



Coastal Access – Gretna to Allonby (partial stretch approval)

Representations with Natural England's comments

March 2025

1. Introduction

This document records the representations Natural England has received on the proposals in all length reports between Gretna to Allonby from persons or bodies. It also sets out any Natural England comments on these representations.

Where representations were made that relate to the entire stretch for Gretna to Allonby they are included here.

2. Background

Natural England's compendium of reports setting out its proposals for improved access to the coast from Gretna to Allonby, comprising an overview and twelve separate length reports, was submitted to the Secretary of State on 25th July 2016. This began an eight-week period during which representations and objections about each constituent report could be made.

In total, Natural England received 18 representations regarding GAL2, GAL4, MR1, and MR2. This included 4 representations for GAL2, 2 for GAL4, 4 for MR1, 3 for MR2, and 5 relating to the full stretch. These representations 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. The representations are reproduced in this document along with Natural England's comments.

Full representations

Representation number	MCA/Gretna to Allonby/R/4/GAL0012
Organisation/ person making representation	Open Spaces Society ([redacted])
Report chapter	All/entire report
Route section(s)	All
Representation in full	
<p>General:</p> <p>We welcome a positive report made covering an area of coast known for its extensive salt marshes and of which most are important for breeding and/or overwintering birds. Therefore where s26 has been used to prohibit access to these sensitive areas we are content to accept such restrictions. However, we would seek a clearer statement from NE that the traditional and historic cross-estuary routes (the Solway waths) are still available for public access.</p> <p>However, we should make a strong representation that we object to the use of s25a restrictions where NE (and those such as the county council and the inshore-rescue organisations) have decreed such areas are “unsuitable for public access”. Such a restriction, whilst unlikely to be significantly affecting walkers, could have a significant adverse effective on members of kindred conservation organisations who may want to study the natural history of such areas. We are unsure if NE should be telling the public to keep away from nature because some public bodies think they incapable of making a judgement as to the safety issues that may arise during times of high tides.</p> <p>It could be that NE will simply replace s25a with a s26 restriction. If the evidence for such controls is necessary then we can accept this. We recommend that NE review its policy of using s25a.</p> <p>Mostly, with perhaps one exception due the length of the path on coastal salt marshes with little escape routes, we think the alternative routes are superfluous as planning a coastal walk is part of the pleasure of the ECP. It would be, in any case preferable to encourage walkers and other users of the ECP to be fully aware of the times and heights of tides. You will note this approach in some guidebooks to coastal walks including the Cumbria Coastal Way.</p> <p>There is another issues which may be a more nationwide issue although we assume NE will have policy to already ensure our concern is well covered. All boundaries are crossed by gates and kissing-gates i.e. there are no stiles. The ECP route is therefore more enticing to more senior walkers and the less mobile. In these proposals there are two sets of steps (e.g. para 2.1.21 of chapter 2). If the steps are badly designed they could cause an obstruction to</p>	

less mobile walkers and we express the hope that steps will be designed with less ambulant people in mind, especially for their descent.

The route:

Chapter 1 Gretna to Knockupworth Bridge.

GAL-1- S001 to 006 welcome.

S007 to 020 this is a disappointing section adjacent to the motorway and the main railway line and with little chance of viewing the estuary and possibly not meeting the requirements of the approved Scheme. We note that operation works are taking place on the sea wall (which will have no access on its embankment top for s26 reasons) and the route can be little different from what is proposed. However, we ask for a re-consideration of this part of the route once the sea-wall works have been completed.

S021 to 032 welcome.

S033 to 046 we find disappointing but understand the reasons. We ask that s046 be reconsidered for an off-road route due the the narrowness of the road used by cattle and agricultural vehicles. Sufficient passing places may solve the problem be we would prefer to see the route at the edge of the adjacent fields or woodland.

S047 to 087 welcome.

S088 to 096 is a confusingly complex route to gain the bridge over the River Eden however, at this stage, we see little opportunity for changing the proposal.

Chapter 2: Knockupworth Bridge to Bowness of Solway

GAL-2- S001 to S057 welcome.

S058 to 065 is a disappointing choice of route but we understand why the cost and logistics of the necessary footbridge make this the preferred route.

S066 to 099 welcome.

S100 to 101 We are unhappy the the road walking along this stretch of the route notwithstanding its use by the Hadrian's Wall Trail. We believe the route should be reconsidered to go into the fields adjoining the landward side of the road.

S102 welcome.

We note the seasonal restriction on sections Gal-2-S076 to S089 but find the alternative route (Hadrian's Wall trial) to be excessively long and ask that a route in the fields adjacent to the road be considered. Even the road would be preferable. As there are buildings of vernacular interest to be seen from the road along with some views of the estuary. We note that part of the route to be seasonally closed in also a public footpath and it may be that this col de sac route was not fully mapped.

Bowness-on-Solway to Whitrigg Bridge

GAL-3-S001 to 004 welcome and we record our thanks to the RSPB for their work in ensuring the route through the scrub means that road walking can be avoided.

S005 to 006 We are disappointed with this section of tedious road walking and ask that an off-road route be again considered.

S007 to 014 We note this section is off road but we find the route disappointing.

S015 to 027 We note this section of the route is on an urban footway and would ask that an estuary side route be re-considered.

S028 to 036 welcome.

S037 to 039 Again we note this is road walking and are disappointed that an off-road route cannot be found.

We do not think there is need for an alternative route in this section.

Whitrigg Bridge to Silloth
GAL-4-S001 to 117 welcome.

We note the alternative route, which provides an option against a long stretch of tidal salt marsh, is largely road walking. We note that NE have limited powers to find an off-road alternative in an area exceedingly short of public rights of way. Given that we note the alternative route.

Silloth to Allonby
GAL-5-S001- 065 welcome.

Again we do not believe an alternative route is necessary for this stretch.

We would caution against the provision of information boards in car parks on the Solway coastal commons. It is our view that these car parks may be illegal under the law applicable to commons. We would not wish to see any expenditure from NE going to such locations.

Specialist input *Record the input received. It is not necessary to record the input in full. If no specialists were consulted or responded, leave the field blank.*

Natural England's comments *Enter Natural England's comments here with as much detail as possible.*

Note: NE welcomes the constructive nature of the representation, and the general support for the principle of enhanced coastal access. Each of the issues raised within the representation are duplicated by the representations submitted by The Ramblers.

NE welcomes the constructive nature of the representation, and the general support for the principle of enhanced coastal access.

With regard to the comments on nature conservation, NE has taken full account of advice provided by nature conservation specialists within the organisation and only proposed restrictions or exclusions where it is felt that other access management measures would not work or be appropriate. Any existing rights of access will not be affected by the proposed directions to exclude or restrict coastal access rights (other than CROW rights, which will be replaced by new coastal access rights, where land affected will fall within the coastal margin).

Under s25A of CROW, we have a power to exclude access from areas of saltmarsh or flat within the coastal margin if we consider that the land is unsuitable for public access.

The Coastal Access Scheme clearly states that we will often use this power, but with due regard to the land. Each of the areas of saltmarsh or flats on this stretch of coast were

considered separately during the route planning stage and we also sought advice from landowners, marsh committees, the RNLI and the H.M. Coastguard.

As we are creating new rights of access on the coast, it is quite possible that the general public may have no understanding of the extreme dangers often presented by unpredictable tide movements and terrain factors in areas like this. The danger to the general public may therefore be substantially greater than the danger to local people with a historical knowledge of their local areas of salt marsh or flat. Existing public and private rights would not be affected by any S25A restriction we have proposed. These might include activities such as livestock management, wildfowling, fishing etc. Some may take place under a separate legal right, while others may simply be customary on the land or traditionally tolerated by the land owner, often in connection with the exercise of actual legal rights such as fishing or navigation in the sea.

Many parts of the coast will experience change, caused by factors such as periodic flooding or regular tidal action, which can affect the continuing ability of people to walk around the coast; the 2009 Act includes powers that enable our proposals to adapt to such circumstances. Due to the nature of the coast on the Solway estuary, where extensive saltmarshes cover large parts of the stretch covered by this report, we wanted to align the ordinary route as close to the coast as possible in order to give people a better experience of this unique habitat. Where practical, we have proposed an optional alternative route, to be available to walkers when the 'ordinary' route becomes unsuitable due to tidal inundation. In all cases, the optional alternative routes will be signed / waymarked and follow existing public rights of way and public highways

In respect of design of specific infrastructure, Cumbria County Council will be managing establishment works on behalf of NE and we are confident that the concern raised can be mitigated by careful design.

Please also refer to the separate NE comments provided against each of these representations (Ref: MCA\Gretna to Allonby\R\5\GAL0200; MCA\Gretna to Allonby\R\16\GAL0200; MCA\Gretna to Allonby\R\17\GAL0200; MCA\Gretna to Allonby\R\18\GAL0200; MCA\Gretna to Allonby\R\19\GAL0200; MCA\Gretna to Allonby\R\20\GAL0200).

Representation number	MCA/Gretna to Allonby/ R/5/GAL0020
Organisation/ person making representation	The Ramblers ([redacted])
Report chapter	All/entire report
Route section(s)	All
Representation in full	

We welcome a positive report made through an area of coast known for its extensive salt marshes and of which most are important for breeding and/or overwintering birds. Therefore where s26 has been used to prohibit access to these sensitive areas we are content to go along with such restrictions. However, we would seek a clearer indication from NE that the traditional and historic cross-estuary routes (the Solway waths) are still available for public access.

We object to the use of s25a restrictions where NE (and those such as the county council and the inshore-rescue organisations) have decreed such areas are “unsuitable for public access”. Such a restriction, whilst unlikely to be significantly affecting walkers, could have a significant effective on our kindred members of conservation organisations who may want to study the natural history of such areas.

We are pleased to note that there are no stiles on this route, only gates and kissing-gates. The England Coast Path route is therefore more enticing to more senior walkers and the less mobile. However, there are proposals for two sets of steps (e.g. paragraph 2.1.21, chapter 2). If steps are badly designed they could cause an obstruction to less mobile walkers and we express the hope that steps will be designed with less ambulant people in mind.

Specialist input *Record the input received. It is not necessary to record the input in full. If no specialists were consulted or responded, leave the field blank.*

Natural England’s comments *Enter Natural England’s comments here with as much detail as possible.*

NE welcomes the general support for the principle of enhanced coastal access.

With regard to the comments on nature conservation, then NE has taken full account of advice provided by nature conservation specialists within the organisation and only proposed restrictions or exclusions where it is felt that other access management measures would not work or be appropriate. Existing access rights will not be affected by the direction to exclude or restrict access (other than CROW rights, which will be replaced by new coastal access rights, where land affected will fall within the coastal margin).

Under s25A of CROW, we have a power to exclude or restrict access to any land which is coastal margin consisting of salt marsh or flat if we consider that it is unsuitable for public access. Following discussions with landowners, marsh committees, the RNLi and the H.M. Coastguard we have concluded that certain areas of saltmarsh and flats within the inner parts of the Solway estuary (from Gretna to Grune Point) pose dangers that are neither well understood nor readily apparent to visitors. Where there is already a limited form of historic or existing right of access that takes place on areas of marsh and mudflats, these access rights will not be affected by this exclusion. Paragraph 7.15.5 of the approved Scheme states that we ‘will often use this power, but with due regard to the nature of the land’. The types of activities mentioned in this representation may still be possible with the consent of the owner or occupier of the land.

In respect of design of specific infrastructure, Cumbria County Council will be managing establishment works on behalf of NE and we are confident that the concern raised can be mitigated by careful design.

Representation number	MCA/Gretna to Allonby/R/17/GAL0020
Organisation/ person making representation	The Ramblers ([redacted])
Report chapter	2 – Carlisle to Bowness-on-Solway
Route section(s)	GAL-2-S001 to Gal-2-S102
Representation in full	
<p>GAL-2- S001 to S057 - We welcome these proposals.</p> <p>S058 to 065 – This is a disappointing choice of route but we understand the cost and logistics of the necessary footbridge make this the preferred route.</p> <p>S066 to 099 - We welcome these proposals.</p> <p>S100 to 101 – We are unhappy the road walking along this stretch of the route notwithstanding its use by the Hadrian's Wall Trail. We believe the route should be reconsidered to go into the fields adjoining the landward side of the road.</p> <p>S102 – We welcome these proposals.</p> <p>Gal-2-S076 to S089 - We note the seasonal restriction on sections but find the alternative route (Hadrian's Wall trial) to be excessively long and ask that a route in the fields adjacent to the road be considered. We note that part of the route to be seasonally closed in also a public footpath and it may be that this col de sac route was not fully mapped.</p>	
Specialist input <i>Record the input received. It is not necessary to record the input in full. If no specialists were consulted or responded, leave the field blank.</i>	Cumbria County Council (highways authority)
<p>Unsuitability of minor road through Drumburgh as a national trail, due to narrowness, lack of verges in places and reduction of visibility caused by bends in road.</p>	
Natural England's comments <i>Enter Natural England's comments here with as much detail as possible.</i>	
<p>NE welcomes the constructive nature of the representation, and the general support for the principle of enhanced coastal access.</p>	

GAL-1-S100 to GAL-1-S101: The approved Scheme requires that we strike a fair balance between the public interest and the interests of owners and lawful occupiers of land. We believe that the proposed route which follows the line of the existing Hadrian's Wall National Trail provides a direct route between Port Carlisle and Bowness-on-Solway whilst also offering good views of the coast. This alignment follows the guidance set out in the scheme which indicates that where there is already an existing national trail along the coast we would normally adopt it as the line for the England Coast Path. Cumbria County Council (the highways authority) are content that the route may be proposed on the minor road.

GAL-1-S076 to GAL-1-S089: As the proposed route between these sections will be restricted at certain times of the year, we did consider a number of possible options for an alternative route. Other nature conservation concerns in this area between the main trail and the road prevented us from creating an alternative route through the fields to the landward of the trail. We therefore consider it most appropriate to align the alternative route on the existing, well maintained and waymarked Hadrian's Wall National Trail, slightly inland from the road.

We confirm that part of the main route is aligned on an existing public right of way (GAL-2-S084) which would not be affected by our proposed seasonal exclusion. However in order to ensure that a continuous and sensible alternative route is available for walkers when access along the main trail is excluded, we have proposed that the alternative route re-joins the main trail at the junction of GAL-2-S084 and GAL-2-S085 where walkers can then continue their onward journey. The highways authority was consulted on the use of the road in this area as part of the alternative route; their view was that it is not suitable for walkers due to narrowness, lack of verges in places and many bends (with consequent shortness of sight-lines).

Organisation/ person making representation:	[redacted]
Unique reference number:	MCA/Gretna to Allonby/R/6/GAL0654
Route section(s):	None specifically indicated.
Summary of representation: <p>The representation raises several issues and concerns that the individual feels need to be answered and publicised nationally prior to the commencement of coastal access rights.</p> <p>These concerns relate to all parts of the report which deal with estuaries or tidal grazing land and include specific reference to the following issues: public safety (related to the natural dangers posed by saltmarsh and flats), public health, animal health, environmental damage and the long term maintenance & management of the trail.</p> <p>A letter sent in supporting the representation has been appended to this report.</p>	
Natural England's comment: <p>The representation is not seeking any specific change to our proposals.</p> <p>We agree that certain areas of saltmarsh and flats within the inner parts of the Solway estuary pose dangers that are neither well understood nor readily apparent to visitors and, for that</p>	

reason, we are proposing that coastal access rights to these areas will be excluded under s25A of CROW. This decision was taken after extensive discussion with local interests including landowners, marsh committees, the RNLI and the H.M. Coastguard. In some locations, where we expect that the main route will become unsuitable for use at certain times due to tidal action and flooding, and as there are no powers to exclude access for these reasons, we have identified an optional alternative route that walkers might use to avoid tidally affected areas. We will also be working with the local access authority to ensure that appropriate information (through on-site signage) is provided that will advise walkers to check the tide times and heights before using certain parts of the trail.

There are existing rights of access over some saltmarshes and flats around the Solway estuary; these access rights will not be affected by our proposed exclusions.

Whilst we can see the benefits to walkers from a provision of toilet facilities, such developments are beyond the scope of the coastal access programme. We will continue to work closely with access authorities and others to promote any existing facilities that would be useful to walkers.

In respect of animal health, contamination and spread of disease, we acknowledge that there may be some risks but we do not consider that these are generally of a magnitude that would warrant exclusion of public access. We will work with the local access authority to ensure that appropriate information (through on-site signage) is provided that will help reduce the risk of disease by encouraging owners to keep dogs on leads in the vicinity of livestock, to pick up after dogs and to dispose of waste carefully. Dog fouling, littering and other forms of anti-social behaviour are always to be discouraged and are clearly not part of any rights granted under the Marine and Coastal Access Act.

Once the coastal access rights are in place, there will be an ongoing need for maintenance of the trail and, in some cases, additional access management for specific purposes. We will continue to work with local access authorities to meet these maintenance and management requirements. The England Coast Path will be part of the family of National Trails and the long term arrangements relating to their funding and management will apply to it as appropriate.

Organisation/ person making representation:	National Grid ([redacted])
Unique reference number:	MCA/Gretna to Allonby/R/9/GAL0812
Route section(s):	GAL-1-S004, GAL-1-S005, GAL-1-S015, GAL-1-S039, GAL-1-S040, GAL-1-S071, GAL-1-S072, GAL-1-S073, GAL-1-S074, GAL-1-S075, GAL-1-S076, GAL-1-S077, GAL-1-S078, GAL-1-S079, GAL-1-S080, GAL-1-S081, GAL-1-S082, GAL-2-S023, GAL-2-S030
Summary of representation:	

National Grid (NG) are broadly supportive of the project and the proposals for this stretch of coast.

The concerns raised in this representation focus on public safety and security of their infrastructure, how the alignment of the trail might impact on existing or future National Grid infrastructure and the practicalities of managing public access when any maintenance or development of new infrastructure is required.

Various assets are mentioned and identified on attached maps, together with details of a recent consultation about routes for new power transmission infrastructure. No specific conflicts are identified in terms of proposed route, although there is a suggestion that, in general, it would be preferable to route the trail away from pylons or other installations, above or below ground.

The representation also mentions that it may well be necessary to seek exclusions or restrictions in the future, in order to allow NG or other bodies to carry out works safely. Maps and an accompanying letter have been appended to this report.

Natural England's comment:

NE welcomes the constructive nature of the representation, and the general support for the principle of enhanced coastal access.

The representation is not seeking any specific change to our proposals and during the route planning stage we have not been made aware of any potential conflicts between power transmission infrastructure and proposed new access.

The establishment of the route, once approved, will typically entail very little work on the ground, so the potential for this phase to cause issues for NG infrastructure is very limited. Cumbria County Council will be responsible for carrying out the establishment works that are required, and are familiar with the normal requirements to check and consult with utilities companies before commencing works.

Following commencement of new access rights, any NG operations can still take place on land where the new rights are in place. It will normally be possible to undertake small-scale works alongside public access by adopting informal management techniques. If informal management cannot meet operational needs then exclusions or restrictions will be available on various grounds, including land management and public safety, where shown to be necessary.

Coastal access rights do not prevent any land from being developed or redeveloped in the future. If this happens, the developed land is likely to become excepted land where coastal access rights would not apply. We would need to submit a variation report recommending a change to the trail or landward boundary of the coastal margin if either is affected by the development.

Organisation/ person making representation:	United Utilities ([redacted])
Unique reference number:	MCA/Gretna to Allonby/R/15/GAL0064

Route section(s):	None specifically indicated.
<p>Summary of representation:</p> <p>The representation contains important advice about the need to protect United Utilities (UU) assets when any establishment works are undertaken, and the need to secure prior approval when undertaking work in specific locations.</p> <p>No specific conflicts are identified, in terms of proposed route, but the proposed establishment works for the trail both within UU easements and properties and on or close to UU infrastructure are listed in the supporting documents.</p> <p>A letter submitted with the representation has been appended to this report.</p>	
<p>Natural England's comment:</p> <p>The representation is not seeking any specific change to our proposals.</p> <p>Cumbria County Council will be managing establishment works on behalf of NE, and will be obliged to comply with legislation and best practice whilst carrying out this work. Before any works are undertaken, they will ensure that any consents for works are in place and specific discussions about access, construction and timing of the works are held with the owners and occupiers of land affected.</p> <p>Following commencement of new access rights, UU operations can still take place on land where the new rights are in place. It will normally be possible to undertake small-scale works alongside public access by adopting informal management techniques. If informal management cannot meet operational needs then exclusions or restrictions will be available on various grounds, including land management and public safety, where shown to be necessary.</p> <p>Coastal access rights do not prevent any land from being developed or redeveloped in the future. If this happens, the developed land is likely to become excepted land where coastal access rights would not apply. We would need to submit a variation report recommending a change to the trail or landward boundary of the coastal margin if either is affected by the development.</p>	

Chapter 2 representations

Organisation/ person making representation:	Hadrian's Wall World Heritage Site Partnership Board ([redacted])
Unique reference number:	MCA/Gretna to Allonby/R/8/GAL0766
Route section(s):	GAL-2-A008 to GAL-2-A010 and GAL-2-S072 to GAL-2-S074
Summary of representation:	

The representation gives support to the coastal access proposals and welcomes the increased and better access it will provide to the western part of the Hadrian's Wall historic site. The is also specific support for the proposed re-alignment of the Hadrian's Wall Trail at the back edge of Burgh Marsh and in other areas, where appropriate.

The representation does raise concerns about the long term financial support that will be provided for National Trails and also the possible damage to archaeological remains along the route.

A letter sent in with the representation has been appended to this report.

Natural England's comment:

The representation is not seeking any specific change to our proposals and Natural England is grateful to the Hadrian's Wall World Heritage Site Partnership Board for the support expressed.

As indicated in the Overview report, data relating to the historic sites and features was collated for us by Cumbria County Council. This included data about the presence of historic sites and features on this stretch of coast and specialist advice as to the potential vulnerability of the sites and features to access. Throughout the planning stages, officers at Historic England and Cumbria County Council, as well as the Hadrian's Wall National Trail Officer were extensively consulted about the proposals, including route alignment, and also where any new infrastructure will be required.

We looked for evidence of any potential for our proposals to have a detrimental effect on protected sites or features, in particular the Hadrian's Wall UNESCO World Heritage Site 'Frontiers of the Roman Empire' (Hadrian's Wall) World Heritage Site, which extends across much of this stretch of coast. This included potential effects arising from the works that would be necessary to establish and/or maintain the proposed route and from people's use of the new access rights. Our conclusion from that assessment was that our proposals would not undermine the conservation objectives for the historic environment within the Gretna to Allonby stretch.

Cumbria County Council will be managing establishment works on behalf of Natural England, and will be obliged to comply with legislation and best practice whilst carrying out this work. Before any works are undertaken, they will ensure that any consents for works are in place and specific discussions about access, construction and timing of the works are held with the relevant bodies as well as individual owners and occupiers.

Once coastal access rights are in place and are being used, there will be an ongoing need for basic maintenance of the trail and in some cases additional access management for specific purposes. We will continue to work with local access authorities to meet these maintenance and management requirements. The England Coast Path will be part of the family of National Trails and the long term arrangements relating to their funding and management will apply to it as appropriate.

Organisation/ person making representation:	Burgh by Sands Parish Council ([redacted])
Unique reference number:	MCA/Gretna to Allonby/R10/GAL0826

Route section(s):	None specifically indicated.
<p>Summary of representation:</p> <p>The representation by Burgh by Sands Parish Council raises several concerns about the quality, durability and location of the infrastructure needed on the marsh and concerns about the dangers associated with walking on saltmarshes.</p> <p>The representation does make a suggestion about a different alignment for the trail away from Burgh marsh and the need for a lowered speed limit on the road, to make it safer for walkers.</p> <p>The representation also highlights the sensitive habitat of the marsh and is concerned that increased use by walkers will disturb existing wildlife and potentially cause risks to cattle through spread of disease.</p>	
<p>Natural England's comment:</p> <p>In respect of concerns raised about the dangers of walking on the marsh and the suggestion that the route be realigned (to the 'old Railway/Canal bund'), we do agree that certain areas of saltmarsh and flats within the inner parts of the Solway estuary (from Gretna to Grune Point) pose dangers that are neither well understood nor readily apparent to visitors. In many locations along this stretch of coast, we have proposed that coastal access rights to many of these areas will be excluded under s25A of CROW. In reaching these decisions we have consulted local interests including landowners, marsh committees, the RNLI and the H.M. Coastguard.</p> <p>Burgh Marsh is already accessible by the public and well-used, by virtue of it being designated as CROW access land and Registered Common Land; we do not feel it is necessary or appropriate to restrict any new right of access to the same area. We agree with the comments made in the representation that, at times, the main route will become unsuitable for use due to tidal action and flooding. As there are no powers to exclude access for these reasons, we have identified an optional alternative route that walkers might use to avoid affected areas. The Optional Alternative Route (that may be used when the main trail is not suitable) will, as suggested, run along the top of the embankment on the landward side of the road at the back edge of Burgh Marsh.</p> <p>We acknowledge the concerns raised around speeding traffic and will pass this information to the relevant body (the highway authority) to consider. However, as outlined in part 5a of the Overview, we intend to propose changes to the alignment of the existing Hadrian's Wall National Trail in places where it is close to but not coincident with the England Coast Path. We will manage this by means of a separate variation report to the Secretary of State which is likely to include a proposal to realign the existing Hadrian's Wall National Trail away from the road and onto the embankment on the landward side of the road.</p> <p>Regarding the comments on infrastructure, Cumbria County Council will be managing establishment works on behalf of NE, and we are confident that the concerns raised about durability can be mitigated by careful design. We will also work closely with the local access authority to ensure that appropriate information (through on-site signage) is provided that will advise walkers to check the tide times and heights before using certain parts of the trail.</p>	

NE has taken full account of advice provided by nature conservation specialists and concluded that there should be a long-term restriction on new access rights over Burgh Marsh, requiring owners to keep their dogs on a lead all year round.

We acknowledge that there may be some risks of contamination and spread of disease, but we do not consider that these are generally of a magnitude that would warrant exclusion of public access. We will however work with the local access authority to ensure that appropriate information (through on-site signage) is provided that will reduce the risk of disease by encouraging owners to keep dogs on leads in the vicinity of livestock, to pick up after their dogs and to dispose of waste carefully.

Whilst we can see the benefits to walkers from a provision of toilet facilities, such developments are beyond the scope of the coastal access programme. We will continue to work closely with access authorities to promote any existing facilities that would be useful to walkers.

Organisation/ person making representation:	[redacted] (H&H) on behalf of [redacted]
Unique reference number:	MCA/Gretna to Allonby/ R/12/GAL0682
Route section(s):	GAL-2-S048 to GAL-2-S051
Summary of representation: As the owner of land affected by the proposals, the representation is to make us aware that the tenant who farms the land should be fully consulted on the proposed infrastructure required to establish the trail.	
Natural England's comment: The representation is not seeking any specific change to our proposals. We can confirm that [redacted] (the tenant) has been consulted; he has submitted an objection to the proposals (MCA/Gretna to Allonby/O/12/GAL0110).	

Chapter 4 representations

Representation number	MCA/Gretna to Allonby/R/19/GAL0020
Organisation/ person making representation	The Ramblers ([redacted])
Report chapter	4 – Whitrigg Bridge to Silloth
Route section(s)	GAL-4-S001 to GAL-4-S117
Representation in full GAL-4-S001 to 117 – We welcome these proposals. We note the alternative route, which provides an option against a long stretch of tidal salt marsh, is largely road walking. We note that NE have limited powers to find an off-road	

lacerative in an area exceedingly short of public rights of way. Given that we note the alternative route.	
Specialist input <i>Record the input received. It is not necessary to record the input in full. If no specialists were consulted or responded, leave the field blank.</i>	
Natural England's comments <i>Enter Natural England's comments here with as much detail as possible.</i>	
<i>Natural England is grateful for the support expressed in the representation.</i>	

Representation number	MCA/Gretna to Allonby/R11/GAL0881
Organisation/ person making representation	RSPB
Report chapter	Overview Report (Annex D), Chapters 2 and 3
Route section(s)	GAL-3-S029 to GAL-3-S035, GAL-4-S001 GAL-4-S015
Representation in full	
<p>1. <i>'Annex D, Overview, p49. Request correction of error in schedule 2 general restrictions</i></p> <p><i>(2) Nothing in sub-paragraph (1)(f) or (j) affects a person's entitlement by virtue of section 2(1) to be on any land which is coastal margin if the person's conduct (to the extent that it falls within sub-paragraph (1)(f) or (j)) is limited to permitted fishing- related conduct.</i></p> <p><i>(1)(f) or (j) refer to; (f) intentionally or recklessly takes, damages or destroys any eggs or nests, (j) uses or has with him any metal detector.</i></p> <p><i>I presume (2) intends to refer to (1)(e) or (i). This needs correcting as this guidance implies that destroying eggs or nests is permitted providing it is part of fishing related conduct. I am sure this is an oversight.</i></p> <p>2. Chapter 3 & 4 – Anthorn to Saltcotes</p> <p><i>Proposed route sections from Anthorn to Whitrigg and from Whitrigg bridge to Saltcotes (GAL-3-S029 to GAL-3-S035 and GAL-4-S001 to GAL-4-S015) risks causing unacceptable levels of disturbance to SPA/SSSI bird species through introduction on access onto a site that currently has no access. Limited access restrictions and exclusions under s26(3)(a) does not constitute adequate mitigation for the proposal. Not enough data is available to inform or</i></p>	

contradict this risk to SSSI/SPA species; hence the precautionary principle should be followed.

Additionally, no HRA has been available as part of the consultation so test of LSE for European species and habitats cannot be assessed by stakeholders and the public. Suggest in future that as a minimum any schedule 1 organisation (Coastal Access Reports (Consideration and Modification Procedure) (England) Regulations 2010 (S.I. 2010/1976)) is provided with a copy of any relevant appropriate assessment as part of the consultation.

The alternative routes set out on maps 3g, 3h and 4a to 4f linking Anthornn to Saltcotes are more suitable for use as the primary route.

This is referenced in 3.2.2 and 4.2.2 "other options considered". The reason given for not proposing this route is invalid considering the avian interest and current undisturbed nature of the marshes. In particular, 3.2.2 states that the route from GAL-3-S033 to GALS034 has been chosen specifically to avoid areas of nature conservation interest. This particular section of Longcroft and Whitrigg marsh sees large aggregations of feeding geese (anecdotal reports of 1500+ individual Pink-footed geese) at all states of the tide. On spring tides, the area of available marsh for feeding geese is restricted to the upper sections, often within 50m of the proposed route. Bringing users of the trail within 50m of feeding geese may result in significant disturbance and displacement effects.

It is accepted that the increased area of coastal margin resulting from adopting the alternative route as the primary route is not ideal. However, the linear nature of a route along the lane combined with signage denoting the access restrictions on the marsh as well as a pro-active approach to access management being taken by the landowners will likely result in increased compliance from users of the route.

The use of lanes (lunnins) adjacent to the coast to form the primary route has been used further north at Campfield to Cardurnock (chapter 3, maps 3c to 3e). This approach is preferred and should be implemented on the section between Whitrigg bridge and Saltcotes.

The representation also cites and includes references to various reports relating to bird disturbance, feeding behaviour and factors affecting breeding success:

- This area regularly exceeds national thresholds for wintering Barnacle goose with counts in excess of 5000 individuals in March 2014 (WeBS). It also holds notable passage and winter aggregations of Pink-footed goose, Curlew, Common Gull, Lapwing, Oystercatcher and Golden Plover. (WeBS data for this sector (59427))*
- The effects of human recreational disturbance are well documented and understood. For the sake of brevity the potential effects are listed below (NB. The following is taken verbatim from the Morecambe bay disturbance and access management report 2015, Footprint ecology, D Liley, J Underhill-Day, C Panter, P Marsh & J Roberts)*

- *Redistribution of birds in response to the presence of people. Redistribution can be short-term – in response to individual disturbance events – or more chronic, with birds simply avoiding otherwise suitable habitat for breeding or nesting (Cryer et al. 1987; Gill 1996; Burton et al. 2002; Burton, Rehfish & Clark 2002; Liley & Sutherland 2007).*
- *Reduced intake-rate of food as a response to disturbance, due to birds feeding in areas with poorer available food resources (Fitzpatrick & Bouchez 1998; Stillman & Goss-Custard 2002; Bright et al. 2003; Thomas, Kvitek & Bretz 2003; Yasué 2005).*
- *Increased energy expenditure as a result of birds reacting to disturbance by flying to different areas to feed and being flushed while feeding and roosting (Stock & Hofeditz 1997; Nolet et al. 2002).*
- *Physiological impacts, such as increased stress (Regel & Putz 1997; Weimerskirch et al. 2002; Walker, Dee Boersma & Wingfield 2006; Thiel et al. 2011). Increased stress levels/heart rate etc., may also have consequences for energy expenditure.*
- *Direct mortality, such as predation from domestic dogs (Pienkowski 1984; Liley & Sutherland 2007), predators exploiting disturbance events (e.g. Brambilla, Rubolini & Guidali 2004) or nests being trampled (Liley 1999).'*

Natural England's comments Enter Natural England's comments here with as much detail as possible.

We note the comment concerning a possible error in Schedule 2 general restrictions. However, we do not have powers to amend legislation and can only refer this matter to Defra.

Natural England has taken full account of the advice provided by nature conservation specialists within the organisation as well as seeking advice from other external organisations. The Access and Sensitive Features Appraisal for the Gretna to Allonby stretch of coast was published alongside the Gretna to Allonby Coastal Access Report (also appended to this report at Appendix A). The appraisal presents Natural England's assessment of the proposals to establish the England Coast Path, between Gretna and Allonby, as necessary under the relevant legislation including:

- *Assessment of impacts on SSSIs and the requirement to fulfil Natural England's duties under S28G of the 1981 Wildlife and Countryside Act 1981 (as amended) to take reasonable steps, consistent with the proper exercise of our functions, to further the conservation and enhancement of the SSSI;*
- *Assessment of impacts on European designated sites (SPA, SAC, RAMSAR) under the Conservation of Habitats and Species Regulations 2010 (the "Habitats Regulations");*
- *Assessment of impacts on Marine Conservation Zones under Section 125 and 126 of the Marine and Coastal Access Act (MCAA) (2009).*

- *Species protected under the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010.*

Coastal access rights will be restricted to the proposed route only, from Anthorn to Saltcotes. Access to the coastal margin is to be excluded under a combination of s25A (Saltmarsh and flat) and s26(3)(a) (nature conservation) and access along the trail is also restricted, requiring owners to keep their dogs on a lead all year round.

In addition to these formal measures, a complimentary package of informal access management measures is intended to persuade users of the trail to adhere to local exclusions and restrictions. Relevant information and signage will be provided in key locations, and the careful design of access furniture will help to encourage walkers to follow the line of the trail. We believe that the careful alignment of the trail to avoid the most sensitive areas where birds are known to assemble in conjunction with the formal and informal management measures proposed will mitigate against the potential concerns.

The proposed alignment of the route from Campfield to Cardurnock is along the coastal road and not along 'lonnins' (minor off-road lanes). Due to a combination of factors that included nature conservation concerns, land management conflicts, and unsuitability of access on the saltmarsh and flats, we felt that alignment along the road, which still affords some views of the coast was, in this specific location, the best option.

As part of our route planning work, we did also explore the option of using some of the old lanes that are positioned slightly inland from Newton and Saltcotes marsh, as well as the road between Saltcotes and Whitrigg (which has been chosen as the optional alternative route).

After several site visits and lengthy discussions with the marsh committee and our own nature conservation specialists we decided that it would be possible to align the main trail at the back edge of Newton and Saltcotes marsh. This alignment option was selected as it is reasonably close to and maintains good views of the coast; it also minimises the extent of default coastal margin on adjacent agricultural land and areas with nature conservation concerns. Our Access and Sensitive Features Appraisal has concluded that this proposal does not present any significant impacts on sensitive features, when considered alongside proposals for access management measures.

Modification report 1 representations

Representation number:	MCA/GAL/MR1/R/1/0883
Organisation/ person making representation:	[redacted] (Environment Agency)
Route section(s) specific to this representation:	GAL-MR1-S001 to S012

Other reports within stretch to which this representation also relates:	N/A
Representation in full	
<p>The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:</p> <ul style="list-style-type: none"> • on or within 8 metres of a main river (16 metres if tidal) • on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal) • on or within 16 metres of a sea defence • involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert • in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if tidal) and you don't already have planning permission. For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities-environmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk. <p>The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.</p> 	
Natural England's comments	
<p>We are grateful to the Environment Agency for the guidance supplied.</p> <p>All establishment works associated with the proposals within MR1 (as with all other works on the Gretna to Allonby stretch) will be managed by Cumbria County Council. We're confident that the relevant county council officers will be fully aware of the various constraints and duties around such works, but will forward this advice to them also.</p>	
Relevant appended documents (see section 6):	
None supplied	

Representation number:	MCA/GAL/MR1/R/2/0023
Organisation/ person making representation:	[redacted] (Historic England)
Route section(s) specific to this representation:	GAL-MR1-S001 to S012
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
<p>Confirmation that Historic England has no objection to the modifications proposed. The proposed modifications lie within the Buffer Zone of the Frontiers of the Roman Empire (Hadrian's Wall) World Heritage Site, but will have no impact upon the Outstanding Universal Value of the WHS.</p>	
Natural England's comments	

We are grateful for this confirmation from Historic England.

Relevant appended documents (see section 6):

None supplied

Representation number:	MCA/GAL/MR1/R/3/0013
Organisation/ person making representation:	[redacted] (The Ramblers)
Route section(s) specific to this representation:	GAL-MR1-S005, S006 & S010
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
<p>The Ramblers & Open Spaces Society both supported Natural England's (NE) original proposal for the line of the England Coast Path (ECP) across Burgh Marsh Common. We are surprised that the Inquiry Inspector, following an objection to this part of the route, did not accept the originally proposed route over a wonderful section of the salt marsh. We note that, other than requiring ECP walkers to have dogs on leads at all times, the ecological appraisal did not give rise to objections for the originally chosen route.</p> <p>The former Chief Scientist of the Nature Conservancy Council has said of Burgh Marsh, "It was always a free and open place where people could wander as they pleased." He describes it as one of the great salt marshes of the Cumbria Solway. The bird populations were always greater, he indicates, in past decades – when many people enjoyed access to the marsh and despite the then less controlled shooting and egg robbing. [Ratcliffe D.A.: Lakeland: 2002]</p> <p>There are no wildlife objections to the original route and the experience of walking this route would have been one which brought people into contact with nature in a controlled and special way. We note that existing users of the Marsh can continue to do so over the area covered by the original proposal for the ECP.</p> <p>The new proposed route GAL-MR1-S001 to S009 largely uses the line of the former Cumbria Coastal Way (CCW). The CCW used this route as there was no budget for necessary bridges or other works for a line away from the boundary of the Common.</p> <p>NE have confirmed to us that part of the registered common affected by the route has been de-registered (we think MAGIC still shows this as common land) but this land still retains s1 CROW access rights and is still designated SSSI, SAC and SPA. We would have significant concerns over any fencing proposals on this section of the route which would result in existing access rights being severely compromised.</p> <p>We note that some works are proposed on the registered common. Whilst we would have no objections to a s38 application for bridges and associated path works, we would object to any gates or fencing to be placed on the registered common. We understand that it is not Natural England's intention to propose any fencing here. We understand there will be some 840</p>	

metres of fencing erected to the east of the proposed route along a section of elevated bund. This is the side of the ECP away from the current registered common land but which is still access land and has the full benefit of nature conservation designations.

We understand the case for keeping cattle from the line of the ECP, as trampling will affect the surface. We note that, although below the line of the path, there is already fencing on the Common side of the proposed route. We are unsure if this fencing is on the Common (if so, without benefit of permission from the Secretary of State) or on the deregistered land.

Whilst walkers are slightly elevated above the fences (existing and proposed) there will still be a sense of being enclosed and excluded from the spreading room as from the existing s1 CROW access land. In any case we see no need for the fence to the west of the path and this could be removed.

We are also puzzled about the further routing of GAL-MR1-10,11 &12 on the embankment given NE's concerns about using a similar and parallel position on the Cockerham embankment in Lancashire for the route of the ECP. We are greatly concerned to see any fencing by this proposed part of the route where it keeps walkers from using existing CROW access land. It is our view that NE should be invited to reconsider this current proposal and that the route proposed in the original England Coast Path consultation should be adopted.

Natural England's comments

We are grateful to the Ramblers for the information provided.

We can confirm that MAGIC still shows the deregistered area as common land, for the purposes of depicting where access rights currently exist under the Countryside and Rights of Way Act 2000. This situation will remain unchanged until the first review of the definitive maps of open country and registered common land (at which point we would expect to see the area in question removed from those maps and no longer be legally accessible by walkers). However, the proposed new fencing is outside of the legal boundary of the common, as recorded by the relevant common land register. We do not believe that the intended new fencing will significantly further hinder any lawful access to the deregistered area, given that it runs parallel with and just a short distance from an existing line of fencing at the boundary of the common. Any such hindrance is, in our view, balanced against the benefits of preventing livestock from congregating on and damaging a narrow and low embankment (which would be to the detriment of walkers).

We can confirm that no new fencing or gates would be installed on the common (as opposed to the deregistered area).

Whilst we appreciate the views expressed as to the desirability or otherwise of a path following a narrow corridor between two fences, we believe that, in this case, it will prove to be the best overall solution. Cattle are still grazed over the wider marsh and tend to congregate along the boundary of the common, adjacent to route sections GAL-MR1-S002 to S006. The existing fence, at the boundary of the common, will therefore prevent cattle encroaching on the trail from the wider common.

We recognise that the original proposed route across the marsh would have provided an almost unique experience, depending on tide and ground conditions, we believe that the proposed modification does present a better route overall – not least as it should be accessible around all but the most extreme high tides. The wider marsh, including much of

the route originally proposed, would remain available to walkers as part of the coastal margin (albeit without the enabling infrastructure).

In relation to sections GAL-MR1-S010 to S012 inclusive, we are convinced that the embankment provides a better route than the road itself (as would have been the optional alternative route, outlined in our original proposals). There are various benefits to this alignment, including separation between walkers and motor vehicles, superior views over the adjacent marsh and a route which will largely remain unaffected by high tides. Any such proposals in the vicinity of protected sites must be subject to a satisfactory assessment of any impacts on nature conservation objectives. The conclusion of such assessments in relation to this area was that there would be no such impacts on protected sites or features. In contrast, it was not possible to reach the same conclusions in relation to a possible route along the top of the embankment in the vicinity of Cockerham and Pilling (with many important differences between the two locations).

Relevant appended documents (see section 6):

None supplied

Representation number:	MCA/GAL/MR1/R/4/0012
Organisation/ person making representation:	[redacted] (The Open Spaces Society)
Route section(s) specific to this representation:	GAL-MR1-S005, S006 & S010
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
<p>The Ramblers & Open Spaces Society both supported Natural England's (NE) original proposal for the line of the England Coast Path (ECP) across Burgh Marsh Common. We are surprised that the Inquiry Inspector, following an objection to this part of the route, did not accept the originally proposed route over a wonderful section of the salt marsh. We note that, other than requiring ECP walkers to have dogs on leads at all times, the ecological appraisal did not give rise to objections for the originally chosen route.</p> <p>The former Chief Scientist of the Nature Conservancy Council has said of Burgh Marsh, "It was always a free and open place where people could wander as they pleased." He describes it as one of the great salt marshes of the Cumbria Solway. The bird populations were always greater, he indicates, in past decades – when many people enjoyed access to the marsh and despite the then less controlled shooting and egg robbing. [Ratcliffe D.A.: Lakeland: 2002]</p> <p>There are no wildlife objections to the original route and the experience of walking this route would have been one which brought people into contact with nature in a controlled and special way. We note that existing users of the Marsh can continue to do so over the area covered by the original proposal for the ECP.</p> <p>The new proposed route GAL-MR1-S001 to S009 largely uses the line of the former Cumbria Coastal Way (CCW). The CCW used this route as there was no budget for necessary bridges</p>	

or other works for a line away from the boundary of the Common. NE have confirmed to us that part of the registered common affected by the route has been de-registered (we think MAGIC still shows this as common land) but this land still retains s1 CROW access rights and is still designated SSSI, SAC and SPA. We would have significant concerns over any fencing proposals on this section of the route which would result in existing access rights being severely compromised.

We note that some works are proposed on the registered common. Whilst we would have no objections to a s38 application for bridges and associated path works, we would object to any gates or fencing to be placed on the registered common. We understand that it is not Natural England's intention to propose any fencing here. We understand there will be some 840 metres of fencing erected to the east of the proposed route along a section of elevated bund. This is the side of the ECP away from the current registered common land but which is still access land and has the full benefit of nature conservation designations.

We understand the case for keeping cattle from the line of the ECP, as trampling will affect the surface. We note that, although below the line of the path, there is already fencing on the Common side of the proposed route. We are unsure if this fencing is on the Common (if so, without benefit of permission from the Secretary of State) or on the deregistered land.

Whilst walkers are slightly elevated above the fences (existing and proposed) there will still be a sense of being enclosed and excluded from the spreading room as from the existing s1 CROW access land. In any case we see no need for the fence to the west of the path and this could be removed.

We are also puzzled about the further routing of GAL-MR1-10,11 &12 on the embankment given NE's concerns about using a similar and parallel position on the Cockerham embankment in Lancashire for the route of the ECP. We are greatly concerned to see any fencing by this proposed part of the route where it keeps walkers from using existing CROW access land. It is our view that NE should be invited to reconsider this current proposal and that the route proposed in the original England Coast Path consultation should be adopted.

Natural England's comments

The representation from the Open Spaces Society is identical to that received from the Ramblers; our comments are therefore as above.

Relevant appended documents (see section 6):

None supplied

Modification report 2 representations

Representation number:	MCA/GAL/MR2/R/1/0020
Organisation/ person making representation:	[redacted] (The Ramblers)
Route section(s) specific to this representation:	GAL-MR2-S001
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
Whilst we differ from the views expressed by the Inspector, we regard this modification as unnecessary. Nonetheless we believe the process for the implementation of the route will be achieved more speedily if the modification is accepted.	
Natural England's comments	
We are grateful for the views provided by the Ramblers.	
Relevant appended documents (see section 4):	
None supplied	

Representation number:	MCA/GAL/MR2/R/2/0012
Organisation/ person making representation:	[redacted] (The Open Spaces Society)
Route section(s) specific to this representation:	GAL-MR2-S001
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
Whilst we differ from the views expressed by the Inspector, we regard this modification as unnecessary. Nonetheless we believe the process for the implementation of the route will be achieved more speedily if the modification is accepted.	
Natural England's comments	
We are grateful for the views provided by the Ramblers.	
Relevant appended documents (see section 4):	
None supplied	

Representation number:	MCA/GAL/MR2/R/3/0023
Organisation/ person making representation:	[redacted] (Historic England)
Route section(s) specific to this representation:	GAL-MR2-S001
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
Historic England is the Government's statutory advisor on the historic environment.	

The proposed variation would have no significant impact on designated heritage assets or the wider historic environment. Historic England therefore has no objection to the proposed variation.
Natural England's comments
We are grateful for this confirmation from Historic England.
Relevant appended documents (see section 4): None supplied

5. Supporting documents

Appendix A: Access and Sensitive Features Appraisal

- Record of the completed Access and Sensitive Features Appraisal – available here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/544088/gr-etna-allonby-access-sensitive-features-appraisal.pdf

Appendix B: Information provided by those submitting representations

- A1 - Letter supplied by [redacted]
- A2 - Letter/Maps supplied by National Grid plc
- A3 - Letter supplied by United Utilities
- A4 - Letter supplied by Hadrian's Wall World Heritage Site Partnership Board