

Coastal Access – Eastbourne to Camber

Representations on EBC 8: Rye Harbour to Camber Sands and Natural England's comments

October 2024

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1. Introduction

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

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

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

2. Background

On 31 July 2024, Natural England submitted a report to Secretary of State for Environment, Food and Rural Affairs setting out the proposals for improved access to the coast between Rye Harbour and Camber Sands (EBC 8). This is a section of the Eastbourne to Camber (EBC) stretch. This began an eight-week period during which representations and objections about the report could be made.

In relation to the report for EBC 8: Rye Harbour to Camber Sands, Natural England received 5 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 2 representations submitted by other individuals or organisations, referred to here as 'other' representations.

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

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

Representation number:	MCA/EBC8/R/01/EBC0056
Organisation/ person making representation:	Environment Agency
Route section(s) specific to this representation:	EBC-8-S013 to EBC-8-S020 EBC-8-S080 EBC-8-S090
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
1. Advisory: Land contamination As referred to within the provided documents there is potential for land contamination between sections EBC-8-2020 and EBC-8-2013 and within other stretches of the path that may cross over or adjacent to historic landfills. Any path improvement works, which may include intrusive works, should include a suitable risk assessment to address the potential for land contamination beneath any existing path works. Additionally, the proposed footpath	

appears to run approximately 150m South West of Tradebe Solvents, a COMAH (Control of Major Accident Hazards) site which we regulate.

Should any contamination be identified during any of these works we would request that further liaison be conducted with the Environment Agency to suitably identify and assess the potential risks to the environment.

Advisory: Site Waste

When works are being carried out, no polluting matter should enter the surface water drains. This is especially important as many of the surface water drains in this area discharge to the River Stour and we would not want to see a deterioration to take place.

Advisory: Significant land raising

We have no objection to the proposed works if there is no significant land raising to accommodate the path construction / resurfacing works. **We would like to be reconsulted if significant land raising is proposed.**

2. Advisory: Sand movement through the dunes

Avoid hardened surfaces between TQ9486718339 and TQ9483618396 (Section EBC-8-So90) to allow sand movement through the dunes. If surfaces are required, these must be jigsaw type interlocking blocks which can move and allow for change/flow through of sand.

3. Advisory: Loss of saltmarsh

There is potentially loss of saltmarsh at the base on the earth embankment between TQ9338619776 and TQ9336819879 (Section EBC-8-So80). Avoid dog access here and be aware that the embankment front face could eventually be at risk of undercutting/slumping which could destabilise the footpath surface.

Advisory: Environmental permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission
- For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advisory: Signing up to flood warnings

The applicant should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings> . It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding> . To get help during a flood, visit <https://www.gov.uk/help-during-flood> . For advice on what do after a flood, visit <https://www.gov.uk/after-flood> .

Natural England's comments

We welcome the engagement from the Environment Agency during the development of our proposals for coastal access between Rye Harbour and Camber Sands.

Land contamination, site waste, significant land raising

In the development of our proposals, we have consulted with the Environment Agency's Groundwater and Contaminated Land team regarding contaminated land between sections EBC-8-S013 to EBC-8-S020 of the proposed route at Rye Harbour Nature Reserve. In February 2024, a presentation by Alistair Stocks (Technical Officer, Groundwater and Contaminated Land Team, Environment Agency), detailing the history and location of the contamination, was provided to Natural England, East Sussex County Council, and the landowner Sussex Wildlife Trust. The proposed establishment works at this location, including path surfacing improvements, were discussed during this meeting with the Environment Agency. Prior to undertaking the establishment works, a suitable risk assessment will be carried out which addresses the potential for land contamination and pollution entering surface water drains. Should any contamination be identified during establishment works further liaison will be conducted with the Environment Agency. No significant land raising is proposed as part of the establishment works.

Sand movement through the dunes

No hard surfaces are proposed between TQ9486718339 and TQ9483618396 (Section EBC-8-S090).

Loss of saltmarsh

Public access to the saltmarsh and mudflat in the coastal margin seaward of EBC-8-S080 is to be excluded all year-round by direction under s25A of the Countryside and Rights of Way Act (2000) as it is unsuitable for public access. In the future if the footpath surface on the embankment becomes destabilised due to undercutting/slumping Natural England will consider implementing roll back.

Environmental permit

The Access Authority, East Sussex County Council, will ensure all the relevant consents and permits are in place prior to any establishment works.

Advisory: signing up to flood warnings

Along the proposed trail there are areas that the Environment Agency and others have alerted us to periodic tidal inundation – for example at sections EBC-8-S091-092 on Camber Sands beach. To alert walkers of this flooding, Natural England has proposed local signage and will identify the location on the interactive map on the nationaltrail.co.uk website. We will liaise with Rother District Council (who manage safety signage at Camber Sands) and the RNLI over the style and content of the flood alert signage.

Relevant appended documents: N/A

Representation number:	MCA/EBC8/R/02/EBC0018
Organisation/ person making representation:	Ramblers
Route section(s) specific to this representation:	EBC-8-S001 to EBC-8-S105
Other reports within stretch to which this representation also relates:	N/A
Representation in full	
1. The Ramblers support Natural England's report EBC 8: Rye Harbour to Camber Sands. The route described in this report, EBC 8, aligns very closely with that proposed by Ramblers in 2017, in an advisory report to Natural England. Ramblers consider the basic principles of the Coastal Access Scheme, chapter 4, have been met. They are: • The path should stay close to the coast or estuary and must, whenever possible provide sea/estuary views. • The path must be safe and convenient for users. • The choice of route should aim to strike a fair balance between public rights of access and the interests of landowners.	

- Wherever possible, the coast path should use existing walking routes such as rights of way, other paths, pavements etc., linking them to create a continuous route around coast of England.

2. Map 8b. EBC-8-SO33 to EBC-8-S044 - previous safety issue from NE 2020 report.

In 2020, the Secretary of State considered the road crossing at the junction of Harbour Road and A259, near to Brede Sluice, to be high-risk for pedestrians and consequently rejected part of the NE report, from Rye Harbour to Camber Sands. Ramblers are satisfied that, following independent advice, a single road crossing, with pavement modifications, would incur a lower level of risk for pedestrians and will be installed.

3. Maps 8a-8f, part EBC 8.3.2 - reasons for Natural England's final choice of route and other options considered but not proposed.

The Ramblers agree with Natural England's clear explanations and reasons for their final choice of route, given with reference to the basic principles of the Coastal Access Scheme, chapter 4.

4. Maps 8c to 8d EBC8-SO74 to SO82 - Probable delay in completion.

The Ramblers have concerns about expected further delays in re-opening of a right of way designated be used by the Coast Path.

Along the east bank of the Rother estuary, from the Monk Bretton Bridge, EBC-8-S076 to the golf course, at EBC-8-S082, the right-of-way has been closed to the public since April 1st 2023 until April 1st 2025, enabling the Environment Agency to improve flood defences and to protect existing salt marshes. A new embankment is being constructed but is taking longer than anticipated and closure will probably be extended. The original right-of-way running along the top of the old embankment gave lovely, clear views of the estuary and will be resituated and reopened on top of the new embankment. It is uncertain when the flood defence work can be finished, including establishment of vegetation etc. so that it can be used as part of the KCIIIIECP route. Ramblers are concerned about this uncertainty and ask for confirmation of when this section of the England Coast Path will be open?

5. EBC 8 - Conclusion

Ramblers hope the problems regarding the delay are clearly settled, with a timescale that can be adhered to, without altering Natural England's current proposals. Then, Ramblers will be pleased to commend the whole of Natural England's report, EBC 8, to be confirmed by the Secretary of State; knowing the proposed route will become part of King Charles III England Coast Path and serve Ramblers' members, other walkers, and the citizens of Rye very well indeed, now and into the future.

Natural England's comments
Natural England welcomes the positive engagement from the Ramblers during the development of proposals for coastal access between Rye Harbour and Camber Sands and their support for the final proposals. Regarding the Ramblers concerns about delays in re-opening a right of way on the east bank of the Rother Estuary between EBC-8-S074 (Monk Bretton Bridge) to EBC-8-S082 (Rye Golf Club), Natural England is aware that the public rights of way are currently closed whilst the Environment Agency improves existing flood defences and constructs a realigned section of embankment for the creation of new inter-tidal habitat (a project known as Folkestone to Cliff End Schemes – Rother Tidal Walls East). Planning permission for the Rother Tidal Walls East scheme was granted by Rother District Council (Ref: RR/2020/1572/P) in 2021. Condition 17 of the planning permission states that “Prior to completion of the development hereby permitted, a Public Path Diversion Order shall be made under Section 257 of the Town and Country Planning Act 1990 diverting Public Footpaths East Guldeford 13b, Playden 20c and Rye 6, as necessary to reroute these paths to the realigned tidal walls.” Part of the proposed route for KCIIIECP between Monk Bretton Bridge and Rye Golf Club is along public footpath Rye 6 that will be realigned to the new embankment. If Natural England's proposals for coastal access are approved by Secretary of State and the new footpath on the seawall is not ready to open, KCIIIECP will follow the route of the current temporary diversion along the nearby Sustrans route until the new seawall footpath is ready to be used.
Relevant appended documents: N/A

Representation number:	MCA/EBC8/R/03/EBC0048
Organisation/ person making representation:	Rights of Way & Countryside Access Team, East Sussex County Council
Route section(s) specific to this representation:	EBC-8-S001 to EBC-8-S105
Other reports within stretch to which this representation also relates:	N/A
Representation in full	

The Rights of Way & Countryside Team at East Sussex County Council (ESCC) manages the public rights of way network in the County and is also Access Authority for the area. Additionally, the Team manages Camber Sands SSSI and ESCC is freehold owner of that site.

The Team supports the recommendations made in the report and the proposed improvements to public access.

In particular, the section of off-road route that is proposed as an alternative to Rye Harbour Road is a clear improvement to the existing access.

Likewise, the proposed creation of formal public access at Rye Golf Club is a useful alternative to the eroded and impassible salt marsh paths to the north-west of the Harbour Master's Office.

The proposal for advisory signage at Camber Sands SSSI is also supported.

Natural England's comments

We thank East Sussex County Council's Rights of Way & Countryside Team for working closely with Natural England in developing proposals for coastal access between Rye Harbour and Camber Sands and for supporting the final proposals.

We ask that the Secretary of State to note these views regarding the improvements to existing access at Rye Harbour Road and at Rye Golf Club.

Relevant appended documents: N/A

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

Representation ID:	MCA/EBC8/R/04/EBC0156
Organisation/ person making representation:	[redacted] (Sussex Wildlife Trust)
Name of site:	Rye Harbour Nature Reserve
Report map reference:	EBC 8a to EBC 8f
Route sections on or adjacent to the land:	EBC-8-S013 to EBC-8-S025
Other reports within stretch to which this representation also relates	N/A

Summary of representation:

- Sussex Wildlife Trust is broadly supportive of the proposal for coastal access. They welcome the new secure statutory rights of public access to most areas of beach and other coastal land on this stretch of coast, and a safe and continuous promoted pedestrian route linking Rye Harbour, Rye and Camber.
- Sussex Wildlife Trust note the consideration of potential environmental impacts of improving public access to this stretch of coast, and the adjustments to the proposals prior to publication in order to address these. They welcome the proposed mitigation measures to protect the environment at sections EBC-8-S020 to EBC-8-S021.
- Sussex Wildlife Trust like that the trail is aligned through Rye Harbour Nature Reserve. The nature trail is uneven and narrow in places, so they support highlighting the potential use of an alternative accessible option along the shared cycle/pedestrian route that runs alongside Harbour Road, north of the Nature Reserve.
- Sussex Wildlife Trust would like to ensure that vehicle access remains possible at sections EBC-8-S013 to EBC-8-S016 for emergency access to the nature reserve.
- Sussex Wildlife Trust has asked for clarification regarding a plan and responsibility for the delivery of the surface improvements, waymarking signage and new advisory signs at Rye Harbour Nature Reserve. Sussex Wildlife Trust has also asked if a proposed timeframe has been established and what is covered by the proposed budget for project management.
- Sussex Wildlife Trust has asked if a plan has been established for the delivery of maintenance works for the trail within Rye Harbour Nature Reserve, and what the scope of the maintenance works will be.
- Sussex Wildlife Trust has asked if the proposed new interpretation panel at EBC-8-S013 to EBC-8-S016 refers to a new advisory sign about contaminated land. Sussex Wildlife Trust has recently renewed and upgraded existing signage to this effect in this location and would welcome dialogue around this, ensuring new signage is fit-for-purpose and responsibility for maintenance is established.

Natural England's comment:

We welcome the representation from [redacted], Site Manager for Rye Harbour Nature Reserve, and thank Sussex Wildlife Trust for the positive engagement during the development of the coastal access proposals for Rye Harbour to Camber Sands.

Alignment on the existing nature trail through Rye Harbour Nature Reserve

Natural England is working to minimise barriers to access for all users by making the trail as easy to use as we reasonably can for disabled people and others with reduced mobility. This

includes providing information on the ground and online which enables visitors to choose the most appropriate route for their needs. Natural England will provide additional signage at either end of the route through Rye Harbour Nature Reserve to alert users to an alternative pavement option at Harbour Road.

Where a section of the proposed route on the existing nature trail is sometimes unusable due to being muddy and waterlogged, Natural England plans to carry out surfacing improvements as part of the establishment works for the trail to make this section more convenient to use and available at all times.

Vehicle access at EBC-8-S013 to EBC-8-S016

The presence of coastal access rights along sections EBC-8-S013 to EBC-8-S016 will not affect its existing use for emergency vehicles. This section of trail is currently part of a promoted nature trail and used for these vehicles. Natural England has not proposed any new infrastructure or street furniture proposed that might hinder vehicular movements. Waymarking for this section will be provided by adding directional signage to an existing post at section EBC-8-S013.

Delivery of establishment works – waymarking, advisory signs, surface improvements

Establishment work is carried out following approval of a stretch by the Secretary of State. Natural England will support the agreed components of the trail establishment, through the England Coast Path Establishment Grant. This covers 100% of the establishment costs, including a maximum of 10% of the capital works towards project management/staff time. The grant is available to Access Authorities (e.g. East Sussex County Council) or any person/organisation with a legal interest in the land under the KCIIIECP (such as Sussex Wildlife Trust), where it has SoS approval.

If the Secretary of State approves the proposals, East Sussex County Council will then work with Natural England and Sussex Wildlife Trust landowners to plan, agree and carry out the required infrastructure works at Rye Harbour Nature Reserve. We do not have an exact timeframe for these works and will need to consider any timing constraints and permit conditions – but our aim is to complete the establishment work as soon as possible after approval.

Delivery and responsibility of maintenance on the trail

The South East England Coast Path Partnership (SEECPP) will receive a funding contribution from Natural England to make sure the open sections of the KCIIIECP between Kent and Brighton are maintained to a high standard. Maintenance of the trail is usually undertaken by East Sussex County Council, the relevant Access Authority for East Sussex, in liaison with SEECPP. In assessing maintenance work at this location, they will consider the best value solutions and liaise with the relevant landowners to discuss the details of any works necessary to maintain the National Trail standards.

New interpretation panel at EBC-8-S013 to EBC-8-S016

Natural England is aware of the contaminated land at this location and has proposed a new information panel and advisory signs to advise path users not to forage and consume plants and fruits such as blackberries. We note that Sussex Wildlife Trust has recently renewed and upgraded existing signage in this location, therefore at the time of establishment, Natural England will confirm with Sussex Wildlife Trust if any new, additional signage is still necessary. If new signage is still required when the Coast Path is established, Natural England would be pleased to discuss the content, design, and precise location for the signage with Sussex Wildlife Trust and the Environment Agency. East Sussex County Council will install and maintain any necessary signage unless an alternative agreement is made with the landowner.

Ongoing engagement with Sussex Wildlife Trust and consents for establishment works

East Sussex County Council will engage with Sussex Wildlife Trust and the Site Manager for Rye Harbour Nature Reserve to agree the specifics of the establishment works. East Sussex County Council will undertake/obtain the necessary surveys, licenses and consents for the establishment works.

Relevant appended documents: N/A

Representation ID:	MCA/EBC8/R/05/EBC2389
Organisation/ person making representation:	[redacted] (South East England Coast Path Local Trail Partnership)
Name of site:	Whole Report
Report map reference:	EBC 8a to EBC 8f
Route sections on or adjacent to the land:	Whole Report
Other reports within stretch to which this representation also relates	N/A
Summary of representation: - The South East England Coast Path Local Trail Partnership (LTP) is responsible for maintaining and improving the opened stretches of the King Charles III England Coast Path between the London Borough of Bexley and Brighton. Therefore, the LTP has a strong interest in this report and the outcome of these proposals. - The LTP welcomes and supports the proposals detailed in the report and looks forward to working with Natural England and local stakeholders to manage the trail, once access rights have commenced along this section of coast.	

- The LTP has requested that Natural England continues to engage with the LTP and provide updates on the development of the Rye to Camber section of the Coast Path, including clarifying maintenance responsibilities for infrastructure and mitigation features along the route.

Natural England's comment:

We thank the South East England Coast Path Local Trail Partnership for supporting the proposals for coastal access between Rye Harbour and Camber Sands.

Natural England will continue to engage with the Local Trail Partnership and provide updates on the development of the Coast Path between Rye Harbour and Camber Sands.

The South East England Coast Path Partnership (SEECPP) will receive a funding contribution from Natural England to make sure the open sections of the KCIIECP between Kent and Brighton are maintained to a high standard. Maintenance of the trail is usually undertaken by East Sussex County Council, the relevant Access Authority for East Sussex, in liaison with SEECPP. Once established and open, East Sussex County Council will liaise with the relevant landowners to discuss the details of any works necessary to maintain the National Trail standards.

Relevant appended documents: N/A