

Coastal Access – Harwich to Shotley Gate



Representations on:
Report HSG 2 - Ray Lane, Ramsey, to
Stone Point, Wrabness

Including Natural England's comments

December 2020

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1. Introduction

This document details representations we have received on the coastal access report **HSG 2**, each being in one of two categories:

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

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

2. Background

Natural England’s compendium of reports, setting out its proposals for improved access to the coast from Harwich to Shotley Gate, was submitted to the Secretary of State on 22 January 2020. This began an eight week period within which representations and objections could be made about the constituent reports.

In relation to the report **HSG 2 - Ray Lane, Ramsey, to Stone Point, Wrabness**, Natural England received **7** representations, of which **2** were made by organisations or individuals whose representations must be sent in full to the Secretary of State, in accordance with paragraph 8(1)(a) of Schedule 1A to the National Parks and Access to the Countryside Act 1949. These ‘full’ representations are reproduced in Section 3 of this document, together with Natural England’s comments, where relevant.

As required by the legislation, this document also summarises and, where relevant, comments on the **5** representations submitted by other individuals or organisations, referred to here as ‘other’ representations. Of those 5 ‘other’ representations, **1** contains a similar or identical point to one made in one of the ‘full’ representations. Natural England’s comments on ‘other’ representations are set out in two parts:

1. The recurring theme in the 5 ‘other’ representations have been summarised in section 4 as **1** point, with our comments on it.
2. Any of the same ‘other’ representations that make other, non-common points are then commented on separately in section 5 alongside any remaining ‘other’ representations.

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

As noted below (see part 5), one of the ‘other’ representations was submitted informally (i.e. not on the official form), albeit within the eight week period within which representations may legitimately be made. In such circumstances Natural England suggests the representation be resubmitted on the correct form. Regrettably this didn’t happen in this instance for which we apologise. As this was an omission our part we have included it within the representations submitted and provided our comments on it. No representations were received after the period

of eight weeks beginning with the date on which the report was first advertised on Natural England's website.

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

Representation number:	MCA/HSG2/R/2/HSG0730
Organisation/ person making representation:	[redacted], The Ramblers, Essex Area
Route section(s) specific to this representation:	All
Other reports within the stretch to which this representation also relates:	N/A
Representation in full	
We are very pleased to see that the new path will avoid walkers having to use the B1352 as we consider this road to be dangerous for pedestrians. The realignment of the trail and additional signage through Copperas Wood will be a benefit to all and will help to protect the wood.	
Natural England's comments	
Natural England welcomes the supportive comments from Ramblers, Essex.	

Relevant appended documents (see section 6): N/A

Representation number:	MCA/HSG2/R/6/HSG0740
Organisation/ person making representation:	[redacted], RSPB
Route section(s) specific to this representation:	<p>Representation Part A. HSG-2-S005 to HSG-2-S007</p> <p>Representation Part B. HSG-2-S011 to HSG-2-S022</p>
Other reports within the stretch to which this representation also relates:	Part B of this representation has strong similarities to representations submitted by the RSPB for reports HSG 3, HSG 5 and HSG 6, and to their objection to HSG 6.
Representation in full	

Representation A.

Report map reference	Location /extent	Type of direction	Purpose of direction	Grounds and relevant section of CROW
HSG 2b and 2c	HSG-2-S011 to HSG-2-S022	People with dogs excluded from coastal margin	Sensitive wildlife (non-breeding waterbirds)	Nature conservation 26(3)(a)

There are concerns over the proximity of this stretch of the path to the level crossing to the north. It is possible that users of the path could mistake the road for an accessible route, and then end up putting themselves in danger at the level crossing and/or causing disturbance to waterbirds at Copperas Bay, where it is proposed that dogs are excluded under Section 26 (3) (a) of the Countryside Rights of Way Act 2000.

It is therefore suggested that both Natural England and RSPB signage (there is RSPB land immediately over the crossing to the east) is installed at the level crossing to make it clear that there is no public access over the level crossing on the grounds of safety and potential disturbance to wildlife.

The RSPB welcomes the opportunity to work together and rationalise existing signage on this stretch.

Representation B.

Although the mudflats and saltmarshes in the Stour estuary have almost entirely been afforded access restrictions on safety grounds (Section 25A), and there is a commitment to replacing these restrictions should they ever be removed, the RSPB feels that this does not take seriously enough the European (Special Protection Area) and international (Ramsar site) designations that recognise the estuary's wildlife of national and international significance. The only area that currently has an exclusion of this nature is HSG-2-S001 to HSG-2-S010, which while welcomed, is not the only area in the estuary that is highly sensitive.

The RSPB is particularly concerned about this issue given the context that the only other restrictions on this stretch of the England Coast Path (HSG-6-S014 to HSG-6-S019), which is a seasonal dogs on leads restriction, is on land management grounds (Section 24) in relation to gamekeeping. It is felt that with the estuary being a nationally and internationally designated site, and when the local evidence for disturbance to wild waterbirds caused by dogs is strong (at high tide, walkers with dogs are the single greatest cause of disturbance to waterbirds on the Stour and Orwell Estuaries, and the mean number of disturbance events caused by dogs off leads was twice that compared with dogs on leads¹), that a troubling precedent is being set regarding the relative importance of nature conservation interests.

The RSPB would want to see Section 26(3)(a) restrictions on any sections of the path where dogs off leads could realistically access the mudflats and saltmarshes, as well as appropriate signage to reinforce that either people or dogs straying from the path is illegal. The areas considered appropriate for these exclusions relevant to this report are detailed in Table 1.

The lack of other Section 26(3)(a) exclusion is also inconsistent with other stretches of the England Coast Path. The Aldeburgh to Hopton-on-Sea stretch, for example, has proposed four separate sections with such exclusions, two of which enforce dogs on leads during periods of high sensitivity.

Table 1. Sections of HSG2 considered appropriate for nature conservation restrictions.

¹ <http://www.suffolkcoastandheaths.org/assets/Projects--Partnerships/Stour--Orwell/Recreation-Disturbance-Report-Final-low-quality.pdf>

We are also concerned about the effectiveness of mitigation measures, particularly in relation to areas of spreading room eventually excluded under S25 and/or S26 of the Countryside and Rights of Way Act (2000) and where signage is used to encourage walkers to avoid sensitive areas for wildlife. Whilst we understand that the increase in the numbers of walkers and changes to the patterns of access are likely to be small, we consider it is essential that excluded areas are clearly marked on the ground and that signage is carefully located. We recommend that monitoring of the effectiveness of these measures is carried out and consider that further mitigation may be needed if mapping and signage are not sufficient to enforce these restrictions.

Natural England's comments

Representation A

We acknowledge the RSPB's concerns regarding the railway crossing to the north of route section HSG-2-S006. A similar concern has been raised by the owner of the land to the north of the crossing, [redacted], who submitted a representation (see part 4).

It would not be possible for coastal access rights to apply to the crossing, as railway land is an excepted land type, and we propose that access to the foreshore is excluded under s25A for safety reasons, however parts of the intervening land (owned by [redacted]) appear to be accessible as 'spreading room'.

Similar concerns about the railway crossing were also conveyed to us by Network Rail staff, in a meeting with them. They felt the trail should be located completely out of sight of the crossing, although they did not formalise this view by submitting a representation.

The public are already invited to access the part of Copperas Wood that is south of the railway line, by Essex Wildlife Trust, but we concede that aligning the England Coast Path through this part of the wood, and within sight of the railway crossing, might increase the likelihood of members of the public attempting to use it to explore the woodland beyond, parts of which they might legitimately expect to be accessible under coastal access rights.

Should our proposals be approved by the Secretary of State, we would be happy to include signage on the approach to the crossing, making it clear that coastal access rights do not extend to the crossing, or to the foreshore beyond. [redacted] can if he wants to erect signage clarifying the extent of the new coastal access rights on his landholding, taking legal advice if necessary.

We welcome the suggestion made by the RSPB that we should work with them to improve and rationalise signage in the area, something we have also referred to in report HSG 2.

Representation B

Our response to this representation largely mirrors our response to the RSPB's objection regarding HSG 6 and their representations re HSG 3, HSG 5 and HSG 6.

We acknowledge the special value of the Stour estuary to waterbirds, and that this is largely due to its extensive habitats and relatively low levels of disturbance. We also recognise the importance of the research that has been done on the Stour and Orwell estuaries to quantify the impacts of disturbance, including that attached to the RSPB's representation. We took this research into account when formulating our proposals.

Access exclusions

If and when the proposals made in our coastal access reports regarding access restrictions or exclusions are approved, we 'make directions' to implement them. A direction to exclude

access has the legal effect of cancelling out coastal access rights and there are a number of grounds on which it may be made. In some cases, like the one cited by the RSPB, there can be more than one legitimate reason for limiting coastal access rights. In these situations our practice is to make a direction according to the need that is most restrictive. Where we decide that an area of saltmarsh or mudflat is substantially unsuitable to be used by the general public, we exclude access all year round. In most situations this would be the most restrictive option and would therefore be the grounds cited in the formal direction notice.

That doesn't mean, in any way, that the importance of the habitat for wildlife is being overlooked, and there are three broad ways in which this importance is acknowledged/ highlighted:

1. There are numerous references to it in the Harwich to Shotley Gate Coastal Access Reports, Habitats Regulations Assessment and Nature Conservation Assessment.
2. As acknowledged by the RSPB, we make it clear in these documents that, in the unlikely event of there being a need to remove s25A exclusions from any areas of saltmarsh or mudflat, before doing so we would consider whether this action would bring about a need to exclude or restrict coastal access rights for any other reason, e.g. to address nature conservation sensitivities.
3. Where there is a need to draw the public's attention to such measures/ sensitivities 'on the ground', we will often take the opportunity to convey these points alongside those highlighting dangers to the public. In locations where such messages apply to large areas, we may take the view that this is best achieved strategically, e.g. at key parking or pedestrian access points, rather than with large numbers of on-site signs, especially if the latter would introduce unacceptable levels of 'visual clutter' and to raise concerns about ongoing maintenance.

Where the objective is to persuade visitors to behave in particular ways, we believe this can be done most effectively through carefully targeted information or interpretation explaining the need and, where appropriate, highlighting the legal extent of, or limitations to, access rights.

On-site signage

On this part of the Harwich to Shotley Gate stretch, we propose signage on the approaches to Copperas Wood, at either end of HSG-2-S011, the intention being to publicise the proposed dogs exclusion relating to Copperas Wood between the railway line and the foreshore.

We don't propose any other signage as proposed by the RSPB because:

- We don't propose a s26(3)(a) access exclusion for the foreshore between HSG-2-S011 and HSG-2-S022, for the reasons set out above.
- We believe such signs would introduce unacceptable levels of visual clutter, and raise concerns about ongoing maintenance.
- The shoreline in question is served by an existing PRow, which we propose as the route of the England Coast Path. We cannot introduce any signage (such as 'dogs on leads'), which contravenes PRow legislation.

- We don't perceive a need for such signage, as the mudflats are extensive and unwelcoming to access, and the saltmarsh is separated from the trail by a substantial wet channel, which confers a sense of security to the birds using the saltmarsh. Also, the background level of existing human activity is high in this area, the 100+ holiday huts of the Balhaven site being present from HSG-2-S022 eastwards, and the nearby Copperas Wood and Stour Wood also being significant visitor attractors. It is extremely unlikely that England Coast Path designation is likely to result in an appreciable increase in recreational activity.

Monitoring

Prior to opening the new trail, checks will be made that establishment works, including any special mitigation measures required at this stage, have been implemented. Once the Coast Path is open, there will be ongoing monitoring of the condition of the trail, and its associated spreading room access rights and infrastructure, by the access authority.

Monitoring of the protected site will continue through SSSI condition monitoring and through the use of wetland bird survey data. Issues concerning the achievement of conservation objectives for a site will usually be investigated through these arrangements. In the event of public access being identified as a cause of a site falling short of its conservation objectives, or failing to achieve its potential, coastal access provisions may need to be modified as part of the management response.

Natural England is not proposing to put bespoke monitoring in place. Although the saltmarsh and mudflat habitats are undoubtedly of considerable value to wildlife (notably waterbirds of international importance), for the most part they are difficult to gain access to from the proposed trail route. This route within this length is largely on an existing PRow, meaning that access rights to the seawall will remain unaffected by our proposals.

Relevant appended documents (see section 6):

Link to *Stour and Orwell Recreational Disturbance Report* given as footnote, above.

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

Representations containing similar or identical points

Representation ID	Organisation/ person making representation:
MCA/HSG2/R/4/HSG0247	[redacted]
Name of site:	Copperas Wood Farm
Report map reference:	HSG 2a
Route sections on or adjacent to the land:	HSG-2-S006 to HSG-2-S007

Other reports within stretch to which this representation also relates	N/A
<p>Summary of point</p> <p><i>Please see part 5 for details of the circumstances of [redacted]'s representation.</i></p> <p>Point no.5 of [redacted]'s representation:</p> <p>Copperas Wood Farm [located between the railway and the shoreline] is “only sensibly accessible across a dangerous user operated private railway level crossing”, which is visible from the proposed trail alignment...”we have had no advice as to how the public will be banned from the use of the railway crossing point by signage or otherwise.”</p>	
<p>Natural England's comment</p> <p>[redacted] has raised the issue of the railway crossing with us several times, and we have been consistent in saying that our approach would be to propose that a sign be erected on the southern side of the crossing advising trail users that coastal access rights do not extend to the crossing or to the foreshore beyond. Unfortunately however we did not formalise this within our proposals. We apologise for the oversight and offer our commitment to working with Essex County Council and the RSPB (who raise a similar point in their representation) to ensure that, should the Secretary of State approve our proposals, a suitably worded sign is installed where it is likely to be most effective.</p> <p>[redacted] can also, if he wants to, erect signage clarifying the extent of the new coastal access rights on his landholding, taking legal advice if necessary.</p>	

Relevant appended documents (see Section 6): N/A

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

Representation ID:	MCA/HSG2/R/1/HSG0402
Organisation/ person making representation:	[redacted]
Name of site:	Fields between East Grove and Strandlands, Wrabness
Report map reference:	HSG 2c
Route sections on or adjacent to the land:	HSG-2-S015 to HSG-2-S017

Other reports within stretch to which this representation also relates	N/A
<p>Summary of representation</p> <p>Map HSG 2c shows two dotted lines with the word ‘Path’ next to them, but the land is private, with no paths where they are shown. One was diverted after a Public Inquiry 15+ years ago. The inaccurate mapping will cause confusion among the public.</p> <p>[redacted] makes the case that 27 of his 29 fields are adjacent to, or contain, a public rights of way (PRoWs). Therefore “I understand (probably better than most) the confusion that is caused by inaccurate or lazy mapping”.</p> <p>[redacted] is concerned that the word ‘path’ is used for both PRoW and non-PRoW routes on the map, the only difference being that the PRoW route is also shown with green dashes. He makes the case that a colour-blind reader would not be helped by this distinction.</p> <p>“Natural England and its employees will not be there at a weekend helping me redirect the public off my land and onto the public rights of way. My efforts will be made all the more difficult as they wave this incompetent piece of mapping at me.”</p>	
<p>Natural England’s comment</p> <p>Natural England have advised [redacted] that:</p> <ul style="list-style-type: none"> • Our role is to propose a route for the trail and certain features along its route (as well as any restrictions, exclusions, etc). It does not extend to mapping the landscape in general; we therefore use existing base mapping from Ordnance Survey (OS), overlain with updated PRoW mapping layers from access authorities, where these are available. We rarely become aware of errors in third party datasets/ mapping where they have no direct relevance to our proposals, and resolving such issues are outside our remit. • The terms ‘path’, ‘track’, etc, on OS maps refer to physical features that may be seen on the ground, and don’t imply a PRoW unless appropriately marked (in this case with a broken green line). Where these features are no longer evident on the ground, the third party mapping should be updated to reflect this; this is something [redacted] can take up with OS if he feels it appropriate. • The proposals we published on the internet, and deposited at public libraries and county council offices, relate specifically to the England Coast Path, that is the trail itself and the coastal margin. Our proposal documents are not intended as a guide to PRoW (which are separate legal entities), are not promoted as such, and we can’t therefore be held responsible for anyone using them in that way. 	

Relevant appended documents (see Section 6): Map showing where ‘path’ printed where no PRoW exists

Organisation/ person making representation:	[redacted] and [redacted]
Name of site:	Strandlands, Wrabness
Report map reference:	HSG 2c
Route sections on or adjacent to the land:	HSG-2-S015
Other reports within stretch to which this representation also relates	N/A
Summary of representation <p>“With regard to the section 2.2.8we challenge the statement that the two kissing gates are “narrow enough to restrict use by some walkers” “.</p> <p>“The public footpath...is used regularly and frequently by numerous walkers...as well as by families with buggies. The kissing gates are easily negotiated by everyone except cyclists and motor-cyclists, who certainly do find them a problem. The gates have never been the subject of a complaint to us, and, as far as we know, nor to the Parish, District or County Councils. The reason for their installation are still valid. We have often witnessed cyclists...being deterred from using this footpath as if it were a bridleway.”</p> <p>The design, materials and relevant dimensions conform with the text and illustrative drawing in the County Council’s consent letter dated 10 February 2005.</p> <p>“We therefore wish strongly to object to the proposed removal of these gates and replacement with alternative gates of different dimensions, which we believe will inevitably lead to much more frequent use of the path by cyclists and even motor-cyclists, which we suggest will be of considerable disadvantage to legitimate walkers.”</p> <p>“In conclusion...the two kissing gates, [do] absolutely nothing to inhibit any walkers who are using it to enjoy this part of the coast, and... it conforms in every way with the coastal access legislation.”</p>	
Natural England’s comment <p>[redacted] and [redacted] have, since our first meeting with them, been consistent in their view that the pair of kissing gates in question do nothing to deter legitimate use, however this is self-evidently not the case. The structures are unusually tall and narrow, so that even someone wearing a moderately sized rucksack would have difficulty getting through them. It would not be possible for even the smallest buggy or pushchair to pass through them without having its occupant removed, being unloaded and folded up, which would be exceptionally inconvenient for anyone with no help at hand. It would also be impossible for even the smallest mobility scooter to pass through them.</p>	

Despite [redacted] and [redacted]' assertions in their conclusion, it is evident that many footpath/ trail users would be inhibited, or even deterred by these structures, and that they do not conform with coastal access legislation. Both sets of kissing gates fall well short of the standards set out in Part 4.3 of the Coastal Access Scheme (Convenience of the trail), and especially the subsection *Adjustments for disabled people and others with reduced mobility* (4.3.8 onwards).

We have had separate discussions with two members of Essex County Council's Rights of Way team, both of whom expressed surprise that the Council had approved installation of the existing structures in their current form. It is our understanding that such structures (albeit in a more accessible form) should only be present on a PRow if there is a demonstrable need for stock control purposes. There is no mention of this need in [redacted] and [redacted]' representation, their focus apparently being on preventing access by cycles and motorcycles. This is consistent with their discussions with us, but we are unaware of any evidence that cyclists and motorcyclists present a particular problem here. We acknowledge that such uses would be unwelcome on a PRow, and that there are situations where it can prove necessary to use structures to prevent or inhibit use by cyclists and motorcyclists, but they must not impinge significantly on the rights of legitimate users, which the existing structures clearly do.

We understand that Essex County Council is in the process of removing large numbers of unnecessary structures from coastal footpaths elsewhere in Essex. Since we drafted our proposals we have come to doubt whether either of the two fields in question are likely to be grazed in the foreseeable future, and it may be that the most appropriate way forward would be to remove the existing structures, and only replace them with fully accessible structures if there is a clear need to control stock. We would be happy to work with Essex County Council to consult the relevant landowner, [redacted], about the most appropriate way forward. The current structures are however unacceptable.

Relevant appended documents (see Section 6): N/A

Representation ID: MCA/HSG2/R/7/HSG0723

Organisation/ person making representation:	[redacted], Disabled Ramblers
Name of site:	N/A
Report map reference:	HSG 2a to 2c
Route sections on or adjacent to the land:	Whole length, with particular locations highlighted
Other reports within stretch to which this representation also relates	Disabled Ramblers have also submitted generic and detailed comments on HSG 1, HSG 4, HSG 5 and HSG 6.
Summary of representation	
Significant numbers of people now use all-terrain mobility vehicles to travel on access routes in the open countryside, including challenging and rugged terrain. Users have the same	

access rights as walkers, so Natural England should ensure that any existing or new infrastructure does not present a barrier to them. In places, natural terrain will prevent access, but man-made structures can be changed.

Where the trail follows field edges, these should be maintained at a suitable width for use by all-terrain mobility vehicles.

“Disabled Ramblers is pleased to note that Natural England recognises that the two kissing gates [at Strandlands, HSG-2-S015] are too small for some walkers and will replace them. The two replacement gates, and the additional one on the southern edge of Copperas Wood [HSG-2-S006], should be suitable for large mobility vehicles (see attached document *Disabled Ramblers Notes on Infrastructure*).”

Disabled Ramblers requests that Natural England:

- Addresses the issue of existing man-made structures that present a barrier to those who use mobility vehicles.
- Ensures that existing and proposed structures are suitable for large mobility vehicles, and that they comply with *British Standard BS5709: 2018 Gaps, Gates and Stiles*.
- Complies with the Equality Act 2010 (including the Public Sector Equality Duty).
- Complies with the Countryside and Rights of Way Act 2000.
- Follows the advice in the attached document *Disabled Ramblers Notes on Infrastructure*

Natural England’s comments

Natural England acknowledges its duties under the Equality Act 2010 and the Countryside and Rights of Way Act 2000, and also the extra responsibilities conferred by the Public Sector Equality Duty, under the former. In section 4.3.8 of the Coastal Access Scheme we outline that in delivering the England Coast Path we follow the principles set out in our publication “By All Reasonable Means” to make the trail as easy to use as we reasonably can for disabled people and others with reduced mobility, whilst accepting that such opportunities will often be constrained by practical limitations.

An important element of equality law is that the needs of those with constrained or restricted mobility are taken into account throughout the planning, design and implementation processes, and that they are not simply treated as an ‘add on’. We have endeavoured to achieve this as we have developed our proposals for the Harwich to Shotley Gate stretch, and, if our proposals are approved, will continue to do so through the implementation phase, working alongside Essex and Suffolk County Councils, which share the same responsibilities and duties.

We also recognise the importance of satisfying the relevant British Standards, and the desirability of complying with the advice contained in the *Disabled Ramblers Notes on Infrastructure*, and will also be focusing on these documents as we work with the access authorities.

We also note the Disabled Ramblers' pertinent advice regarding the larger/ all-terrain mobility vehicles, and believe that many parts of the Harwich to Shotley Gate Stretch, including much of the alignment covered by Report HSG 2, lend themselves to use by such vehicles. In particular, we propose to work with Essex County Council to ensure that existing kissing gates are replaced by new structures able to accommodate large mobility vehicles, pushchairs, etc, and that the new structure we propose for the edge of Copperas Wood is similarly designed.

Relevant appended documents (see Section 6): *Disabled Ramblers Notes on Infrastructure*

Representation ID:	MCA/HSG2/R/5/HSG0738
Organisation/ person making representation:	[redacted], the Woodland Trust
Name of site:	Copperas Wood
Report map reference:	HSG 2a to 2b
Route sections on or adjacent to the land:	[redacted] specifies route sections HSG-2-S004 to HSG-2-S006, but her comments seem to also relate to HSG-2-S008 to HSG-2-S011
Other reports within stretch to which this representation also relates	N/A

Summary of representation

[redacted] highlights that Copperas Wood is Ancient Semi-natural Woodland (ASNW), and that impacts should be minimised, as ancient woodland is irreplaceable.

Where possible, no new paths to be constructed within the ancient woodland, and the footprint of existing paths to not be extended.

Where the creation of new paths is unavoidable, compaction of the soil to be limited by minimising use of heavy machinery, and no woodland vegetation to be removed unnecessarily.

Evidence cited:

“Ancient Woodland is afforded protection under the National Planning Policy Framework (Paragraph 175c) which states the following: *“development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;”* wholly exceptional is defined as: *“For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.”*

Natural England's comments

Natural England welcomes the Woodland Trust's interest in our proposals and we acknowledge the importance of the comments made.

Trail sections HSG-2-S004 and HSG-2-S005 are outside Copperas Wood and on arable field margins, so no adverse impacts are expected to result from establishment of the England Coast Path here. Part of our reasoning in proposing that the trail be located outside the woodland here, rather than on an equally direct and pleasant route inside the eastern part of Copperas Wood, is that this would avoid the creation of totally new sections of route within the woodland, which might have adverse impacts in terms of soil compaction, and of the loss of woodland vegetation and standing deadwood, both to establish the trail and in terms of ongoing management intended to reduce hazards to walkers.

HSG-2-S006 is entirely new, so has the potential to have an impact, but is extremely short, at only 20m. Section HSG-2-S007 is about 190m long, but entirely on an existing track often used by motor vehicles.

The most important section, in terms of potential impacts on the woodland, is HSG-2-S008, which is 650m long and on an alignment that is unsurfaced and currently only subject to foot traffic. However, this part of the route has already been established as a woodland path by the Essex Wildlife Trust, which manages the site as a nature reserve. It is inevitable that establishment of the England Coast Path will increase the amount of pedestrian traffic on this section, but we don't propose any widening or surfacing here. Having said that, it may prove necessary for localised management to be carried out over time, in certain areas, notably where the soil is naturally wetter. This will be carried out by Essex County Council in collaboration with Essex Wildlife Trust, to ensure that any adverse impacts are minimised. This should include the use of relatively light machinery only and/ or the use of ground protection mats to avoid soil compaction, and careful identification of access routes to avoid unnecessary damage to woodland vegetation.

Sections HSG-2-S009 to HSG-2-S011 are entirely on an existing vehicular access track and a public footpath that are already well used. ECP designation is expected to bring about only a small increase in footfall here, and no substantial works are proposed.

A Nature Conservation Assessment (NCA) was undertaken to assess the impact of our proposals on Copperas Wood East, Ramsey as a Local Wildlife Site and also the Stour and Copperas Woods SSSI. This concluded our proposals should not result in significant adverse impacts, despite the increase in recreational activity.

Relevant appended documents (see Section 6): N/A

Representation ID:	MCA/HSG2/R/4/HSG0247
Organisation/ person making representation:	[redacted]
Name of site:	Copperas Wood Farm

Report map reference:	HSG 2a
Route sections on or adjacent to the land:	HSG-2-S006 to HSG-2-S007
Other reports within stretch to which this representation also relates	None directly related
Summary of representation Summary of comments made by [redacted]: <ol style="list-style-type: none"> 1. "I wish to register to speak and reserve the right to represent myself at any hearing or meeting by which this submitted plan is to be legalised." 2. There are numerous land uses within the site, including a private dwelling, five holiday lets, a blacksmith's forge and wood turning workshop, a sawmill, agricultural storage areas and workshop. "We are being told we must at our expense fence the curtilage areas of all of our individual excluded areas...and all at our cost". 3. The site also operates as a free range goose breeding and rearing unit; the only Soil Association approved all-organic breeding unit in the country. 4. "...a full and detailed signage map would be appropriate, but this has been ruled out and agreed by government will not happen as a cost saving measure for this part of the Coastal Path. So, we are to be put at risk of the spread of Avian Flu because of cost saving measures and the lack of any desire to exclude our site from the right to roam spreadage area by the development team." 5. The railway crossing is dangerous. <i>This point is covered under part 4, above.</i> 6. "As a public consultation I believe it does not meet the necessary test as I am having to make this representation through the good will of my local council as I find my computer software cannot link to the form to be used, or even to enable a request for a simpler format method to send my response." 7. "[The ECP initiative] highlights a very 'high handed' approach to increase access in areas of natural environment to the detriment of the local wildlife." 8. "This is not a coastal path under the CROW legislation". 9. "The 'spreadage' should not be allowed when the path turns inland along rivers". 10. The Harwich to Shotley Gate foot ferry should be used [rather than the trail being aligned around the estuary]. 11. [redacted] refers to the RAMS initiative, whereby new residential developments pay a tariff that may be used to manage the impacts of increasing recreational activity on sensitive sites in a strategic way. He cites this as a recognition of the damage that recreational access can do. 	

Natural England's comments (following the above numbering):

[redacted] is the owner of Copperas Wood Farm, which is within Copperas Wood, and between the railway line and the shore. His land is not directly affected by the proposed trail route, but it falls within the coastal margin by default.

[redacted]'s land is some distance to the south of the proposed trail, which is largely separated from his land by a railway line that is inaccessible under coastal access legislation. Also, there is only one legitimate route onto his land under our proposals; via the RSPB reserve. A significant part of the area doesn't lend itself to spreading from the trail given the multiple land uses, and we believe walkers will naturally want to avoid these. It is, therefore, likely that the problems [redacted] envisages as a consequence of the establishment of the coast path will prove to be more perceived than real. It is also crucial to recognise that the same situation would prevail wherever the trail were located, given that the excepted railway line prevents the trail being aligned closer to the shore.

1. No comment.
2. We agree that the site is a complex one, and that it would be challenging to define the accessible and non-accessible areas within it, as they are ill-defined on the ground.

Our advice to [redacted] was that he would be responsible for fencing off non-accessible areas within the coastal margin (taking advice if necessary), *if he felt it necessary to do so*. We did not say, or imply, that there would be a requirement for him to do so. In practice, we felt such measures would not prove necessary, because as mentioned above, [redacted]'s land is some distance to the south of the proposed trail, which is largely separated from his land by a railway line that is inaccessible under coastal access legislation. A significant part of the area doesn't lend itself to spreading from the trail given the multiple land uses, and we believe walkers will naturally want to avoid these. There is only one existing access route onto his land via the RSPB reserve, and there is no ready means of onward travel from the bird hides on the RSPB reserve to the east as the land is effectively blocked by the railway line. As we propose a 'no dogs' restriction for the reserve to replicate the RSPB's existing visitor management, the potential inconvenience posed by coastal access rights would be reduced considerably, especially with regard to [redacted]'s flock of free range geese."

We also feel that the adjacent RSPB and Essex Wildlife Trust reserves, which provide a variety of trails, are better area for walkers wishing to spread off the coast path. We think locals would be much more inclined to use these than spread onto [redacted]'s land.

We considered if we should make a direction to exclude access to the seaward coastal margin at Copperas Wood Farm on land use grounds when we were developing our proposals. We were not however persuaded that a direction was necessary because we did not anticipate a noticeable change in the existing level and pattern of access use here. However we are able to revisit that decision should these circumstances change, and coastal access rights significantly disrupt or affect the operation of the goose breeding and rearing unit.

3. See '2', above.

4. We believe this to be a reference to our assertions, in response to repeated demands by [redacted], that it is not Natural England's role to definitively identify excepted land, only the courts can do this. We therefore cannot accurately map and sign accessible and non-accessible areas within the coastal margin on his landholding. We presented this as applicable across the country, not just locally.

5. *Our response to this point is covered under part 4, above*

6. In subsequent discussions it became apparent that the difficulties [redacted] faced were entirely down to technological issues related to his own equipment and poor on-site broadband and telephony provision. These were long-standing issues he had mentioned to us previously, and we had made it clear that the submission of paper forms would be acceptable. By his own admission, [redacted] had gone to considerable trouble to keep in touch with us as we developed our proposals, so he was well aware of the process he needed to follow, and of the time constraints that would come into play once our proposals were published.

7. We reject this assertion as a general point, and, on the Harwich to Shotley Gate stretch, we have gone to considerable trouble to find an appropriate balance between our duties to establish the England Coast Path and to protect and enhance the environment.

Cooperras Wood forms part of the Stour and Cooperas Wood SSSI. A full assessment of any potential impacts on the wildlife and habitats of the SSSI was undertaken as part of the preparation of our proposals. The results of this are detailed in the Nature Conservation Assessment which was published and publically available on gov.uk at the same time as the proposals for the Harwich to Shotley Gate Stretch. This assessment concluded that our proposals to improve access to the English coast between Harwich and Shotley Gate are fully compatible with our duty to further the conservation and enhancement of the notified features of the Stour and Cooperas Woods SSSI, consistent with the proper exercise of our functions.

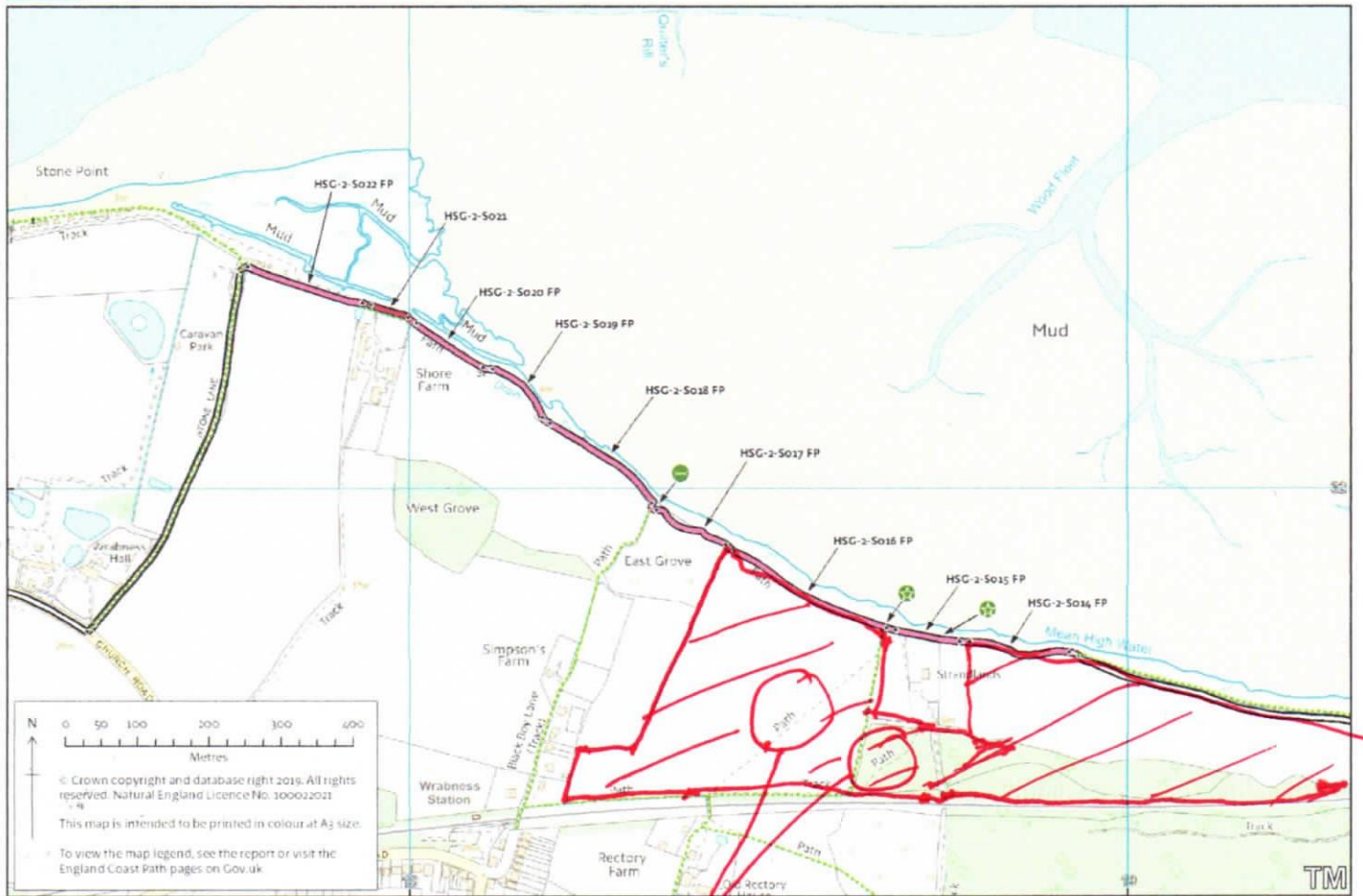
8. We cannot address this point because [redacted] offers no explanation of it.

9. This is a point that was considered and settled when coastal access legislation and the approved statutory Scheme were originally drawn up.

10. Our Overview document sets out our reasons for opting to propose an estuary route, rather than making use of the ferry crossing. We remain confident we took the right approach in terms of satisfying coastal access criteria and meeting the local demand for access.

11. We agree with [redacted]'s point. That is why when we develop our coast path proposals, we go to so much trouble to find the right balance between improving access provision and protecting the environment.

Relevant appended documents (see Section 6): N/A



THERE IS NO PATH OF ANY
RELEVANCE TO THE PUBLIC

Coast Path Proposals - General comments on access for those with limited mobility

Natural England's proposal documents frequently declare that uneven grass or bare soil are often challenging terrain for people with reduced mobility. This needs to be addressed.

Many people with reduced mobility like to get off tarmac onto natural surfaces and out to wilder areas whenever they are able to. There are many ways they achieve this, depending on how rough and steep the terrain is. At one extreme, a determined pusher of a manual wheelchair can enable access to a disabled person across grass and up steep hills. At the other, off-road mobility scooter riders can manage rough terrain, significant slopes, cross water up to 8" deep, and depending on their battery type and the terrain they are on, they can easily run 8 miles or more on one charge.

It is anticipated that many stretches of the England Coast Path will be suitable for mobility scooters. Uneven grass and bare soil paths are often straightforward terrain for off-road mobility scooters and some other mobility vehicles. Sea walls also, wider cliff tops and some beaches can be good too. They afford an opportunity for the rider to get off tarmac, to access wilder terrain, enjoy great views, and experience the local wildlife.

It is important that attention is paid to ensuring that all man-made gates, bridges and other structures that are to be installed along the route allow convenient access to off-road mobility scooter riders as standard, and that existing barriers to access for off-road mobility scooters are removed whenever possible, or, if necessary and possible, a nearby alternative route is considered. There are often diversions that pavement scooters could take to bypass stretches of the Coast Path that are not suitable for them.

The Disabled Ramblers would like Natural England to reconsider new infrastructure that is being proposed along the route of the Coast Path for its suitability to both off-road and pavement scooters. It is apparent that some infrastructure currently being proposed will be a barrier, preventing legitimate access to those with limited mobility. Suitability of structures should always be considered on the assumption that a person with reduced mobility will be going out without more-mobile helpers, so the rider will need to negotiate the structure on their own, seated on their mobility vehicle.

In more built up areas the proposed Coast Path route often runs along stretches which are ideal for pavement scooters. In addition to the adjustments needed to allow off-road mobility scooters access in these areas, it is important that there are sufficient, well placed, dropped kerbs to enable progress along the route for pavement scooters, and to allow access for those with limited mobility to nearby facilities too.

If a pavement scooter can manage the terrain and the gates/barriers, it is likely that manual chairs can too, but this advice refers to pavement scooters, rather than wheelchairs, because they often have lower clearance, are of greater length and do not fit through most kissing gates that are suitable for pushchairs and wheelchairs. Also, scooters are widely used over longer distances in preference to manual wheelchairs so are very likely to be used on the Coast Path.

When considering suitability of man-made structures along the route, Disabled Ramblers requests that Natural England refer to The British Standard 5709:2018 Gaps, Gates and Stiles which updates the previous BS version in view of recent thinking and legislation to focus on the needs for less able-bodied and disabled people to be able to access the countryside. Attention should also be paid to the Equality Act 2010 which requires consideration of people with a wide range of disabilities on public paths and to the Public Sector Equality Duty within this act which came into force in 2011.

Whilst the BS5709:2018 Gaps, Gates and Stiles does not automatically apply retrospectively to most existing structures, Disabled Ramblers hopes that Natural England's plans will allow for the removal and replacement of many inappropriate existing structures to enable access to the England Coast Path for those with limited mobility. Some structures can have a 'life' of 15 years – it would be a crying shame if those with limited mobility have to wait this long before they can be afforded the same access that walkers have to those areas where the terrain is suitable for mobility vehicles.

USEFUL INFORMATION

Mobility Scooters

Legal Maximum Width: 85cm (33.52" / 2' 9.5") Same width is needed all the way up to pass through any kind of barrier.

Length: Mobility vehicles vary in length, but **152cm (60" / 5')** is a minimum length guide.

Manoeuvring space One-way opening gates need more manoeuvring space than two-way opening ones and some mobility vehicles may need a three metre diameter space

Gaps should be 1.1 minimum width on a footpath (BS5709:2018)

Pedestrian gates The minimum clear width should be 1.1m (BS5709:2018)

GATES and OTHER BARRIERS

British Standard BS5709:2018 Gaps, gates and stiles gives detailed advice on how to achieve the Least Restrictive Access.

Disabled Ramblers cannot publish this due to copyright restrictions. However, an overview is here: [Understanding the British Standard for Gaps, Gates and Stiles](#)

National Land Access Centre.

A wide variety of gates and other 'furniture' or barriers have been installed at the [National Land Access Centre, Aston Rowant](#). To arrange a visit, contact: NLAC@naturalengland.org.uk

<https://www.gov.uk/government/news/opening-access-to-the-countryside>

Video of the gates being used (1 to 10 are Bridle Gates. & 11 to 20 are Pedestrian Gates): [National Land Access Centre on YouTube](#).

The **TWO-WAY, SELF-CLOSING GATE** is the easiest to use – if well maintained and if a simple Gap is unacceptable. Yellow handles and latches allow greater visibility and assist those with impaired sight.

Centrewire supply a range of gates including **two-way, self-closing**. E.g. [Aston 2-way-gate](#). It uses the **Easy Latch** to enable single-handed use: [Easy Latch](#)

See one in use from a mobility scooter here: Two-way, Self-closing Gate Opening with Walking Pole: <https://www.dropbox.com/s/7h3lc00pf4l2dxv/Gate%20Opening%20with%20Walking%20Pole%20at%20Cromford%20Canal.mp4?dl=0> (0:21 minutes)

If **Kissing Gates** must be used, Disabled Ramblers recommend the [Centrewire Woodstock Large Mobility](#) which can be opened wide with the use of a RADAR key. NB this is the only Centrewire kissing gate that that can be used by off-road and larger mobility scooters. See one in use from a mobility scooter here: [RADAR Kissing Gate Opening on YouTube](#) (5:41 minutes)

'A' Frame barriers are to be avoided. Essentially these intimidating barriers create a gap - this gap should be the same width all the way up from the ground. Frequently put in place to restrict the illegal access of motorcycle users, 'A' frames very often block the legitimate access of those with limited mobility. They should only ever be used after very careful consideration of the measured extent of the motorcycle problem, and after all other solutions have been considered.

'A' frame barriers, smaller kissing gates, gates and gaps can also be a barrier to pregnant women, and people with children's buggies – people to whom the General Equality duty also applies.

Note about RADAR padlocks

Often mobility scooter riders find RADAR padlocks difficult to use, so they should only be used if there is not a suitable alternative. Here are some of the reasons why:

- Rider cannot get off mobility scooter to reach the padlock
- Rider cannot reach padlock from scooter (poor balance, lack of core strength etc)
- Position of padlock is in a corner so scooter cannot come alongside padlock to reach it, even at an angle
- RADAR padlock has not been well maintained and no longer works properly.
- Use of only one hand (Extremely difficult when a RADAR padlock is used in series on a chained gate when the padlock is not held rigidly in place)

SUGGESTIONS FOR GATES

(Taken from Centrewire's website)

Aston Gate – 2 Way

<https://centrewire.com/products/aston-2-way-gate/>

New gate design is stronger and more suitable for users of mobility vehicles due to the extra strength of the bottom two rails. The two way catch together with the EASY LATCH and the 180 degree self closing gate system makes this gate ideal for users of mobility vehicles. Pedestrians will also find the EASY LATCH particularly simple to operate, and the option of the gate end striker provides a simpler system.

A stock proof handle is available to replace the normal EASY LATCH handle for an extra cost. £21.50 Kit

comprises of –

- Timber gate leaf
- 2 x posts
- 2 way EASY LATCH with trombone handle (as standard)
- 180 degree hinge kit

Product Guide

- Access for pedestrians
- Access for pedestrians w/ dogs
- Access for horse riders
- Access for medium mobility vehicles
- Access for large mobility vehicles
- Complies with BS5709:2006 specs

Product Details

- HEIGHT - 1.2m
- WIDTH - 1.7m (overall post to post)
- GATE LEAF 1.2m

Options Available: Stock proof handle - £21.50

EASY LATCH for 2 Way Gate

<https://centrewire.com/products/easy-latch-for-2-way-gate/>

The EASY LATCH mechanism can also be used on gates where a two way opening is required. The standard EASY LATCH kit is used together with a two-way self locking catch assembly and curved guide plate. As with the standard EASY LATCH kit, there are three handle options.

Our specialised latches operate in conjunction with the self closing gate systems and are designed to be easily accessible for all users. They can be operated from both sides of the gate and are accessible at different heights to accommodate disabled ramblers, pedestrians and horse riders. These latches can also be used to upgrade on existing gates.

The EASY LATCH is supplied with either Straight, Trombone or Stockproof handles. Straight handles were the original design and are still preferred by some horse riders. Trombone handles were developed to provide the easiest operation for all users particularly with mobility vehicles. Stockproof handles are more difficult for mobility vehicle users but provide greater stock security where horses or cattle are kept.

The EASY LATCH is designed to fit onto either the 2nd or 3rd rail of a gate depending on the height preference or spacing of the rails.

Radlocks – Timber and Steel

The Radlock allows passage only of RADAR key holders and the padlock is fixed so it cannot be dropped or removed. Radlock Steel Fitted at Manufacture.

Woodstock – Large Mobility Gate

<https://centrewire.com/products/woodstock-large/>

Galvanised steel hoops, Marlow heavy duty galvanised meshed gate with integral H-Frame posts, self closing gate system and RADLOCK latch system, auto latch.

The heavy duty kissing gate is stockproof in both directions. A non self closing gate is available if stock is not involved. The gate operates in two modes (A) as a kissing gate. (B) with release of the sliding latch by use of a RADAR key the gate maybe opened beyond the normal closing point allowing large mobility vehicles and some path maintenance equipment to pass through. The design inhibits the passage of motorbikes.

Product Guide

- Access for pedestrians
- Access for pedestrians w/ dogs
- Access for medium mobility vehicles
- Access for large mobility vehicles
- Access for mobility vehicles w/radar key
- Complies with BS5709:2006 specs

York 2 in 1

<https://centrewire.com/products/york-2-in-1/>

Both pedestrian and bridle gate handles are provided. They are interchangeable. A heavy-duty version is available if required (STIRLING) add 10% to prices.

Galvanised tubular steel field gate in two sections. The main section can be locked with a heavy duty drop bolt to prevent unwanted vehicle access while the section allowing public access is free to open. The complete gate as one unit will open as required.

Field gate installed height 1.2m. Overall width of main section includes the width of the public access section also. Width of public access section 1.525m. This design has been developed from the highly successful BRISTOL TWO IN ONE gate where access for all is required. The public access gate can be one way or two way opening and is self closing.

Product Guide

- Access for pedestrians
- Access for pedestrians w/ dogs
- Access for horse riders
- Access for medium mobility vehicles
- Access for large mobility vehicles
- Complies with BS5709:2006 specs

Videos of mobility vehicles getting through difficult gates

'Kissing Gate Frustration': (1:04 minutes)

https://www.dropbox.com/s/prlmw5y31t7vi97/Kissing%20Gate%20Frustration_Large.mp4?dl=0

Gate Opening on Bredon Hill by Off Road Mobility Scooter. Different people with different disabilities attempt to open gates on their own https://youtu.be/EU64rlFux_I (11:49 minutes)

Coastal Access – Harwich to Shotley Gate Representations on:

Report HSG 3 – Stone Point, Wrabness, to Hopping Bridge, Mistley



Including Natural England's comments

December 2020

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1. Introduction

This document details representations we have received on the coastal access report **HSG 3**, each being in one of two categories:

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

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

2. Background

Natural England's compendium of reports, setting out its proposals for improved access to the coast from Harwich to Shotley Gate, was submitted to the Secretary of State on 22 January 2020. This began an eight week period within which representations and objections could be made about the constituent reports.

In relation to the report **HSG 3 – Stone Point, Wrabness, to Hopping Bridge, Mistley**, Natural England received **3** representations, of which **2** were made by organisations or individuals whose representations must be sent in full to the Secretary of State, in accordance with paragraph 8(1)(a) of Schedule 1A to the National Parks and Access to the Countryside Act 1949. These 'full' representations are reproduced in Section 3 of this document, together with Natural England's comments, where relevant.

As required by the legislation, this document also summarises and, where relevant, comments on the **1** representation(s) submitted by other individuals or organisations, referred to here as 'other' representation(s). Natural England's comments on 'other' representations are set out in two parts, only the second part being relevant to report HSG 3:

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

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

No further representations were received after the period of eight weeks beginning with the date on which the report was first advertised on Natural England's website.

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

Representation number:	MCA/HSG3/R/1/HSG0730
Organisation/ person making representation:	[redacted], The Ramblers, Essex Area
Route section(s) specific to this representation:	HSG-3-S001 to HSG-3-S005 HSG-3-S018 to HSG-3-S024 HSG-3-S020 to HSG-3-S038
Other reports within the stretch to which this representation also relates:	N/A
Representation in full	
<p>We are disappointed that the route turns inland at Stone Lane. While we fully appreciate the issues associated with residential land use and erosion, we see no reason for this diversion from the coast. We note that, while Church Lane is not a busy road, this route takes walkers up part of Stone Lane that is used as an access road, before reaching Church Road.</p> <p>We are very pleased to see that the route of the coast path will miss the point at TM146308 where the current walked route crosses the B1352 on a blind bend. We would have liked to see the path at TM142315 continue behind Nether Hall and follow the railway line into New Mistley (TM123317), thus avoiding the detour through Bradfield and away from the coast.</p>	
Natural England’s comments	

Inland alignment westwards from Stone Lane

We note Essex Ramblers' views about the inland route we propose at Stone Lane, avoiding the Balhaven (holiday huts) landholding. A good number of local people also expressed a desire to see a coastal route through the Balhaven site, formalising recreational activity that often takes place currently, as we understand it.

This was one of the more challenging decisions we faced on the Harwich to Shotley Gate stretch, as the *Coastal Access Scheme* does not directly address the situation here, where there is a line of well-established holiday huts/ chalets along the shoreline, with large areas of communal grassland behind them.

The huts are, effectively, holiday homes, on which council tax is payable. Ultimately, we came to the view that the areas of green space to landward of them must be considered as within their curtilage, given the communal way in which they are used. In this situation, we would only be able to propose alignment of the trail across these areas if Balhaven, on behalf of the residents, was willing to voluntarily dedicate access strips for that purpose, which it was not prepared to do.

Another complication was that the private residence 'The Coign' has a garden which extends a considerable distance (300m) inland, between the two areas of Balhaven land. As private gardens are excepted land, this would mean the trail would have to come inland almost as far as the route we ultimately proposed, in order to avoid it.

As we explained in Report HSG 3 (3.3.3), we ultimately came to the view that the route we propose, despite being further inland, offers better views of the estuary than any intermediate route that might potentially have been possible, and would also be more coherent.

We were unable to align the route along the Public Right of Way which passes on the seaward side of the huts and the private residence 'The Coign', as this is affected by the tides and therefore not always available to walkers.

Blind bend on the B1352

We welcome Essex Ramblers' support for our decision to avoid this junction of the PRow and main road, which we agree is hazardous.

Inland route option westwards from Nether Hall

We note Essex Ramblers' disappointment at our proposed alignment. Again, the decision to propose that the trail come so far inland between Bradfield and Mistley was not one we took lightly.

As we explained in Report HSG 3, we looked hard at the options here, but an alignment north of the railway (i.e. close to the shore) was simply not possible because of the presence of excepted land types at either end of the 'corridor', and the absence of any means of crossing the railway line. Having accepted that the route would have to go inland, it proved necessary (for safety reasons) and desirable (for aesthetic reasons) to take the trail inland as far as the Essex Way, which is an attractive route in itself.

Relevant appended documents (see section 6): N/A

Representation number:	MCA/HSG3/R/3/HSG0740
Organisation/ person making representation:	[redacted], RSPB
Route section(s) specific to this representation:	HSG-3-S016 to HSG-3-S019
Other reports within the stretch to which this representation also relates:	This representation has strong similarities to representations submitted by the RSPB for reports HSG 2, HSG 5 and HSG 6, and to their objection to HSG 6.
Representation in full	
<p>Although the mudflats and saltmarshes in the Stour estuary have almost entirely been afforded access restrictions on safety grounds (Section 25A), and there is a commitment to replacing these restrictions should they ever be removed, the RSPB feels that this does not take seriously enough the European (Special Protection Area) and international (Ramsar site) designations that recognise the estuary's wildlife of national and international significance. The only area that currently has an exclusion of this nature is HSG-2-S001 to HSG-2-S010, which while welcomed, is not the only area in the estuary that is highly sensitive.</p>	

The RSPB is particularly concerned about this issue given the context that the only other restrictions on this stretch of the England Coast Path (HSG-6-S014 to HSG-6-S019), which is a seasonal dogs on leads restriction, is on land management grounds (Section 24) in relation to gamekeeping. It is felt that with the estuary being a nationally and internationally designated site, and when the local evidence for disturbance to wild waterbirds caused by dogs is strong (at high tide, walkers with dogs are the single greatest cause of disturbance to waterbirds on the Stour and Orwell Estuaries, and the mean number of disturbance events caused by dogs off leads was twice that compared with dogs on leads¹), that a troubling precedent is being set regarding the relative importance of nature conservation interests.

The RSPB would want to see Section 26(3)(a) restrictions on any sections of the path where dogs off leads could realistically access the mudflats and saltmarshes, as well as appropriate signage to reinforce that either people or dogs straying from the path is illegal. The areas considered appropriate for these exclusions relevant to this report are detailed in Table 1.

The lack of other Section 26(3)(a) exclusion is also inconsistent with other stretches of the England Coast Path. The Aldeburgh to Hopton-on-Sea stretch, for example, has proposed four separate sections with such exclusions, two of which enforce dogs on leads during periods of high sensitivity.

Table 1. Sections of HSG3 considered appropriate for nature conservation restrictions.

Report map reference	Location /extent	Type of direction	Purpose of direction	Grounds and relevant section of CROW
HSG 3b	HSG-3-S016 to HSG-3-S019	People with dogs excluded from coastal margin	Sensitive wildlife (non-breeding waterbirds)	Nature conservation 26(3)(a)

We are also concerned about the effectiveness of mitigation measures, particularly in relation to areas of spreading room eventually excluded under S25 and/or S26 of the Countryside and Rights of Way Act (2000) and where signage is used to encourage walkers to avoid sensitive areas for wildlife. Whilst we understand that the increase in the numbers of walkers and changes to the patterns of access are likely to be small, we consider it is essential that excluded areas are clearly marked on the ground and that signage is carefully located. We recommend that monitoring of the effectiveness of these measures is carried out and consider that further mitigation may be needed if mapping and signage are not sufficient to enforce these restrictions.

Natural England's comments

Our response to this representation largely mirrors our response to the RSPB's objection regarding HSG 6, and to their representations re HSG 2, HSG 5 and HSG 6.

We acknowledge the special value of the Stour estuary to waterbirds, and that this is largely due to its extensive habitats and relatively low levels of disturbance. We also recognise the importance of the research that has been done on the Stour and Orwell estuaries to quantify the impacts of disturbance, including that attached to the RSPB's representation. We took this research into account when formulating our proposals.

Access exclusions

¹ <http://www.suffolkcoastandheaths.org/assets/Projects--Partnerships/Stour--Orwell/Recreation-Disturbance-Report-Final-low-quality.pdf>

Should the Secretary of State approve the proposals made in our coastal access reports regarding access restrictions or exclusions, we will then 'make directions' to implement them. A direction to exclude access has the legal effect of cancelling out coastal access rights and there are a number of grounds on which it may be made. In some cases, like the one cited by the RSPB, there can be more than one legitimate reason for limiting coastal access rights. In these situations our practice is to make a direction according to the need that is most restrictive. Where we decide that an area of saltmarsh or mudflat is substantially unsuitable to be used by the general public, we exclude access all year round. In most situations this would be the most restrictive option and would therefore be the grounds cited in the formal direction notice.

That doesn't mean, in any way, that the importance of the habitat for wildlife is being overlooked, and there are three broad ways in which this importance is acknowledged/ highlighted:

1. There are numerous references to it in the Harwich to Shotley Gate Coastal Access Reports, Habitats Regulations Assessment and Nature Conservation Assessment.
2. As acknowledged by the RSPB, we make it clear in these documents that, in the unlikely event of there being a need to remove s25A exclusions from any areas of saltmarsh or mudflat, before doing so we would consider whether this action would bring about a need to exclude or restrict coastal access rights for any other reason, e.g. to address nature conservation sensitivities.
3. Where there is a need to draw the public's attention to such measures/ sensitivities 'on the ground', we will often take the opportunity to convey these points alongside those highlighting dangers to the public. In locations where such messages apply to large areas, we may take the view that this is best achieved strategically, e.g. at key parking or pedestrian access points, rather than with large numbers of on-site signs, especially if the latter would introduce unacceptable levels of 'visual clutter' and to raise concerns about ongoing maintenance. Where the objective is to persuade visitors to behave in particular ways, we believe this can be done most effectively through carefully targeted information or interpretation explaining the need and, where appropriate, highlighting the legal extent of, or limitations to, access rights.

On-site signage

Although we do not propose that the saltmarsh and mudflats seaward of the route sections identified by the RSPB should be subject to s26(3)(a) exclusion as they suggest, we acknowledge the importance of the area for waterbirds in the Harwich to Shotley Gate Habitats Regulations Assessment (see Part D3.2E), where we include the following text:

'We are satisfied that it would be appropriate for this saltmarsh to have access excluded under section 25A, but also recognise that it is slightly less hazardous to access than most others on the estuary. There is limited evidence that a small amount of access already takes place, so we propose to underline the absence of coastal access rights and the risks to wildlife by installing a pair of discrete signs; one east and one west of the site.'

We don't propose any signage elsewhere, as proposed by the RSPB, because:

- We don't propose a s26(3)(a) access exclusion within this length, for the reasons set out above.

- We believe such signs would introduce unacceptable levels of visual clutter, and raise concerns about ongoing maintenance.
- The shoreline between sections HSG-3-S016 and HSG-3-S019 is served by an existing PRow, which we propose as the route of the England Coast Path. We cannot introduce any signage (such as ‘dogs on leads’), which contravenes PRow legislation.
- We don’t perceive a need for such signage (except for in the locations identified above), as the mudflats are extensive and unwelcoming to access, and establishment of the England Coast Path is only expected to bring about a small increase in recreational activity in the area.

Monitoring

Prior to opening the new trail, checks will be made that establishment works, including any special mitigation measures required at this stage, have been implemented. Once the Coast Path is open, there will be ongoing monitoring of the condition of the trail, and its associated spreading room access rights and infrastructure, by the access authority.

Monitoring of the protected site will continue through SSSI condition monitoring and through the use of wetland bird survey data. Issues concerning the achievement of conservation objectives for a site will usually be investigated through these arrangements. In the event of public access being identified as a cause of a site falling short of its conservation objectives, or failing to achieve its potential, coastal access provisions may need to be modified as part of the management response.

Natural England is not proposing to put bespoke monitoring in place. Although the saltmarsh and mudflat habitats are undoubtedly of considerable value to wildlife (notably waterbirds of international importance), for the most part they are difficult to gain access to from the proposed trail route. This route within this length is largely on an existing PRow, meaning that access rights to the seawall will remain unaffected by our proposals.

Relevant appended documents (see section 6):

Link to *Stour and Orwell Recreational Disturbance Report* given as footnote, above.

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

Representations containing similar or identical points: None

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

Representation ID:	MCA/HSG3/R/2/HSG0733
Organisation/ person making representation:	[redacted]
Name of site:	Land to the north of The Pightle, Heath Rd, Mistley.
Report map reference:	HSG 3d
Route sections on or adjacent to the land:	HSG-3-S030
Other reports within stretch to which this representation also relates	N/A
<p>Summary of representation:</p> <p>Fully supportive of proposed route, because:</p> <p>It avoids the dangerous double bend in Heath Road “(I have witnessed many ‘near misses’ on this bend and it absolutely must be avoided...)”.</p> <p>It avoids walkers going through land immediately to the west of HSG-3-S030, which contains horses. Some walkers [on the adjacent PRoW] allow their dogs to run free, causing distress and danger to the horses.</p> <p>“In light of the fact that there is an existing footpath from which the new route will diverge, will clear and obvious signage be put up for walkers to follow at the points where the route diverges? The signage should clearly encourage walkers to take the new route where possible. In particular at the point HSG-3-S030 diverges from the existing footpath and also from the point where the new route diverges to the west.”</p>	
<p>Natural England’s comment:</p> <p>We welcome [redacted]’s support for our proposals in this area, and agree with his assertion that the junction of the Essex Way and Heath Road is hazardous for walkers, it being impossible to see traffic approaching from either direction when crossing the road.</p> <p>We also note his comments about dogs being allowed to run free in the horse field. This problem is likely to remain an issue under our proposals, in as far as the existing PRoW would continue to exist in this location, and walkers may therefore use it. However, it is quite possible that some existing local walkers will choose to use the England Coast Path route instead, as it has clear advantages. As the field would be very difficult to access from the latter, being separated from it by a linear cutting (largely filled with water), and by a fence, this problem may well be reduced. Another relevant factor is that, being landward of the trail, this field would be outside the coastal margin, so no coastal access rights would apply to it.</p> <p>We recognise the need for clear signage in both the locations highlighted by [redacted], and can confirm they form part of our proposals.</p>	

Relevant appended documents (see Section 6): N/A

Coastal Access – Harwich to Shotley Gate

Representations on:

***Report HSG 5 – Brantham Hall Farm to
Lower Holbrook***

Including Natural England’s comments

April 2021

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1. Introduction

This document details representations we have received on the coastal access report **HSG 5**, each being in one of two categories:

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

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

2. Background

Natural England’s compendium of reports, setting out its proposals for improved access to the coast from Harwich to Shotley Gate, was submitted to the Secretary of State on 22 January 2020. This began an eight week period within which representations and objections could be made about the constituent reports.

In relation to the report **HSG 5 – Brantham Hall Farm to Lower Holbrook**, Natural England received **9** representations, of which **3** were made by organisations or individuals whose representations must be sent in full to the Secretary of State, in accordance with paragraph 8(1)(a) of Schedule 1A to the National Parks and Access to the Countryside Act 1949. These ‘full’ representations are reproduced in Section 3 of this document, together with Natural England’s comments, where relevant.

As required by the legislation, this document also summarises and, where relevant, comments on the **6** representations submitted by other individuals or organisations, referred to here as ‘other’ representations. Of those 6 ‘other’ representations, **none** contain similar or identical points. Natural England’s comments on ‘other’ representations are set out in two parts, only part 2 being relevant to HSG 5:

1. The recurring themes in the 6 ‘other’ representations are summarised in section 4, each with our comments on them.
2. Any of the same ‘other’ representations that make other, non-common points are then commented on separately in section 5 alongside any remaining ‘other’ representations.

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

No representations were received after the period of eight weeks beginning with the date on which the report was first advertised on Natural England’s website.

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

Representation number:	MCA/HSG5/R/2/HSG0655
Organisation/ person making representation:	[redacted], Ramblers Association, Suffolk
Route section(s) specific to this representation:	All
Other reports within the stretch to which this representation also relates:	HSG 4 and HSG 6
Representation in full	
<p>Representation on HSG4b to HSG6f the Suffolk section</p> <p>Most of the section HSG, Harwich to Shotley Gate is in Essex, the Suffolk section is from A137 at Cattawade to Shotley Gate only. This representation refers to the Suffolk section only.</p> <p>All of the Suffolk section was surveyed by members of Suffolk Area Ramblers in the winter of 2015 - 2016, and meetings were held with Essex Area Ramblers and the relevant Suffolk County Council Rights of Way Officers.</p> <p>Following further discussion with interested members of the Ramblers in the area, Maps of the Ramblers suggested route, together with a detailed report of why we were recommending this route, and what works we considered to be necessary were then submitted to Natural England in January 2016.</p> <p>Subsequently I have been in regular contact with the Natural England representatives for this section, and have made some further visits to the proposed section of path as changes in the situation occur. Also, I have been appraised regularly of the differences between our initial suggestions and the Natural England preferred route, all of which changes have been explained and the reasons for alternative routes discussed.</p> <p>The most recent changes have been brought about by natural erosion, which has necessitated moving the pro-posed line of the path further inland than originally determined mostly near the Shotley Gate end. I have been brought up to date with these final overview proposals during the Autumn of 2019.</p> <p>Finally, the Report published on Wednesday 22nd January 2020 has been made available to all interested parties in the Ramblers Ipswich area group, and the maps of the Suffolk section were on display at the Suffolk Area Ramblers AGM on 1st February 2020. The responses from those consulted have been generally favourable, and although some expressed disappointment where the path has to be moved inland, there have been no suitable alternatives suggested.</p> <p>I would therefore, on behalf of Suffolk Area Ramblers, like to commend the proposed route for this section of the England Coast Path, and we look forward eagerly to the path being made</p>	

available on the ground along the full length, and open to public use.

Natural England's comments

We welcome Suffolk Area Ramblers' supportive comments.

Relevant appended documents (see section 6): None

Representation number:	MCA/HSG5/R/3/HSG0732
Organisation/ person making representation:	[redacted], Chair, Suffolk Local Access Forum
Route section(s) specific to this representation:	All, but highlighted sections are: HSG-5-S007 - HSG-5-S014 (ref to roll-back) and HSG-5-S014 - HSG-5-S029 (ref to inland alignment).
Other reports within the stretch to which this representation also relates:	HSG 6
Representation in full	
<p>Response to Natural England on three sections of the England Coast Path in Suffolk.</p> <p>Thank you for consulting the Suffolk Local Access Forum on the three recently released reports on sections of the England Coast Path in Suffolk. A sub-group of SLAF have examined these reports and are generally pleased with the routes that have been put forward and would like to thank all those involved including Natural England staff, SCC rights of way officers and landowners who have been working together on this project.</p> <p>We have examined the three reports and have set our comments below.</p> <p><u>Harwich to Shotley Gate</u></p> <p>Our comments relate only to the Suffolk side of the Stour from Brantham to Shotley Gate. SLAF welcomes that with the option of roll-back the England Coast Path will be able to follow the estuary bank more closely particularly from Stutton Mill to Graham's Wharf [sections HSG-5-S007 to HSG-5-S014, report HSG 5] and Holbrook Creek to Nether Hall [HSG-6-S001 to HSG-6-S017, report HSG 6] where the public right of way has been lost due to cliff erosion. We also appreciate with Crowe Hall at Stutton being 'parkland' it would be difficult to route the path along the shore at this point [sections HSG-5-S014 to HSG-5-S029, report HSG 5].</p>	
Natural England's comments	
<p>We welcome the Suffolk Local Access Forum's supportive comments.</p>	

Relevant appended documents (see section 6): N/A

Representation number:	MCA/HSG5/R/8/HSG0740
Organisation/ person making representation:	[redacted], RSPB
Route section(s) specific to this representation:	All
Other reports within the stretch to which this representation also relates:	This representation has strong similarities to representations submitted by the RSPB for reports HSG 2, HSG 3 and HSG 6, and to their objection to HSG 6.

Representation in full

Representation A.

Although the mudflats and saltmarshes in the Stour estuary have almost entirely been afforded access restrictions on safety grounds (Section 25A), and there is a commitment to replacing these restrictions should they ever be removed, the RSPB feels that this does not take seriously enough the European (Special Protection Area) and international (Ramsar site) designations that recognise the estuary's wildlife of national and international significance. The only area that currently has an exclusion of this nature is HSG-2-S001 to HSG-2-S010, which while welcomed, is not the only area in the estuary that is highly sensitive.

The RSPB is particularly concerned about this issue given the context that the only other restrictions on this stretch of the England Coast Path (HSG-6-S014 to HSG-6-S019), which is a seasonal dogs on leads restriction, is on land management grounds (Section 24) in relation to gamekeeping. It is felt that with the estuary being a nationally and internationally designated site, and when the local evidence for disturbance to wild waterbirds caused by dogs is strong (at high tide, walkers with dogs are the single greatest cause of disturbance to waterbirds on the Stour and Orwell Estuaries, and the mean number of disturbance events caused by dogs off leads was twice that compared with dogs on leads¹), that a troubling precedent is being set regarding the relative importance of nature conservation interests.

The RSPB would want to see Section 26(3)(a) restrictions on any sections of the path where dogs off leads could realistically access the mudflats and saltmarshes, as well as appropriate signage to reinforce that either people or dogs straying from the path is illegal. The areas considered appropriate for these exclusions relevant to this report are detailed in Table 1.

The lack of other Section 26(3)(a) exclusion is also inconsistent with other stretches of the England Coast Path. The Aldeburgh to Hopton-on-Sea stretch, for example, has proposed four separate sections with such exclusions, two of which enforce dogs on leads during periods of high sensitivity.

Table 1. Sections of HSG5 considered appropriate for nature conservation restrictions.

Report map reference	Location /extent	Type of direction	Purpose of direction	Grounds and relevant section of CROW
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HSG 5a, 5b and 5c	HSG-5-S003 to HSG-5-S014	People with dogs excluded from coastal margin	Sensitive wildlife (non-breeding waterbirds)	Nature conservation 26(3)(a)
HSG 5e	HSG-5-S029 to HSG-5-S035	People with dogs excluded from coastal margin	Sensitive wildlife (non-breeding waterbirds)	Nature conservation 26(3)(a)

We are also concerned about the effectiveness of mitigation measures, particularly in relation to areas of spreading room eventually excluded under S25 and/or S26 of the Countryside and Rights of Way Act (2000) and where signage is used to encourage walkers to avoid sensitive areas for wildlife. Whilst we understand that the increase in the numbers of walkers and changes to the patterns of access are likely to be small, we consider it is essential that excluded areas are clearly marked on the ground and that signage is carefully located. We recommend that monitoring of the effectiveness of these measures is carried out and consider that further mitigation may be needed if mapping and signage are not sufficient to enforce these restrictions.

1 <http://www.suffolkcoastandheaths.org/assets/Projects--Partnerships/Stour--Orwell/Recreation-Disturbance-Report-Final-low-quality.pdf>

Natural England's comments

Our response to this representation largely mirrors our response to the RSPB's objection regarding HSG 6, and to their representations re HSG 2, HSG 3 and HSG 6.

We acknowledge the special value of the Stour estuary to waterbirds, and that this is largely due to its extensive habitats and relatively low levels of disturbance. We also recognise the importance of the research that has been done on the Stour and Orwell estuaries to quantify the impacts of disturbance, including that attached to the RSPB's representation. We took this research into account when formulating our proposals.

Access exclusions

If and when the proposals made in our coastal access reports regarding access restrictions or exclusions are approved, we 'make directions' to implement them. A direction to exclude access has the legal effect of cancelling out coastal access rights and there are a number of grounds on which it may be made. In some cases, like the one cited by the RSPB, there can be more than one legitimate reason for limiting coastal access rights. In these situations our practice is to make a direction according to the need that is most restrictive. Where we decide that an area of saltmarsh or mudflat is substantially unsuitable to be used by the general public, we exclude access all year round. In most situations this would be the most restrictive option and would therefore be the grounds cited in the formal direction notice.

That doesn't mean, in any way, that the importance of the habitat for wildlife is being overlooked, and there are three broad ways in which this importance is acknowledged/ highlighted:

1. There are numerous references to it in the Harwich to Shotley Gate Coastal Access Reports, Habitats Regulations Assessment and Nature Conservation Assessment.
2. As acknowledged by the RSPB, we make it clear in these documents that, in the unlikely event of there being a need to remove s25A exclusions from any areas of saltmarsh or mudflat, before doing so we would consider whether this action would

bring about a need to exclude or restrict coastal access rights for any other reason, e.g. to address nature conservation sensitivities.

3. Where there is a need to draw the public's attention to such measures/ sensitivities 'on the ground', we will often take the opportunity to convey these points alongside those highlighting dangers to the public. In locations where such messages apply to large areas, we may take the view that this is best achieved strategically, e.g. at key parking or pedestrian access points, rather than with large numbers of on-site signs, especially if the latter would introduce unacceptable levels of 'visual clutter' and to raise concerns about ongoing maintenance. Where the objective is to persuade visitors to behave in particular ways, we believe this can be done most effectively through carefully targeted information or interpretation explaining the need and, where appropriate, highlighting the legal extent of, or limitations to, access rights.

On-site signage

We don't propose any signage as proposed by the RSPB because:

- We don't propose a s26(3)(a) access exclusion for the foreshore between HSG-5-S003 and HSG-5-S014 or HSG-5-S029 and HSG-5-S035, as proposed by the RSPB, for the reasons set out above.
- We believe such signs would introduce unacceptable levels of visual clutter, and raise concerns about ongoing maintenance.
- Much of the shoreline in question is served by an existing PRoW, which we propose as the route of the England Coast Path. We cannot introduce any signage (such as 'dogs on leads'), which contravenes PRoW legislation.
- We don't perceive a need for such signage, as the mudflats are extensive, unwelcoming and hazardous to access, and the majority of the areas of saltmarsh, including the most important roost sites, are very difficult or impossible to access from the proposed trail alignment. These issues are addressed in detail in the Harwich to Shotley Gate Habitats Regulations Assessment.

Monitoring

Prior to opening the new trail, checks will be made that establishment works, including any special mitigation measures required at this stage, have been implemented. Once the Coast Path is open, there will be ongoing monitoring of the condition of the trail, and its associated spreading room access rights and infrastructure, by the access authority.

Monitoring of the protected site will continue through SSSI condition monitoring and through the use of wetland bird survey data. Issues concerning the achievement of conservation objectives for a site will usually be investigated through these arrangements. In the event of public access being identified as a cause of a site falling short of its conservation objectives, or failing to achieve its potential, coastal access provisions may need to be modified as part of the management response.

Natural England is not proposing to put bespoke monitoring in place. Although the saltmarsh and mudflat habitats are undoubtedly of considerable value to wildlife (notably waterbirds of international importance), for the most part they are difficult to gain access to from the

proposed trail route. This route within this length is largely on an existing PRow, meaning that access rights to the seawall will remain unaffected by our proposals.

Relevant appended documents (see section 6):

Link to *Stour and Orwell Recreational Disturbance Report* given as footnote, above.

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

Representation ID:	MCA/HSG5/R/1/HSG0662
Organisation/ person making representation:	[redacted], Suffolk Wildlife Trust
Name of site:	Inland alignment at Crowe Hall, Stutton House and Markwell’s Farm
Report map reference:	HSG 5c, HSG 5d and HSG 5e
Route sections on or adjacent to the land:	HSG-5-S014 to HSG-5-S029
Other reports within stretch to which this representation also relates	N/A
Summary of representation Support for the inland route alignment between HSG-5-S014 and HSG-5-S029, following existing public rights of way [and roads]. There is an important high tide roost for wildfowl and waders on this currently undisturbed section of coast. The published proposals will continue to safeguard this site from disturbance by the public.	
Natural England’s comments We welcome Suffolk Wildlife Trust’s support for our proposals, and concur that the saltmarsh site they refer to (near Markwell’s Farm) is particularly valuable to waterbirds, many of which are protected under international legislation, and that much of the site’s value results from the currently low levels of disturbance. This is covered in more detail by the Harwich to Shotley Gate Habitats Regulations Assessment.	

Relevant appended documents (see Section 6): N/A

Representation ID:	MCA/HSG5/R/4/HSG0582
Organisation/ person making representation:	[redacted], for Trustees of the Stutton Hall Estate Settlement
Name of site:	The Rough, Stutton Park
Report map reference:	HSG 5b
Route sections on or adjacent to the land:	HSG-5-S010
Other reports within stretch to which this representation also relates	N/A

Summary of representation

This representation relates to the paragraph regarding route section HSG-5-S010 in sub-section 5.3.3 of Report HSG 5. Much of the representation is reproduced verbatim.

The landowners "...have now determined that they will not be in a position to cover any of the cost of rebuilding the sea wall and will not accept any liability to fund the ongoing maintenance of the sea wall. Should this section of the Trail become impassable due to future erosion the Trustees would be prepared to enter into discussions to establish the alternative Trail specified under *"other options considered"* (alignment of the Trail to landward of the Rough)."

"In reaching this decision the Trustees took into account the following:-

1. Section 5.3.1 (Proposals Tables) incorrectly describes the current status of the proposed coastal path at section HSG-5-SO10 as following the route of the Public Footpath. In fact the Public Footpath at this point runs to the seaward side of the sea wall, along the beach. The current walked path along the sea wall is a Permissive Path. Both the Public Footpath and the Permissive Path are serviceable and well used.

2. The proposed Coastal Path follows the line of the existing Permissive Path along the top of the sea wall... The Trustees concur with Natural England that the proposed route is the best route, and would be happy to agree that the Coastal Path should be established on their land along the route of the existing Permissive Path. However the Trustees feel that any obligation to upgrade the Permissive Path for the purpose of becoming a Coastal Path should fall to Natural England and not the landowner. Alternatively, if Natural England does not wish to rebuild the sea wall, then the Coastal Path should follow the line of the existing Public Footpath to the seaward side of the sea wall. In this context it should be noted that the explanatory notice originally sent out by Natural England stated that, "where existing rights of way along the coast meet the need, we simply adopt them as part of the England Coastal Path".

3. Having taken advice, the Trustees do not feel they can accept an open-ended obligation for future maintenance of the Coastal Path. Maintenance of the Coastal Path should be the responsibility of Natural England.

4. One of the reasons given for not choosing the alternative route (to the landward side of the Rough) was because *"it avoids impacting on a commercial shoot that depends heavily on The Rough and the land immediately to landward"*. Since discussions took place with Natural England in 2017 the Trustees have restructured the shoot so that the commercial issues are no longer such a concern.

5. Nevertheless the Trustees do not consider that the alternative route should be adopted for the reasons set out by Natural England in its report (there is minimal erosion risk to the preferred route, which is a more direct and convenient route for walkers). Furthermore, if the alternative route were to be adopted, the Rough might become subject to public access under the "spreading" rules. The Trustees believe that such access would have serious adverse environmental and wildlife consequences. The Rough is currently home to a heronry and also a nesting place for egrets, as well as being a home to many other wild species. This wild habitat would be seriously degraded by public access. The Trustees have also noted that the alternative route would necessitate the loss of agricultural land and/or a designated field margin under the HLS scheme. Furthermore, the Trustees believe that significant costs would need to be incurred to create a serviceable alternative route around The Rough. The Trustees are firmly of the view that the route proposed by Natural England is the best route; the alternative route should only be considered in the unlikely event that the proposed route becomes impassable and, should that occur then it would be appropriate to discuss an alternative route at that point."

Natural England's comments

This representation constitutes a remarkable change of stance, [redacted] having previously made the case quite firmly that alignment of the trail to the landward of the Rough would have serious financial consequences for the estate, and probably lead to the loss of 2 or 3 estate jobs. There has also been a significant amount of correspondence in the meantime, focused on the concept of the landowners taking responsibility for the re-building of the seawall, and the long term maintenance of it, with Natural England proposing to contribute 20% of the cost of re-building. The focus of the correspondence and discussions was primarily on the likely timescales, and whether measures could be put in place sufficiently quickly for [redacted]'s purposes, given the poor state of the seawall.

Addressing each of [redacted]'s points in turn (using his numbering):

1. We concede that the definitive line of the PRow may be to seaward of the proposed alignment/ seawall, as the latter is ill-defined, and the precise alignment of the PRow is extremely difficult to identify. The route was kindly reviewed for us by the Access Authority in March this year and they advise that it continues to be used by walkers, though it is deteriorating, and its lifespan is limited.
2. We agree that the current seawall is on the ideal alignment for the England Coast Path. However, we believe that the primary function of the seawall would be to protect the land from flooding. It would, therefore, be inappropriate for Natural England to take responsibility for re-building or maintaining it, as we have always made clear. We proposed to contribute towards the re-building costs, solely because it would be the ideal alignment for the trail, being direct and close to the shore.

We do not recommend alignment of the trail to the seaward of the seawall, as this would not fit the key principles of alignment set out in section 4.1 of the Coastal Access

Scheme. This is because it is frequently inundated and would provide a very poor walking surface.

3. The landowners have never been invited by us to take responsibility for the maintenance of the coast path. We have always been clear that this would be down to Suffolk County Council, as access authority, with funding provided by Natural England. However, we have also been clear that we would not accept responsibility for maintenance of the land or structures on which the trail sits, which is consistent with the general approach taken with the England Coast Path.
4. Natural England acknowledges this significant change of stance by [redacted].
5. Natural England has been unable to revisit our proposed alignment to assess its current condition due to the restrictions placed on our working practices by the pandemic. We did however consult the local Access Authority who kindly re walked the proposed route for us this March. They sent us photos of it which are given below, and report that whilst its condition is declining it is currently still a viable route and continues to be used by the public.

We do not agree with the Trustees that there is a minimal erosion risk, and feel the potential lifespan of the route here is likely to be short unless the necessary repairs are made. However, we would agree that it continues to be the most direct and convenient alignment for the coast path whilst it remains viable. We therefore suggest that should the Secretary of State approve our proposals, we reassess its viability again at establishment stage to ensure people can use it safely before signing it as part of the England Coast Path. When this alignment is no longer viable, roll back would then be invoked and a new alignment agreed in consultation with the Estate, that follows a contour that allows a safe margin above the level of spring tides.

Relevant appended documents (see Section 6):

The above was appended to the representation as a separate document; there were no other supporting documents.

Representation ID:	MCA/HSG5/R/5/HSG0725
Organisation/ person making representation:	[redacted]
Name of site:	Brantham re-development site and land to SE of railway
Report map reference:	HSG 4b HSG 5a
Route sections on or adjacent to the land:	HSG-4-S027 to HSG-4-S035 HSG-5-S001 to HSG-5-S002
Other reports within stretch to which this representation also relates	HSG 4

Summary of representation

This is a duplicate of the representation also recorded against HSG 4. [redacted] previously submitted two representations which he withdrew on submission of this one; they were MCA/HSG4/R/1/HSG0725 and MCA/HSG4/R/2/HSG0725.

[redacted] makes the case that the route proposed by Natural England is not what would be recognised as a coastal path by users. It goes through an industrial area, past an unpleasant smelling sewage works, has no view of the coast, and involves crossing the road into the industrial area.

He asserts it will not be possible to properly establish the coast path [through sections HSG-4-S027 to HSG-4-S032] until at least 2026, when the adjacent housing development is due to be completed, as the area will be in a state of upheaval until then.

[redacted] proposes the following route (see attachment RDH2Guide1.pdf), to replace our proposed sections HSG-4-S028 to HSG-5-S002 (see reports HSG 4 and HSG 5):

1. From close to the eastern end of HSG-5-S027, go in a south-easterly direction through the industrial area and under the railway, via an existing short tunnel.
2. Continue in a south-easterly direction as far as the seawall at TM 108 326.
3. Follow the seawall in a north-easterly direction to the railway embankment.
4. Follow the toe of the embankment as far as the next section of seawall, which starts near the railway crossing at TM 111 331.

5. Follow the seawall (also an existing PRow) in an easterly direction until it meets with our proposed trail alignment where it joins the seawall at HSG-5-S003 (see Report HSG 5).

[redacted] makes the point that we refer, in our Report HSG 4, to proposals that railway sidings be developed in the existing industrial area, but that this project has since been scrapped, leaving the way open for the alignment he proposes.

This route would offer good views of the estuary. Even when factories were present in the area [most have been demolished in recent years], [redacted] believes that they did not block the alignment he proposes, which, he postulates, follows the alignment of historic footpaths.

“I am going through the process of trying to get them put back on the definitive map, see attached RDHHistoricRoutesMap.JPG. If successful the major part of my proposed route would be walkable and may well be a viable alternative coastal path.”

[redacted] makes the point that sections HSG-5-S002 and HSG-5-S003 are frequently wet “and home to much wildlife”, and that his proposal would reduce footfall in this area [these sections are both on an existing PRow].

He also highlights that Network Rail proposes to close the railway crossing at TM 111 331, thereby severing the existing PRow which crosses it before continuing eastwards along the seawall. This would act in combination with our proposals to mean that:

- A. Local residents would be losing, not gaining, a section of existing shoreline route [i.e. the seawall PRow between the railway crossing and the start of HSG-5-S003; technically, this would still be in place, but could no longer form part of a circular walk, as it would be a dead end].
- B. The shortest circular walk starting from HSG-4-S022 [a logical access point] would increase in length from 2.8 to 4.25 miles. It would entail using Natural England’s proposed route as far as the end of HSG-5-S003, then going inland along Newmill Lane, before returning via a choice of (mainly road) routes. This route would involve two hazardous road crossings [albeit not part of the ECP].

Natural England’s comments

We welcome the interest shown in our proposals, and the thought that [redacted] has clearly put into his proposed alternative alignment and the advantages it would offer. We also acknowledge the deficiencies of the route we propose, namely that it is inland of the shore and that it is not, at least at present, entirely pleasant. Having said that, it does provide excellent views from the railway footbridge, and we anticipate it will be a much more attractive route when local developments have been completed.

When we first starting developing our proposals it was not at all clear how parts of the local area, particularly the industrial area between Factory Road and the railway, would ultimately be developed. There was also much uncertainty about the future of the railway crossing. Both these factors were key considerations.

However, setting aside the above uncertainties, there were two factors that prevented us from considering any route that would be closer to the shore:

1. The saltmarsh adjacent to the route proposed by [redacted] has become especially valuable to waterbirds protected under international law. This is probably due, in large part, to the very low levels of access to the adjacent land. Many of the key bird species also make use of the water bodies on the peninsular of disused industrial land. These factors mean that any route south of the railway line (i.e. on or around the peninsular, as proposed by [redacted]) would be excessively disruptive, especially given the centres of population in the immediate area, and the developments that already have planning permission. It would be inevitable that any route taking in the peninsular would be heavily used on a daily basis by dog walkers, this being a particularly disruptive activity.
2. Regardless of whether the crossing remained open, we had to acknowledge the conclusions reached by Network Rail's risk assessment of it. As the line is a high speed one, and visibility in both directions is limited, we had to concede that it would not be suitable to host a national trail. That meant that use of the seawall going east from the crossing could only be achieved by a circuitous alignment of the trail (from the footbridge it would go towards the south-west, following the seaward side of the railway embankment, before re-joining the seawall). For that reason we opted for the direct alignment over the footbridge and south-eastwards to the seawall, as depicted on maps HSG 4b and HSG 5a.

Accessibility is also a key factor here, especially given the high local centre of population. The route we have proposed would be accessible to all users, all the way from the A137 to, and perhaps beyond, the footbridge at the end of the length (HSG-4-S035), from where excellent views may be enjoyed (the footbridge spans a cutting here, and has no steps at either end). It would not be possible to achieve the same level of accessibility on [redacted]'s proposed route without considerable cost and very disruptive establishment works.

In summary, we remain convinced that the alignment we propose strikes the right balance between providing access for as wide a range of people as possible under coastal access and equality legislation, and the need to protect sensitive wildlife habitats. Although it lacks a 'coastal feel' for several sections, it provides excellent views from the end of the length and will gradually become more attractive as local developments are completed.

Relevant appended documents (see Section 6):

RDH2Guide1.pdf – Illustrates NE's proposed alignment
 RDH2Guide2.pdf – Illustrates [redacted]'s proposed alignment
 RDHHistoricRoutesMap.JPG – shows historic routes through the industrial area

Representation ID:	MCA/HSG5/R/6/HSG0660
Organisation/ person making representation:	[redacted]
Name of site:	Brantham Hall Farm
Report map reference:	HSG 5a
Route sections on or adjacent to the land:	HSG-5-S002

<p>Other reports within stretch to which this representation also relates</p>	<p>N/A</p>
<p>Summary of representation</p> <p>“We note that your chosen route HSG-5-S002 follows the existing footpath on our land. We welcome this approach and would be extremely concerned if any new or different route was proposed which involved land not presently subject to a permanent dedicated footpath.”</p> <p>“We are not in favour of the proposed removal of the stile at TM1643337 at the commencement of HSG-5-S002. Removing it will increase the likelihood of the footpath being used (lawfully or otherwise) by cyclists and motorcyclists, which it is not suitable for.”</p>	
<p>Natural England’s comments</p> <p>We welcome [redacted]’s support for our proposed alignment of the trail section HSG-5-S002. It may have been prompted by the concern raised informally by a small number of local walkers that part of it can be quite wet, which caused us to consider parallel alignment on higher ground to the immediate north. We concluded, though, that recent measures to improve conveyance of the local stream though a culvert under the seawall was likely to improve drainage sufficiently to cause the PRow to dry out to an acceptable standard.</p> <p>Our approach to structures on the route of the England Coast Path mirrors that of most access authorities: they should only be present where there is a demonstrable need, and, where the need for an existing or new structure can be clearly established, the structure should allow for the passage of as wide a range of legitimate users as possible. In this location, there is no need for a structure to control stock, and we are unaware of any evidence of attempts to use the PRow by cyclists or motorcyclists at a level likely to cause significant nuisance to users of the path or the landowners.</p> <p>If, at any point after establishment of the trail on any part of the Harwich to Shotley Gate stretch, there is sufficient weight of evidence to suggest that inappropriate use of the trail is occurring at a level that warrants action to be taken, we will work with Essex County Council or Suffolk County Council, as appropriate, to identify and implement an appropriate solution.</p> <p>In this instance, though, we remain confident that our proposal that the structure be removed is reasonable and justified, in the context of:</p> <ol style="list-style-type: none"> 1. Our duties and responsibilities under the Equality Act 2010. 2. These extracts from the <i>Coastal Access Scheme</i>: <p>“4.3.8 We follow the principles set out in our publication “By All Reasonable Means” [http://www.naturalengland.org.uk/Images/inclusivetcm2-27716_tcm6-4032.pdf] to make the trail as easy to use as we reasonably can for disabled people and others with reduced mobility...Where there is a choice of routes (after taking into account all the key principles in chapters 4 and 5 of the Scheme), we favour the one that is accessible to the widest range of people or most easily adapted for that purpose.</p> <p>4.3.9 Throughout the trail, we avoid creating any unnecessary new barriers to access by choosing the least restrictive infrastructure that is practical in the circumstances. For</p> 	

example, where we install infrastructure in preparation for the introduction of the rights (or replace existing infrastructure, once it has reached the end of its useful life) we normally use:

- gaps to cross field boundaries where livestock control is not an issue;
- gates rather than stiles where livestock will be present, designed to enable access by people with wheelchairs; and
- graded slopes rather than steps if practicable.”

Relevant appended documents (see Section 6): N/A

Representation ID:	MCA/HSG5/R/7/HSG0729
Organisation/ person making representation:	[redacted] (agent), on behalf of The Greenwich Hospital Estate
Name of site:	Royal Hospital School, Stutton
Report map reference:	HSG 5e HSG 6a
Route sections on or adjacent to the land:	HSG-5-S026 and HSG-6-S001
Other reports within stretch to which this representation also relates	HSG 6

Summary of representation

This is a duplicate of the representation also recorded against HSG 6.

As the proposed trail is close to school grounds two signs should be erected. They should “clearly set out in writing and on a plan areas included and excluded in the proposed path and highlight areas that are out of bounds”.

They should be aluminium, on steel posts, and concreted into the ground at these locations:

1. The western end of HSG-5-S026 (see HSG 5e).
2. The south-eastern end of HSG-6-S001 (see HSG 6a), where Natural England proposes to erect an information board.

Natural England’s comments

We believe it would be unnecessary and unwelcome to erect signs as proposed, for the following reasons:

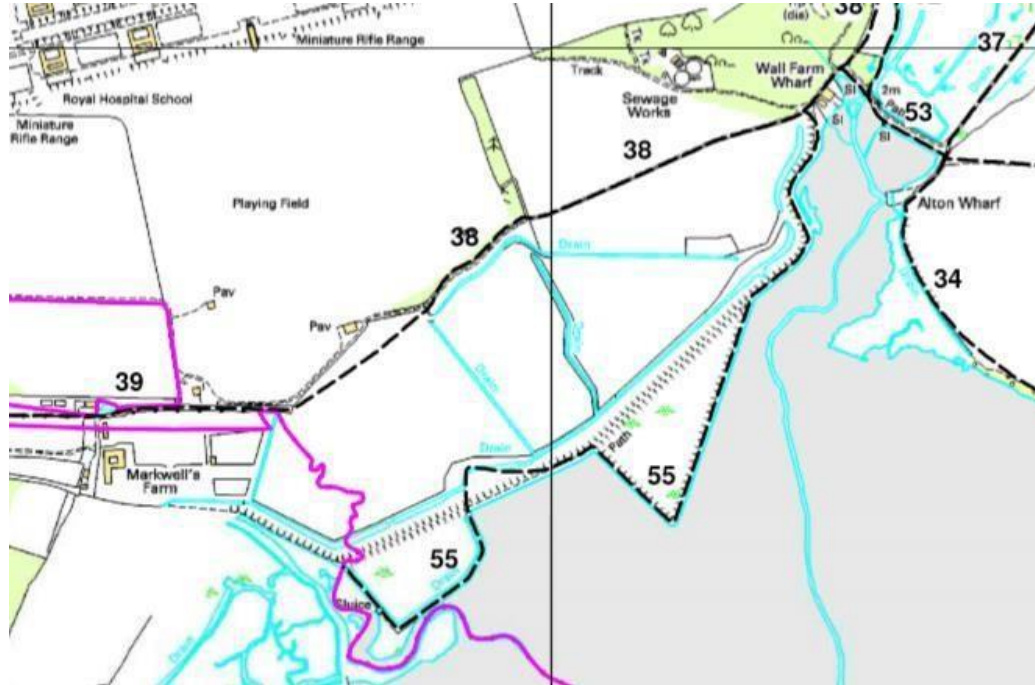
1. The Royal Hospital School grounds are entirely landward of the proposed trail alignment and therefore outside the coastal margin. There is no reason for members of the public to believe they might have access rights to the school grounds under coastal access legislation.
2. The proposed trail alignment follows the line of a very well established and popular walked route which is mostly PRoW (albeit certain sections are not officially PRoW, due to historic changes that have taken place to the seawalls on which the PRoW sits). Given the already high level of use of this route, the increase in use due to establishment of the England Coast Path is expected to very small.
3. Apart from a section of less than 150m (HSG-5-S026), the proposed trail alignment is separated from the school grounds by grazing meadows that are around 250m wide, and by a deep and wide borrowdyke. Section HSG-5-S026 is separated from the school grounds by a dense hedge, and possibly also a fence.
4. There is also another PRoW aligned on the boundary between the grazing meadows and the school grounds (i.e. 250m landward of the trail), which provides a much more obvious access route for anyone intending to gain access to the school grounds. It is visible as a dashed black line on map HSG 5e, linking HSG-5-S026 directly with HSG-5-S035.
5. If it is perceived that the proximity of local walking routes present a significant threat to those attending the Royal Hospital School, this should be managed by the school in the way it deems appropriate. It would not be appropriate for Natural England or Suffolk County Council, as access authority, to install and maintain signs advising trail users that they don't have access to areas where no access is proposed and where users are unlikely to perceive that access rights might exist.
6. It is generally understood that unnecessary signs should be avoided in the wider countryside, for aesthetic reasons, and that particularly applies to this location, which is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.

Relevant appended documents (see Section 6): N/A

Representation ID:	MCA/HSG5/R/9/HSG0723
Organisation/ person making representation:	[redacted], Disabled Ramblers
Name of site:	N/A
Report map reference:	HSG 5a to 5e (5a and 5e highlighted)
Route sections on or adjacent to the land:	Whole length (sections HSG-5-S002 to HSG-5-S003, and HSG-5-S027 to HSG-5-S034 are highlighted)

<p>Other reports within stretch to which this representation also relates</p>	<p>Disabled Ramblers have also submitted generic and detailed comments on HSG 1, HSG 2, HSG 4 and HSG 6.</p>
<p>Summary of representation</p> <p>Significant numbers of people now use all-terrain mobility vehicles to travel on access routes in the open countryside, including challenging and rugged terrain. Users have the same access rights as walkers, so Natural England should ensure that any existing or new infrastructure does not present a barrier to them. In places, natural terrain will prevent access, but man-made structures can be changed.</p> <p>Where the trail follows field edges, these should be maintained at a suitable width for use by all-terrain mobility vehicles.</p> <p>Where it is proposed that the trail uses steps for access onto seawalls, and the seawalls are themselves suitable for use by (all-terrain) mobility vehicles, Natural England should, wherever possible, provide ramped access for mobility vehicles and pushchairs.</p> <p>Where it is proposed that existing structures are retained, or new ones installed, careful consideration must be given to those with limited mobility, particularly those using mobility scooters.</p> <p>Disabled Ramblers requests that Natural England:</p> <ul style="list-style-type: none"> • Addresses the issue of existing man-made structures that present a barrier to those who use mobility vehicles. • Ensures that existing and proposed structures are suitable for large mobility vehicles, and that they comply with <i>British Standard BS5709: 2018 Gaps, Gates and Stiles</i>. • Complies with the Equality Act 2010 (including the Public Sector Equality Duty). • Complies with the Countryside and Rights of Way Act 2000. • Follows the advice in the attached document <i>Disabled Ramblers Notes on Infrastructure</i> <p>Site-specific comments</p> <p>A. Where Natural England proposes new steps for access to the seawall between HSG-5-S002 and HSG-5-S003, Disabled Ramblers requests that an access ramp should also be provided, suitable for use by all-terrain mobility vehicles and pushchairs.</p> <p>B. Where Natural England proposes new steps for access to the seawall at HSG-5-S029, Disabled Ramblers requests that, if at all possible, an access ramp should also be provided, suitable for use by all-terrain mobility vehicles and pushchairs. They continue:-</p>	

“However if this is not possible, there should be a signed diversion for these group of people from the junction of route sections HSG-5-S026 and HSG-5-S027 to the junction of HSG-5-S034 and HSG-5-S035 along Footpath No 38 as shown in the map below. The diversion initially goes through a field where the path should be of sufficient width for users of mobility vehicles, and there should not be any barriers preventing access along this diversion.”



Natural England's comments:

Natural England acknowledges its duties under the Equality Act 2010 and the Countryside and Rights of Way Act 2000, and also the extra responsibilities conferred by the Public Sector Equality Duty, under the former. In section 4.3.8 of the Coastal Access Scheme we outline that in delivering the England Coast Path we follow the principles set out in our publication “By All Reasonable Means” to make the trail as easy to use as we reasonably can for disabled people and others with reduced mobility, whilst accepting that such opportunities will often be constrained by practical limitations.

An important element of equality law is that the needs of those with constrained or restricted mobility are taken into account throughout the planning, design and implementation processes, and that they are not simply treated as an ‘add on’. We have endeavoured to achieve this as we have developed our proposals for the Harwich to Shotley Gate stretch, and, if our proposals are approved, will continue to do so through the implementation phase, working alongside Essex and Suffolk County Councils, which share the same responsibilities and duties.

We also recognise the importance of satisfying the relevant British Standards, and the desirability of complying with the advice contained in the *Disabled Ramblers Notes on Infrastructure*, and will also be focusing on these documents as we work with the access authorities.

We also note the Disabled Ramblers' pertinent advice regarding the larger/ all-terrain mobility vehicles, and believe that many parts of the Harwich to Shotley Gate Stretch, including much of the alignment covered by Report HSG 5, lend themselves to use by such vehicles.

Our proposal that steps be installed between HSG-5-S002 and HSG-5-S003

We acknowledge that universal access to the seawall in this location would potentially open up a good length of seawall route going eastward; a useful extension to the considerable length of trail going westward to the A137, and south to Manningtree and beyond. It is also true that there is the potential for users of all-terrain mobility vehicles to access the seawall/ Coast Path via two or three existing inland PRoWs between Brantham and Stutton.

However, there is limited space in this location, where HSG-5-S002 meets the seawall, and previous discussions with Suffolk County Council led us to conclude that the difficulty of installing a suitable ramp outweighed the advantages to users with limited/ constrained mobility, especially given that the steep slope in HSG-5-S002 would limit the number of users able to gain access to the location.

Our proposal that steps be re-built at HSG-5-S029

Natural England appreciates Disabled Ramblers' advice re the set of steps at this location and acknowledges that if this could be achieved it would open up a considerable proportion of the Suffolk element of the proposed Coast Path to those with limited/ constrained mobility. However, the seawall in this location is unusually high, meaning that any access ramp would need to be a considerable size, especially when the need for turning and resting areas is taken into account. Such a ramp would also need to be constructed in such a way as to maintain the design integrity of the seawall itself, increasing the complexity and cost substantially.

It would be difficult to justify the considerable cost involved in such a project, despite the clear advantages, as there is a direct and convenient route available (as identified by Disabled Ramblers), which would enable users of mobility vehicles, etc, to access the Coast Path while avoiding the steps, albeit at the cost of missing out of estuary views from route sections HSG-5-S030 to HSG-5-S034.

Coastal Access legislation does not empower us to propose the creation of formal 'optional alternative routes' for equality purposes, but we acknowledge it is a deficiency in our report HSG 5 that we did not identify the need for signage at either end of the route identified by Disabled Ramblers, advising that trail users may wish to consider it should they want to avoid the seawall steps. We will therefore ensure such signage be installed as part of the trail establishment works and suggest to Suffolk County Council that the existing stock control structures on this informal/ PRoW route to be replaced with those that would be accessible to those with all-terrain mobility vehicles.

Relevant appended documents (see Section 6):

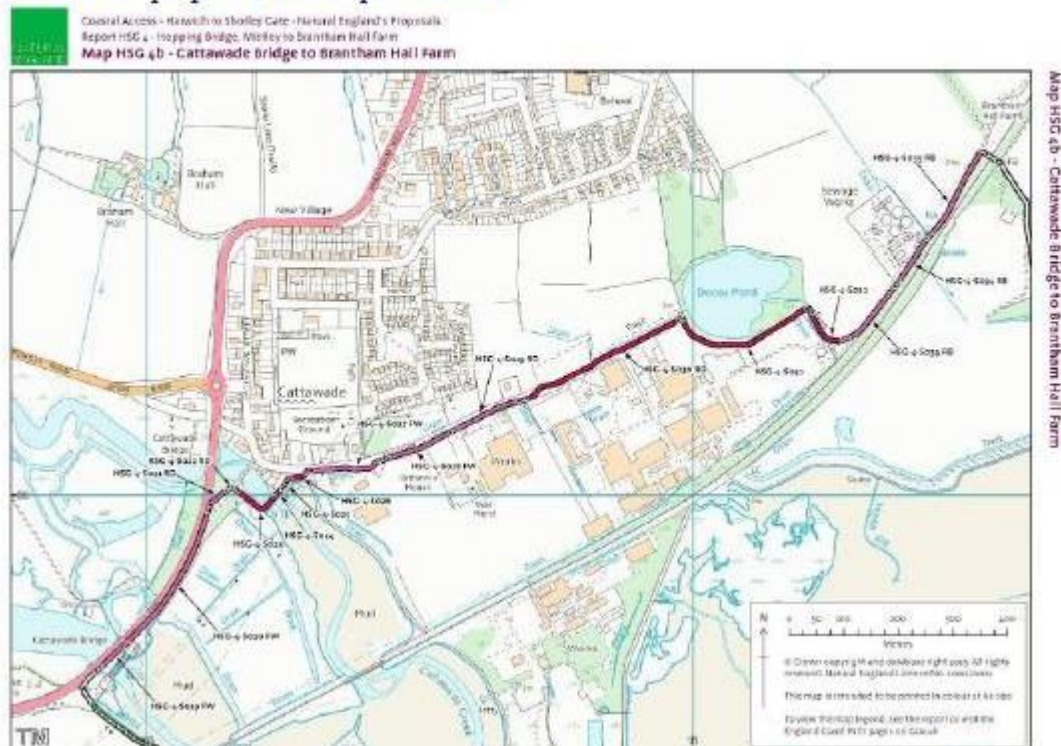
Disabled Ramblers Notes on Infrastructure

5. Supporting documents

RDH2Guide1.pdf – Illustrates NE's proposed alignment



Guide to the Proposed Coastal Path Brantham

Welcome to the proposed coastal path Suffolk



Highlights of the walk as I enjoyed it today

	<p>The view from HSG-4-S026. You can see the sea wall on the left going as far as the rail line(Could that be walkable?).</p>
	<p>20 yards from HSG-4-S026 you can see our new cycle ways painted on the road. As you can see this route is well able to cope with the traffic to the factories and a major housing development. I am campaigning for the right hand foot path from this point to Decoy pond to allow cyclists thus keeping them off what is fast becoming a busy road.</p>
	<p>170 yards further on at HSG-4-S027 FW is the first of 4 roads you will need to cross on this stretch, it has dropped curbs but no pedestrian crossing. I have walked down the right of this road and made my way to a bridge under the rail line from where you can see the coast. It requires 240 yards of path to be firmed up.</p>

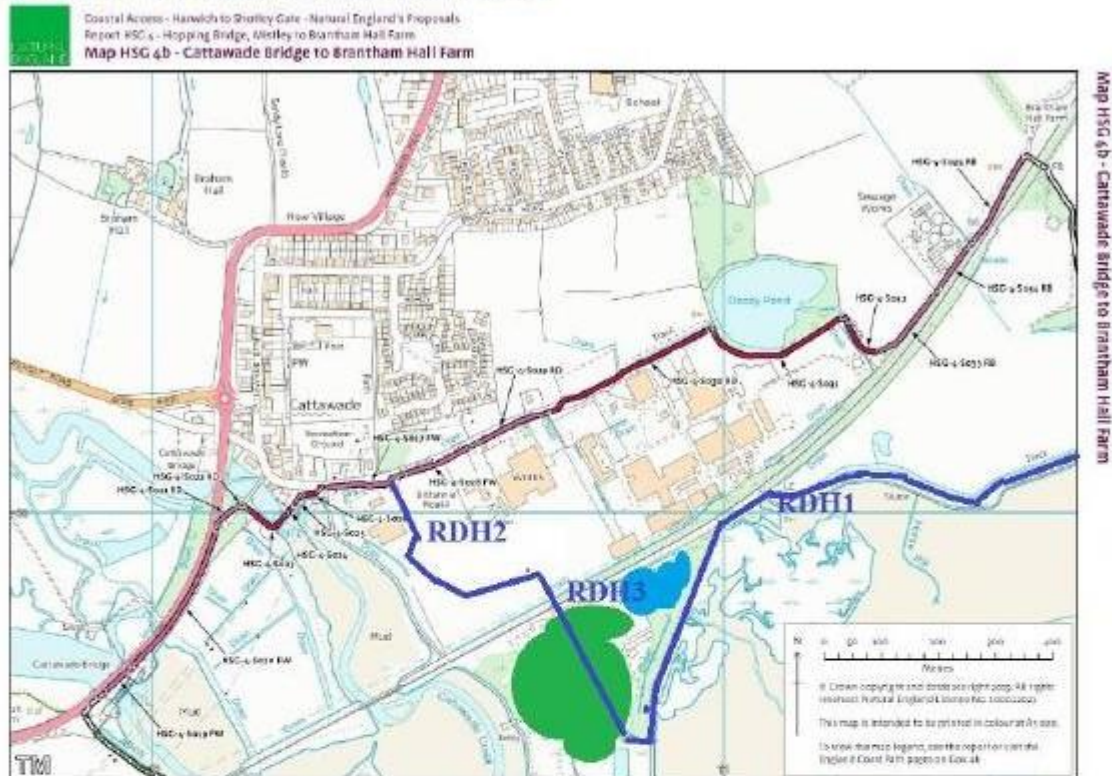
	180 yards from HSG-4-S027 FW is a 2nd road crossing complete with dropped curbs. The building will eventually be new flats. No coast though.
	60 yards further on is our 3rd road crossing complete with dropped curbs. While this road is gated now it still has traffic in and out. If you look carefully down this road you can see the bridge under the rail line
	70 yards further we reach HSG-4-S029 on the map and our 4 th road crossing complete with dropped curbs. It is actually going to be quite nice here eventually with views over the drainage lagoons. No coast though.
	60 yards on to the left of the road you will be able to watch the development work of 288 Taylor Wimpey houses The bridle way you should by now be on has been diverted. It's hoped this work will be finished by 2026 but...
	50 yards further on. A sign the developer has forgotten to remove. Please ignore it if it's still there. This is not the first time that the developer has blocked this path resulting in pedestrians and cyclist having to back track and divert onto the busy and dangerous A137.
	50 yard further at HSG-4-S030 RD. Sun rise over a factory, very nice but no coast.
 	30 yards further. The developer has decided to protect the trees! The shot to the right is what I would have seen at this point of my walk 2 years ago when this route was being considered.

	20 yards further I told you that that sun rise over the factory would be good
	30 yards further you can see the new cycle way around Decoy pond. This pond really is the highlight of this coastal walk through Brantham.
	At the sharp turning just before HSG-4-S032 you get the first view of our new country park. It's going to be nice when the trees grow. No coast though, the rail line is in the way.
 	Just past HSG-4-S032 the new cycle way ends and becomes proper bridle way maintained by Suffolk County council. If you are on foot you could take a little detour through our new country park (right) There is a footpath over the rail line back to the coast here but it is likely to be closed soon by Network rail.
	At HSG-4-S034 you will have a good view of our sewage works. It smelt a bit on this morning but I am sure that remedial work will be carried out before those 288 houses are finished in 2026.
	Up the hill to HSG-4-S035. Now you can see the river over the rail line. You can also see the path locals currently regard as the coastal path through the <u>Area of Outstanding Natural Beauty</u> that you missed. I hope you enjoyed your coastal walk through Brantham.

Document Produced 12/02/2020








Guide to the Alternative Coastal Path Brantham

Welcome to the alternative coastal path Suffolk

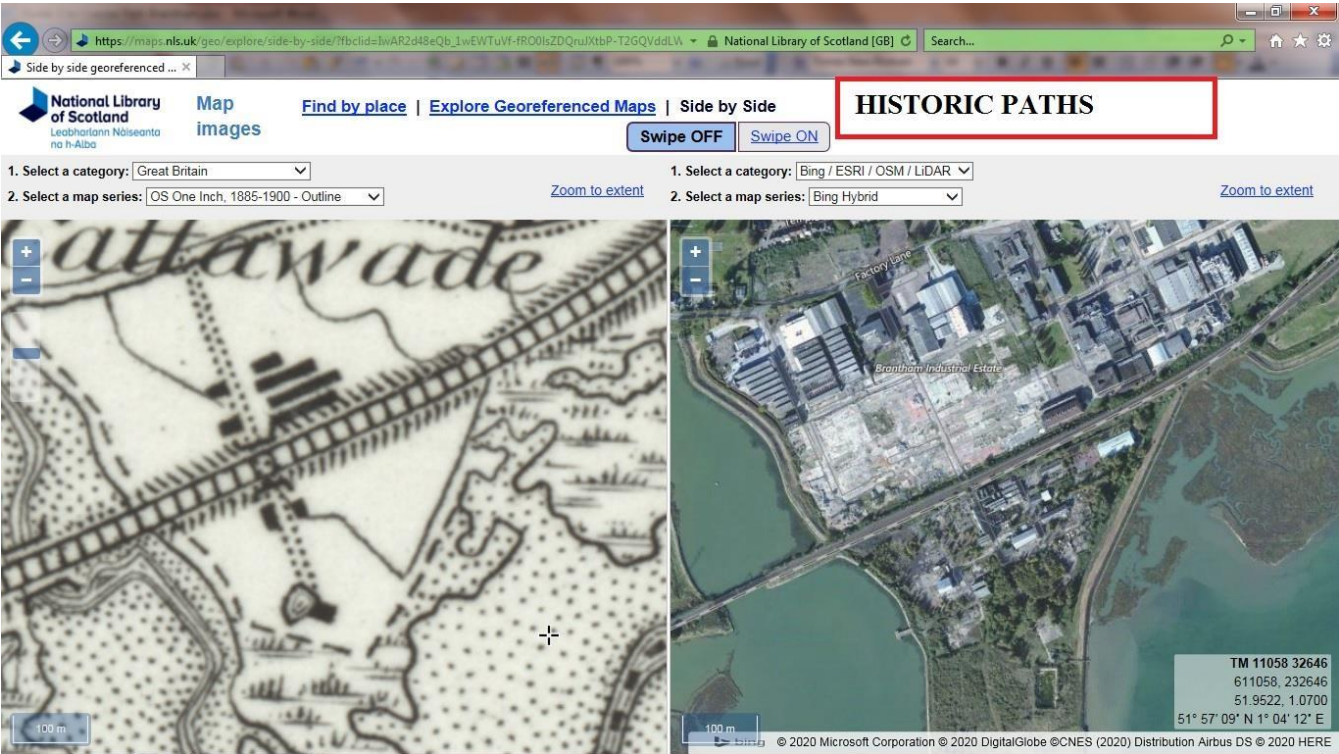


Highlights of the walk as I enjoyed it 29/01/2020

	<p>I walked the blue route in the opposite direction having come along the coast along what is shown as a track but I believe to be a footpath to RDH1. This is the stile over the rail line that is likely to close. The straight bit along the edge of the railway maybe the only environmentally protected section, however coastal erosion will inevitably mean shoring up the railway embankment in the not too distant future.</p>
	<p>Looking left from the stile you can see the approximately 70 yards of potentially environmentally sensitive area to the sea wall surrounding the old industrial area. The sign on the left says "PRIVATE WILDFOWLING Grove shooting club Members only". The old pipe on the right is used for pumping surface water from the still used industrial properties the other side of the railway.</p>

	Making my way up over the sea wall at the end of the embankment the industrial buildings have been demolished last year and replaced by a lagoon with the surrounding area now greening up.
	Along the sea wall I could look over the Stour river towards Manningtree and Felixstowe. I could have taken many photos here, it is stunning.
	Crossing what was industrial area to RDH3 I was confronted by the bridge under the railway. It was flooded but I waded through it. It would seem the recently departed JCBs had to dig out under the bridge to access this area.
	Under the bridge I turned left along the dyke towards RDH2. It was muddy but firmed up after about 150 yard. The footprints say I was not the first to try this route. There may be a route to the left of the dyke avoiding Factory Lane altogether but I was wet and had seen enough.
	Looking back from factory lane from HSG4-S027 FW to RDH2 which is 80 yards down this road. This bit of road and the next could be avoided if there is a route to be had along the sea wall behind the factory to the right.
	Looking back to HSG4-5027 from HSG4-S026 along our new cycle way.
	20 yards on we are back at HSG4-S026 I hope you enjoyed your coastal walk through Brantham

RDHHistoricRoutesMap.JPG – shows historic routes through the industrial area



DISABLED RAMBLERS NOTES ON INFRASTRUCTURE

Useful figures

- **Mobility Vehicles**
 - Legal Maximum Width of Category 3 mobility vehicles: 85cm Same width is needed all the way up to pass through any kind of barrier to allow for handlebars, armrests and other bodywork.
 - Length: Mobility vehicles vary in length, but 173cm is a guide minimum length.
- **Gaps** should be 1.1 minimum width on a footpath (BS5709:2018)
- **Pedestrian gates** The minimum clear width should be 1.1m (BS5709:2018)
- **Manoeuvring space** One-way opening gates need more manoeuvring space than two-way opening ones and some mobility vehicles may need a three metre diameter space.
- **The ground** before, through and after any gap or barrier must be flat otherwise the resulting tilt effectively reduces the width

Infrastructure

Infrastructure on the route of the England Coast Path should be assessed by Natural England for suitability for those with limited mobility, and particularly for those riding large or all-terrain mobility vehicles. The assumption should always be that these individuals will be alone, and will need to stay sitting on their mobility vehicle, ie they will not be accompanied by someone who could open a gate and hold it open for them. The principle of the least restrictive option should always be applied.

- **New infrastructure**
New infrastructure should comply with Bristol Standard with BS 5709: 2018 Gaps, Gates and Stiles.
- **Existing infrastructure**
The creation of the England Coast Path provides a perfect opportunity to improve the trail to make it as accessible as possible. Unsuitable existing infrastructure could be removed now and, where necessary, replaced with new, appropriate infrastructure in line with BS 5709: 2018 Gaps, Gates and Stiles.

Gaps

A Gap is always the preferred solution for access, and the least restrictive option (BS 5709:2018). The minimum clear width of gaps on footpaths should be 1.1metres (BS 5709:2018).

Bollards

On a footpath, these should be placed to allow a minimum gap of 1.1metres through which large mobility vehicles can pass.

Pedestrian gates A two-way, self-closing gate closing gate with trombone handle and Centrewire EASY LATCH is the easiest to use – if well maintained, and if a simple gap is unacceptable. Yellow handles and EASY LATCH allow greater visibility and assist those with impaired sight too. <https://centrewire.com/products/easy-latch-for-2-way-gate/> One-way opening gates need more manoeuvring space than two-way and some mobility vehicles may need a three metre diameter space to manoeuvre around a one-way gate. The minimum clear width of pedestrian gates should be 1.1metres (BS 5709:2018).

Field gates

Field gates (sometimes used across roads) are too large and heavy for those with limited mobility to use, so should always be paired with an alternative such as a gap, or pedestrian gate. However if this is not possible, a York 2 in 1 Gate <https://centrewire.com/products/york-2-in-1/> could be an alternative, with a self-closing, two-way opening and yellow handles and EASY LATCH.

Bristol gates

(Step-over metal gate within a larger gate.) These are a barrier to mobility vehicles, as well as to pushchairs, so should be replaced with an appropriate structure. If space is limited, and a pedestrian gate not possible, a York 2 in 1 Gate <https://centrewire.com/products/york-2-in-1/> could be an alternative, with a self-closing, two way opening, and yellow handle and EASY LATCH for the public access part of the gate.

Kissing gates

A two-way, self-closing gate is hugely preferable to a kissing gate, but in certain situations a kissing gate might be needed. Many kissing gates can be used by smaller pushchairs and small wheelchairs, but are impassable by mobility scooters and other mobility vehicles. Unless an existing kissing gate has been specifically designed for access by large mobility vehicles, it should be replaced, if possible with a suitable gate (see above). If a kissing gate really must be used, Disabled Ramblers recommend the [Centrewire Woodstock Large Mobility](#) kissing gate, fitted with a RADAR lock, which can be used by those riding mobility vehicles. NB this is the only type kissing gate that is large enough to be used by all-terrain and large mobility vehicles.

Note about RADAR locks on Kissing gates

Often mobility vehicle riders find RADAR locks difficult to use, so they should only be used if there is not a suitable alternative arrangement. Here are some of the reasons why:

- Rider cannot get off mobility vehicle to reach the lock
- Rider cannot reach lock from mobility vehicle (poor balance, lack of core strength etc)
- Position of lock is in a corner so mobility vehicle cannot come alongside lock to reach it, even at an angle
- RADAR lock has not been well maintained and no longer works properly.
- Not all disabled people realise that a RADAR key will open the lock, and don't know how these kissing gates work. There must be an appropriate, informative, label beside the lock.

Board walks, Footbridges, Quad bike bridges

All of these structures should be designed to be appropriate for use by large mobility vehicles, be sufficiently wide and strong, and have toe boards (a deck level edge rail) as edge protection. On longer board walks there may also be a need to provide periodic passing places.

Sleeper bridges

Sleeper bridges are very often 3 sleepers wide, but they need to be at least 4 sleepers wide to allow for use by mobility vehicles.

Steps

Whenever possible, step free routes should be available to users of mobility vehicles. Existing steps could be replaced, or supplemented at the side, by a slope or ramp. Where this is not possible, an alternative route should be provided. Sometimes this might necessitate a short diversion, regaining the main route a little further on, and this diversion should be signed.

Cycle chicanes and staggered barriers

Cycle chicanes are, in most instances, impassable by mobility vehicles, in which case they should be replaced with an appropriate structure. Other forms of staggered barriers, such as those used to slow people down before a road, are very often equally impassable, especially for large mobility vehicles.

Undefined barriers, Motorcycle barriers, A frames, K barriers etc.

Motorcycle barriers are to be avoided. Often they form an intimidating, narrow gap. Frequently put in place to restrict the illegal access of motorcycle users, they should only ever be used after very careful consideration of the measured extent of the motorcycle problem, and after all other solutions have been considered. In some areas existing motorcycle barriers are no longer necessary as there is no longer a motorcycle problem: in these cases the barriers should be removed.

If no alternative is possible, the gap in the barrier should be adjusted to allow riders of large mobility vehicles to pass through. Mobility vehicles can legally be up to 85 cm wide so the gap should be at least this; and the same width should be allowed all the way up from the ground to enable room for handle bars, arm rests and other bodywork. The ground beneath should be level otherwise a greater width is needed. K barriers are often less intimidating and allow for various options to be chosen, such a shallow squeeze plate which is positioned higher off the ground. <http://www.kbarriers.co.uk/>

Stepping stones

Stepping stones are a barrier to users of mobility vehicles, walkers who are less agile, and families with pushchairs. They should be replaced with a suitable alternative such as a footbridge (which, if not flush with the ground should have appropriate slopes at either end, not steps). If there are good reasons to retain the stepping stones, such as historic reasons, a suitable alternative should be provided nearby, in addition to the stepping stones.

Stiles

Stiles are a barrier to mobility vehicles, walkers who are less agile, and families with pushchairs. They should be replaced with suitable alternative infrastructure. If there are good reasons to retain the stile, such as historic reasons, an alternative to the stile, such as a pedestrian gate, should be provided nearby in addition to the stile.

Urban areas and Kerbs

In urban areas people with reduced mobility may well be using pavement scooters which have low ground clearance. Where the trail follows a footway (eg pavement) it should be sufficiently wide for large mobility vehicles, and free of obstructions. The provision and correct positioning of dropped kerbs at suitable places along the footway is essential. Every time the trail passes over a kerb, a dropped kerb should be provided.

Disabled Ramblers March 2020

Coastal Access – Harwich to Shotley Gate

Representations on:

Report HSG 6 – Lower Holbrook to Shotley Gate

Including Natural England's comments

December 2020



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1. Introduction

This document details representations we have received on the coastal access report **HSG 6**, each being in one of two categories:

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

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

2. Background

Natural England’s compendium of reports, setting out its proposals for improved access to the coast from Harwich to Shotley Gate, was submitted to the Secretary of State on 22 January 2020. This began an eight week period within which representations and objections could be made about the constituent reports.

In relation to the report **HSG 6 – Lower Holbrook to Shotley Gate**, Natural England received **8** representations, of which **3** were made by organisations or individuals whose representations must be sent in full to the Secretary of State, in accordance with paragraph 8(1)(a) of Schedule 1A to the National Parks and Access to the Countryside Act 1949. These ‘full’ representations are reproduced in Section 3 of this document, together with Natural England’s comments, where relevant.

As required by the legislation, this document also summarises and, where relevant, comments on the **5** representations submitted by other individuals or organisations, referred to here as ‘other’ representations. Of those 5 ‘other’ representations, **2** contain similar or identical points. Natural England’s comments on ‘other’ representations are set out in two parts:

1. The recurring theme in the latter two ‘other’ representations has been summarised in section 4 as **1** point, with our comments on it.
2. Any of the same ‘other’ representations that make other, non-common points are then commented on separately in section 5, alongside any remaining ‘other’ representations.

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

No representations were received after the period of eight weeks beginning with the date on which the report was first advertised on Natural England’s website.

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

Representation number:	MCA/HSG6/R/3/HSG0655
Organisation/ person making representation:	[redacted], Ramblers Association, Suffolk
Route section(s) specific to this representation:	All
Other reports within the stretch to which this representation also relates:	HSG 4 and HSG 5

Representation in full

Representation on HSG4b to HSG6f the Suffolk section

Most of the section HSG, Harwich to Shotley Gate is in Essex, the Suffolk section is from A137 at Cattawade to Shotley Gate only. This representation refers to the Suffolk section only.

All of the Suffolk section was surveyed by members of Suffolk Area Ramblers in the winter of 2015 - 2016, and meetings were held with Essex Area Ramblers and the relevant Suffolk County Council Rights of Way Officers.

Following further discussion with interested members of the Ramblers in the area, Maps of the Ramblers suggested route, together with a detailed report of why we were recommending this route, and what works we considered to be necessary were then submitted to Natural England in January 2016.

Subsequently I have been in regular contact with the Natural England representatives for this section, and have made some further visits to the proposed section of path as changes in the situation occur. Also, I have been appraised regularly of the differences between our initial suggestions and the Natural England preferred route, all of which changes have been explained and the reasons for alternative routes discussed.

The most recent changes have been brought about by natural erosion, which has necessitated moving the pro-posed line of the path further inland than originally determined mostly near the Shotley Gate end. I have been brought up to date with these final overview proposals during the Autumn of 2019.

Finally, the Report published on Wednesday 22nd January 2020 has been made available to all interested parties in the Ramblers Ipswich area group, and the maps of the Suffolk section were on display at the Suffolk Area Ramblers AGM on 1st February 2020. The responses from those consulted have been generally favorable, and although some expressed disappointment where the path has to be moved inland, there have been no suitable alternatives suggested.

I would therefore, on behalf of Suffolk Area Ramblers, like to commend the proposed route for this section of the England Coast Path, and we look forward eagerly to the path being made available on the ground along the full length, and open to public use.

Natural England's comments
We welcome Suffolk Area Ramblers' supportive comments.
Relevant appended documents (see section 6): None

Representation number:	MCA/HSG6/R/4/HSG0732
Organisation/ person making representation:	[redacted], Chair, Suffolk Local Access Forum
Route section(s) specific to this representation:	All, but highlighted sections are: HSG-6-S001 - HSG-6-S017 (ref to roll-back)
Other reports within the stretch to which this representation also relates:	HSG 5

Representation in full
<p>Response to Natural England on three sections of the England Coast Path in Suffolk.</p> <p>Thank you for consulting the Suffolk Local Access Forum on the three recently released reports on sections of the England Coast Path in Suffolk. A sub-group of SLAF have examined these reports and are generally pleased with the routes that have been put forward and would like to thank all those involved including Natural England staff, SCC rights of way officers and landowners who have been working together on this project.</p> <p>We have examined the three reports and have set our comments below.</p> <p><u>Harwich to Shotley Gate</u></p> <p>Our comments relate only to the Suffolk side of the Stour from Brantham to Shotley Gate. SLAF welcomes that with the option of roll-back the England Coast Path will be able to follow the estuary bank more closely particularly from Stutton Mill to Graham's Wharf [sections HSG-5-S007 to HSG-5-S014, report HSG 5] and Holbrook Creek to Nether Hall [HSG-6-S001 to HSG-6-S017, report HSG 6] where the public right of way has been lost due to cliff erosion. We also appreciate with Crowe Hall at Stutton being 'parkland' it would be difficult to route the path along the shore at this point [sections HSG-5-S014 to HSG-5-S029, report HSG 5].</p>
Natural England's comments
We welcome the Suffolk Local Access Forum's supportive comments.

Relevant appended documents (see section 6): N/A

Representation number:	MCA/HSG6/R/7/HSG0740
Organisation/ person making representation:	[redacted], RSPB
Route section(s) specific to this representation:	All
Other reports within the stretch to which this representation also relates:	This representation has strong similarities to representations submitted by the RSPB for reports HSG 2, HSG 3 and HSG 5, and to their objection to HSG 6.

Representation in full

Although the mudflats and saltmarshes in the Stour estuary have almost entirely been afforded access restrictions on safety grounds (Section 25A), and there is a commitment to replacing these restrictions should they ever be removed, the RSPB feels that this does not take seriously enough the European (Special Protection Area) and international (Ramsar site) designations that recognize the estuary's wildlife of national and international significance. The only area that currently has an exclusion of this nature is HSG-2-S001 to HSG-2-S010, which while welcomed, is not the only area in the estuary that is highly sensitive.

The RSPB is particularly concerned about this issue given the context that the only other restrictions on this stretch of the England Coast Path (HSG-6-S014 to HSG-6-S019), which is a seasonal dogs on leads restriction, is on land management grounds (Section 24) in relation to gamekeeping. It is felt that with the estuary being a nationally and internationally designated site, and when the local evidence for disturbance to wild waterbirds caused by dogs is strong (at high tide, walkers with dogs are the single greatest cause of disturbance to waterbirds on the Stour and Orwell Estuaries, and the mean number of disturbance events caused by dogs off leads was twice that

compared with dogs on leads¹), that a troubling precedent is being set regarding the relative importance of nature conservation interests.

The RSPB would want to see Section 26(3)(a) restrictions on any sections of the path where dogs off leads could realistically access the mudflats and saltmarshes, as well as appropriate signage to reinforce that either people or dogs straying from the path is illegal. The areas considered appropriate for these exclusions relevant to this report are detailed in Table 1.

The lack of other Section 26(3)(a) exclusion is also inconsistent with other stretches of the England Coast Path. The Aldeburgh to Hopton-on-Sea stretch, for example, has proposed four separate sections with such exclusions, two of which enforce dogs on leads during periods of high sensitivity.

Table 1. Sections of HSG6 considered appropriate for nature conservation restrictions.

Report map reference	Location /extent	Type of direction	Purpose of direction	Grounds and relevant section of CROW
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HSG 6a	HSG-6-S001 to HSG-6-S006	People with dogs excluded from coastal margin	Sensitive wildlife (non-breeding waterbirds)	Nature conservation 26(3)(a)
HSG 6b and 6c	HSG-6-S015 to HSG-6-S023	People with dogs excluded from coastal margin	Sensitive wildlife (non-breeding waterbirds)	Nature conservation 26(3)(a)
HSG 6f	HSG-6-S038 to HSG-6-S041	People with dogs excluded from coastal margin	Sensitive wildlife (non-breeding waterbirds)	Nature conservation 26(3)(a)

We are also concerned about the effectiveness of mitigation measures, particularly in relation to areas of spreading room eventually excluded under S25 and/or S26 of the Countryside and Rights of Way Act (2000) and where signage is used to encourage walkers to avoid sensitive areas for wildlife. Whilst we understand that the increase in the numbers of walkers and changes to the patterns of access are likely to be small, we consider it is essential that excluded areas are clearly marked on the ground and that signage is carefully located. We recommend that monitoring of the effectiveness of these measures is carried out and consider that further mitigation may be needed if mapping and signage are not sufficient to enforce these restrictions.

1 <http://www.suffolkcoastandheaths.org/assets/Projects--Partnerships/Stour--Orwell/Recreation-Disturbance-Report-Final-low-quality.pdf>

Natural England's comments

Our response to this representation largely mirrors our response to the RSPB's objection regarding HSG 6, and to their representations re HSG 2, HSG 3 and HSG 5.

We acknowledge the special value of the Stour estuary to waterbirds, and that this is largely due to its extensive habitats and relatively low levels of disturbance. We also recognise the importance of the research that has been done on the Stour and Orwell estuaries to quantify the impacts of disturbance, including that attached to the RSPB's representation. We took this research into account when formulating our proposals.

Access exclusions

If and when the proposals made in our coastal access reports regarding access restrictions or exclusions are approved, we 'make directions' to implement them. A direction to exclude access has the legal effect of cancelling out coastal access rights and there are a number of grounds on which it may be made. In some cases, like the one cited by the RSPB, there can be more than one legitimate reason for limiting coastal access rights. In these situations our practice is to make a direction according to the need that is most restrictive. Where we decide that an area of saltmarsh or mudflat is substantially unsuitable to be used by the general public, we exclude access all year round. In most situations this would be the most restrictive option and would therefore be the grounds cited in the formal direction notice.

That doesn't mean, in any way, that the importance of the habitat for wildlife is being overlooked, and there are three broad ways in which this importance is acknowledged/ highlighted:

1. There are numerous references to it in the Harwich to Shotley Gate Coastal Access Reports, Habitats Regulations Assessment and Nature Conservation Assessment.
2. As acknowledged by the RSPB, we make it clear in these documents that, in the unlikely event of there being a need to remove s25A exclusions from any areas of saltmarsh or mudflat, before doing so we would consider whether this action would bring about a need to exclude or restrict coastal access rights for any other reason, e.g. to address nature conservation sensitivities.
3. Where there is a need to draw the public's attention to such measures/ sensitivities 'on the ground', we will often take the opportunity to convey these points alongside those highlighting dangers to the public. In locations where such messages apply to large areas, we may take the view that this is best achieved strategically, e.g. at key parking or pedestrian access points, rather than with large numbers of on-site signs, especially if the latter would introduce unacceptable levels of 'visual clutter' and to raise concerns about ongoing maintenance. Where the objective is to persuade visitors to behave in particular ways, we believe this can be done most effectively through carefully targeted information or interpretation explaining the need and, where appropriate, highlighting the legal extent of, or limitations to, access rights.

On-site signage

We don't propose any signage as proposed by the RSPB because:

- We don't propose a s26(3)(a) access exclusion for the areas proposed by the RSPB, for the reasons set out above.
- We believe such signs would introduce unacceptable levels of visual clutter, and raise concerns about ongoing maintenance.
- Much of the shoreline in question is served by an existing PRoW, which we propose as the route of the England Coast Path. We cannot introduce any signage (such as 'dogs on leads'), which contravenes PRoW legislation.
- We don't perceive a need for such signage, as the mudflats are extensive, unwelcoming and hazardous to access, and the majority of the areas of saltmarsh are very difficult to access from the proposed trail alignment (e.g. Johnny All Alone Creek and the headland near Nether Hall). These issues are addressed in detail in the Harwich to Shotley Gate Habitats Regulations Assessment.

Monitoring

Prior to opening the new trail, checks will be made that establishment works, including any special mitigation measures required at this stage, have been implemented. Once the Coast Path is open, there will be ongoing monitoring of the condition of the trail, and its associated spreading room access rights and infrastructure, by the access authority.

Monitoring of the protected site will continue through SSSI condition monitoring and through the use of wetland bird survey data. Issues concerning the achievement of conservation objectives for a site will usually be investigated through these arrangements. In the event of public access being identified as a cause of a site falling short of its conservation objectives,

or failing to achieve its potential, coastal access provisions may need to be modified as part of the management response.

Natural England is not proposing to put bespoke monitoring in place. Although the saltmarsh and mudflat habitats are undoubtedly of considerable value to wildlife (notably waterbirds of international importance), for the most part they are difficult to gain access to from the proposed trail route. This route within this length is largely on an existing PRoW, meaning that access rights to the seawall will remain unaffected by our proposals.

Relevant appended documents (see section 6):

Link to *Stour and Orwell Recreational Disturbance Report* given as footnote, above.

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

Representations containing similar or identical points	
Representation ID	Organisation/ person making representation:
MCA/HSG6/R/1/HSG0170	[redacted]
MCA/HSG6/R/2/HSG0462	[redacted] and [redacted]
Name of site:	Rose Farm Cottages, Shotley
Report map reference:	HSG 6e
Route sections on or adjacent to the land:	HSG-6-S029
Other reports within stretch to which this representation also relates	N/A
Summary of point Fully supportive of proposed alignment on field edge, to landward of Rose Farm Cottages and gardens. If the existing PRoW were to be used instead, it would seriously impinge on privacy because it is so close to the cottages. It would also be inconvenient to fence off. The proposed route is as direct.	
Natural England’s comment We are in full agreement with the above representations. We set out our reasons, in detail, in our rebuttal of the objection made by the owner of the field, and copy them below:	

“We acknowledge that the establishment of a new access route on arable land has the potential to have adverse impacts on yield and farm operations. However, these impacts would be very small in this case, being limited to just 100m of new route on a heavily shaded field edge, on the same side of a field that already accommodates approximately 240m of existing route (HSG-6-S028 – shown as ‘other walked route’ because we think the PRow may have been undermined by coastal erosion). It would be necessary to widen the existing field margin to accommodate the trail, but this need only be by a small amount, provided the adjacent trees were kept trimmed as necessary.

To set against those disadvantages, the advantages to the private residents who would benefit from our proposals are compelling, and we offer these comments:

1. The existing PRow is extremely close to residences, and separates them from their gardens. It is quite possible for walkers on the PRow to see into residents’ properties from close range.
2. We acknowledge [redacted]’s point, made on behalf of P G Colwill and Sons, that we are duty bound to consider PRow trail alignment where the PRow meets coastal access criteria. However, we also have a duty to take into account the potentially negative impacts of doing so. In this situation, if the PRow did not exist, we would not be empowered to propose a route through private gardens, so the decision would not arise. But part of our reasoning is that if the land immediately adjacent to the residences were not excepted, so that we were presented with the option of proposing trail alignment in such close proximity, we would not do so, because we would perceive it as impinging unreasonably on the privacy of residents.
3. We are convinced that the residents of Rose Farm Cottages would take issue with the assertion that the existing PRow ‘has operated without any problems’. For instance, Suffolk County Council, as access authority, have received reports of cyclists using the PRow. There is no right to cycle on the public footpath, nor would such a right exist on the England Coast Path, and Natural England would not condone inappropriate use of either route. However, such activity is difficult to police and, taking a pragmatic view, if it is likely to occur in this area (very close to Shotley Gate), whether legitimate or not, it would have much less of an impact on the proposed alignment than on the PRow.
4. On a technical point: Coastal Access and Public Rights of Way legislation are entirely separate and Natural England has no role regarding the latter. It would, therefore, be outside our remit to propose that a PRow be stopped up or re-routed, as [redacted] suggests. However, during a site meeting with local residents and Suffolk County Council’s Rights of Way Officer, it was clear that residents would like to see the PRow closed or diverted. We acknowledge that this would be a matter for SCC, and that it would not necessarily be straightforward, but aligning the England Coast Path on the same route would make this more difficult to achieve, should it otherwise become possible.
5. The point that the trail, if aligned on the existing PRow, would be closer to the estuary is clearly correct, but only by 10-15m. There would be no benefit to this closer proximity, though, because views of the estuary from the PRow are blocked by buildings, contrary to the point made by [redacted].

6. We came to the conclusion that many trail users would also benefit from a field edge path. It is quite obvious to path users, when approaching from either direction, that the existing public footpath passes through relatively small-scale private domestic spaces, an arrangement that can be unsettling for many walkers, who may doubt their right to be there, or be concerned about the potential for being confronted by territorial dogs. It is quite conceivable that PRoW users would prefer to use a field edge coast path option, if it were available, out of deference to residents.

Summary

This was a location that required careful judgement on our part. The *Coastal Access Scheme* (5.4.1) sets the scene: ‘...there are specific provisions under CROW intended to protect privacy in key respects: buildings and the area surrounding buildings (known as curtilage), and land used as garden or park, are excepted from coastal access rights, though existing rights of way through such areas remain in force and the trail **may** [our emphasis] make use of them’. The inclusion of the word ‘may’ acknowledges that judgement is likely to be necessary.

Contrary to [redacted]’s comment in Part 8 of the objection form, the landowner’s comments were readily ‘taken on board’, but when it came to applying the judgement expected of us we decided they carried insufficient weight compared with the counter arguments set out above.”

Relevant appended documents (see Section 6): N/A

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

Representation ID:	MCA/HSG6/R/2/HSG0462
Organisation/ person making representation:	[redacted] and [redacted]
Name of site:	2 Rose Farm Cottages
Report map reference:	HSG 6e and 6f
Route sections on or adjacent to the land:	HSG-6-S029
Other reports within stretch to which this representation also relates	N/A
Summary of representation	
<i>This summary excludes [redacted] and [redacted]’s representation theme covered in Part 4, above.</i>	

[redacted] and [redacted] identify the following errors in Report HSG 6:

1. In order to accurately portray land ownership in the vicinity of Rose Farm Cottages, the report text (6.3.3) should be changed from:

'We considered proposing that the trail adopt the same alignment as the existing PRow that passes through the gardens of 1, 2 and 5 Rose Farm Cottages, Shotley.'

to: *'We considered proposing that the trail adopt the same alignment as the existing PRow that passes through the gardens of 2 and 5 Rose Farm Cottages, Shotley.'*
[i.e. '1' should be deleted].

2. In order to accurately identify the residences that would be affected in the event of roll-back, the report text (6.3.4) should be changed from:

'Gardens of No.3 Rose Farm Cottages and Cockle Creek Cottage.'

To: *'Gardens of No.3 Rose Farm Caravan Site and Cockle Creek Cottage.'*

This is because the '3' shown on Natural England's base mapping actually refers to No. 3 Rose Farm Caravan Site, No.3 Rose Farm Cottages no longer existing as a separate entity, having become part of no.2 Rose Farm Cottages some time ago.

Natural England's comments

We apologise for the errors in Report HSG 6 and will amend them accordingly.

Relevant appended documents (see Section 6): N/A

Representation ID:	MCA/HSG6/R/5/HSG0729
Organisation/ person making representation:	[redacted] (agent), on behalf of The Greenwich Hospital Estate
Name of site:	Royal Hospital School, Stutton
Report map reference:	HSG 5e HSG 6a
Route sections on or adjacent to the land:	HSG-5-S026 and HSG-6-S001
Other reports within stretch to which this representation also relates	HSG 5
Summary of representation	

This is a duplicate of the representation also recorded against HSG 5.

As the proposed trail is close to school grounds two signs should be erected. They should “clearly set out in writing and on a plan areas included and excluded in the proposed path and highlight areas that are out of bounds”.

They should be aluminium, on steel posts, and concreted into the ground at these locations:

1. The western end of HSG-5-S026 (see HSG 5e).
2. The south-eastern end of HSG-6-S001 (see HSG 6a), where Natural England proposes to erect an information board.

Natural England’s comments

We believe it would be unnecessary and unwelcome to erect signs as proposed, for the following reasons:

1. The Royal Hospital School grounds are entirely landward of the proposed trail alignment and therefore outside the coastal margin. There is therefore no reason for members of the public to believe they might have rights to the school grounds under coastal access legislation.
2. The proposed trail alignment follows the line of a very well established and popular walked route which is mostly PRoW (albeit certain sections are not officially PRoW, due to historic changes that have taken place to the seawalls on which the PRoW sits). Given the already high level of use of this route, the increase in use due to establishment of the England Coast Path is expected to very small.
3. Apart from a section of less than 150m (HSG-5-S026), the proposed trail alignment is separated from the school grounds by grazing meadows that are around 250m wide, and by a deep and wide borrowdyke. Section HSG-5-S026 is separated from the school grounds by a dense hedge, and possibly also a fence.
4. There is also another PRoW aligned on the boundary between the grazing meadows and the school grounds (i.e. 250m landward of the trail), which provides a much more obvious access route for anyone intending to gain access to the school grounds. It is visible as a dashed black line on map HSG 5e, linking HSG-5-S026 directly with HSG-5-S035.
5. If it is perceived that the proximity of local walking routes present a significant threat to those attending the Royal Hospital School, this should be managed by the latter in the way it deems appropriate. It would not be appropriate for Natural England or Suffolk County Council, as access authority, to install and maintain signs advising trail users that they don’t have access to areas where no access is proposed by us and where users are unlikely to perceive that access rights might exist.
6. It is generally understood that unnecessary signs should be avoided in the wider countryside, for aesthetic reasons, and that particularly applies to this location, which is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.

Relevant appended documents (see Section 6): N/A

Representation ID:	MCA/HSG6/R/6/HSG0729
Organisation/ person making representation:	[redacted] (agent), on behalf of [redacted]
Name of site:	Nether Hall, Harkstead
Report map reference:	HSG 6a and HSG 6b
Route sections on or adjacent to the land:	HSG-5-S014 to HSG-6-S018
Other reports within stretch to which this representation also relates	N/A

Summary of representation

Representation copied verbatim below

“HSG-6-S014 Path [relates to attachment ‘Nether Hall – Coastal Path – HSG-6-S014’]

Due to the proximity of the proposed HSG – 6 – S014 path to the game cover marked as Purple on the attached plan, there will be the following required in order to mitigate damage and disturbance caused by members of the public and dogs to birds within the game cover.

Equipment required:

Kis s ing ga te in the loca tion ma rke d with a Re d line on the a tta che d pla n

Kis s ing ga te in the loca tion ma rke d with a Blue line on the attached plan

12ft metal 5 bar gate and posts in the location of the Blue line on the attached plan.

Fencing and netting attached to the fencing along the Purple line from the points Red and Blue on the attached Plan.

These items are required in order to ensure members of the public and dogs are unable to walk through the game cover to the East of the proposed path.

HSG-6-S017 to HSG-6-S019 [relates to attachment ‘Nether Hall – Coastal Path – HSG 6b’]

Due to the proximity of the proposed path to active game cover, there will need to be signs erected at either end of the proposed path as highlighted red on the attached HSG 6b plan. These will need to stipulate that dogs must be kept on leads whilst walking along the path of both ‘Map HSG 6a & b’.

Natural England’s comments

Our understanding of the problem [redacted] is seeking to address is that he wishes to be able to retain/ establish strips of game cover along the seaward edges of his fields, and to release game birds into them. His concern is that dogs allowed to run free from the proposed trail alignment would flush game birds from the cover frequently enough that they would move

to other locations and no longer be present during the shooting season, resulting in a poor shoot.

Negotiations with [redacted], and two of his agents, took place over an extended period, culminating in what we understood to be an acceptable solution to the problem: a 'dogs on leads' restriction to operate from 1 August to 31 January each year (route sections HSG-6-S014 to HSG-6-S019). Our proposals also include carefully worded signage explaining the reasons for the restriction. This signage will be placed at the northern end of HSG-6-S014 (where walkers would enter onto [redacted]'s land when approaching from the west), the northern end of HSG-6-S015 (where walkers are most likely to join the trail from the beach), and the eastern end of HSG-6-S019 (where walkers would join the trail if approaching from Harkstead village via an inland PRoW, or when following the trail from the east). Natural England believe this mitigation will be sufficient to prevent games birds being flushed from cover by dogs running free.

Only the second part of [redacted]'s submission loosely conforms to what we understood to have been agreed.

The concept of fencing, as proposed in the first part of [redacted]'s submission, was considered at an early stage and discounted by Natural England because the coastline in this area is eroding quickly. We made the case that, if a fence were to be installed, it would have to be located a good distance into the relevant field, to ensure that:

1. it wouldn't need to be moved soon after installation due to erosion;
2. there would always be space for trail users to walk inland of any landslips;
3. installation of the fence itself would not cause erosion.

Also, when it came to the point when the fence would have to be moved back, it would again have to do so in relatively large steps, for the same reasons. Our understanding was that [redacted] would not be happy with such an arrangement, and we did not wish to commit Suffolk County Council to frequent relocation of the fence, or to maintenance of an item that would inevitably require frequent attention.

Another factor was that a fence would make it difficult and expensive to trim back trees and shrubs in the areas where they would be located seaward of the trail, unless the fence were located several metres back from the field edge.

Even if a fence were to be installed (a concept we remain opposed to), we see no purpose to the five bar gate and two kissing gates proposed by [redacted] on behalf of [redacted]. They would be unwelcome on the trail alignment, for landscape, accessibility, and maintenance reasons.

The representation submitted:

1. Does not adequately explain the nature of the problem to be addressed.
2. Does not acknowledge the negotiations that have previously taken place, the mitigation measures subsequently proposed in the Report HSG 6, or how they are perceived to be deficient.
3. Is ambiguous regarding certain details and does not explain the 'requirement' for the three gates.

We remain of the view that the solutions we propose in Report HSG 6 represent the most equitable balance between benefits to the public and the interests of the landowner.

We made our intentions clear to [redacted] many months before we published our proposals. In the intervening time it was clear he remained unhappy with the broad concept of the England Coast Path, and that he would have preferred us to identify a different point at which the trail would pass from his neighbour's land onto his, but he gave no indication that our proposed mitigation measures were unacceptable to him, or why.

Relevant appended documents (see Section 6):

Aerial photograph with annotations: Nether Hall – Coastal Path – HSG-6-S014

Aerial photograph with annotations: Nether Hall – Coastal Path – HSG 6b

Representation ID:	MCA/HSG6/R/8/HSG0723
Organisation/ person making representation:	[redacted], Disabled Ramblers
Name of site:	N/A
Report map reference:	HSG 6a to 6f (6a and 6f highlighted)
Route sections on or adjacent to the land:	Whole length, with certain sections highlighted: HSG-6-S0013 / HSG-6-S014, and section HSG-6-S038.
Other reports within stretch to which this representation also relates	Disabled Ramblers have also submitted generic and detailed comments on HSG 1, HSG 2, HSG 4 and HSG 5.

Summary of representation

Significant numbers of people now use all-terrain mobility vehicles to travel on access routes in the open countryside, including challenging and rugged terrain. Users have the same access rights as walkers, so Natural England should ensure that any existing or new infrastructure does not present a barrier to them. In places, natural terrain will prevent access, but man-made structures can be changed.

Where the trail follows field edges, these should be maintained at a suitable width for use by all-terrain mobility vehicles.

Where it is proposed that the trail uses steps for access onto seawalls, and the seawalls are themselves suitable for use by (all-terrain) mobility vehicles, Natural England should, wherever possible, provide ramped access for mobility vehicles and pushchairs.

Disabled Ramblers requests that Natural England:

- Addresses the issue of existing man-made structures that present a barrier to those who use mobility vehicles.
- Ensures that existing and proposed structures are suitable for large mobility vehicles, and that they comply with *British Standard BS5709: 2018 Gaps, Gates and Stiles*.

- Complies with the Equality Act 2010 (including the Public Sector Equality Duty).
- Complies with the Countryside and Rights of Way Act 2000.
- Follows the advice in the attached document *Disabled Ramblers Notes on Infrastructure*

Site-specific comments

- A. Where Natural England proposes a new set of steps between HSG-6-S0013 and HSG-6-S014, Disabled Ramblers requests that an access ramp should also be provided, suitable for mobility vehicles.
- B. Where Natural England proposes that the trail meanders along the cliff face at Shotley Gate (HSG-6-S038), and that it is possible to avoid this section by using the cliff-top road instead, this option should be signed for users of mobility vehicles.

Natural England's comments:

Natural England acknowledges its duties under the Equality Act 2010 and the Countryside and Rights of Way Act 2000, and also the extra responsibilities conferred by the Public Sector Equality Duty, under the former. In section 4.3.8 of the Coastal Access Scheme we outline that in delivering the England Coast Path we follow the principles set out in our publication "By All Reasonable Means" to make the trail as easy to use as we reasonably can for disabled people and others with reduced mobility, whilst accepting that such opportunities will often be constrained by practical limitations.

An important element of equality law is that the needs of those with constrained or restricted mobility are taken into account throughout the planning, design and implementation processes, and that they are not simply treated as an 'add on'. We have endeavoured to achieve this as we have developed our proposals for the Harwich to Shotley Gate stretch, and, if our proposals are approved, will continue to do so through the implementation phase, working alongside Essex and Suffolk County Councils, which share the same responsibilities and duties.

We also recognise the importance of satisfying the relevant British Standards, and the desirability of complying with the advice contained in the *Disabled Ramblers Notes on Infrastructure*, and will also be focusing on these documents as we work with the access authorities.

We also note the Disabled Ramblers' pertinent advice regarding the larger/ all-terrain mobility vehicles, and believe that many parts of the Harwich to Shotley Gate Stretch, including much of the alignment covered by Report HSG 6, lend themselves to use by such vehicles.

Our proposal that a new set of steps be installed between HSG-6-S0013 and HSG-6-S014

We acknowledge that users of all-terrain mobility vehicles would, theoretically, be able to enjoy considerable lengths of the proposed trail alignment in either direction from this point, perhaps most easily accessed from the local villages of Lower Holbrook and Harkstead, and that a choice of circular routes would also be available to them by linking with PRoW going

inland. We therefore apologise for having overlooked this potential when developing our proposals.

We have been unable to investigate this option prior to writing our comments on this representation due to the restrictions placed on our site work caused by the Covid19 pandemic. We would however be willing to work with Suffolk County Council and both landowners to explore the possibility of placing a ramp here at establishment stage.

The potential for trail users to avoid the cliff face section at Shotley Gate (HSG-6-S038)

Natural England appreciates Disabled Ramblers' suggestion that the route we identified as a more widely accessible alternative to section HSG-6-S038 be signed to this effect.

Coastal Access legislation does not empower us to propose the creation of formal 'optional alternative routes' for equality purposes, but it would, nonetheless, be possible for us to install signage advising trail users of the potential to avoid the meandering route along the cliff face by using the road route. We apologise for having omitted this from Report HSG 6, and propose that such signage be installed as part of the trail establishment works.

Relevant appended documents (see Section 6): *Disabled Ramblers Notes on Infrastructure*

DISABLED RAMBLERS NOTES ON INFRASTRUCTURE

Useful figures

Mobility Vehicles

- **Legal Maximum Width of Category 3 mobility vehicles: 85cm** Same width is needed all the way up to pass through any kind of barrier to allow for handlebars, armrests and other bodywork.
- **Length:** Mobility vehicles vary in length, but **173cm is a guide minimum length.**

Gaps should be 1.1 minimum width on a footpath (BS5709:2018)

Pedestrian gates The minimum clear width should be 1.1m (BS5709:2018)

Manoeuvring space One-way opening gates need more manoeuvring space than two-way opening ones and some mobility vehicles may need a three metre diameter space.

The ground before, through and after any gap or barrier must be flat otherwise the resulting tilt effectively reduces the width

Infrastructure

Infrastructure on the route of the England Coast Path should be assessed by Natural England for suitability for those with limited mobility, and particularly for those riding large or all-terrain mobility vehicles. The assumption should always be that these individuals will be alone, and will need to stay sitting on their mobility vehicle, ie they will not be accompanied by someone who could open a gate and hold it open for them. The principle of the least restrictive option should always be applied.

New infrastructure

New infrastructure should comply with Bristol Standard with BS 5709: 2018 Gaps, Gates and Stiles.

Existing infrastructure

The creation of the England Coast Path provides a perfect opportunity to improve the trail to make it as accessible as possible. Unsuitable existing infrastructure could be removed now and, where necessary, replaced with new, appropriate infrastructure in line with BS 5709: 2018 Gaps, Gates and Stiles.

Gaps

A Gap is always the preferred solution for access, and the least restrictive option (BS 5709:2018). The minimum clear width of gaps on footpaths should be 1.1metres (BS 5709:2018).

Bollards

On a footpath, these should be placed to allow a minimum gap of 1.1metres through which large mobility vehicles can pass.

Pedestrian gates A two-way, self-closing gate closing gate with trombone handle and Centrewire EASY LATCH is the easiest to use – if well maintained, and if a simple gap is unacceptable. Yellow handles and EASY LATCH allow greater visibility and assist those with impaired sight too.
<https://centrewire.com/products/easy-latch-for-2-way-gate/> One-way opening gates need more manoeuvring space than two-way and some mobility vehicles may need a three metre diameter space to manoeuvre around a one-way gate. The minimum clear width of pedestrian gates should be 1.1metres (BS 5709:2018).

Field gates

Field gates (sometimes used across roads) are too large and heavy for those with limited mobility to use, so should always be paired with an alternative such as a gap, or pedestrian gate. However if this is not possible, a York 2 in 1 Gate <https://centrewire.com/products/york-2-in-1/> could be an alternative, with a self-closing, two-way opening and yellow handles and EASY LATCH.

Bristol gates

(Step-over metal gate within a larger gate.) These are a barrier to mobility vehicles, as well as to pushchairs, so should be replaced with an appropriate structure. If space is limited, and a pedestrian gate not possible, a York 2 in 1 Gate <https://centrewire.com/products/york-2-in-1/> could be an alternative, with a self-closing, two way opening, and yellow handle and EASY LATCH for the public access part of the gate.

Kissing gates

A two-way, self-closing gate is hugely preferable to a kissing gate, but in certain situations a kissing gate might be needed. Many kissing gates can be used by smaller pushchairs and small wheelchairs, but are impassable by mobility scooters and other mobility vehicles. Unless an existing kissing gate has been specifically designed for access by large mobility vehicles, it should be replaced, if possible with a suitable gate (see above). If a kissing gate really must be used, Disabled Ramblers recommend the [Centrewire Woodstock Large Mobility](#) kissing gate, fitted with a RADAR lock, which can be used by those riding mobility vehicles. NB this is the only type kissing gate that is large enough to be used by all-terrain and large mobility vehicles.

Note about RADAR locks on Kissing gates

Often mobility vehicle riders find RADAR locks difficult to use, so they should only be used if there is not a suitable alternative arrangement. Here are some of the reasons why:

- Rider cannot get off mobility vehicle to reach the lock
- Rider cannot reach lock from mobility vehicle (poor balance, lack of core strength etc)
- Position of lock is in a corner so mobility vehicle cannot come alongside lock to reach it, even at an angle
- RADAR lock has not been well maintained and no longer works properly.
- Not all disabled people realise that a RADAR key will open the lock, and don't know how these kissing gates work. There must be an appropriate, informative, label beside the lock.

Board walks, Footbridges, Quad bike bridges

All of these structures should be designed to be appropriate for use by large mobility vehicles, be sufficiently wide and strong, and have toe boards (a deck level edge rail) as edge protection. On longer board walks there may also be a need to provide periodic passing places.

Sleeper bridges

Sleeper bridges are very often 3 sleepers wide, but they need to be at least 4 sleepers wide to allow for use by mobility vehicles.

Steps

Whenever possible, step free routes should be available to users of mobility vehicles. Existing steps could be replaced, or supplemented at the side, by a slope or ramp. Where this is not possible, an alternative route should be provided. Sometimes this might necessitate a short diversion, regaining the main route a little further on, and this diversion should be signed.

Cycle chicanes and staggered barriers

Cycle chicanes are, in most instances, impassable by mobility vehicles, in which case they should be replaced with an appropriate structure. Other forms of staggered barriers, such as those used to slow people down before a road, are very often equally impassable, especially for large mobility vehicles.

Undefined barriers, Motorcycle barriers, A frames, K barriers etc.

Motorcycle barriers are to be avoided. Often they form an intimidating, narrow gap. Frequently put in place to restrict the illegal access of motorcycle users, they should only ever be used after very careful consideration of the measured extent of the motorcycle problem, and after all other solutions have been considered. In some areas existing motorcycle barriers are no longer necessary as there is no longer a motorcycle problem: in these cases the barriers should be removed.

If no alternative is possible, the gap in the barrier should be adjusted to allow riders of large mobility vehicles to pass through. Mobility vehicles can legally be up to 85 cm wide so the gap should be at least this; and the same width should be allowed all the way up from the ground to enable room for handle bars, arm rests and other bodywork. The ground beneath should be level otherwise a greater width is needed. K barriers are often less intimidating and allow for various options to be chosen, such as a shallow squeeze plate which is positioned higher off the ground. <http://www.kbarriers.co.uk/>

Stepping stones

Stepping stones are a barrier to users of mobility vehicles, walkers who are less agile, and families with pushchairs. They should be replaced with a suitable alternative such as a footbridge (which, if not flush with the ground should have appropriate slopes at either end, not steps). If there are good reasons to retain the stepping stones, such as historic reasons, a suitable alternative should be provided nearby, in addition to the stepping stones.

Stiles

Stiles are a barrier to mobility vehicles, walkers who are less agile, and families with pushchairs. They should be replaced with suitable alternative infrastructure. If there are good reasons to retain the stile, such as historic reasons, an alternative to the stile, such as a pedestrian gate, should be provided nearby in addition to the stile.

Urban areas and Kerbs

In urban areas people with reduced mobility may well be using pavement scooters which have low ground clearance. Where the trail follows a footway (eg pavement) it should be sufficiently wide for large mobility vehicles, and free of obstructions. The provision and correct positioning of dropped kerbs at suitable places along the footway is essential. Every time the trail passes over a kerb, a dropped kerb should be provided.