seaward spreading room will not always follow the shoreline or provide direct access to the sea as part of the seaward coastal margin, due to practical considerations or other uses of the land, such as wildlife sensitivities. Our proposed trail avoids areas of wildlife sensitivities on the shoreline, but offers sea views from elevated land where walkers will be able to enjoy the coastal outlook. The trail re-joins a shoreline path relatively quickly, at IGR-4-S013 near Lower Halstow Yacht Club to the west and at IGR-3-S008 on Raspberry Hill Lane to the east. We do not consider the temporary lack of direct shoreline access would significantly reduce the public's enjoyment of the coast in this area.

Views are poor: The Scheme highlights that the trail should normally offer views of the sea, however it may also lose sight of the sea temporarily for safety, convenience or accommodating other land uses. Along the proposed alignment in report IGR 4, there are distant views of the coast from parts of the elevated paths forming sections IGR-4-S001 to IGR-4-S005, direct sea views from sections IGR-S013 to IGR-4-S024 and elevated views of the coast from section IGR-4-S010. In addition, as the land dips down towards the coastline, there are some distant views of the coast between IGR-4-S007 and IGR-4-S009, which may be partially obscured by vegetation in summer. Overall, the route offers good views of the estuary and gives a good sense of being on a coastal path, near the water.

Natural England is required by section 297(2) of the 2009 Act to have specific regard to providing "views of the sea". However, this is one of many alignment criteria to which NE must have regard. Our alignment decision is based on a number of factors, such as safety and convenience, proximity to the coast, convenience and recreational value. It therefore not appropriate to choose between route options based solely on the sea views they offer.

Curtilage of Lower Halstow Yacht Club: Schedule 1 to the CROW Act sets out the categories of land that are excepted from coastal access rights. The list of these categories includes 'land covered by buildings or the curtilage of such land'. Defra provided some supplementary guidance to Natural England in 2012 to help determine curtilage:

- The term "curtilage" is not defined, but it generally means a small area, forming part and parcel with the house or building to which it is attached. In most cases the extent of curtilage will be clear: typically, an enclosure around a dwelling containing a garden, garage and side passage;

a walled enclosure outside a barn, or a collection of buildings grouped around a farm house and farm yard.

In our view, the raised seawall on which the trail is aligned, while close to some Yacht Club buildings, does not sit comfortably within the definition of curtilage set out above, as its function and placement is separate to the buildings of the Yacht Club. The trail is aligned landward of all the Yacht Club buildings and facilities and separate from the area used by the club members. The seawall is, in part, currently used as a path to access the club (along sections IGR-4-S013 to IGR-4-S016) and is not obviously used for yacht club activities (see Annex F).

Parts of the land the Yacht Club occupies do appear to us to fall into the excepted land category of buildings and their curtilage, such as the club house portacabin/buildings and the stored boats. As set out in the Scheme 8.25.3, this general excepted land provision often addresses concerns regarding security and safety within maritime facilities. However, in this instance, a direction to exclude access from land associated with boat club activities is also proposed (see Directions map IGR 4a). This exclusion will include some areas of land that would otherwise be excepted land under Schedule 1 to CROW, as well as other, non-excepted land, such as the slipway, the hardstanding area, part of the access track and an area close to the water with outdoor picnic tables (see Annex G).

With the use of 'no-access' roundels and direction notices explaining the reasons for the exclusion (that Natural England will supply), we consider this provides appropriate clarity to walkers as to where coastal access rights stop, seaward of the trail.

Security of Lower Halstow Yacht Club: This club currently has members entering on foot through a pedestrian gate (currently locked) on the seawall to the west of the club facilities, at section IGR-4-S016 (see Annex H). Vehicle access is limited by security gates close to the main road.

There is no reason to believe that a new pedestrian path through this gate and along the edge of the yacht club would bring about anti-social or illegal behaviour. The vast majority of walkers are law abiding individuals and their presence may often be a deterrent against illegal activities.

Boat clubs are a common features along the Kent coast, with boats stored near the water and associated buildings and facilities nearby. Many successful yacht clubs have access through them or nearby.

We are aware that boat yards can suffer from theft, however we do not have evidence that pedestrian footpaths increase this risk. More walkers may well have a deterrent effect on such activities, by increasing the presence of law-abiding people in an area.

Boat clubs such as this are already alert to security risks (whether formally accessible or not) and undertake basic security measures such as securing loose equipment and kayaks and locking equipment on stored boats etc, as well as limiting easy vehicular access, where possible. Our proposals limit new access rights to walkers along the well-defined seawall, landward of the club facilities. The club will be provided with signs to explain the proposed s24 and s25 directions over its facilities (see Directions Map 4a) and be well signed to direct people along the trail.

Impacts on wildlife under Countryside Stewardship Scheme, barn owls and harvest mice: The proposed trail along section IGR-4-S010 follows a ~440m strip of grass landward of an arable field. This length of grass is part of a larger unit of grassland (mainly located along the coastline, see Annex A) under a Countryside Stewardship Scheme agreement (option GS2: permanent grassland with very low input). The environmental benefit of this option is to provide a varied sward structure and more flowering grasses and wildflowers, in order to increase the habitat and food available for invertebrates, birds and other animals. The agreement ends in December 2023.

There is usually no direct conflict between options in agri-environment schemes and access (Scheme section 8.8) and public rights of way are not uncommon on land under these schemes. There is also nothing within the eligibility criteria of the GS2 option which prevents land with tracks, paths and public rights of way from entering the Stewardship scheme, as long as requirements can still be met.

In relation to the GS2 requirement that the agreement holder must not 'allow other activities' on the GS2 land during the bird breeding season, the presence of this new path and the walkers using it would be outside the owner's control – having been proposed, since their agreement started, as a part of the implementation of the Marine and Coastal Access Act 2009. Therefore they are not allowing this activity, rather it there by law.

In proposing to align here, we considered that a new path within the grassed corridor of IGR-4-S010 would not impact on the environmental benefits arising from this GS2 option.

We are aware barn owls nest in a location close to the proposed trail and that disturbing these birds while nesting is illegal (under Schedule 1 of the Wildlife and Countryside Act 1981). The nesting site will be excepted from the right of access as it is within a 'building' and as the birds are active at dusk/night, they will be unlikely to be disturbed by walkers who tend to use the ECP during daylight hours. Given that barn owls often nest in busy farm yards and get used to regular passers-by, we do not consider it likely that walkers passing the building would result in nest abandonment.

Our proposals are unlikely to significantly impact the local invertebrate, bird or mammal populations across the farm, considering the availability of other suitable habitats in the local area. In addition, we will avoid any unlikely impact on for example, harvest mice nests by undertaking the establishment works, such as the installation of gates, during the winter months.

Underestimated cost of vegetation clearance: Natural England and Kent County Council have visited Great Barksore Farm, and the costs outlined in the report are an estimate provided by KCC for undertaking the planned work. KCC has significant experience in not only establishing the ECP elsewhere in Kent, but also maintaining a National Trail alongside a network of public rights of way. We recognise that the final costs may increase slightly from this estimate, particularly if there is significant time between publication of the proposals and the Secretary of State's decision.

The route is impassable route in winter and unsuitable for mobility scooters, wheelchairs and prams in wet conditions: The Scheme highlights that Natural England should have regard to the safety of those using the route (para 4.1.1). In developing the alignment, we take account of the local conditions and, where possible, identify any significant works required to address any local hazards. In this instance, we do not believe that there is a need for any major surfacing works along the proposed trail.

The Scheme states that, in identifying an alignment, Natural England should make the trail as easy to use as we reasonably can (para 4.3.8). For the proposed alignment across Great Barksore Farm, we have proposed accessible infrastructure (cycle chicanes and a pedestrian gate) to facilitate easy access, but we recognise that the uneven nature of the grass and bare paths may be a barrier to access to some.

In developing the alignment, we also take account of the local conditions and, where possible, identify any significant works required to address any local hazards. In this instance, we do not believe that there is a need for any major surfacing works along the proposed trail as mud is a common occurrence on countryside walks and usually a temporary feature after heavy rain – with the summer months (the most popular for walkers) being drier. However, if muddy conditions create a significant barrier along the trail, localised improvements as part of the establishment works can be carried out by Kent County Council, prior to opening the route. Kent County Council will also keep an overview of the condition of the open trail and may undertake works on parts of the trail where it needs improving.

The costs outlined in the report are an estimate for establishing the infrastructure required along the trail. If further works are required eg localised surface preparations, the costs will increase, however we still consider the public benefits here will outweigh the costs.

Adopt the SSW: When considering aligning the route along or across a highway, Natural England consults with the relevant highway authority over safety and convenience, to consider the likely level of visitors' familiarity with and expectations of the risks. In this instance the Highways Authority, Kent County Council, undertook a highway safety assessment on site at Natural England's request. They advised us that use of any part of the carriageway along Sheerness Road, west of Basser Hill, would

not be appropriate for a promoted National Trail due to a combination of poor sightlines and the lack of verges and refuges for pedestrians.

KCC observed that this road is effectively a 'rat run' that becomes busy at rush hour periods. Potential mitigation works (traffic calming 'build out' chicanes, traffic lights, single file carriageway etc) would have a severe impact on traffic flow and there would be no guarantee that such a scheme would obtain approval from the relevant KCC Transportation Board. If any road improvement works were to take place here, it would involve a significant and costly programme.

In terms of whether changes to the speed limit here (including 20 or 30mph zones) would remove the safety concerns, this was not highlighted by KCC as a potential solution to the issues they raised about Sheerness Road. We did not investigate extending the limit of the village 30mph zone out along the rural roads to Basser Hill (>900m). Kent County Council has since informed us that "a change in speed limit alone does not affect speeds and there are a number of considerations that we must go through when deciding whether to embark on a consultation about a proposed change to a speed limit. The speed limit on a road should reflect the local environment, nature of the road and its use; not be manufactured to facilitate other demands," and that "it is costly and time consuming and must have a valid road safety reason behind it". Speed limits are therefore not a simple fix to road safety issues and any works here would involve a significant and costly programme.

Preventing/policing people straying from trail and into wildlife areas: Clear signage will be placed along the route, particularly where the trail changes direction. Notices to explain why walkers are not permitted along or towards the shoreline north and east of the trail across the farmland, between sections IGR-4-S008 and IGR-4-S016, can also be placed at these strategic points to highlight the reasons for no entry to these areas. These notices as well as 'no access' roundels for the landowner to use, will be provided by Natural England. Once the trail is established, a trodden route will also be visible for walkers to follow. We do not expect the proposals to need 'policing' as the vast majority of walkers will stick to the well signed route and understand why other areas of the farm are off limits.

Use SSW and exclude access across Great Barksore Farm to avoid any 'significant effect' on wildlife:

The key area of sensitivity at the farm is Barksore Marshes to the north-east of the farm, which supports feeding and roosting winter and passage birds, and breeding birds in summer. The area will be excluded from new access rights, and the significant distance (some 700m) between the Marshes and the proposed route, across farmed fields and cropped land, will deter walkers. With a well signed route to follow, no-access roundels and the proposed exclusions explained through notices - we consider the risk of people making their way to the marshes area and causing significant disturbance is low.

There are also sensitivities relating to an occasional winter bird roost and winter bird feeding activity along Halstow Creek, which are closer to the proposed trail. The proposals include directions to exclude access to this shoreline as well. Sections IGR-4-S009 and IGR-4-S010 have also been aligned to direct people away from entering these exclusion areas and getting too close to the shoreline. We do not consider those using the path here would disturb birds using the intertidal habitat, as the route is set mainly landward of fences, crops and scrub, and the walkers and dogs would not be immediately visible to the birds. Access to the shoreline areas will be discouraged by the presence of good way-marking and the existing field boundaries and/or cropped land that largely separates the trail from the shoreline. At points along IGR-4-S009 and IGR-4-S010, where the path is closest to sensitive habitats and exclusion areas, there will be clear and visible direction notices explaining the reasons for the access restrictions and for staying on the inland route. We consider that walkers will respond to this information and keep to the proposed alignment, and the winter bird interest along this shoreline will not be adversely affected

Given the potential for access to lead to significant disturbance to wildlife across Great Barksore Farm, we examined the likely access use and the bird sensitivities of the designated Special Protection Area, Ramsar and SSSI, within our Habitats Regulations Assessment. Due to the alignment and other measures described above, we maintain that our proposals would not create an adverse impact on the designated features – and therefore do not consider it necessary to avoid Great Barksore Farm completely by routing further inland. Any other route landward of the farm (see our comments on using other routes) would also place all of Great Barksore Farm within the coastal margin, creating a greater area with new coastal access rights.

The Scheme reminds us at 6.3 that we must follow the principle of the least restrictive option. In other words we must deploy the least restrictive access management measures that meet the need. We have concluded that a farm-wide direction – as advocated by [redacted] to protect the sensitive species on the marshes is not necessary (see Habitats Regulations Assessment) and would certainly not be the least restrictive option at Barksore, where informal management measures, such as path alignment and installation of no access signs and notices, would be sufficient.

Route closure during shooting: We were alerted by the landowners that duck shooting used to take place on the ponds east of section IGR-4-S009, and that these ‘flight ponds’ may be restored in the future to allow shooting. Perhaps prematurely, we included reference to occasional shooting in the proposals (para 4.2.26) alongside a view that the public could be informally diverted off section IGR-4-S009 of the alignment, and that this future activity could be compatible with access.

If restoration does take place in the future, shoots at flight ponds are at times when walkers are less likely to be present, as they usually takes place at dusk or dawn (see [BASC guidance](#)). There is no aspect of CROW legislation that would prevent a temporary route over arable land adjacent to the trail, i.e. to the west of the proposed alignment. However, to reduce trampling of crops during the duck shooting season (Sept – Jan inclusive) it would be reasonable to consider the use of the arable field margins west and south of section IGR-4-S009 for such a route. Where necessary, directions to exclude people from any future active shoot area, for safety, can also be considered. Directions would normally be provided in conjunction with the provision of a formal temporary route.

In regard to shooting pests, this is a common activity on farmland and it is extremely rare for countryside visitors to be injured as a result. Those undertaking the work have a legal duty under health and safety at work legislation to take all reasonably practical steps to ensure no-one is put at risk, and are used to following codes of practice that ensure public safety. The standard precautions are normally sufficient to reduce risks to the public to an acceptable level, however signs can also be erected at the entry points of the farm to alert walkers to when and where shooting is taking place, and lookouts are another established and effective means to alert visitors to shooting activity, without the need to close the path and re-route inland.

Annex F

Location from which the following photos were taken



Photo 1 (looking east along the seawall)



Photo 2 (looking west along the seawall)



Annex G

Extent of directions excluding access around Lower Halstow Yacht Club

Blue hatched: s24 exclusion for land management & s25a for safety

Red hatching: s25A exclusion for safety on mud/sand flats

Yellow hatching: s26 exclusion for nature conservation



Annex H

Photo of pedestrian gate on section IGR-4-S016 of Lower Halstow Yacht Club
(photo from objection MCA/IGR4/O/10/IGR1682)



Coastal Access – Iwade to Grain

Representations on IGR 6: Shoregate Creek to Otterham Quay



March 2021

List of Contents

1.	Introduction	1
2.	Background	2
3.	Record of 'full' representations and Natural England's comments on them	2
4.	Summary of any similar or identical points within 'other' representations, and Natural England's comments on them	6
5.	Summary of 'other' representations making non-common points, and Natural England's comments on them	11

1. Introduction

This document details representations we have received on the stated coastal access report. These fall into two categories:

- Representations received from persons or bodies that must be sent in full to the Secretary of State ('full' representations, reproduced below); and
- Those which have not come from those persons or bodies whose representations we are required to send in full to the Secretary of State ('other' representations, summarised below).

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

2. Background

Natural England's compendium of reports setting out its proposals for improved access to the coast from Iwade to Grain was submitted to the Secretary of State on 15 January 2020. This began an eight week period during which representations and objections about each constituent report could be made.

In relation to the report for Shoregate Creek to Otterham Quay, Natural England received 15 representations, of which 3 were made by organisations or individuals whose representations must be sent in full to the Secretary of State in accordance with paragraph 8(1)(a) of Schedule 1A to the National Parks and Access to the Countryside Act 1949. These 'full' representations are reproduced in Section 3 of this document together with Natural England's comments where relevant.

As required by the legislation this document also summarises and, where relevant, comments on the 12 representations submitted by other individuals or organisations, referred to here as 'other' representations. Of those 12 'other' representations, 8, contain similar or identical points. Natural England's comments on 'other' representations are set out in two parts:

1. The recurring themes in the 8 'other' representations have been summarised in section 4 as 4 points, each with our comments on them.
2. Any of the same 'other' representations that make other, non-common points are then commented on separately in section 5 alongside any remaining 'other' representations.

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

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

Representation number:	MCA/IGR6/R/6/IGR2397
Organisation/ person making representation:	Ramblers, [redacted]
Route section(s) specific to this representation:	Report IGR 6
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
<p>We would prefer to see the route follow Option 1 along the sea wall around Bayford and Horsham Marshes. While we fully recognise and support the need to avoid disturbance to birds we are not convinced that the number of walkers who would use this relatively remote route section would cause a serious problem.</p> <p>We have been advised that until the 1950s there was public access along the sea wall. While we understand some improvements have been made by the landowners to the environment for birds we have been told this was to improve the shooting. The Ramblers currently have a national campaign to identify and get reinstated lost footpaths and, should we be successful in this case, we will be asking Natural England to apply for a variation order.</p> <p>We note that there is no mention in the Report or Habitats Regulations Assessment of the disturbance to birds of the wildfowling and shooting that takes place in this area. Several sections of the Coast Path in Kent follow the sea wall across or adjacent to SPA, Ramsar and SSSI sites without significant problem.</p>	

The Ramblers have been fully consulted throughout the preparation of the Report and I have had every opportunity to argue this case before. Having made the point, if Option 1 is not reconsidered, we fully support the new off road route to the north of Horsham Farm and through the Caravan Park.

Natural England's comments

We have welcomed the positive engagement from the Ramblers during the development of our proposals.

Route around Upchurch peninsula

In determining the proposed alignment, we considered a number of options in this area, as presented in Table 6.3.2 Other Options Considered of the report and Map IGR 6 Route Options Considered. These included aligning on the seawall of Upchurch peninsula (Option 1) as preferred by the Ramblers. The option on the seawall would have brought public benefits, as it is close to the coast and has continuous sea views, however new access was discounted here due to concerns over the potential impacts on wildlife.

The sites along or adjacent to the seawall here such as Horsham Marsh, Bayford Marshes, and Hamgreen Saltings have been identified as an important breeding and/or wintering bird sites in the southern Medway Estuary and form a crucial part of the network of high tide roost sites.

In the Habitats Regulation Assessment, we concluded that new access around the Upchurch peninsula would result in disturbance to the important bird populations at all times of year, by affecting the birds' ability to feed or rest effectively on intertidal areas and roost sites in the winter, spring and autumn, with nesting affected in spring and summer on land adjacent to the seawall. As a result, new access was discounted here as we couldn't conclude that there would be no adverse impact on the bird populations of the Medway Estuary and Marshes Special Protection Area (SPA) and Ramsar site (as considered as part of the published HRA). The precautionary principle applies in such cases, if we cannot rule out a possible adverse effect, then the proposal cannot go ahead.

Don't Lose Your Way Campaign

We are aware of the Ramblers' *Don't Lose Your Way* campaign to find public footpaths that have been lost over the years and put them back on the map. Kent County Council's Definitive Right of Way Map does not show any public footpaths north of Hamgreen (north eastern end of the peninsula) and the seawall is currently blocked physically from visitors accessing it.

We have been informed that the Ramblers are looking into this lost footpath on the Upchurch seawall and we are also aware that this campaign itself does not need to be assessed under the Conservation of Habitats and Species Regulations 2010 (as amended). However, if the seawall is found to be a "lost way" then the Access Authority would need to assess the impacts to wildlife of reopening it to the public, as part of an HRA, before reinstating the route. We would expect Kent County Council to consult with Natural England, as the statutory nature conservation body, and at that point we would provide them with advice on the proposal. Therefore, we are unable to guarantee that we will be able to apply for a Variation Order at this time.

Other recreational activities in the area

A number of recreational activities already take place in the area covered by this report, as mentioned in the representation. These include wildfowling, as well as walking and dog walking along the Saxon Shore Way. These are highlighted in the HRA as contributing to the existing distribution of bird population in the area (see p27 of the HRA). It is important that any new project, such as the England Coast Path, does not exacerbate the existing situation, especially on parts of the estuary with high levels of bird use, such as Upchurch peninsula. Therefore, our HRA focusses on ensuring that our proposals do not create additional impact on the bird populations.

Coast path adjacent to designated sites

As the representation also mentions, there are several sections around the Medway Estuary where the proposed England Coast Path runs adjacent to designated sites. These are mostly sections that follow existing rights of way, where the internationally important bird population has co-existed alongside long-standing path use. Even in these locations, increasing the number of walkers as a result of the Coast Path, may still have negative impacts upon the bird populations, especially when climate change is exacerbating habitat availability, such as where rising sea levels flood out roosting, feeding and breeding grounds, so birds rely even more on suitable areas of higher land. This is why we also assess, in our HRA, the potential impacts of aligning the new, promoted England Coast Path along existing coastal footpaths.

In all the reports where we have proposed that the coast path follows seawalls across or adjacent to designated sites (both on existing paths or, in a few cases, as new access), we have assessed potential impacts and concluded that the Coast Path will not have an adverse effect on the Medway Estuary and Marshes SPA and Ramsar site.

Despite this stretch of coast being heavily designated we have been able to find 6km of brand new path that ECP users will be able to enjoy.

Representation number:	MCA/IGR Stretch/R/1/IGR2405
Organisation/ person making representation:	Historic England [redacted], Assistant Inspector of Ancient Monuments
Route section(s) specific to this representation:	Whole Stretch
Other reports within stretch to which this representation also relates:	IGR 1, IGR 2, IGR 3, IGR 4, IGR 5, IGR 7, IGR 8, IGR 9, IGR 10, IGR 11, IGR 12. There are more specific comments on the four scheduled monuments which appear in reports IGR 6, IGR 8, IGR 9 and IGR 12.

Representation in full

Historic England are making a representation about this report as we are a statutory consultee, and advise in particular on proposals that affect designated monuments (e.g. scheduled monuments, listed buildings). Please find our advice and recommendations below.

We do not have any objections to the Iwade - Grain proposal as we think it is in general a low impact proposal that will cause little to no harm to heritage significance. However the advice below does highlight those more historically sensitive areas of the route; whether other permissions/consents may be required for works in them (e.g. Scheduled Monument Consent); and advice on how to limit harm to the historic environment in general.

The path as proposed passes through the following scheduled monuments:

- World War II Heavy Anti-aircraft gunsite (TS3) at Wetham Green, 460m north of Red Brick Cottage (List Entry Ref: 1020387)
- Chatham Lines, section at Chatham Gun Wharf (List Entry Ref: 1021379)
- Cockham Wood Fort (List Entry Ref: 1003362)
- Coastal Artillery Defences on the Isle of Grain (List Entry Ref: 1019955)

The path also passes over or near the following listed structures:

- Passes over grade II Rochester Bridge (List Entry Ref: 1086431)
- Passes close to a number of grade II listed anti-tank cubes (List Entry Ref: 1393814) and pillboxes (List Entry Refs: 1393816 & 1393815) and the grade II Grain Crossing Signalling Box (List Entry Ref: 1415162)

The path also goes through the following conservation areas:

- Lower Halstow, Swale
- Upnor
- Chatham historic dockyard
- Brompton lines
- Star hill to Sun Pier, Medway
- Frindsbury and Manor Farm

The above summary provides an overview of all designated assets that have the potential to be impacted by the proposal (although we think the actual impact is likely to be low-nil).

In terms of the scheduled monuments, Scheduled Monument Consent (SMC) would only be required if any new installations (e.g. signage) are to be placed in the scheduled area; or if the introduction of new paths/use of existing paths through the scheduled area will involve any additions (e.g. new surfacing) or any ground disturbance (e.g. digging to create/resurface paths). If this is the case, Natural England will need to apply for SMC to Historic England in advance of any works in the scheduled areas commencing.

You should consult the local conservation officer with regards to impact upon the setting of grade II listed buildings or conservation areas. Finally, you should also consult the county archaeologist about impacts to non-designated archaeology.

Natural England's comments

We welcome the positive engagement from Historic England during the development of our proposals – and their supportive comments. Throughout this process we have consulted with Historic England, as well local officers at Kent County Council regarding Historic Environment Records (in line with para 4.9.5 Coastal Access Scheme) to ensure that our proposals would not have a detrimental effect on designated and local heritage assets.

Report IGR 6 passes adjacent to one designated Scheduled Monument: World War II Heavy Anti-aircraft Gunsite (TS3) at Wetham Green. Historic England has confirmed in previous correspondence that the proposed route (IGR-6-S007 to IGR-6-S009), also existing public footpath (ZR3), is outside of the SM designation (annex 1). The proposed route currently floods due to low-lying ground, so our plans to carry out some surfacing works and grub out old tree stumps was shared with Historic England in early 2019. They confirmed that since the proposals are outside of the designated site, any minor alterations that we wish to make to the path, such as minor excavation or new surfacing, can take place without Scheduled Monument Consent. Therefore further liaison with Historic England will not be necessary prior to establishment of the proposals between Shoregate Creek and Otterham Quay.

Relevant appended documents (see Section 6):

Annex 1: Correspondence with Historic England on the Scheduled Monument designation at public footpath ZR3

Representation number:	MCA/IGR Stretch/R/5/IGR2394
Organisation/ person making representation:	The Kent County Council Public Rights of Way and Access Service [redacted]
Route section(s) specific to this representation:	Whole stretch
Other reports within stretch to which this representation also relates:	IGR 1, IGR 2, IGR 3, IGR 4, IGR 5 including more specific comments to IGR 4.
Representation in full	
In broadest terms, the Kent County Council (KCC) Public Rights of Way (PRoW) and Access Service support the creation of the England Coast Path, recognising the benefits this new National Trail will bring to the County. The establishment of the England Coast Path will supplement the delivery of	

Kent's Rights of Way Improvement Plan by encouraging active lifestyles, providing sustainable travel choices and supporting the Kent economy.

Having worked closely with Natural England during the development of this stretch, we are grateful for the opportunity we have been given to input into this process. While it is disappointing to see the proposed trail has not being aligned closer to the sea in places, the reasons for the preferred route are understood given the wildlife and environmental constraints of the existing landscape. We also fully understand the difficulties that have been encountered when balancing public and private interests.

Natural England has acknowledged the existence of the Saxon Shore Way and proposed that the England Coast Path follows much of this route. While the Saxon Shore Way provides extensive opportunities to explore the North Kent Coast, the route does not always follow the principles of the Coastal Access Scheme. Further, the Saxon Shore Way was limited to passing along PRow and public highways when it was originally created in 1980. It is therefore pleasing to note that Natural England has taken the opportunity presented by the Coastal Access Scheme to create new public access and provide alternatives to the existing on road sections of the Saxon Shore Way.

Particular attention is drawn to the section of trail proposed on Map IGR 4b, where the Saxon Shore Way passes along the Sheerness Road. Natural England has acknowledged the advice from Kent Highways and understood that the Sheerness road is not suitable for a National Trail, with its expected levels of public use. The proposed trail alignment is welcomed as it would provide a safer off-road alternative to the existing Saxon Shore Way and adhere to the general principles of the Coastal Access Scheme.

The KCC PRow and Access Service look forward to working with Natural England in the future and delivering this stretch of the England Coast Path.

Natural England's comments

We welcome these supportive comments and the positive engagement from [redacted] during the development of our proposals.

We also appreciate KCC's acknowledgement of the considerations that are a necessary part of developing the England Coast Path proposals, including wildlife and environmental constraints, balancing public and private interests and assessing whether existing paths meet the principles of the Coastal Access Scheme.

4. Summary of any similar or identical points within 'other' representations, and Natural England's comments on them

Representations containing similar or identical points

Representation ID	Organisation/ person making representation:
MCA/IGR6/R/1/IGR2965	[redacted] and [redacted]
MCA/IGR6/R/2/IGR2962	[redacted]
MCA/IGR6/R/3/IGR2972	[redacted]
MCA/IGR6/R/4/IGR2972	[redacted]
MCA/IGR6/R/5/IGR2974	[redacted]
MCA/IGR6/R/7/IGR2978	[redacted]
MCA/IGR6/R/8/IGR2983	[redacted] and [redacted]

MCA/IGR6/R/9/IGR2984	[redacted]
Name of site:	Beckenham Residential Mobile Home Park
Report map reference:	Map IGR 6b: Upchurch to Otterham Quay
Route sections on or adjacent to the land:	IGR-6-S024
Other reports within stretch to which this representation also relates	N/A

Summary of point: Privacy and security

These representations have expressed concerns about security across the caravan park, with fears that people may stray from the path and enter residents' plots. Caravans are often left unlocked and it was feared that the ECP might bring with it an increase in criminal activity. Some also cited the fact that most of the residents were elderly and the presence of path users would put them at risk from the public. In addition to these security fears, some residents objected to visual intrusion into caravan homes as well as to the increase in noise from path users and suggested that the ECP would affect the tranquillity of the caravan park.

Two of these representations have proposed that route sections IGR-6-S023 to IGR-6-S025 are modified to follow Option 5 (as referenced in Report IGR 6, para 6.3.3 Other Options Considered and Map IGR 6 Route Options Considered). This proposed modification would align the route inland of Beckenham Mobile Home Park, along the boundary of commercial orchards. They claim that this route has no worse views than the published route.

Natural England's comment:

Some residents have concerns about security across the caravan park, with fears that people may stray from the path and enter residents' plots. Caravans are often left unlocked and it was feared that the ECP might bring with it an increase in criminal activity. Some residents also cited the fact that most of the residents were are elderly and the presence of path users would put them at risk from the public. In addition to these security fears, some residents objected to visual intrusion into caravan homes as well as to the increase in noise from path users and suggested that the ECP would affect the tranquillity of the caravan park.

There are many examples around the country where caravan parks function perfectly well even though they are subject to some kind of public access. However, we know that concerns may arise at the prospect of aligning the route through sites where there is currently no public access or where the site has long term tenancies (paragraph 8.19.4 of the Approved Coastal Access Scheme). In accordance with paragraph 8.19.7 of the Scheme, where it is not possible to pass on the seaward side of a site, we aim to seek agreement from the site manager to align the trail through part of the site using existing access tracks and avoiding other excepted land (such as areas set aside specifically as a garden, or as curtilage around a caravan. In this case we were able to comply with paragraph 8.19.7 as our proposed alignment follows the c4m wide access road through a section of Beckenham Park, passing the main site office. The proposed coastal access rights are limited to the road and avoid the curtilage of any individual caravan. The caravans are also typically raised, which reduces direct views into people's homes.

The route was developed in consultation with the landowner, Haulfryn Group Ltd, who at the time of publication, were was supportive of our proposals given its positive experience of the Wales Coast Path on one of their its other sites (please refer to our comments on 'lack of consultation with the Residents Association' below).

The route will be direct, well signposted and easy to follow on the ground, so it is unlikely that walkers will stray off the road. We would expect the great majority of long-distance walkers to be responsible and respectful of residents' privacy and the tranquil environment and their attention would likely be focused on the views of the estuary and progressing along the trail. People walking through mobile home parks normally do their best to stay clear of caravans, where other space is available. We are

also not aware of any evidence where the use of the England Coast Path produces any significant effects on incidents of anti-social behaviour.

We do not agree that any new impact on privacy would be significant or outweigh the desirability of affording views of the sea referred to in the coastal access legislation (see section 4.6 of the Coastal Access Scheme).

Suggested modifications

The residents have suggested possible modifications to our route. As set out in Report IGR 6, the published route follows the alignment principles set out in the Scheme, specifically adhering to the periphery of the coast, affording the best views to visitors as well as providing a safe and convenient route for those using it (Para 4.1.1 of the Coastal Access Scheme).

In developing our proposals for this report we looked at a series of route options in this area (see Table 6.3.3: Other options considered, and Map IGR 6 Route Options Considered). We rejected the inland options near Beckenham Residential Mobile Home Park in favour of our published route as it is safer, has better views of the estuary and had landowner support.

We maintain that the published route strikes a fair balance between the interests of the public and the interests of the owners/occupiers. However in order for the Secretary of State to effectively consider whether fair balance has been reached we would like to provide some additional observations about the other options considered, including an additional route option (Option 6, see Annex 2), in light of the objections received for this area.

Please see Annex 2 for Other options inland of Beckenham Mobile Home Park and Annex 3 for IGR 6 Other Route Options Map.

Annex 2 is an extract from the Report Table 6.3.3 Other options considered (that is pertinent to the Beckenham Park area) with the addition of a new route option and further observations to provide additional clarity on our reasons for our preferred route.

Relevant appended documents (see Section 6):

Annex 2: Other options inland of Beckenham Mobile Home Park

Annex 3: IGR 6 Other Route Options Map

Representations containing similar or identical points	
Representation ID	Organisation/ person making representation:
MCA/IGR6/R/2/IGR2962	[redacted]
MCA/IGR6/R/8/IGR2983	[redacted] and [redacted]
MCA/IGR6/R/9/IGR2984	[redacted]
Name of site:	Beckenham Residential Mobile Home Park
Report map reference:	Map IGR 6b: Upchurch to Otterham Quay
Route sections on or adjacent to the land:	IGR-6-S024
Other reports within stretch to which this representation also relates	N/A

Summary of point: Use of resident's facilities such as car parks

These residents are concerned that England Coast Path visitors will use the two car parks within Beckenham Park, which are for residents and their visitors only. This could lead to insufficient space for the intended users.

One of these representations has proposed that route sections IGR-6-S023 to IGR-6-S025 are modified to follow Option 5 (as referenced in Report IGR 6, para 6.3.3 Other Options Considered and Map IGR 6 Route Options Considered). This proposed modification would align the route inland of Beckenham Mobile Home Park, along the boundary of commercial orchards. They claim that this route has no worse views than the published route.

Natural England's comment: The two car parks associated with Beckenham Mobile Home Park are located well within the boundaries of the site and it is clear that these facilities are provided for residents and their visitors only. The larger car park is directly adjacent to the Park Office and there is a manager on site most days.

Natural England does not consider that the alignment of the trail here would affect the resident's use of their facilities.

Natural England is willing, if requested by the landowner, to include information about the existing parking restrictions on the new signage at the entrance to the site

Please refer to the privacy and security theme above for Natural England's comments relating to the proposed modifications.

Representations containing similar or identical points	
Representation ID	Organisation/ person making representation:
MCA/IGR6/R/4/IGR2972	[redacted]
MCA/IGR6/R/5/IGR2974	[redacted]
MCA/IGR6/R/7/IGR2978	[redacted]
MCA/IGR6/R/8/IGR2983	[redacted] and [redacted]
Name of site:	Beckenham Residential Mobile Home Park
Report map reference:	Map IGR 6b: Upchurch to Otterham Quay
Route sections on or adjacent to the land:	IGR-6-S024
Other reports within stretch to which this representation also relates	N/A

Summary of point: Caravan Park Dog Policy and dog fouling

The residents have raised concerns that the England Coast Path will allow dogs on to the site and into their private gardens which contravenes the Park Rules as they are not allowed dogs. They are also concerned that the dogs will foul in the park and their owners won't clear up after them. Some of the residents are scared of dogs particularly they fear being bitten. The proposals are impractical as it will be difficult to monitor and control the dogs.

One of these representations has proposed that route sections IGR-6-S023 to IGR-6-S025 are modified to follow Option 5 (as referenced in Report IGR 6, para 6.3.3 Other Options Considered and

Map IGR 6 Route Options Considered). This proposed modification would align the route inland of Beckenham Mobile Home Park, along the boundary of commercial orchards. They claim that this route has no worse views than the published route.

Natural England's comment: During the development of the proposals Haulfryn Group Ltd, the landowner, agreed to Natural England's proposal for a direction to restrict coastal access rights with Beckenham Park to dogs on leads (see Annex 4), which is in keeping with the Beckenham Park Residential Rules regarding dogs (see below and Annex 5):

Dogs are not permitted to reside here. However, you may accept visitors dogs between the hours of 7.00am and 11.00pm but a visitors dog is not permitted to stay overnight. Visitors dogs must be kept on leads at all times, must not be allowed to cause a nuisance and fouling must be cleared immediately and disposed of accordingly.

The proposals include new signs to inform visitors of the dogs on lead policy at both ends of the site. As most dog walkers naturally put their dog on a lead when walking on a road or near to a road due to the risk from traffic, it is unlikely to be difficult to enforce, especially as the trail passes the main office of Beckenham Park.

The Residents Association raised concerns about dog fouling and lack of dog bins on site in April 2019, as part of the consultation. Natural England liaised with Swale Borough Council who subsequently agreed to look into options for installing new waste bins (that can also accommodate dog waste) along the England Coast Path (either on or near Beckenham Park) once the proposals have been approved.

Regardless of whether new waste bins can be installed we would expect the great majority of long-distance walkers to be responsible and respectful of Beckenham Park and its residents, which will include ensuring that any waste or litter is deposited in a suitable place or at home.

We do not consider the presence of dogs on this road would significantly affect the amenity and enjoyment of the caravan site's residents.

Please refer to the privacy and security theme above for Natural England's comments relating to the proposed modifications.

Relevant appended documents (see Section 6):

Annex 4: Email correspondence with landowners Haulfryn Group Ltd confirming dogs on leads restriction with Natural England
Annex 5: Beckenham Park Residential Rules

Representations containing similar or identical points

Representation ID	Organisation/ person making representation:
MCA/IGR6/R/7/IGR2978	[redacted]
MCA/IGR6/R/8/IGR2983	[redacted] and [redacted]
Name of site:	Beckenham Residential Mobile Home Park
Report map reference:	Map IGR 6b: Upchurch to Otterham Quay
Route sections on or adjacent to the land:	IGR-6-S024

Other reports within stretch to which this representation also relates	N/A
<p>Summary of point: <u>Lack of consultation with the Residents Association</u></p> <p>The Residents Association were not consulted by the landowners, Haulfryn Group Ltd, about the England Coast Path proposals.</p> <p>One of these representations has proposed that route sections IGR-6-S023 to IGR-6-S025 are modified to follow Option 5 (as referenced in Report IGR 6, para 6.3.3 Other Options Considered and Map IGR 6 Route Options Considered). This proposed modification would align the route inland of Beckenham Mobile Home Park, along the boundary of commercial orchards. They claim that this route has no worse views than the published route.</p>	
<p>Natural England's comment: The representations complain about the communication between Haulfryn Group Ltd and the Beckenham Park Association; specifically that Haulfryn Group Ltd lent its support to the proposals without the agreement of the Residents' Association. However we would like to make clear the steps that we took to keep both parties informed during the development of our proposals.</p> <p>Natural England liaised with the Operations Manager of Haulfryn Group Ltd, Philip Walker, and Park Manager, Cheryl Smith, of Beckenham Park (Haulfryn Group Ltd) from 2016, who supported the proposals. We met the Residents Association, with Haulfryn Group Ltd, in April 2019 to understand their concerns and resolve any issues. The meeting triggered a formal 28-day consultation between the Residents and the owner – with Haulfryn then passing the Residents Association's concerns on to Natural England. We responded to the issues raised in June 2019 (see annex 6), and received no further correspondence prior to publication, from either the Residents Association or Haulfryn.</p> <p>Please refer to the privacy and security theme above for Natural England's comments relating to the proposed modifications.</p>	
<p>Relevant appended documents (see Section 6):</p> <p>Annex 6: Formal consultation between landowners, Haulfryn Group Ltd and Residents Association</p>	

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

Representation ID:	MCA/IGR6/R/10/IGR2711
Organisation/ person making representation:	[redacted]
Name of site:	Land east of Horsham Marsh (Fields between Poot Lane and Horsham Fishing Lakes)
Report map reference:	Map IGR 6b: Upchurch to Otterham Quay
Route sections on or adjacent to the land:	IGR-6-S010 to IGR-6-S013
Other reports within stretch to which this representation also relates	N/A
<p>Summary of representation:</p> <p>[redacted] (a local bird recorder, who provided evidence for the Habitats Regulation Assessment) has expressed concern about our proposals to create summer access in the aforementioned fields. He believes that this will increase disturbance impacts on the breeding waterbird assemblage (qualifying feature of the Special Protection Area) that use those fields. The landowner, William Barling</p>	

(MCA/IGR6/O/12/IGR0556) has confirmed that there is breeding pochard, shoveler, gadwall, lapwing and redshank in these fields and this reflects the observations that [redacted] has made too.

Natural England's comment: We have reviewed the nature conservation issues raised as part of this representation and the objection (MCA/IGR6/O/12/IGR0556) from the landowner, and agree with the need to extend the direction to exclude access all year on the relevant landholdings.

When developing our proposals and assessing impacts on wildlife in this area, we were aware of the use by wintering birds (features of the designated site), and the intention of the proposed exclusions was to minimise access to these fields to protect this wildlife during periods of sensitivity (as recommended in the Habitats Regulations Assessment). However, it was not clear at that time that summer breeding bird assemblage interest features were also found across these fields.

With this new information on the fields between Poot Lane and Horsham Fishing Lakes, confirmed by [redacted], we recognise that this area is now increasingly being utilised by some of the breeding birds associated with the special interest of the designated site, such as pochard, gadwall, lapwing and redshank. In light of this, we consider an all year round exclusion to be appropriate on wildlife grounds to reduce disturbance both in summer and winter.

By proposing to extend the all-year Horsham Marsh exclusion to these landholdings, it will also help provide clarity for both the landowner and the public regarding access to this large block of fields near Horsham Marsh.

Alternative modification proposed by Natural England: Please refer to our suggested modification in our comments on the objection 'MCA_IGR6_O_12_IGR0556 William Barling'.

Representation ID:	MCA/IGRStretch/R/2/IGR2959
Organisation/ person making representation:	[redacted]
Name of site:	Whole route
Report map reference:	Whole route
Route sections on or adjacent to the land:	N/A
Other reports within stretch to which this representation also relates	IGR 2, IGR 3, IGR 4, IGR 5, IGR 6, IGR 7, IGR 8, IGR 9, IGR 10, IGR 11, IGR 12.

Summary of representation:

The reports only makes passing reference to cycling. Unlike other parts of the Thames and the Kent coast, there is no official cycling trail along the shoreline between Whitstable and Dartford. National Cycle Network 1 is mainly away from the shore, except in Riverside Country Park. The England Coast Path route should be open to cycling, unless there is a good reason otherwise. Barriers should be removed along the route and surfaces could be improved in the long term. Making the route better for cycling would make it better for disabled access.

Natural England's comment:

Right to cycle

In line with the Coastal Access duty to create clear and consistent public access rights along the coast for open-air recreation on foot, our reports to the Secretary of State set out proposals for a walking route only. Coastal access rights include most types of recreation on foot or by mobility vehicle including walking, climbing and picnicking. However, there are general restrictions on the scope of coastal access rights which are called "national restrictions", for example the coastal access rights do not normally include camping, horse riding or cycling. This does not prevent such recreational uses taking place by virtue of an existing right, with the landowner's permission or by traditional tolerance

(sections 2.4.1 and 2.4.2 of the Coastal Access Scheme). Where there are existing higher rights along our proposed trail (such as the existence of bridleways, cycle tracks, public highway), we have highlighted those additional rights in the proposals table and associated maps within each of the 12 reports.

In preparing the report, we met with local stakeholders to explore any issues and opportunities the England Coast Path presented. This included the Kent Countryside Access Forum (KCAF) and Medway Local Access Forum, who did not raise any specific aspirations about establishing new cycling rights along this stretch of coast. We also raised the potential for the dedication of higher rights with land owners affected by the trail. Whether or not to dedicate higher rights in this way is a decision for the landowners, not Natural England.

Nonetheless, we note [redacted]'s points and have forwarded them to both the Medway and Kent Access Fora for their consideration, in relation to implementing their Rights of Way Improvement Plans. Any new rights to cycle along the England Coast Path in future would need to be negotiated with the relevant landowners before proceeding with either a direction to relax general restrictions, or a dedication under S16 of the CROW Act.

Barriers to access

In developing our proposals for the England Coast Path we seek to balance the key principles set out in the statutory criteria for establishing the trail, namely: closeness to the sea (or estuary), sea views, safety and convenience (see section 4.1 of the Coastal Access Scheme). In doing this we always seek to avoid creating any unnecessary new barriers to access by choosing the least restrictive infrastructure that is practical in the circumstances.

Where there is a choice of routes (and taking into account the key principles outlined above), we will generally favour the one that is accessible to the widest range of people or most easily adapted for that purpose (section 4.3.8 of the Coastal Access Scheme). In addition and where appropriate, our proposals include further targeted adjustments to make the trail more accessible for people with reduced mobility, such as removing barriers to access such as replacing stiles with kissing gates or replacing kissing gates with gaps (section 4.3.10 of the Coastal Access Scheme). Land management requirements and local circumstances sometimes prohibit the removal of all gates, and we have indicated where we intend to remove barriers to access in the Accessibility section of each of the 12 reports.

Representation ID:	MCA/IGRStretch/R/3/IGR0008
Organisation/ person making representation:	The Disabled Ramblers [redacted]
Name of site:	Whole route
Report map reference:	Whole route
Route sections on or adjacent to the land:	N/A
Other reports within stretch to which this representation also relates	IGR 2, IGR 3, IGR 4, IGR 5, IGR 6, IGR 7, IGR 8, IGR 9, IGR 10, IGR 11, IGR 12.
Summary of representation: [redacted] notes that it was really encouraging to read of the positive changes being proposed to improve access for mobility vehicles as well as why it is not possible to improve matters in certain places. [redacted] was also really pleased to read of the inclusion of some step-free routes that will be sign-posted to get around some unavoidable barriers and she thanks Natural England for our hard work on this, and for helping to open up the opportunities available to those with limited mobility.	

Natural England's comment:Accessibility

We welcome the positive engagement from [redacted] during the development of our proposals and the supportive comments made by The Disabled Ramblers' Association.

In developing our proposals for the England Coast Path we seek to balance the key principles set out in the statutory criteria for establishing the trail, namely: closeness to the sea (or estuary), sea views, safety and convenience (see section 4.1 of the Coastal Access Scheme). In doing this we always seek to avoid creating any unnecessary new barriers to access by choosing the least restrictive infrastructure that is practical in the circumstances.

Where there is a choice of routes (and taking into account the key principles outlined above), we will generally favour the one that is accessible to the widest range of people or most easily adapted for that purpose (section 4.3.8 of the Coastal Access Scheme). In addition and where appropriate, our proposals include further targeted adjustments to make the trail more accessible for people with reduced mobility, such as removing barriers to access and leaving gaps or signposting step-free routes (section 4.3.10 of the Coastal Access Scheme). We have indicated where we intend to remove barriers to access in the Accessibility section of each of the 12 reports.

In regard to the mention of future changes to the route, this comment is likely to be related to the potential roll-back identified in the reports. With any new route, Natural England and the relevant Access Authority (Kent County Council) would seek to identify the most accessible route, balanced against the key principles described above, for the new trail alignment.

Representation ID:	MCA/IGRStretch/R/4/IGR2956
Organisation/ person making representation:	[redacted]
Name of site:	Shoregate Creek to Otterham Quay Coastline north of Ham Green
Report map reference:	Map IGR 6a: Shoregate Creek to Upchurch Map IGR 6b: Upchurch to Otterham Quay
Route sections on or adjacent to the land:	IGR-6-S001 to IGR-6-S010 IGR-6-S013 to IGR-6-S025
Other reports within stretch to which this representation also relates	IGR 4

Summary of representation:

[redacted], and she says other residents of Lower Halsow too, are pleased that care has been taken to ensure that the Coast Path will be safe for the walkers who use it. She is pleased that the proposed route is closer to the shore than existing public footpaths at Upchurch, and in particular, that it is not aligned on a dangerous section of road at Horsham Lane, as is currently promoted by the Saxon Shore Way. She considers the safety of the path to be an important factor to take into account when developing the Coast Path proposals, especially as she now considers Horsham Lane to be unusable for walkers. However, she is disappointed and unclear as to why the trail is not aligned closer to the coast along the seawall, especially north of Ham Green.

Natural England's comment:

We welcome [redacted]'s positive comments regarding our detailed consideration of the trail alignment in this area. In developing our proposals for the England Coast Path we seek to balance the key principles set out in the statutory criteria for establishing the trail, namely: closeness to the sea (or estuary), sea views, safety and convenience (see section 4.1 of the Coastal Access Scheme).

In determining the proposed alignment, we considered a number of options in this area, as presented in Table 6.3.2 Other Options Considered of the report and Map IGR 6 Route Options Considered.

These included aligning on the seawall of Upchurch peninsula (as preferred by [redacted]) as well as the existing Saxon Shore Way.

Seawall option: This route would have brought public benefits, as it is close to the coast and has continuous sea views, however new access was discounted here due to concerns over the potential impacts on wildlife.

The sites along or adjacent to the seawall such as Horsham Marsh, Bayford Marshes, and Hamgreen Saltings have been identified as an important breeding and/or wintering bird sites in the southern Medway Estuary and form a crucial part of the network of high tide roost sites.

In the Habitats Regulation Assessment, we concluded that new access around the Upchurch peninsula would result in disturbance to the important bird populations at all times of year, by affecting the birds' ability to feed or rest effectively on intertidal areas and roost sites in the winter, spring and autumn, with nesting affected in spring and summer on land adjacent to the seawall. As a result, new access was discounted here as we couldn't conclude that there would be no adverse impact on the bird populations of the Medway Estuary and Marshes Special Protection Area (SPA) and Ramsar site (as considered as part of the published HRA). The precautionary principle applies in such cases, if we cannot rule out a possible adverse effect, then the proposal cannot go ahead.

Saxon Shore Way option: The Kent County Council (KCC) advised against aligning the England Coast Path along the Saxon Shore Way at Horsham Lane due to safety concerns (see annex 7). The Saxon Shore Way was originally created in 1980 and was limited to passing along public rights of way and public highways. Horsham Lane is a 60mph, narrow road and now has a lot of traffic. There are limited pavements, verges or step-off points along this stretch of the road, and KCC concluded that it was not suitable for a National Trail, given the high level of promotion that they normally receive. We looked into and discounted an option to create a new footway directly alongside Horsham Lane but there are no viable options adjacent to the road that would avoid excepted land (such as gardens), or within the highway itself, due to the narrow width of the road. In addition, there are no other obvious existing routes to avoid this area, without going a significant distance inland which would create an unacceptably large area of coastal margin that would create new access rights across multiple landholdings. Given the available options in this area, KCC is fully supportive of the proposed trail alignment as it would provide a safer off-road alternative to the existing Saxon Shore Way and adheres to the general principles of the Coastal Access Scheme (see representation: MCA/IGR Stretch/R/5/IGR2394 from Kent County Council).

We also considered many other options in the Upchurch peninsula as set out in Table 6.3.2 Other Options Considered of the report and Map IGR 6 Route Options Considered, however, these options were all discounted for reasons of nature conservation or road safety concerns raised by Kent County Council.

Relevant appended documents (see Section 6):
Annex 7: Kent County Council's Advice for Horsham Lane