

A Brief Introduction to Coastal Access



Essex Coastal Forum
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What is the England Coast Path?

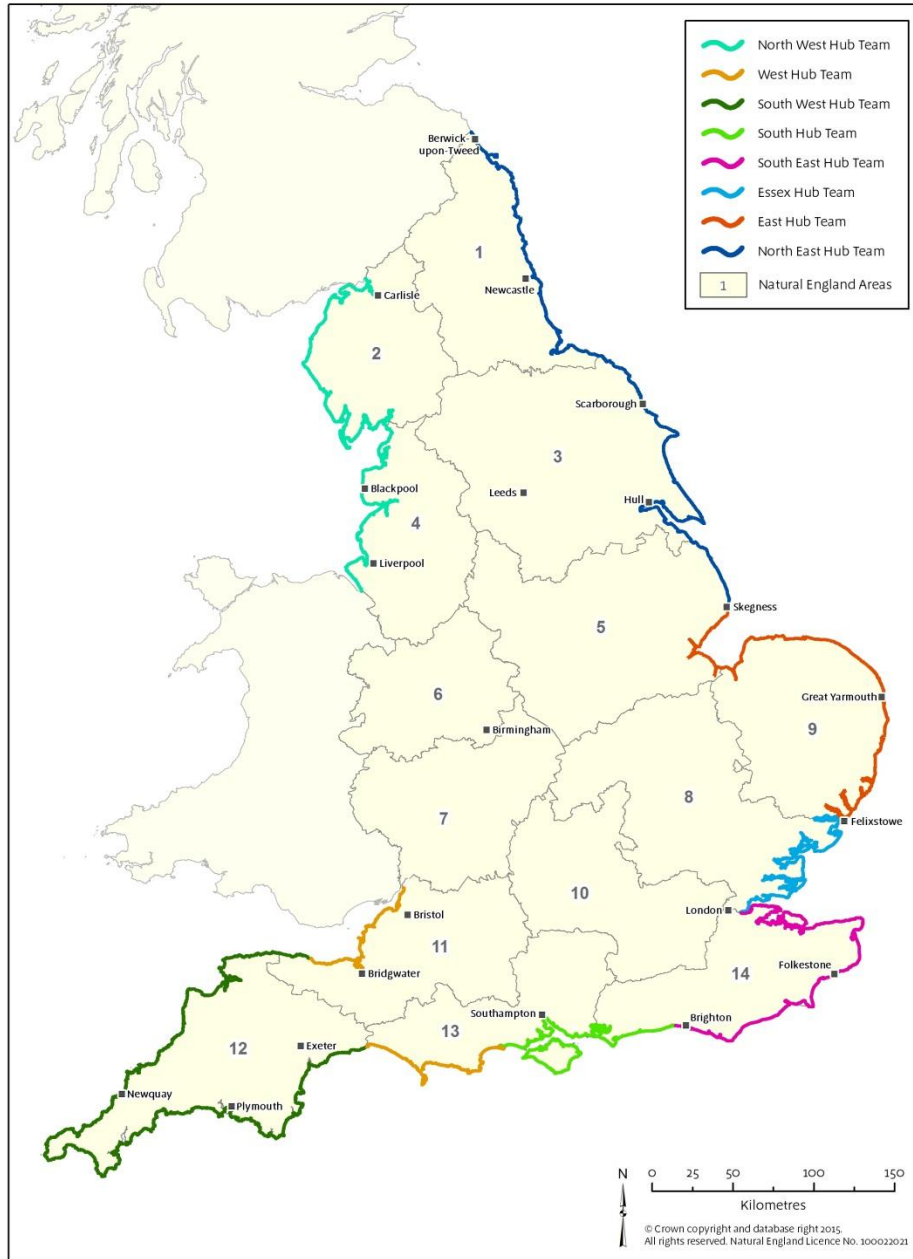
- The **Marine and Coastal Access Act 2009**, (Part 9) places a **duty** on NE - to create a **long-distance walking route** around the English coast.
- It requires us to follow statutory guidance – the **Coastal Access Scheme*** ensuring we balance the interests of those who own the land and the interests of the public in having a right of access over it.
- It also enables us to respond to coastal change through proposing '**roll back**' which will allow the path to be moved back as the coast changes.

* Publication of the Scheme and help for the public / landowners / occupiers at <https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast>

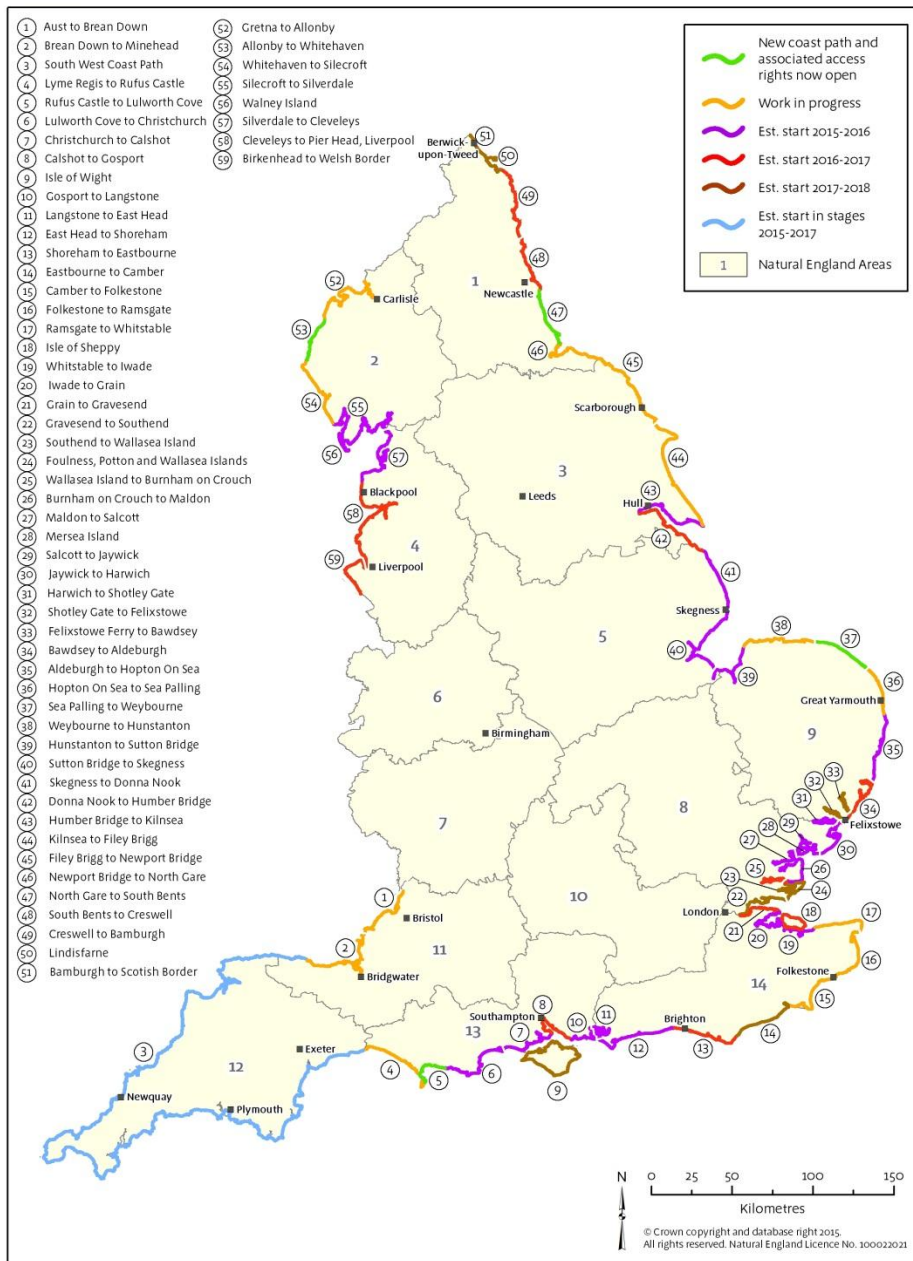


“I’m pleased to announce today that the government will be putting the funding in place to ensure the path is completed by 2020.”

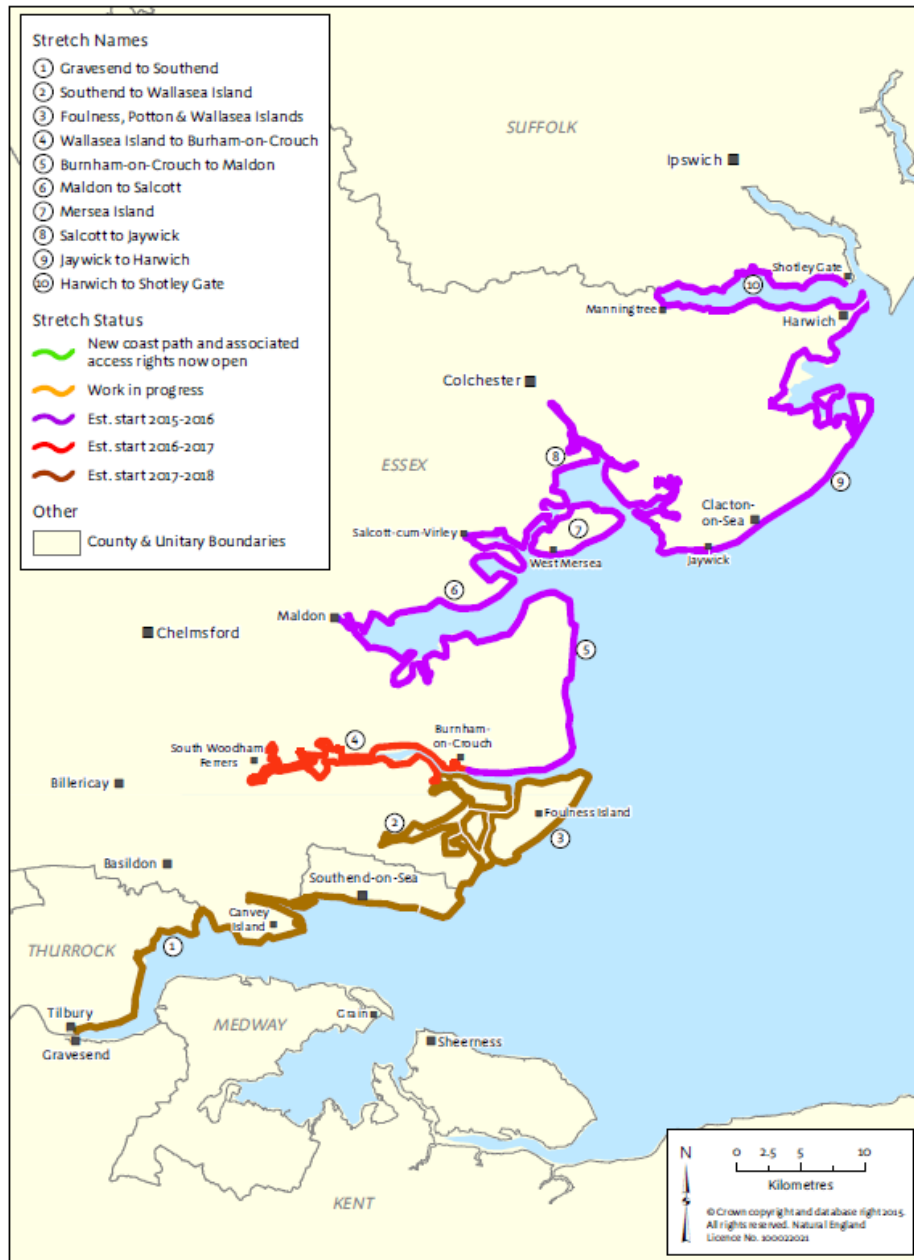
Nick Clegg (DPM) 3rd September 2014



To deliver this ambitious target we are enlarging existing and creating new area based ‘Hub’ teams which will work across area team boundaries and be supported by a small national team.



... we have delivered a detailed Programme Plan, signed off by Defra and Cabinet Office, which sets out the delivery of some 65 stretches to be completed over five years to meet the 2020 target...

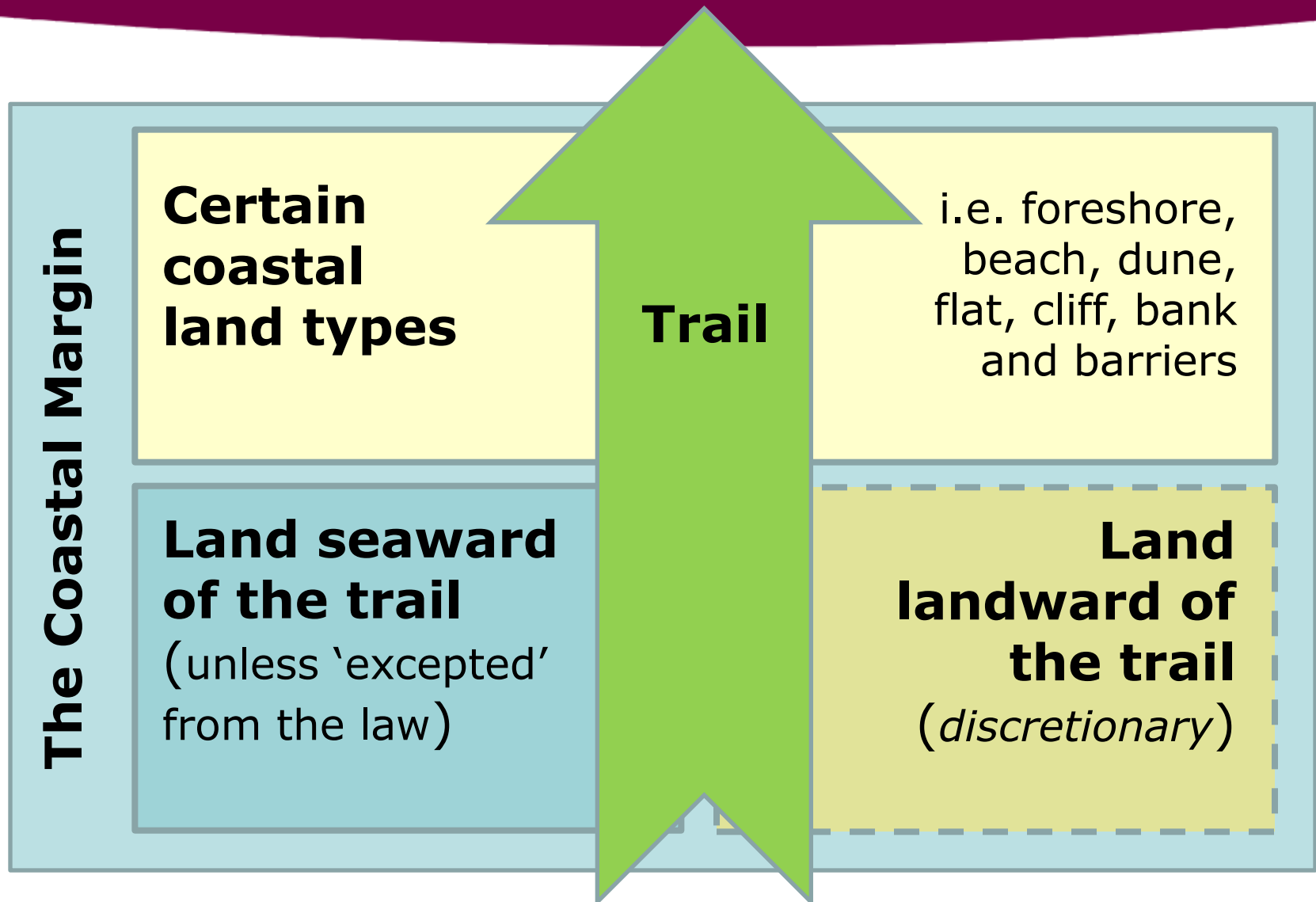


... for Essex this will mean local delivery through ten new staff focusing on Shotley Gate to Burnham-on-Crouch this year...

A group of hikers with backpacks are ascending a steep, grassy hillside under a blue sky with scattered clouds. The foreground is filled with dense green foliage. The text "What exactly are the coastal access rights?" is overlaid in white on the lower part of the image.

**What exactly are the
coastal access rights?**

The nature of the coastal access rights



Within the 'Margin' there will be 'excepted' land to which the rights will not apply

Most commonly..
buildings, curtilage,
houses and gardens

but also others such as
working quarries, railways
and most MOD land.

Once you've removed the
excepted land what remains
is 'spreading room'.





But to 'complicate' things there are types of land, such as caravan and camp sites, that are **exempt** from 'spreading room' but we **can** propose that the ECP passes through them.

The nature of the coastal access rights - balancing public & private interests



Public interest

- Proximity of the trail to the sea
- Views of the sea from the trail
- Safety and convenience
- Continuity of the trail

Private interest

- Operational needs
- Income
- Privacy
- Changes of use

- Protection of the natural environment
- Responsiveness to coastal change – '*roll back*'

Brief outline of the Coastal Access implementation process



Stage 1 Prepare

- Define extent of coastal stretch, in discussion with local access authorities
- Ask key organisations about their ideas and concerns for this stretch
- Initial look at any issues for key sensitive features
- Assess problems, opportunities, constraints
- Consider existing access patterns and early route options

Brief outline of the Coastal Access implementation process



Stage 2 Develop

- Contact owners of relevant land
- Do alignment checks on the ground
- Share our initial thinking with owners and occupiers and offer to 'walk the course' with them if they wish
- Plan protection of key sensitive features
- Talk further to key interests as necessary
- Reality check our developed proposals

Brief outline of the Coastal Access implementation process



Stage 3 Propose

- Finalise our proposals and associated maps
- Publish them in a statutory report to the Secretary of State (SoS)
- Invite any representations on our report from anyone who wishes to comment
- Invite any objections to our report from owners or occupiers of affected land

Brief outline of the Coastal Access implementation process



Stage 4 Determine

- Receive any representations or objections
- Forward or summarise them to the SoS together with any comments by us
- Appointed person adjudicates on any objections and advises SoS
- SoS decides whether to approve our proposals, with or without modifications

Brief outline of the Coastal Access implementation process



Stage 5 Open

- Establishment works done on approved stretch after discussion with affected owners
- Any agreed restrictions or dedications implemented
- Approved map published
- Order brings new public rights into effect
- England Coast Path now exists on this stretch

Shaping coastal access rights



a long-distance walking route subject to..

National
restrictions

Route
alignment

Trail
management

Local
restrictions
or exclusions

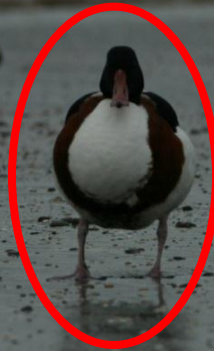
Nature conservation – ensuring protection of sensitive features

Separation of duties:
'access case officer' &
'site responsible officer'

Aim is to achieve the
least restrictive option
whilst ensuring
appropriate protection

Impact on visits to coastal
sites will vary depending on
the location and
designation - Disturbance
to birds often the principal
concern

Appraisal template to
help ensure
consistency and
compliance with legal
requirements.





**Objections &
Representations**

Objections & Representations

- Publication of our proposals opens an **eight week window for representations and objections**.
- **Anyone can make a representation** but **objections** may only be made by **owners or occupiers** of affected land.
- We forward objections to the Secretary of State who appoints an Inspector from **The Planning Inspectorate** to determine their admissibility, whether we have been fair and advise her.
- We forward representations to the Secretary of State either in full or in summary, according to the requirements of the legislation for the type of respondent in question.
- In either case we **add any comments** we may have.
- Weighing all of these inputs in the light of the Scheme and the Coastal Access Duty, the **Secretary of State decides** whether to..
**approve our report, with or without modifications,
or to reject it.**

In summary then....

- The **Marine and Coastal Access Act 2009**, establishes the new **coastal access duty** - to establish a **long-distance walking route** around the English coast, and to identify land beside it, the **coastal margin**, which should be accessible to the public on foot.
- Natural England follows statutory guidance, the **Coastal Access Scheme**, when discharging the coastal access duty.
- The approach which includes a **statutory objections process** involves **extensive discussion and careful negotiation to balance private and public interests together with nature conservation**.



Any Questions?