



## **Coastal Access – Lyme Regis to Hive Beach**

### **Representations with Natural England’s comments**

**May 2024**

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#### **1. Introduction**

This document records the representations Natural England has received on the proposals in all length reports between Lyme Regis to Rufus Castle 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 Lyme Regis to Rufus Castle they are included here.

#### **2. Background**

Natural England’s compendium of reports setting out its proposals for improved access to the coast from Lyme Regis to Rufus Castle, comprising an overview and twelve separate length reports, was submitted to the Secretary of State on 8 July 2015. This

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

In total, Natural England received 38 representations pertaining to all length reports, 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 4 in their entirety, together with Natural England's comments. Also included in Section 4 is a summary of the 21 representations made by other individuals or organisations, referred to as 'other' representations.

### 3. Layout

The representations and Natural England's comments on them are separated below into the lengths against which they were submitted. Each length below contains the 'full' and 'other' representations submitted against it, together with Natural England's comments. Where representations refer to two or more lengths, they and Natural England's comments will appear in duplicate under each relevant length. Note that although a representation may appear within multiple lengths, Natural England's responses may include length-specific comments which are not duplicated across all lengths in which the representation appears.

## 4. Representations and Natural England's comments on them

### *Full representations*

<b>Organisation/ person making representation</b>	<i>[redacted], Dorset Local Access Forum</i>
<b>Unique reference number</b>	<i>MCA\Lyme Regis to Rufus Castle\R\25\LRR1112</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 4 LLR-4-S015 to LRR-4-S031 (map 4b)</i>
<b>Representation in full.</b>	
Chapter 4: whilst we reluctantly agree that there is no practical alternative to using the bridge at LRR-4-S019 to cross the River Bride, it would be helpful if users approaching from the east were offered a signed alternative route which takes them to the bridge without the detour to the river mouth and back. In this context could you clarify the point made on Map 4b about the public path from the west end of LRR-4-S024 up to Southover being "Footpath Closed"? Dorset Explorer appears to show it as an operative PRow, are you perhaps referring to a temporary closure?	

<b>Natural England's comments</b>
<p>This representation suggests that an alternative route could be signposted along public footpaths between Burton Cliff (junction of route sections LRR-6-S023 and LRR-6-S024 on map 4b of our report) and the bridge over the River Bride (route section LRR-6-S020) via Southover, for people wishing to take a short cut via the road called "Southover" to the north of Burton Cliff. We have discussed this possibility with Dorset County Council who agree it would be possible to do this as part of the establishment works for the proposed route. The short cut would not be an official alternative route but would be available to the public by virtue of the public rights of way shown on the map.</p> <p>The public footpath between Burton Cliff and Southover is shown as closed on map 4b of our report but we understand that it has now reopened. There is therefore no practical bar to adopting this suggestion and we will raise it again with Dorset County Council when a route for this stretch of coast has been approved.</p>

<b>Organisation/ person making representation</b>	<i>[redacted], Dorset Local Access Forum</i>
<b>Unique reference number</b>	<i>MCA\Lyme Regis to Rufus Castle\R\28\LRR1112</i>
<b>Report chapter and route section(s):</b>	<i>General remarks</i>
<b>Representation in full</b>	
<p>We welcome the extensive references in the text to measures to improve accessibility for people with reduced mobility. However we find it difficult to assess the practical benefits which will accrue from the proposed changes, and thence assess how effectively the available resource is being spent. Our key concern is that we see the best way forward as being to recognise that there are significant stretches of the coastal route where the nature of the territory is such that it is never going to be practical to achieve much in the way of access for people with reduced mobility, and thence that the available resources should be focussed on the creation of contiguous stretches where it is possible to provide such access to a reasonable length of the coast. It would be a great help if a colour coded version of your maps could be prepared to show what you consider to be potentially accessible stretches, and thence confirm that upgrading work isn't being proposed on gates etc which can't realistically be reached in mobility scooters or similar. As an example in Chapter 4 you refer to the gate where LRR-4-S026 leaves Cliff Road being replaced with "a wider pedestrian gate suitable for users with reduced mobility", but we have only recently got agreement from the National Trust</p>	

that the kissing gate at the eastern end of LRR-4-S026 is not usable by mobility scooters, and is unlikely to be upgraded in the near future.

On a related point there are numerous references in the Proposals to “Existing Gate to be replaced” or similar words. Can we assume that as standard these will be to a pattern which accepts mobility scooters, so as to provide an element of future proofing for the route? Similarly there are some references to “sleeper bridge to be renewed”. Will these be wide enough to be safe for mobility scooters?

#### **Natural England’s comments**

This representation concerns the works that would be necessary in order to establish the proposed route, in particular provision for improved access for people with reduced mobility. Our approach to this issue is described in sections 4.3.8 to 4.3.11 of the Coastal Access Scheme.

Our general principle in implementing approved proposals is firstly to avoid creating any unnecessary new barriers to access by choosing the least restrictive infrastructure that is practical in the circumstances. The effect of such barriers depends on the mobility of the individual so that even in places where the nature of the terrain may preclude all users from following the route there may be practical measures that would assist more able people to use it. So, for example, we propose to replace existing stiles with more accessible gates or gaps as a general rule, even if it seems unlikely that the route would be suitable for use by people of all abilities because of the nature of the terrain. However, there are places, for example on the alternative route proposed in chapter 6 of the report, where we do not expect to replace stone stiles, having regard to their heritage value and the other criteria described in the Scheme.

Where we indicate in the report that we intend to replace a stile or gate with one that is more suitable for people with reduced mobility, we would expect the new gate in principle to be one that is suitable for use by mobility scooters. This principle also applies to other infrastructure such as the sleeper bridges, although there may be particular instances where it is not be practical or desirable having regard to the limiting factors described in section 4.3.11 of the Scheme including land management needs and costs. In this respect we would welcome further dialogue with the Local Access Forum about how best to target resources on this stretch of coast and intend to consult the Forum and the local access authority about the matter once the Secretary of State has approved a route.

<b>Organisation/ person making representation</b>	<i>[redacted], Dorset Local Access Forum</i>
<b>Unique reference number</b>	<i>MCA\Lyme Regis to Rufus Castle\R\29\LRR1112</i>
<b>Report chapter and route section(s):</b>	<i>General remarks</i>

<b>Representation in full</b>	
<p>Good quality signage always offers a benefit to the public far in excess of its cost. Could you clarify what will happen to existing SWCP signage at points where the CA route diverges from the SWCP route?</p>	
<b>Natural England's comments</b>	
<p>We estimate the cost of establishing the proposed route in part 6 of the overview to our report. This estimate was informed by a full audit of all existing signs on the South West Coast Path route. It took account of signs that require replacement because they are damaged or unclear and those which would require replacement in order to redirect walkers along the proposed route if approved. It also included provision for signs that would require replacement because they include walking distances and place names which would no longer be applicable. Our assumption in doing so is that the proposed route will in future be promoted and managed as the route of the South West Coast Path on this stretch of coast.</p>	

<b>Organisation/ person making representation</b>	<i>[redacted], Environment Agency</i>
<b>Unique reference number</b>	<i>MCA\Lyme Regis to Rufus Castle\R\35\LRR0145</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 3 LRR-3-S011 to LRR-3-S027</i>
<b>Representation in full</b>	
<p>We would not wish for any changes to the public right of way status (increased public rights of way beyond the existing) within this stretch of the coastal access that could prevent or delay us undertaking our essential flood risk management operations.</p> <p>For example we would not wish to have to formally serve any further notices for closure or diversion of a public right of way for routine or emergency operations. In these locations we would expect for the access route identified to be permissive in order for us to carry out our roles and responsibilities in a timely manner.</p> <p><b>(Text of covering letter:</b> We would not wish for any changes to the public right of way status (increased public rights of way beyond the existing) within this stretch of the coastal access that could prevent or delay us undertaking our essential flood risk management operations.</p> <p>For example we would not wish to have to formally serve any further notices for closure or diversion of a public right of way for routine or emergency operations. In these locations we would expect for the access route identified to be permissive in order for us to carry out our roles and responsibilities in a timely manner.</p> <p>We understand from discussions with you that we would be able to manage any diversions of</p>	

the coastal access route identified (which are not identified as an existing public right of way) through temporary signage. Either on an informal basis, or alternatively if there are issues with this approach that we can formally apply to you organisation for an outline direction to confirm our requirements (e.g. diversion for up to 28 days per year). This position is considered acceptable to us.

Please note that the Local Authority undertake Flood and Coastal Risk Management duties within the Charmouth area (Map 1c) and we would expect them to highlight a similar position.

### **Flood Defence Consent**

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of a designated 'main river' or associated fluvial or tidal Flood Defence.

The need for Flood Defence Consent is over and above the need for planning permission. To discuss the scope of our controls and to obtain an application form please contact [redacted], Flood Risk Management Officer on [redacted].)

### **Natural England's comments**

This representation refers to the future need from time to time for people to be diverted for short periods from specified sections of the proposed route for essential flood risk management operations and to the need for a Flood Defence Consent with respect to any relevant works necessary to implement the route.

We draw the Secretary of State's attention to the following representations made by The Environment Agency (EA) and other public bodies, which raise similar points.

MCA\Lyme Regis to Rufus Castle\R\31\LRR1101 (West Dorset District Council - WDDC)

MCA\Lyme Regis to Rufus Castle\R\32\LRR1101 (WDDC)

MCA\Lyme Regis to Rufus Castle\R\33\LRR1101 (WDDC)

MCA\Lyme Regis to Rufus Castle\R\34\LRR0068 (Lyme Regis Town Council)

MCA\Lyme Regis to Rufus Castle\R\36\LRR0145 (EA)

MCA\Lyme Regis to Rufus Castle\R\36\LRR0145 (EA)

Our comments on this representation therefore cover similar ground.

We confirm that those parts of the proposed route that are existing public rights of way would remain so and that others would be subject to coastal access rights and **to the lower level of occupiers' liability that applies to land subject to those rights**. Route sections subject to coastal access rights would not be public rights of way. The Council should note that coastal access rights are conferred by virtue of section 2(1) of the Countryside and Rights of Way Act (2000).

We note the likely need to divert the public away from parts of the proposed route for short periods and we agree that this will be necessary. Our current view is that where necessary such diversions can be implemented informally through the use of signs and barriers, without the need for formal exclusion of coastal access rights along the route. We would draw the Secretary of State's attention to the principle of choosing the 'least restrictive option' on access rights described in chapter 6 of the statutory [Coastal Access Scheme](#) (see paragraphs 6.5.4 to 6.5.6 in particular). This is in our view the most flexible and cost effective means to

effect a temporary diversion and the least bureaucratic and, for this reason, we have not included any proposals for formal restrictions or diversions in relation to this part of the route.

We have discussed this approach with [redacted] of the Environment Agency and understand that the Environment Agency is willing in principle to operate in this way and that it is in keeping with current practice. We undertake to discuss the circumstances in more detail with the Agency and other interested parties once the Secretary of State has approved access arrangements for this part of the coast and confirm that a formal direction (including a diversionary route or routes) may be given where necessary at any stage after access arrangements have been approved by the Secretary of State.

We note the need with respect to certain qualifying works that may be necessary to establish the route for a Flood Defence Consent before proceeding. We confirm that we will contact the Environment Agency to secure necessary consents once the Secretary of State approves a route on this stretch of coast.

<b>Organisation/ person making representation</b>	<i>[redacted], Environment Agency</i>
<b>Unique reference number</b>	<i>MCA\Lyme Regis to Rufus Castle\R\36\LRR0145</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 4 LRR-4-S015 to LRR-4-S026</i>
<b>Representation in full</b>	
<p>We would not wish for any changes to the public right of way status (increased public rights of way beyond the existing) within this stretch of the coastal access that could prevent or delay us undertaking our essential flood risk management operations.</p> <p>For example we would not wish to have to formally serve any further notices for closure or diversion of a public right of way for routine or emergency operations. In these locations we would expect for the access route identified to be permissive in order for us to carry out our roles and responsibilities in a timely manner.</p> <p><b>(Text of covering letter:</b> We would not wish for any changes to the public right of way status (increased public rights of way beyond the existing) within this stretch of the coastal access that could prevent or delay us undertaking our essential flood risk management operations.</p> <p>For example we would not wish to have to formally serve any further notices for closure or diversion of a public right of way for routine or emergency operations. In these locations we would expect for the access route identified to be permissive in order for us to carry out our roles and responsibilities in a timely manner.</p> <p>We understand from discussions with you that we would be able to manage any diversions of the coastal access route identified (which are not identified as an existing public right of way) through temporary signage. Either on a informal basis, or alternatively if there are issues with this approach that we can formally apply to you organisation for an outline direction to confirm</p>	

our requirements (e.g. diversion for up to 28 days per year). This position is considered acceptable to us.

Please note that the Local Authority undertake Flood and Coastal Risk Management duties within the Charmouth area (Map 1c) and we would expect them to highlight a similar position.

#### **Flood Defence Consent**

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of a designated 'main river' or associated fluvial or tidal Flood Defence.

The need for Flood Defence Consent is over and above the need for planning permission. To discuss the scope of our controls and to obtain an application form please contact [redacted], Flood Risk Management Officer on [redacted].)

#### **Natural England's comments**

This representation refers to the future need from time to time for people to be diverted for short periods from specified sections of the proposed route for essential flood risk management operations and to the need for a Flood Defence Consent with respect to any relevant works necessary to implement the route.

We refer the Secretary of State to our comments on representation MCA\Lyme Regis to Rufus Castle\R\35\LRR0145 which addresses the same points with reference to affected route sections in West Bay and our comments there are of equal relevance to the circumstances of route sections LRR-4-S015 to LRR-4-S026 referred to in this representation.

### ***Other representations***

#### **Categorising representations**

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

REPORT CHAPTER	Number of representations	Unique identifiers for reps
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Chapter 1	4	MCA\Lyme Regis to Rufus Castle\R\2\LRR1157  MCA\Lyme Regis to Rufus Castle\R\23\LRR1167  MCA\Lyme Regis to Rufus Castle\R\31\LRR1101  MCA\Lyme Regis to Rufus Castle\R\34\LRR0068
Chapter 2	2	MCA\Lyme Regis to Rufus Castle\R\2\LRR1157  MCA\Lyme Regis to Rufus Castle\R\23\LRR1167
Chapter 3	2	MCA\Lyme Regis to Rufus Castle\R\22\LRR1165  MCA\Lyme Regis to Rufus Castle\R\32\LRR1101
Chapter 4	1	MCA\Lyme Regis to Rufus Castle\R\5\LRR0098
Chapter 5	6	MCA\Lyme Regis to Rufus Castle\R\3\LRR0106  MCA\Lyme Regis to Rufus Castle\R\4\LRR0106  MCA\Lyme Regis to Rufus Castle\R\6\LRR1158  MCA\Lyme Regis to Rufus Castle\R\8\LRR1164  MCA\Lyme Regis to Rufus Castle\R\9\LRR1161
Chapter 6	4	MCA\Lyme Regis to Rufus Castle\R\7\LRR0109  MCA\Lyme Regis to Rufus Castle\R\21\LRR1094  MCA\Lyme Regis to Rufus Castle\R\10\LRR1161  MCA\Lyme Regis to Rufus Castle\R\16\LRR1171
Chapter 7	0	
Chapter 8	1	MCA\Lyme Regis to Rufus Castle\R\38\LRR1170
Chapter 9	0	
Chapter 10	1	MCA\Lyme Regis to Rufus Castle\R\33\LRR1101

Chapter 11	1	MCA\Lyme Regis to Rufus Castle\R\1\LRR1156
Chapter 12	1	MCA\Lyme Regis to Rufus Castle\R\11\LRR1161

<b>OVERALL REPORT (Themes)</b>	<b>Number of representations</b>	<b>Unique identifiers for reps</b>
a) The route	9	MCA\Lyme Regis to Rufus Castle\R\2\LRR1157 MCA\Lyme Regis to Rufus Castle\R\4\LRR0106 MCA\Lyme Regis to Rufus Castle\R\9\LRR1161 MCA\Lyme Regis to Rufus Castle\R\10\LRR1161 MCA\Lyme Regis to Rufus Castle\R\11\LRR1161 MCA\Lyme Regis to Rufus Castle\R\16\LRR1171 MCA\Lyme Regis to Rufus Castle\R\23\LRR1167 MCA\Lyme Regis to Rufus Castle\R\34\LRR0068 MCA\Lyme Regis to Rufus Castle\R\38\LRR1170
b) The landward boundary of the coastal margin (spreading room)	1	MCA\Lyme Regis to Rufus Castle\R\22\LRR1165
c) Need for local restrictions or exclusions	8	MCA\Lyme Regis to Rufus Castle\R\7\LRR0109 MCA\Lyme Regis to Rufus Castle\R\16\LRR1171 MCA\Lyme Regis to Rufus Castle\R\20\LRR1134 MCA\Lyme Regis to Rufus Castle\R\21\LRR1094 MCA\Lyme Regis to Rufus Castle\R\31\LRR1101 MCA\Lyme Regis to Rufus Castle\R\32\LRR1101 MCA\Lyme Regis to Rufus Castle\R\33\LRR1101 MCA\Lyme Regis to Rufus Castle\R\34\LRR0068
d) Alternative route(s)	3	MCA\Lyme Regis to Rufus Castle\R\31\LRR1101

		MCA\Lyme Regis to Rufus Castle\R\32\LRR1101 MCA\Lyme Regis to Rufus Castle\R\33\LRR1101
e) Discretion to include an estuary		
f) 'Roll back'	4	MCA\Lyme Regis to Rufus Castle\R\2\LRR1157 MCA\Lyme Regis to Rufus Castle\R\5\LRR0098 MCA\Lyme Regis to Rufus Castle\R\31\LRR1101 MCA\Lyme Regis to Rufus Castle\R\32\LRR1101
g) Need for signage or additional infrastructure	4	MCA\Lyme Regis to Rufus Castle\R\3\LRR0106 MCA\Lyme Regis to Rufus Castle\R\4\LRR0106 MCA\Lyme Regis to Rufus Castle\R\8\LRR1164 MCA\Lyme Regis to Rufus Castle\R\11\LRR1161
h) Proposals do not affect landowner	1	MCA\Lyme Regis to Rufus Castle\R\1\LRR1156
i) Clarification of how coastal access would affect existing rights	1	MCA\Lyme Regis to Rufus Castle\R\6\LRR1158

<b>OVERALL REPORT (Who made the representation)</b>	<b>Number of representations</b>	<b>Unique identifiers for reps</b>
Individuals	3	MCA\Lyme Regis to Rufus Castle\R\2\LRR1157 MCA\Lyme Regis to Rufus Castle\R\16\LRR1171 MCA\Lyme Regis to Rufus Castle\R\23\LRR1167
Public bodies		
Voluntary and membership groups	6	MCA\Lyme Regis to Rufus Castle\R\6\LRR1158 MCA\Lyme Regis to Rufus Castle\R\9\LRR1161 MCA\Lyme Regis to Rufus Castle\R\10\LRR1161 MCA\Lyme Regis to Rufus Castle\R\11\LRR1161 MCA\Lyme Regis to Rufus Castle\R\20\LRR1134

		MCA\Lyme Regis to Rufus Castle\R\21\LRR1094
Landowners and occupiers	12	MCA\Lyme Regis to Rufus Castle\R\1\LRR1156 MCA\Lyme Regis to Rufus Castle\R\3\LRR0106 MCA\Lyme Regis to Rufus Castle\R\4\LRR0106 MCA\Lyme Regis to Rufus Castle\R\5\LRR0098 MCA\Lyme Regis to Rufus Castle\R\7\LRR0109 MCA\Lyme Regis to Rufus Castle\R\8\LRR1164 MCA\Lyme Regis to Rufus Castle\R\22\LRR1165 MCA\Lyme Regis to Rufus Castle\R\31\LRR1101 MCA\Lyme Regis to Rufus Castle\R\32\LRR1101 MCA\Lyme Regis to Rufus Castle\R\33\LRR1101 MCA\Lyme Regis to Rufus Castle\R\34\LRR0068 MCA\Lyme Regis to Rufus Castle\R\38\LRR1170
<b>Total representations</b>	<b>21</b>	

### Summary of 'other' representations

<b>Organisation/ person making representation:</b>	<b>[redacted], The Kennel Club</b>
<b>Unique reference number:</b>	<b>MCA\Lyme Regis to Rufus Castle\R\20\LRR1134</b>
<p><b>Summary of representation:</b></p> <p>This representation included general remarks about the access proposals for this stretch of coast and specific remarks about the access proposals around Abbotsbury and Chesil Beach (chapters 6 to 9 of the report). Some of these specific remarks appear most relevant to the proposed route between Abbotsbury and Rodden Hive (chapter 6 of the proposals).</p> <p>The Kennel Club expressed support for the access proposals as a whole and in particular the lack of specific dog-related restrictions, the use of the least-restrictive option where restrictions on access are judged necessary and the use of an evidence-based approach to making these judgments. It noted that government data shows dog walkers to be the most</p>	

frequent year-round access user and, in particular, noted that research shows ‘off-lead’ access to be the most important amenity activity for dog walkers and should therefore only be restricted with good reason and in a targeted manner.

In relation to the access proposals in the area of Abbotsbury Swannery and Chesil Beach the Club viewed the approach to restricting access to be measured and proportionate. It went on to say that the Access and Sensitive Features Appraisal takes great care to focus on the precise reasons for notification of designated sites, which it believes leads to sound and proportionate delivery of the “least restrictive” approach that Natural England seeks.

It commended the proposed use of existing and new boundary features to limit the spread of people and dogs into sensitive areas from the route. We take this to mean the proposed route between Abbotsbury and Rodden Hive described in chapter 6 of our report.

It expressed approval for the high degree of attention paid to minimising limitations on accessibility due to path furniture throughout the report.

**Natural England’s comment:**

We draw the Secretary of State’s attention to the relevance of the Kennels Club’s remarks concerning the access proposals for Abbotsbury Swannery and Chesil Beach in determining the objection to those proposals from Ilchester Estates (MCA\Lyme Regis to Rufus Castle\O\3\LRR0108) and the following representations with respect to proposals in that area:

[redacted] (MCA\Lyme Regis to Rufus Castle\R\6\LRR1159)  
South West Coast Path Association (MCA\Lyme Regis to Rufus Castle\R\10\LRR1161)  
The Ramblers (MCA\Lyme Regis to Rufus Castle\R\13\LRR0013)  
[redacted] (MCA\Lyme Regis to Rufus Castle\R\16\LRR1171)  
The Open Spaces Society (MCA\Lyme Regis to Rufus Castle\R\17\LRR0012)  
The Open Spaces Society (MCA\Lyme Regis to Rufus Castle\R\18\LRR0012)  
The British Association for Shooting & Conservation (MCA\Lyme Regis to Rufus Castle\R\19\LRR0001)  
Fleet Study Group (MCA\Lyme Regis to Rufus Castle\R\21\LRR1094)  
The Country Land and Business Association (CLA) (MCA\Lyme Regis to Rufus Castle\R\24\LRR0004)  
Dorset Local Access Forum (MCA\Lyme Regis to Rufus Castle\R\26\LRR1112)

**Chapter 1**

<b>Organisation/ person making representation:</b>	[redacted]
<b>Unique reference number:</b>	<i>MCA\Lyme Regis to Rufus Castle\R\2\LRR1157</i>
<b>Route section(s):</b>	LRR-1-S001 to LRR-1-S050
<b>Summary of representation:</b>	

[redacted], who has professional experience of trying to establish walking routes on eroding coasts, wrote in support of the new route chosen past Lyme Regis Golf Course, in particular the provision for that part of the route to roll back, in the event that it is affected by erosion.

**Natural England's comment:**

Natural England has no comment on this representation.

<b>Organisation/ person making representation:</b>	[redacted]
<b>Unique reference number:</b>	<i>MCA\Lyme Regis to Rufus Castle\R\23\LRR1167</i>
<b>Route section(s):</b>	LRR-1-S001 to LRR-1-S050
<b>Summary of representation:</b> [redacted] wrote in support of the new route chosen between Lyme Regis and Charmouth.	
<b>Natural England's comment:</b> Natural England has no comment on this representation	

<b>Organisation/ person making representation:</b>	[redacted] on behalf of <b>West Dorset District Council</b>
<b>Unique reference number:</b>	<i>MCA\Lyme Regis to Rufus Castle\R\31\LRR1101</i>
<b>Route section(s):</b>	LRR-1-S001 to LRR-1-S014
<b>Summary of representation:</b> This representation relates to the proposed route shown on map 1a of <a href="#">chapter 1 of our proposals</a> .  West Dorset District Council noted that the proposed route at Lyme Regis along the new promenade would not be designated as a public right of way and as such would be subject to coastal access rights and to the lower level of occupiers' liability that applies to land subject to those rights. It also noted that a separate, existing public right of way along the foreshore (closer to the sea) would not be affected by the proposals.  The District Council pointed out that it is likely to be necessary to interrupt public access along the promenade route for short periods to allow for events, maintenance or emergency closures. It understands from Natural England that a short-term diversion for these purposes	

can be achieved using barriers and signs alone or in combination with an outline direction to formally suspend access rights and that, should such a direction be necessary for these purposes, it can be put in place after a route has been approved by the Secretary of State. It expects to hold discussions with Natural England about the details of these arrangements and included with the representation is an example diversion which is similar to an existing arrangement with Weymouth and Portland Borough Council (attached below).

The District Council representation also included a contribution from an Infrastructure Engineer advising on the risk of landslide in places on this part of the route and the possibility that a shoreline management policy of 'hold the line' may change after an initial period of 25 years. For these reasons the engineer noted that the route may need to roll back on this part of the coast. He also advised Natural England to consider with the District Council how fencing and/or signs could be deployed to manage access in areas of active landslide.

#### **Natural England's comment:**

We confirm that the proposed route along the promenade would be subject to coastal access rights and to the lower level of occupiers' liability that applies to land subject to those rights. As such it would not be a public right of way. The Council should note that coastal access rights are conferred by virtue of section 2(1) of the Countryside and Rights of Way Act (2000).

We also confirm that our proposals would not alter or change the status of any existing rights of way, whether or not these form part of the route or any other part of the approved coastal margin.

We note the likely need to divert the public away from the promenade (or parts of it) for short periods and the suggested route for the diversion. Our current view is that where necessary such diversions can be implemented informally through the use of signs and barriers, without the need for formal exclusion of coastal access rights along the route. We would draw the Secretary of State's attention to the principle of choosing the 'least restrictive option' on access rights described in chapter 6 of the statutory [Coastal Access Scheme](#) (see paragraphs 6.5.4 to 6.5.6 in particular). This is in our view the most flexible and cost effective means to effect a temporary diversion and the least bureaucratic and, for this reason, we have not included any proposals for formal restrictions or diversions in relation to this part of the route.

We undertake to discuss the circumstances in more detail with West Dorset District Council and other interested parties once the Secretary of State has approved access arrangements for this part of the coast and confirm that a formal direction (including a diversionary route or routes) may be given where necessary at any stage after access arrangements have been approved by the Secretary of State.

We note the District Council engineer's remarks about the potential need for changes to the approved route in the future, either directly as a result of coastal processes or because a change in the shoreline management policy increases those risks. In relation to the proposed route shown on map 1a, we draw the Secretary of State's attention to the formal proposals in chapter 1 of our coastal access report for the route. These include:

Proposals for specific sections of the route to be able to roll back in response to coastal processes such as landslide where that seemed to us likely under the current shoreline

management policy (route sections LRR-1-S007 to LRR-1-S012). Such changes would not require further consideration by the Secretary of State.

Proposals for other sections of the route that would not be able to roll back, in places where we did not view changes as likely under the current shoreline management policy (LRR-1-S001 to LRR-1-S016 and LRR-1-S013 to LRR-1-S014). Route changes in these places would also be possible, but would require prior approval by the Secretary of State.

<b>Organisation/ person making representation:</b>	<b>[redacted] (Town Clerk) on behalf of Lyme Regis Town Council</b>
<b>Unique reference number:</b>	<i>MCA\Lyme Regis to Rufus Castle\R\34\LRR0068</i>
<b>Route section(s):</b>	LRR-1-S001 and LRR-1-S002 LRR-1-S021 to LRR-1-S030
<b>Summary of representation:</b> <p>The representation by Lyme Regis Town Council concerns a proposal for the coastal route to follow Cart Road (which we understand to be a local name for the promenade which is route section LRR-1-S001 of our proposed route) rather than the existing route of the South West Coast Path along Marine Parade, as shown on map 1a in <u>chapter 1 of our proposals</u>.</p> <p>The Town Council did not approve of the creation of additional public rights of way along Cart Road and preferred the coast path to follow Marine Parade as it does currently. It pointed out that public access along Marine Parade and Cart Road is often restricted because of events held in the town and that this requirement will continue.</p> <p>In addition, the Council expressed a preference for 'the footpath going across the golf club and joining into the existing footpath', which we take to mean a preference for the coast path to follow the 'closed' footpath seaward of Lyme Regis Golf Course shown on map 1b of our coastal access report rather than the proposed route.</p>	
<b>Natural England's comment:</b> <p>In relation to the choice between Cart Road and Marine Parade we draw the Secretary of State's attention to our analysis of Marine Parade in the first row of table 1.2.2 of chapter 1 of our coastal access report, in which we explain that the proposed route along Cart Road has significant advantages over Marine Parade in terms of the criteria described in chapter 4 of the <a href="#">Coastal Access Scheme</a>.</p> <p>We would point out that the Cart Road would not become a public right of way as a result of our proposals. – instead it would become subject to coastal access rights conferred by virtue</p>	



of section 2(1) of the Countryside and Rights of Way Act (2000). As such, in the event that it became necessary to divert the public from Cart Road temporarily (for example for an event) it would not be subject to the procedures for temporary highway diversions with which the Town Council would be familiar.

Our current view is that where necessary such diversions can be implemented informally through the use of signs and barriers, without the need for formal exclusion of coastal access rights along the route. We would draw the Secretary of State's attention to the principle of choosing the 'least restrictive option' on access rights described in chapter 6 of the statutory [Coastal Access Scheme](#) (see paragraphs 6.5.4 to 6.5.6 in particular). This is in our view the most cost effective and least bureaucratic means to effect a temporary diversion and, for this reason, we have not included any proposals for formal restrictions or diversions in relation to this part of the route.

However, we undertake to discuss the circumstances in more detail with the Town Council and other interested parties once the Secretary of State has approved access arrangements for this part of the coast and confirm that a formal direction (including a diversionary route or routes) may be given where necessary at any stage after access arrangements have been approved by the Secretary of State.

In relation to the choice of routes at Lyme Regis Golf Club we draw the Secretary of State's attention to our analysis of this option in table 1.2.2 of [chapter 1 of our proposals](#) (see the row dealing with route sections LRR-1-S021 to LRR-1-S030). Here we explain the practical difficulties of establishing a route along the seaward side of the golf course in terms of the extent of the most recent landslide and the proximity to playing areas of the course. We acknowledge the desire for a more seaward route than the one we have proposed, but in our view the proposed route strikes a fair balance between the principles of public and private interest described in chapters 4 and 5 of the statutory [Coastal Access Scheme](#).

## **Chapter 2**

<b>Organisation/ person making representation:</b>	[redacted]
<b>Unique reference number:</b>	<i>MCA\Lyme Regis to Rufus Castle\R\2\LRR1157</i>
<b>Route section(s):</b>	LRR-2-S001 to LRR-2-S039
<b>Summary of representation:</b> [redacted] wrote in support of the proposed route described in <a href="#">chapter 2 of the proposals</a> in particular the provision for it to roll back in the event that it is affected by erosion.	

<b>Natural England's comment:</b> We note that [redacted] has professional experience of trying to establish walking routes on eroding coasts Natural England has no other comment on this representation.	

<b>Organisation/ person making representation:</b>	[redacted]
<b>Unique reference number:</b>	<i>MCA\Lyme Regis to Rufus Castle\R\23\LRR1167</i>
<b>Route section(s):</b>	LRR-2-S001 to LRR-2-S039
<b>Summary of representation:</b> [redacted] wrote in support of the proposed route between Lyme Regis and Charmouth described in <u>chapter 2 of the proposals</u> .	
<b>Natural England's comment:</b> Natural England has no comment on this representation.	

### Chapter 3

<b>Organisation/ person making representation:</b>	[redacted]
<b>Unique reference number:</b>	<b>MCA\Lyme Regis to Rufus Castle\R\22\LRR1165</b>
<b>Route section(s):</b>	LRR-3-S031 to LRR-3-S032
<b>Summary of representation:</b> This representation relates to our decision not to propose a physical feature as a boundary for the coastal margin landward of route section LRR-3-S032 as shown on map 3c of <u>chapter 3 of our proposals</u> .	

[redacted] relative owns a property called 'Belle Vue' which is landward of route section LRR-3-S032 and is making the representation on her behalf.

She draws attention to an existing fence landward of route section LRR-3-S032 and questions our decision not to exercise our discretion to propose a landward boundary for the coastal margin at this point, given the existence of the fence.

**Natural England's comment:**

Following receipt of this representation we re-visited the site on 15/09/2015 and confirmed that there is a fence landward of route section LRR-3-S032 (see photo below) which would in our view be a suitable physical boundary to the extent of the coastal margin.

We therefore recommend that the Secretary of State makes the following addition to the formal proposals for the landward boundary of the coastal margin in chapter 3 of the report:

"Adjacent to route section LRR-3-S032, the landward boundary of the coastal margin is to coincide with the fence which is landward of the existing walked route shown as the trail on map 3c."

<b>Organisation/ person making representation:</b>	<b>[redacted] on behalf of West Dorset District Council</b>
<b>Unique reference number:</b>	<i>MCA\Lyme Regis to Rufus Castle\R\32\LRR1101</i>
<b>Route section(s):</b>	LRR-3-S021 and LRR-3-S022, LRR-3-S026 and LRR-3-S027, LRR-3-S029 to LRR-3-S034
<b>Summary of representation:</b> This representation relates to the proposed route at West Bay shown on map 3c of <u>chapter 3 of our proposals</u> .  West Dorset District Council noted that existing public rights of way along the proposed route shown on map 3c would not be affected by our proposals, but that sections that are not public rights of way would not be designated as public rights of way as a result of our proposals and, as such, would be subject to coastal access rights and to the lower level of occupiers' liability that applies to land subject to those rights.  The District Council pointed out that it is likely to be necessary to interrupt public access along the proposed route for short periods during events, maintenance, beach replenishment or emergency closures. It understands from Natural England that a short-term diversion for these purposes can be achieved using barriers and signs alone or in combination with an outline direction to formally suspend access rights and that, should such a direction be	

necessary for these purposes, it can be put in place after a route has been approved by the Secretary of State. It expects to hold discussions with Natural England about the details of these arrangements and included with the representation is an example diversion which is similar to an existing arrangement with Weymouth and Portland Borough Council.

The District Council further noted that route sections LRR-3-S021 and LRR-3-S022 run through fields that are leased for grazing, and that they would need to check whether this contravenes the existing arrangement. It also asked whether the new steps marked at LRR-3-S022 would be paid for by Natural England.

The District Council representation also included a contribution from an Infrastructure Engineer advising on the risk of landslide in places on this part of the route and the possibility that a shoreline management policy of 'hold the line' may change after an initial period of 25 years. For these reasons the engineer noted that the route may need to roll back on this part of the coast. He also advised Natural England to consider with the District Council how fencing and/or signs could be deployed to manage access in areas of active landslide.

#### **Natural England's comment:**

We draw the Secretary of State's attention to the representation made by West Dorset District Council with respect to chapters 1 of our proposals, which is similar in several respects. Our comments on this representation therefore cover similar ground.

We confirm that those parts of the proposed route that are existing public rights of way would remain so and that others would be subject to coastal access rights and **to the lower level of occupiers' liability that applies to land subject to those rights**. Route sections subject to coastal access rights would not be public rights of way. The Council should note that coastal access rights are conferred by virtue of section 2(1) of the Countryside and Rights of Way Act (2000).

We note the likely need to divert the public away from the harbour area (or parts of it) for short periods and the suggested route for the diversion. Our current view is that where necessary such diversions can be implemented informally through the use of signs and barriers, without the need for formal exclusion of coastal access rights along the route. We would draw the Secretary of State's attention to the principle of choosing the 'least restrictive option' on access rights described in chapter 6 of the statutory [Coastal Access Scheme](#) (see paragraphs 6.5.4 to 6.5.6 in particular). This is in our view the most flexible and cost effective means to effect a temporary diversion and the least bureaucratic and, for this reason, we have not included any proposals for formal restrictions or diversions in relation to this part of the route.

We undertake to discuss the circumstances in more detail with West Dorset District Council and other interested parties once the Secretary of State has approved access arrangements for this part of the coast and confirm that a formal direction (including a diversionary route or routes) may be given where necessary at any stage after access arrangements have been approved by the Secretary of State.

We note that route sections LRR-3-S021 and LRR-3-S022 run through fields that are leased for grazing, and that the Council would need to check whether this contravenes the existing grazing arrangement. As this route is already used by the public whether by permission or tolerance our view is that there would be no need to alter existing land management as a

result of our proposals. If the route is approved it would become subject to access rights which include a requirement for people to keep dogs on leads in the vicinity of livestock.

We confirm that the cost of installing steps marked at route section LRR-3-S022 would be met by Natural England through grant aid to the local authority (Dorset County Council as part of the establishment works.

We note the District Council engineer's remarks about the potential need for changes to the approved route in the future, either directly as a result of coastal processes or because a change in the shoreline management policy increases those risks. In relation to the proposed route shown on map 1a, we draw the Secretary of State's attention to the formal proposals in chapter 1 of our coastal access report for the route. These include:

Proposals for specific sections of the route to be able to roll back in response to coastal processes such as landslide where that seemed to us likely under the current shoreline management policy (route sections LRR-3-S016 to LRR-3-S022). Such changes would not require further consideration by the Secretary of State.

Proposals for other sections of the route that would not be able to roll back, in places where we did not view changes as likely under the current shoreline management policy (LRR-3-S023 to LRR-3-S034). Under our proposals route changes in these places would also be possible, but would require prior approval by the Secretary of State.

## **Chapter 4**

<b>Organisation/ person making representation:</b>	<b>Bridport &amp; West Dorset Golf Club</b>
<b>Unique reference number:</b>	<b>MCA\Lyme Regis to Rufus Castle\R\5\LRR0098</b>
<b>Route section(s):</b>	LRR-4-S003 to LRR-4-S009
<b>Summary of representation:</b> This representation relates to the proposed route shown on map 4a of <u>chapter 4 of our proposals</u> .  Bridport & West Dorset Golf Club noted that the proposed route follows the existing footpath for the whole distance adjacent to the golf course, and asked that in the event of the need to re-route the path through the golf course, full discussions should take place with the club due to the potential significant costs that may arise.	

**Natural England's comment:**

We understand this representation relates to our proposal for the path to roll back in the event that the initial proposed route is subject to erosion.

We have discussed potential options for re-aligning the route in this event with the Club at our initial site visit. If rollback is required we would give full consideration to both the interests of the club and the public and work together to minimise any impact and costs required.

We agree that consultation with the golf club would be necessary in the event that it were necessary to adjust the route along the course boundary using the rollback provisions. Chapter 4 of our report to the Secretary of State makes this point (see table 4.2.3, first row). During our initial site visit to discuss route options with the club we discussed this issue and possible scenarios and take this opportunity to confirm that consultation would take place under these circumstances as outlined in the relevant part of the report above.