

Countryside and Rights of Way (CROW) Act 2000

NOTICE OF RELEVANT AUTHORITY DECISION FOLLOWING REVIEW OF DIRECTION RESTRICTING CROW ACCESS RIGHTS

Prepared by Natural England

Access Authority: Kent County Council
Relevant Authority: Natural England
Local Access Forum: Kent Local Access Forum

Land Parcel Name	Direction Reference	Details of restriction on original direction
Richborough Wharf	2018058693	Access to England Coast Path closed under section 24 (land management) of the CROW Act Alternative route provided.

Natural England has now decided how to proceed following its review of the above-mentioned long-term direction to restrict coastal access rights in association with the England Coast Path (ECP) on this land. A consultation was held between 10 May – 7 June 2021 with statutory consultees and the public. We received feedback from the following sources.

- Kent Local Access Forum want the closure removed and the approved route established.
- Kent Ramblers want the closure removed and the approved route established.

Outcome of the review

Summary of circumstances

The approved ECP runs within a site on Richborough Wharf that is frequently in use as a car storage area for new cars being readied for auction or dealers. There is some security fencing preventing access, but allowing the trail to be used during the period cars are on the site, creates both a security and commercial activity issue for the landowner and their tenant.

Given the level of commercial use, the ECP is closed along the approved riverside route in accordance with the recommendation of the Appointed Person who advised on the original objection. There is an Alternative Route in use for the England Coast Path along Ramsgate Road. Natural England have endeavoured to monitor the site for the five years following the ECP opening.

Determination

As part of the review process we discussed the possibility of opening the approved route with the landowner. They acknowledged that the land does not always have

cars on site but reiterated that their tenant still uses it frequently and, at times, at very short notice to store cars.

We also asked the landowner whether there was any way we could look to reopen the route, by again looking at installing security fencing to separate the path from the rest of the wharf area. The landowner stated this option would have significant legal and commercial ramifications for the lease agreement and ongoing relations with their tenant and was unfortunately discounted by them.

Therefore, our decision is to extend the direction to close access to the approved ECP route and keep the alternative route in place for a further 6 years

Where possible we will continue to monitor the site and ensure that if for any reason the commercial activity ceases, or there are any other relevant changes in circumstance, we will look revoke this direction and establish the approved ECP route if practicable in view of the clear public interest in having a riverside route here.

Date review completed: 13th July 2021