Part C
Application of the key principles

Part C of the Scheme explains how the key principles in part B of the Scheme will be applied to the circumstances of the English coast. It covers the most common land types, situations and issues we are likely to encounter and the approaches and solutions we will normally adopt when engaging with them.

Part C of the Scheme cannot be a comprehensive catalogue of all these issues, situations and solutions. For example:

- the approaches set out in chapter 7 in relation to nature conservation sensitivities will often have to be tailored to the characteristics of particular species that are present at each site; and
- there will inevitably be land use circumstances that are different from those specifically contemplated in chapter 8.

Where we encounter circumstances that we have not anticipated in the Scheme, we will:

- in all cases, follow the principles set out in part B of the Scheme; and
- refer to the issues and solutions described in part C of the Scheme, to the extent that they provide guidance that can sensibly be applied to the circumstances in question.

Chapter 7. Coastal land cover and landforms

Chapter 7 indicates our likely approach to the Coastal Access Duty in relation to various types of land cover and landform which occur on the English coast, taking into account the key principles of **public** interest in part B of the Scheme. In particular it explains our likely approach to public safety and environmental protection in relation to each type of land cover and landform. The influence of the key principles of **private** interest to our decision-making is explained in more detail in chapter 8, which considers coastal land uses.

Each land cover or landform in chapter 7 is considered in a separate section in this format:

- An **overview** – including a brief description of its scope, indicating any other sections that are likely to be relevant in some circumstances, and any general information about the landform or land cover which may be helpful in understanding the approach.
- A section describing our **general approach to alignment** of **the trail** and the extent of **spreading room** in relation to that land cover or landform.
- **Potential issues and likely range of solutions,** which begins with a brief description of the concerns that are most likely to arise in relation to that land cover or land form, indicating any relevant sections of chapter 8 that relate to the key principles of private interest. This is followed by a more detailed analysis of issues that relate to the key principles of public interest, focusing on public safety and environmental protection, including a description of the solutions we will normally deploy at any stage in the implementation process where we conclude that intervention is necessary in relation to a particular concern.

The sections are arranged as follows:

7.1. Cliffs
7.2. Coastal valleys
7.3. Headlands
7.4. Settlements
7.5. Woodland and scrub
7.6. Heath
7.7. Grassland
7.8. Grazing marsh
7.9. Fresh water habitats
7.10. Dunes

7.1. Cliffs

Overview

7.1.1 Cliff tops or cliff slopes usually provide the most convenient route and some of the best views along such a section of coast. Steep cliff faces and under-cliffs provide more challenging environments where some people like to climb or explore.

7.1.2 Cliffs normally occur in combination with other landforms – in particular coastal valleys (section 7.2) and headlands (section 7.3) – and land cover types such as heath (section 7.6) and grassland (section 7.7). The approaches described in those sections will therefore often be relevant to coastal access rights on cliffs. Sections of chapter 8 will also be relevant on most cliffs, depending on the land use on the cliff or cliff top.

General approach to alignment

The trail

7.1.3 Where there is a cliff, the trail should normally be aligned along it wherever practicable, because it normally provides the best views of the sea:

- On sheer cliffs, the trail will normally be on the cliff top, a safe distance from the edge.
- On gently-sloping cliff faces, the trail may be aligned closer to the sea, provided a route can be found which is sufficiently stable and convenient.

7.1.4 On cliff tops and cliff slopes which are subject to significant erosion or landslip, the trail will normally roll back when erosion or landslip takes place without further reference to the Secretary of State, in accordance with the approved proposals in our coastal access report.

The spreading room

7.1.5 All cliffs (including cliff faces, cliff slopes and under-cliffs) will normally qualify as spreading room whether seaward or landward of the trail (see section 4.8), unless they are excepted land or subject to long-term local exclusions.

7.1.6 We may use our discretion to propose further spreading room landward of the trail on a cliff top up to a recognisable physical feature, in accordance with the principles described in section 4.8. We may do this, for example, to provide convenient access at the top of a cliff face for people wishing to climb it.

7.1.7 Cliffs may be excepted land, for example if actively quarried or subject to military byelaws. Gently sloping cliffs and larger valleys may include other types of excepted land such as buildings and gardens.

Figures 23 to 27 in chapter 9 illustrate how coastal access rights might be implemented on cliffs

Potential issues and likely range of solutions

7.1.8 Where there are concerns, these are most likely to arise in relation to:

- Public safety
- Trampling
- Disturbance to cliff nesting birds
- Disturbance to mammals

- Fossil hunting
- The effects of public access on other land uses on the cliff top - see chapter 8

Public safety

The need for intervention

7.1.9 Safety will be a key consideration in the design of the trail at cliff sites, in accordance with our duty under section 297(2)(a) of the 2009 Act to have regard to the safety of people using the trail. Access along cliffs carries inherent risks, but these are well-understood by most people and enjoyed by some – climbers for example. It is therefore neither possible nor desirable to eliminate all danger to the public on cliffs, but there may be a need for special intervention in some places on the trail or where people use secondary routes down the cliff to reach the foreshore.

Alignment solutions

7.1.10 Careful alignment of the trail and carefully targeted use of additional safety measures in particular places will help to ensure that risks are kept to a reasonable minimum consistent with this type of coast.

7.1.11 We will follow best practice in the design of existing cliff paths and take local advice about the terrain and processes where available. Factors which are likely to be relevant – and which we will also take account of where appropriate in any roll back which we propose – include:

a) sections adjoining places where people arrive at the coast such as car parks and settlements, where people may reasonably expect a higher standard of safety;

b) the distance between the trail and the cliff edge and the angle of any slope between them, in particular at places where space is unavoidably constrained and people are likely to step off the route to seaward to allow others to pass (such as bridges and crossing points);

c) drops that cannot be seen or easily anticipated from one or other direction, for example because they are concealed by a turn in the route;

d) the stability of the path surface, including the potential effect of wet conditions.

7.1.12 Soft cliffs and cliff slopes are prone to periodic landslip – in some places on a very large scale. It may be necessary to adjust the route that the trail follows before or after this happens. This adjustment will take place without further reference to the Secretary of State, in accordance with the approved proposals in our report. There is already some monitoring of vulnerable cliff sections which can help us decide when this is necessary. In other places we may introduce similar arrangements, in line with best practice on other coastal National Trails.

Informal management techniques

7.1.13 Signs may be used at places where people arrive at the coast such as car parks and settlements, to alert people to any increased risk on cliff sections and encourage them to take appropriate precautions.

7.1.14 Clear way-marking is an effective means to steer visitors along a preferred route, using guide fencing where there are concealed or unexpected dangers such as hidden drops, sharp turns or loose surfaces. This may enable natural vegetation to re-establish which can provide an effective barrier in the longer term.

7.1.15 Signs may be used to warn people of any dangerous routes that may develop down steeper cliff slopes between the trail and the foreshore, and to suggest another safer way if there is one. However, we will not normally intervene further unless significant damage to the cliff slope or vegetation is occurring or likely.

Directions to restrict or exclude access

7.1.16 Directions may not be used to prevent danger to the public from natural features (such as sheer drops) or natural events (such as erosion) – see section 6.6.

Trampling

The need for intervention

7.1.17 Low-key trampling of cliff vegetation may be beneficial to our environmental objectives by encouraging a more varied structure to vegetation that increases plant diversity and by creating bare ground which provides habitat for invertebrates. However, trampling can be harmful in places where there are more sensitive types of vegetation or where the soil is vulnerable to erosion. Invertebrates may also be adversely affected where there is widespread soil compaction and loss of plant diversity. Intervention may therefore be necessary at sites where there are plant or invertebrate species that are subject to special protection.

7.1.18 The need for intervention will depend on the patterns and levels of access and the location of features that are subject to special protection. It is most likely to be necessary where sensitive areas are crossed by secondary routes from the trail down a cliff slope to the foreshore or where such routes are likely to develop, for example as a result of the introduction of coastal access rights.

Alignment solutions

7.1.19 Problems are best avoided through sensitive alignment of the trail. The trail may alleviate damage that is occurring elsewhere by concentrating most use on a route that is more resilient to trampling. Where appropriate we will also take account of the potential for future damage when considering the use of roll back – see section 4.10.

Informal management techniques

7.1.20 Concerns about trampling on sensitive cliff slopes can be managed informally in several ways, depending on the characteristics of the site and the expected levels of use. Where there are existing routes around a sensitive area, we are likely to draw the public's attention to them through carefully placed signs and other directional indicators.

7.1.21 Alternatively, it may be possible to manage access through a sensitive area, for example using guide fencing or posts to lead people away from damaged areas that need time to recover. This is preferable to stabilisation or drainage work which may damage the features of concern.

Directions to restrict or exclude access

7.1.22 The solutions described above will normally be adequate to prevent significant damage. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to provide adequate protection for designated features. Where necessary they will usually take the form of small-scale exclusions from the affected area.

Cliff nesting birds

The need for intervention

7.1.23 Climbers and, in some places, anglers derive great enjoyment from using coastal cliffs, but have the potential to cause disturbance to cliff-nesting birds during the nesting season. Some of these are subject to special protection.

7.1.24 Disturbance can occur where people gather on cliff tops to view nesting colonies. The level of disturbance appears to be related to the distance of the birds from the viewpoint, the frequency of visits and the size of groups which gather to watch. Intervention may be necessary in appropriate places to enable people to watch the birds without causing significant disturbance.

Alignment solutions

7.1.25 Aligning the trail away from the cliff edge where it passes the nesting colony may help to limit disturbance from birdwatchers. There may be scope to provide viewing places at a more suitable distance further along the cliff top.

Informal management techniques

7.1.26 Voluntary climbing restrictions are well established and widespread, and have proved an effective means to prevent disturbance from climbers during the season for cliff nesting birds. Similar systems have also been used successfully to prevent disturbance from anglers in some places. We will rely on these established systems provided they continue to be effective.

7.1.27 Where people gather to watch nesting colonies it may be appropriate to control the distance from which they view the birds or the size of the group. This is most easily achieved if someone is available to show people where to stand and explain the reasons for the precautions. Signs or barriers may be effective where this is not possible, or in combination with face-to-face approaches. Key cliff nesting colonies are generally already managed successfully in these ways.

Directions to restrict or exclude access

7.1.28 The solutions described above will usually be adequate to prevent significant disturbance. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance to birds subject to special protection.

7.1.29 Where directions are necessary to prevent disturbance by climbers or anglers they will take the form of seasonal exclusions from the cliff-face and adjacent shoreline.

7.1.30 Where directions are necessary to prevent disturbance from bird watchers they will exclude people from the cliff top adjacent to the colony, but allow people to view them from a more suitable distance. The assessment of necessity and the distance in question is likely to be based on the estimated tolerance of the birds present, the largest size of visitor group which is likely to occur and the frequency of visits.

Disturbance to mammals

The need for intervention

7.1.31 Cliffs and coastal valleys may be used by mammals subject to special protection. Some of these have been shown to be sensitive to disturbance when they are breeding, when they have young or during hibernation periods. Intervention at cliff and valley sites is most likely to be necessary to prevent disturbance to species of bat, all of which are subject to statutory protection. The criteria and solutions outlined below will also be relevant at any coastal valley sites where similar issues occur.

7.1.32 The need for intervention will depend on the sensitivity of the species in question and, to some extent, on the specific location of the sites they use and how easy it is for members of the public to reach them.

7.1.33 Bats use caves and abandoned mines on cliff sites for hibernation, roosting and, occasionally, as 'nursery' areas for raising young. They are likely to respond to disturbance at these times by abandoning the site, sometimes not returning for several years. Disturbance during hibernation periods can have particularly severe consequences.

Alignment solutions

7.1.34 Trail alignment is unlikely to be an effective solution, because even sites that are difficult to reach from the trail may be visited by people with a particular interest in them, such as cavers and mine history groups.

Informal management solutions

7.1.35 Where necessary, and with the agreement of the land owner, grilles can be fitted to the entrances of caves or abandoned mines used by bats to prevent people getting in, but allow the bats ingress and egress. Many known sites are already protected in this way. There needs to be due regard to impacts on the coastal landscape when such grilles are planned and installed.

7.1.36 Wherever possible such measures should be implemented with the co-operation

of caving or mine history interest groups, allowing them access at times of year when the bats are not present. We will rely on these established voluntary systems to prevent disturbance wherever they prove effective.

Directions to restrict or exclude access

7.1.37 The solutions described above will usually be adequate to prevent any significant disturbance to bats. Directions may be used for this purpose where other solutions are not available or insufficient.

7.1.38 Where directions are necessary they will normally take the form of exclusions from the cave or mine entrance at times when bats are present.

Fossil collecting

The need for intervention

7.1.39 Some sections of coast are very popular for fossil-hunting, or may become so, for example as a result of the introduction of coastal access rights. Intensive collection can cause significant damage to sites of geological or geomorphological interest and increase the risks to the public from falling cliff material.

Informal management techniques

7.1.40 There are established codes of conduct for fossil collecting, which are often effective means to enable the public to enjoy fossil-rich areas without causing significant damage. We will use these as the basis for any additional guidance that we provide to fossil collectors at specific locations.

Directions to restrict or exclude access

7.1.41 There are restrictions on fossil-hunting under other legislation at some coastal locations. These will continue to apply. Directions are therefore unlikely to be necessary for this purpose.

7.2 Coastal valleys [54]

Overview

7.2.1 Coastal valleys add variety to a cliff top walk. Valleys with gently-shelving slopes may also provide a place to explore or a convenient link from the cliff top to the foreshore.

7.2.2 Coastal valleys normally occur in combination with other landforms - cliffs (section 7.1) and headlands (section 7.3) in particular – and land cover types such as heath (section 7.6) and grassland (section 7.7). The approaches described in these sections will therefore often be relevant too. Other sections in chapters 7 and 8 will also be relevant, depending on the land cover and land use in the valley.

General approach to alignment

The trail

7.2.3 The trail should seek a safe and convenient route through an area of coast dissected by coastal valleys. There are a number of factors to be taken into account when deciding whether the trail should go around a valley, or through it, including:

- gradient,
- erosion,
- soil conditions,
- areas of excepted land,
- the nature and length of any detour around the valley,
- and the frequency of such valleys, and

[54] Coastal valleys is a generic term we use in the Scheme to describe valleys that may be referred to locally by more familiar names such as dene or clough (broadly in the north of England), or coombe or chine (broadly in the south).

- relative safety and convenience of the alternatives.

as well as the land use and land cover and the key principles described in part B of the Scheme.

7.2.4 The trail should aim to avoid steep descents and ascents wherever practicable and unstable surfaces or wet areas in particular, even if visitors lose sight of the sea temporarily. There will be some circumstances where the trail descends and ascends a steep valley slope because it is the most appropriate route, taking into account all the key principles described in part B of the Scheme. However, we will avoid aligning the trail on valley slopes that are subject to significant erosion or landslip, unless there are exceptional circumstances. We will also take into account the combined physical effort that would be required to descend and ascend a succession of coastal valleys along a relatively short section of coast.

The spreading room

7.2.5 Any areas of coastal valley seaward of the trail will automatically become spreading room, unless they are excepted land or subject to long-term local exclusions. In valleys with shallow gradients this may provide a way for people to reach the foreshore.

7.2.6 We may use our discretion to include further spreading room landward of the trail, for example up to the top of the valley slope or a convenient internal boundary, in accordance with the principles described in section 4.8.

7.2.7 Coastal valleys may include excepted land, for example if actively quarried or subject to military byelaws. Larger valleys may include other types of excepted land such as buildings and gardens.

Figures 24 and 25 in chapter 9 illustrate how coastal access rights might be implemented at coastal valleys.

Potential issues and likely range of solutions

7.2.8 Where there are concerns, these are most likely to arise in relation to:

- Public safety on steep valley slopes
- Trampling
- Nutrient enrichment
- The effects of public access on other land uses - see chapter 8
- Disturbance to mammals – see section 7.1 (cliffs)

Public safety on steep valley slopes

The need for intervention

7.2.9 The dangers of steep slopes should be readily apparent to visitors in most cases. However, additional safety measures may be necessary in some places where the trail crosses steep valleys or where secondary routes develop down steep valley slopes to the foreshore.

Alignment solutions

7.2.10 Careful alignment of the trail and carefully targeted use of additional safety measures in particular places will help to ensure that risks are kept to a reasonable minimum consistent with this type of coast. The factors we take into account are likely to be similar to those described in the corresponding section on public safety in relation to cliffs - see section 7.1.

Informal management techniques

7.2.11 Clear way-marking is an effective means to steer visitors along a preferred route, using temporary guide fencing where there are concealed or unexpected dangers such as hidden drops, sharp turns or loose surfaces. This allows time for natural vegetation to establish which can provide an effective barrier in the longer term.

7.2.12 Signs may be used to warn people of any dangerous routes that may develop down

steeper cliff slopes between the trail and the foreshore, and to suggest a safer alternative route if there is one. However, we will not normally intervene further unless significant damage to the cliff slope or vegetation is occurring or likely.

Directions to restrict or exclude access

7.2.13 Directions may not be given to prevent danger to the public from natural features such as steep slopes.

Trampling

The need for intervention

7.2.14 Low-key trampling of vegetation on valley slopes may be beneficial to our environmental objectives by encouraging a more varied structure to vegetation that increases plant diversity and by creating bare ground which provides habitat for invertebrates. However, trampling can be harmful where there are more sensitive types of vegetation or where the soil is vulnerable to erosion. Invertebrates may also be adversely affected where there is widespread soil compaction and loss of plant diversity. Intervention may therefore be necessary at sites where there are plant or invertebrate species that are subject to special protection.

7.2.15 The need for intervention will depend on the patterns and levels of access and the location of sensitive features that are subject to special protection. It is most likely to be necessary where sensitive areas are crossed by secondary routes from the trail down the valley to the foreshore or where such routes are likely to develop, for example as a result of the introduction of coastal access rights.

Alignment solutions

7.2.16 Loss of sensitive vegetation and destabilisation of valley slopes are best avoided through sensitive alignment of the trail. The trail may alleviate damage that is occurring elsewhere by concentrating most use on a route that is more resilient to trampling.

Informal management techniques

7.2.17 Concerns about trampling on sensitive valley slopes can be managed informally in several ways, depending on the characteristics of the site and the expected levels of use. Where there are existing routes around a sensitive area, we are likely to draw the public's attention to them through carefully placed signs and other directional indicators.

7.2.18 Alternatively it may also be possible to manage access through a sensitive area, for example using guide fencing or posts to lead people away from damaged areas that need time to recover. This is preferable to stabilisation or drainage work which may damage the features of concern.

Directions to restrict or exclude access

7.2.19 The solutions described above will often be sufficient to prevent significant damage. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to provide adequate protection for designated features. Where necessary these will take the form of small-scale exclusions from the affected area.

Nutrient enrichment

The need for intervention

7.2.20 Nutrient enrichment caused by dog faeces can result in loss of specialist valley plants that are tolerant of low-nutrient conditions. Intervention may therefore be necessary where these features occur next to car parks and other points where people arrive at the coast with their dogs.

Alignment solutions

7.2.21 Trail alignment may help to address this issue by encouraging people with dogs to walk in places where the vegetation is less vulnerable to nutrient enrichment. The

trail may alleviate enrichment that is occurring elsewhere by concentrating most use on a route that is more resilient.

Informal management techniques

7.2.22 Nutrient enrichment can be effectively managed by providing dog bins at arrival points and signs encouraging people to use them. It may also be desirable to provide an area which is not sensitive to enrichment where people can take their dog when they first arrive. Where it seems to us that the use of these techniques would be an effective means to address the issue, we will discuss with the access authority and the owner or occupier of the affected land what options are available to implement it.

Directions to restrict or exclude access

7.2.23 Local authorities have powers under the Clean Neighbourhoods and Environment Act 2005 to make dog control orders requiring people to remove dog waste. We may advocate their use where there are persistent problems and where we conclude that other solutions are likely to be insufficient to provide adequate protection for designated features. We are unlikely to use directions for this purpose.

7.3 Headlands

Overview

7.3.1 Headlands are a good place to stop and enjoy the view, but following their perimeter is not always the most convenient route around the coast.

General approach to alignment

The trail

7.3.2 The trail may cross the neck of a headland, if this is the most direct and convenient route along the coast and maintains sea views.

7.3.3 On larger headlands, the trail will normally follow the perimeter in order to maintain sea views and proximity to the sea.

The spreading room

7.3.4 Any land seaward of the trail on a headland will automatically qualify as spreading room, unless it is excepted land or subject to long-term local exclusions.

7.3.5 Where the trail crosses the neck of a headland, the whole headland will therefore normally be spreading room. Where the trail broadly follows the perimeter of a headland, the spreading room may be more limited.

7.3.6 We may use our discretion to include further spreading room landward of the trail on a headland, in accordance with the general principles described in section 4.8.

7.3.7 Headlands may include excepted land, for example if actively quarried or subject to military byelaws. Larger headlands may include other types of excepted land such as buildings and gardens.

Figures 2 to 5 in chapter 2 illustrate how coastal access rights might be implemented at a headland.

Potential issues and likely range of solutions

7.3.8 Any concerns that arise in relation to headlands are likely to relate to another land cover, landform or land use discussed elsewhere in part C of the scheme, for example:

- Section 7.1 describes approaches to coastal access rights on cliffs;
- Section 7.7 on grassland or section 8.7 on crops may be relevant, depending on the land cover or use of the headland under consideration.

7.4 Settlements

Overview

7.4.1 The trail will bring visitors into coastal villages, towns and cities, offering them

services, attractions and access to a rich maritime heritage. Equally it will offer local residents a link along the open coast to more natural coastal environments.

7.4.2 Concerns may arise in relation to:

- a lack of sea views or proximity to the sea in some areas;
- public safety on roads and in working areas such as harbours;
- disturbance to quieter neighbourhoods.

7.4.3 The extent of such concerns will be limited by the fact that few new access rights will be created within settlements. The subsection below explains our general approach to alignment in such areas. Other sections in chapters 7 and 8 may be relevant where there is a corresponding land cover, land form or land use within the settlement.

General approach to alignment

The trail

7.4.4 Where the trail passes through a settlement, this will typically involve signing a proposed route along existing highways rather than creating a new route. The trail will normally keep as close to the sea as practicable.

7.4.5 We will take account of local development plans and work with local planning authorities and developers where opportunities arise for new pedestrian routes on the waterfront, encouraging local authorities to consider in their plans the optimum location of a continuous coastal trail, preferably on the seaward side of any new development. Where these opportunities arise after our coastal access report has been approved by the Secretary of State, we will keep local plans and planning applications under review and reassess the route of the trail if necessary (see section 5.5).

7.4.6 We will work with local highway authorities and emergency services to ensure that the trail is reasonably safe, paying particular attention to the location of road crossings and any places where it crosses working areas such as harbours.

7.4.7 Where we propose a route through quieter neighbourhoods we will discuss this first with any local residents' groups of which we become aware.

7.4.8 Signs will be especially useful in built-up areas to mark the trail clearly, draw attention to points of interest and make visitors aware of nearby services and attractions. We will work with local highway and planning departments to ensure in built-up environments that signs are suitably designed and located.

The spreading room

7.4.9 There will be limited opportunities for spreading room in built-up areas. In particular, land covered by buildings and gardens will be excepted land.

7.4.10 However, the beach and foreshore at settlements will automatically qualify as spreading room, as will any cliffs, dunes and coastal defence embankments that are not excepted land. The approaches described elsewhere in chapter 7 in relation to these features may therefore be relevant.

Figure 23 in chapter 9 illustrates how coastal access rights might be implemented at settlements.

7.5 Woodland and scrub

Overview

7.5.1 Woodland and scrubby areas with views or glimpses of the sea occur widely around the coast, and will often be subject to coastal access rights.

7.5.2 Coastal woodlands and scrub often occur on landforms considered elsewhere in this chapter – frequently on cliff and valley slopes – and in association with other habitats such as grassland, dune and heath. The approaches described in other sections of chapter 7 may therefore be relevant to woodland and scrub in some circumstances.

General approach to alignment

The trail

7.5.3 The trail may pass through coastal woodland and scrubby areas on cliffs or elsewhere. If the woodland is managed for shooting, the trail will normally follow the seaward edge.

7.5.4 In woodland on cliffs that are subject to significant erosion or landslip, the trail will normally roll back when erosion or landslip takes place without further reference to the Secretary of State, in accordance with a description in our report (see sections 4.10 and 7.1).

7.5.5 Where clearance work would be required to establish a route through scrubby areas, we will discuss the options carefully with the owner and/or occupier before reaching a decision. It may also be necessary to assess potential impacts on any protected species that are known to be present and to mitigate any impacts that are likely to be significant, for example by aligning the trail to avoid the most sensitive areas.

The spreading room

7.5.6 Woodland and scrub on the seaward side of the trail will automatically qualify as spreading room unless it is excepted land or subject to long-term local exclusions. Woodland that occurs on cliff slopes and dunes landward of the trail will also be spreading room, with the same provisos (see section 4.8).

7.5.7 We will consider other woodland inland of the trail for inclusion as spreading room. For example, we may propose that the landward boundary of the coastal margin coincides with the landward edge of the wood, or with a convenient internal boundary - in accordance with the criteria in section 4.8.

7.5.8 Woodland may be excepted land, for example if subject to military byelaws.

Figure 27 in chapter 9 illustrates how coastal access rights might be implemented in a woodland.

Potential issues and likely range of solutions

7.5.9 Where there are concerns, these are most likely to arise in relation to:

- Public safety
- Disruption to (or danger from) forestry operations (see section 8.13)
- Shooting or game management (see sections 8.11 and 8.9 respectively)

Public safety

The need for intervention

7.5.10 There is a risk to the public from falling trees or branches in every woodland, but the likelihood of injury is generally very low.

7.5.11 Trees may be damaged in high winds, especially in woodlands that are exposed to prevailing winds, or become unstable or uprooted on steeper slopes that are vulnerable to landslip.

7.5.12 Occupiers owe no civil duty of care to the public with respect to these risks where they are exercising coastal access rights (as opposed to existing rights of way etc), except in relation to reckless or deliberate acts or omissions. Employers and the self-employed also have statutory duties under Health and Safety legislation which may be relevant in some instances (see section 4.2).

Alignment solutions

7.5.13 We will discuss any proposals for trail alignment through a woodland with the owner or manager. It may be possible through discussion to identify a route which avoids any areas that are particularly at risk.

Informal management techniques

7.5.14 Where coastal access rights make areas of woodland newly accessible, we will discuss

with the access authority and the land owner how best to address any increased risk.

7.5.15 Where trees are already being checked periodically for signs of danger as part of the management of a wood – for example because there are public rights of way through it – this will normally be sufficient to address the risks. Where no such checks are made (and there is no existing obligation to carry them out) we may introduce checks for the condition of trees adjacent to the trail as part of the schedule of maintenance which is agreed with the access authority. The need for this will depend on local circumstances; for example checks may be necessary for larger trees (especially those growing on cliff and valley slopes that are vulnerable to landslip) but will not normally be necessary for areas of scrub.

7.5.16 Where significant damage has occurred, we will discuss the available courses of action with the owner or occupier. It may be appropriate to make safe any trees or branches beside the trail or simply to clear them from the trail so that people can get past (see section 8.13). Warning signs may be needed at woodland entrances until the trail is safe to use. These may suggest another route around the area of danger if one is available.

Directions to restrict or exclude access

7.5.17 Directions may not be given to prevent danger to the public from dangerous trees, but may be given in connection with clear up operations (see section 8.13).

7.6 Heath

Overview

7.6.1 Where it occurs, coastal heath often provides a convenient route around the coast, with clear views of the sea.

7.6.2 Heath occurs on land forms considered elsewhere in chapter 7 (notably as a specialised plant community in dunes), and in association with other land cover types such as woodland and grassland. The approaches described in other sections of chapter 7 may therefore be relevant in some circumstances.

General approach to alignment

The trail

7.6.3 The trail will often pass through coastal heaths on cliffs and cliff tops, and elsewhere if adjacent to the foreshore.

The spreading room

7.6.4 Heath on the seaward side of the trail will automatically qualify as spreading room unless it is excepted land or subject to long-term local exclusions.

7.6.5 Heath on cliff slopes and dunes landward of the trail will also qualify as spreading room, provided that the cliff or dunes are adjacent to the foreshore (see section 4.8).

7.6.6 We may propose that other areas of heath inland of the trail are also included as spreading room. For example we may propose that the landward boundary of spreading room coincides with a boundary feature, in accordance with the criteria described in section 4.8.

7.6.7 Heath may be excepted land, for example if subject to military byelaws.

Figure 29 in chapter 9 illustrates how coastal access rights might be implemented over heath.

Potential issues and likely range of solutions

7.6.8 Where there are concerns, these are most likely to arise in relation to:

- Trampling
- Nutrient enrichment
- Disturbance to birds, reptiles or amphibians
- Fire prevention – see figure 20 in chapter 6
- Grazing animals – see relevant sections of chapter 8

Trampling

The need for intervention

7.6.9 Most heathland plants are vulnerable to trampling to some degree, though light trampling can be beneficial in nature conservation terms by establishing areas of bare ground that encourage reptiles, insects and other small animals. However, trampling can be harmful where there are more sensitive types of vegetation or where the soil is vulnerable to erosion. Invertebrates may also be adversely affected where there is widespread soil compaction and loss of plant diversity. Intervention may therefore be necessary at sites where there are plant or invertebrate species that are subject to special protection.

7.6.10 The need for intervention will depend on the patterns and levels of access at each site and the location of sensitive features that are subject to special protection.

Alignment solutions

7.6.11 Sensitive alignment of the trail will normally alleviate concerns by avoiding especially sensitive areas. The trail may alleviate pressures arising from existing routes, by providing a safer and more convenient route which people will generally prefer.

Informal management techniques

7.6.12 Temporary guide fencing and signs are an effective means to steer visitors along preferred routes through heaths, taking into account the tolerance of different types of vegetation to trampling. These can also be used to discourage people from walking along other routes where vegetation is recovering. It may also be beneficial to change access patterns periodically using the techniques described above to allow reptiles and insects to colonise bare ground created by trampling.

Directions to restrict or exclude access

7.6.13 The solutions described above will normally be adequate to prevent significant damage. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to provide adequate protection for designated features.

7.6.14 Any directions that are necessary for this purpose are likely to take the form of small-scale exclusions until vegetation recovers sufficiently to provide an effective obstacle to access over a sensitive area.

Nutrient enrichment

The need for intervention

7.6.15 Nutrient enrichment caused by dog faeces can result in loss of specialist heathland plants that are tolerant of low-nutrient conditions. Intervention may therefore be necessary where these features occur next to car parks and other points where people arrive at the coast with their dogs.

Alignment solutions

7.6.16 Trail alignment may help to address this issue by encouraging people with dogs to walk in places where the vegetation is less vulnerable to nutrient enrichment. The trail may alleviate enrichment that is occurring elsewhere by concentrating most use on a route that is more resilient.

Informal management techniques

7.6.17 Nutrient enrichment can be effectively managed by providing dog bins at arrival points and signs encouraging people to use them. It may also be desirable to provide an area which is not sensitive to enrichment where people can take their dog when they first arrive. Where it seems to us that the use of these techniques would be an effective means to address the issue, we will discuss with the access authority and the owner or occupier of the affected land what options are available to implement it.

Directions to restrict or exclude access

7.6.18 Local authorities have powers under the Clean Neighbourhoods and Environment Act 2005 to make dog control orders requiring people to remove dog waste. We may advocate their use where there are persistent problems and where we conclude that other solutions are likely to be insufficient to provide adequate protection for designated features. We are unlikely to use directions for this purpose.

Disturbance to birds, reptiles or amphibians

The need for intervention

7.6.19 Heaths are home to several species of breeding bird, reptile and amphibian which are of high conservation status and which have been shown to be sensitive to disturbance, in particular where people allow their dogs to run around for exercise. Dogs are more likely to cause disturbance if they stray off the trail or other routes used by visitors.

Alignment solutions

7.6.20 Disturbance may be significantly reduced by aligning the trail away from specific areas that are known to be sensitive. The trail may also alleviate pressures on other routes that pass through sensitive areas by providing a more convenient route around the coast which people may prefer. However, trail alignment alone is unlikely to be sufficient to prevent disturbance.

Informal management techniques

7.6.21 Temporary guide fencing, signs and vegetation management are all effective means to steer visitors along preferred routes through heaths, taking into account known locations of key species. It is possible to dissuade dogs from leaving paths in sensitive areas by encouraging patches of gorse and other shrubs on path edges to thicken.

7.6.22 Signs may be used to remind people to keep dogs under effective control in areas of heath where there are sensitive bird, reptile or amphibian populations. Signs may also be used to discourage people from letting their dogs go into pools used by protected species of amphibian. It may be necessary in some cases to use fencing to prevent dogs from entering the pools.

7.6.23 Further intervention may be necessary during sensitive periods to prevent disturbance from dogs at sites with species that are subject to special protection.

Directions to restrict or exclude access

7.6.24 The informal techniques described above may be adequate to prevent significant disturbance. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance to species which are subject to special protection.

7.6.25 Where a statutory restriction is necessary, it will normally take the form of a direction requiring people to keep their dogs on leads during sensitive periods. We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead.

7.7 Grassland

Overview

7.7.1 Grassland often offers a convenient route around the coast with clear views of the sea.

7.7.2 It occurs on land forms considered elsewhere in chapter 7, and in association with other land cover types such as woodland and heath. The approaches described in other sections of chapter 7 may therefore often be relevant.

General approach to alignment

The trail

7.7.3 The trail will often pass over coastal grassland on cliffs and cliff tops and

elsewhere adjacent to the foreshore. Where it passes over intensively-managed grassland, it will normally follow the seaward edge of the land in order to minimise any disruption to farming operations.

The spreading room

7.7.4 Grassland on the seaward side of the trail will automatically qualify as spreading room unless it is excepted land or subject to long-term local exclusions. Grassland on cliff slopes and dunes landward of the trail will also qualify automatically as spreading room with the same provisos – see section 4.8.

7.7.5 We may propose that other grassland - in particular rough grazing land – landward of the trail is also included as spreading room up to a suitable physical feature. For example we may propose that the landward boundary of the coastal margin coincides with a field boundary, in accordance with the principles described in section 4.8.

7.7.6 Grass leys on which the soil is being, or has at any time within the previous twelve months been, disturbed by any ploughing or drilling will be excepted land. We are therefore unlikely to consider the inclusion of such land including land used for turf or seed production, as landward spreading room. Other grassland may also be excepted land, for example if subject to military byelaws or where it is land used as a park or garden. Relevant sections of chapter 8 consider each of these land use issues in more detail.

Figures 24, 25, 26 and 30 in chapter 9 illustrate how coastal access rights might be implemented on grassland.

Potential issues and likely range of solutions

7.7.7 Where there are concerns, these are most likely to arise in relation to:

- Trampling
- Nutrient enrichment
- Disturbance to birds
- Grazing animals (see relevant sections of chapter 8)
- Grass grown as a crop or as part of an arable rotation (see section 8.7)

Trampling

The need for intervention

7.7.8 Grassland is generally relatively resilient to public access. Light trampling may even be beneficial in nature conservation terms by suppressing tall grasses and creating areas of shorter grass and bare ground that may encourage insects and other small animals.

7.7.9 Certain specialist plants and soils are vulnerable to heavy trampling, especially where they occur on steep slopes, poor or shallow soils and in wet areas. Invertebrates may also be adversely affected where there is widespread soil compaction and loss of plant diversity. Intervention may therefore be necessary at sites where there are plant or invertebrate species that are subject to special protection.

7.7.10 The need for intervention will depend on the patterns and levels of access – see section 6.2 – and the location of sensitive features that are subject to special protection. It is most likely to be necessary where such features occur in very busy areas, for example near car parks or settlements or at viewpoints.

Alignment solutions

7.7.11 Most concerns can be addressed by sensitive alignment of the trail to avoid any sensitive areas. The trail may alleviate damage that is occurring elsewhere by concentrating most use on a route that is more resilient to trampling.

Informal management techniques

7.7.12 Concerns about trampling on sensitive areas of grassland can be managed informally in several ways, depending on the characteristics of the site and the expected levels of use. Where there are existing routes around a sensitive area, we

are likely to draw the public's attention to them through carefully placed signs and other directional indicators.

7.7.13 Alternatively, it may also be possible to manage access through a sensitive area, for example using guide fencing or posts to lead people away from damaged areas that need time to recover. This is preferable to stabilisation or drainage work which may damage the features of concern.

Directions to restrict or exclude access

7.7.14 The solutions described above will normally be adequate to prevent significant damage. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to provide adequate protection for designated features. Where necessary they will usually take the form of small-scale exclusions from the affected area.

Nutrient enrichment

The need for intervention

7.7.15 Nutrient enrichment caused by dog faeces can result in loss of specialist grassland plants that are tolerant of low-nutrient conditions. Intervention may therefore be necessary where these features occur next to car parks and other points where people arrive at the coast with their dogs.

Alignment solutions

7.7.16 Trail alignment may help to address this issue by encouraging people with dogs to walk in places where the vegetation is less vulnerable to nutrient enrichment. The trail may alleviate enrichment that is occurring elsewhere by concentrating most use on a route that is more resilient.

Informal management techniques

7.7.17 Nutrient enrichment can be effectively managed by providing dog bins at arrival points and signs encouraging people to use them. It may also be desirable to provide an area which is not sensitive to enrichment where people can take their dog when they first arrive. Where it seems to us that the use of these techniques would be an effective means to address the issue, we will discuss with the access authority and the owner or occupier of the affected land what options are available to implement it.

Directions to restrict or exclude access

7.7.18 Local authorities have powers under the Clean Neighbourhoods and Environment Act 2005 to make dog control orders requiring people to remove dog waste. We may advocate their use where there are persistent problems and where we conclude that other solutions are likely to be insufficient to provide adequate protection for designated features. We are unlikely to use directions for this purpose.

Disturbance to birds

The need for intervention

7.7.19 Some grasslands provide breeding, roosting or feeding habitat for birds of high conservation status. Ground-nesting birds in particular are vulnerable to people or their dogs trampling on their nests because they are usually difficult to see. Disturbance may also be caused by passing close to the nest, causing birds to abandon their nests or leave them for short periods which may expose them to adverse weather conditions or allow predatory species (including dogs) to capture the eggs or young birds. It may therefore be necessary to manage access carefully at sensitive sites to prevent disturbance. The need for further intervention is likely to depend on the patterns and levels of public access at each site.

Alignment solutions

7.7.20 Disturbance can often be managed effectively by aligning the trail a suitable distance from areas where there are sensitivities.

Informal management techniques

7.7.21 Temporary guide fencing can be used to help people to avoid concentrations of nesting birds, but is not by itself an effective means to prevent disturbance by dogs.

7.7.22 Signs may be used to remind people to keep dogs under effective control in areas where there are sensitive bird populations. People are more likely to respond to signs in combination with other communication techniques, for example a representative who can visit sensitive sites, talk to local walkers and explain the conservation objectives. Further intervention may be necessary during sensitive periods to prevent disturbance from dogs at sites with birds that are subject to special protection.

Directions to restrict or exclude access

7.7.23 The informal techniques above may be adequate to prevent significant disturbance. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance to birds subject to special protection.

7.7.24 Directions will normally require people to keep their dogs on leads in the affected area. We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead.

7.7.25 It may exceptionally be necessary to exclude people from grassland areas completely where there are breeding species of high conservation status that are very sensitive to the presence of people or dogs. The extent of any such exclusions will depend on the species in question and the extent to which natural vegetation or other barriers can act as a screen between people and birds. Wherever practicable in these circumstances we will leave areas or routes open where people can view the birds at a distance where they will not disturb them. We will avoid aligning the trail through areas likely to be affected in this way.

7.8 Grazing marsh

Overview

7.8.1 Grazing marsh is wet grassland with ditches which are used to maintain high water levels for grazing and/or nature conservation purposes. Grazing marsh may support important populations of breeding and wintering birds. Some grazing marshes also support species-rich grassland, ditches and wetland areas. The approaches outlined in sections 7.7 (grassland) and 7.9 (freshwater habitats) may therefore be relevant in some circumstances. Salt marsh (which may also be grazed) is considered separately in section 7.15.

General approach to alignment

The trail

7.8.2 Grazing marsh does not usually provide a convenient walking surface because it is wet for all or part of the year. For this reason the trail will normally follow a flood defence embankment – provided there is one – adjacent to the grazing marsh on the seaward side. The trail may be on the landward side of grazing marsh if it is the most convenient route available.

The spreading room

7.8.3 Grazing marsh will not often occur on the seaward side of the trail. Where it does so, it will qualify automatically as spreading room unless it is excepted land (for example, if subject to military byelaws) or subject to long-term local exclusions.

7.8.4 We will only use our discretion to include grazing marsh as spreading room on the landward of the trail if this is in keeping with the principles at section 4.8. Such land may be difficult to reach from the trail (if there is an intervening ditch) and unpleasant to walk on, or there may be overriding conservation needs that rule out

including it. We may include adjacent land as spreading room where this would give views over the marsh and opportunities to enjoy the wildlife.

Potential issues and likely range of solutions

7.8.5 Where there are concerns, these are most likely to arise in relation to:

- Disturbance to birds;
- Trampling of waterside vegetation – see section 7.9;
- Trampling of grassland vegetation – see section 7.7;
- Disturbance to grazing animals - see sections 8.1 to 8.5.

Disturbance to birds

7.8.6 Grazing marsh may be subject to special protection if it supports populations of breeding or wintering birds. There are unlikely to be coastal access rights across the marsh itself, but there may be potential disturbance to birds from people walking past grazing marsh on adjacent land or allowing their dogs to enter the grazing marsh while they are walking past it.

7.8.7 Birds may become used to people walking past grazing marsh on a predictable route, provided their dogs are kept under effective control. The degree of habituation varies according to a combination of factors in play at each site. These are likely to include:

- the amount of suitable habitat that is available and its distance from the trail or spreading room;
- the species present and the size of flocks (larger flocks are more likely to fly off when people are present);
- the availability of natural vegetation or other barriers which can act as a screen between people and birds.

Alignment solutions

7.8.8 Concerns can often be addressed by aligning the trail on adjacent land such as an embankment. It may be necessary to align the trail on one side of the embankment in places where there are particularly high sensitivities on the other side – see section 7.15 on flats and salt marsh.

7.8.9 We will not use our discretion to propose landward spreading room over grazing marsh where there are populations of birds that are vulnerable to disturbance.

Informal management techniques

7.8.10 Often there will be a ditch and marginal vegetation that provides an effective barrier between the marsh and adjacent land with coastal access rights. It may otherwise be possible to encourage natural vegetation for this purpose, which may bring associated benefits for plant and animal diversity.

7.8.11 Signs may also be used to remind people of the requirement to keep their dogs under effective control. This includes a requirement to keep their dogs off the grazing marsh (except in the unusual situation that there are rights of access over it). People are more likely to respond to such signs in combination with other communication techniques, for example a representative who can visit sensitive sites and explain the conservation objectives to local dog walkers.

Directions to restrict or exclude access

7.8.12. The solutions described above will generally be adequate to prevent significant disturbance to birds unless there are access rights over the marsh itself. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance to birds subject to special protection.

7.8.13 Where necessary directions may require people to keep their dogs on leads on adjacent land where the coastal access rights apply. We will always endeavour

on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead.

7.8.14 Grazing marsh will normally qualify as spreading room if it is on the seaward side of the trail. In this unusual situation it may be necessary to exclude access over it to prevent disturbance to birds.

7.9 Fresh water habitats

Overview

7.9.1 This section considers the alignment and management of the access rights in relation to all coastal freshwater habitats including non-tidal rivers and streams, open water bodies such as lakes, ponds and pools, and vegetated wetland habitats such as reed beds and bogs:

- Grazing marsh is considered separately in section 7.8, though it may include other freshwater habitats considered in this section;
- Saline lagoons are considered separately in section 7.13.

7.9.2 Fresh water bodies attract visitors and therefore offer opportunities to increase public understanding and appreciation of their special wildlife. Access may need to be carefully managed in some cases to balance public enjoyment with conservation objectives.

General approach to alignment

The trail

7.9.3 The trail will frequently cross freshwater ditches, streams and small rivers where they meet either the sea or the estuarial waters of a larger river on which we use our discretion to extend the trail beyond the seaward limit (see chapter 10).

7.9.4 It will cross freshwater using existing means such as stepping stones or bridges wherever practicable. This may mean short detours away from the coast in some places. Where there is no convenient river or stream crossing, we will consider whether there is a case for a new one to be installed, consulting the Environment Agency and the local planning authority on location and design.

7.9.5 The trail may also pass close to lakes, ponds, pools or other wetland habitats that are near the sea. It will not normally cross wetland areas provided there is a suitable route around them, unless there is a suitable public right of way which already crosses the area.

The spreading room

7.9.6 Any freshwater habitats seaward of the trail will automatically qualify as spreading room, unless they are excepted land or subject to long-term local exclusions.

7.9.7 Some freshwater habitats and adjacent land may be excepted, for example if subject to military byelaws or covered by works used for a statutory undertaking such as locks, sluices and pumping stations.

7.9.8 We may use our discretion to include further spreading room landward of the trail to provide views over freshwater bodies or access to a bank. We are unlikely to use the discretion to include wetland areas as spreading room unless this is necessary to enable the public to reach other land around it. In either case, we will only do this where it is in accordance with the principles described in section 4.8.

Figure 29 in chapter 9 illustrates how coastal access rights might be implemented in a freshwater wetland area.

Potential issues and likely range of solutions

7.9.9 Where there are concerns, these are most likely to arise in relation to:

- Public safety

- Trampling
- Disturbance to birds or amphibians
- Disturbance to mammals

Public safety

The need for intervention

7.9.10 The dangers of freshwater bodies (drowning etc) should be readily apparent to visitors in most cases. Specific safety measures may be necessary in some places, for example where people join the trail from a more heavily managed environment such as a village or visitor car park where people may reasonably expect a higher standard of safety.

Alignment solutions

7.9.11 Most concerns about public safety around freshwater bodies can be met adequately by careful design of the trail, paying particular attention to the location and design of any water crossings. The need for further intervention on the spreading room will depend on the patterns and levels of public access at each site – see section 6.2.

Informal management techniques

7.9.12 Natural vegetation is preferable to fencing to steer people away from water hazards, but temporary fencing can be useful to allow natural vegetation to establish sufficiently to provide an effective barrier. Explanatory signs are also used at popular sites, for example to deter people from approaching deep water.

Directions to restrict or exclude access

7.9.13 Directions may not be used to prevent danger to the public from natural freshwater habitats – see section 6.6. They may be used to prevent danger to the public at manmade water bodies such as deep ponds, but we expect informal management techniques to suffice in most cases.

Trampling

The need for intervention

7.9.14 Vegetation on the banks and fringes of water bodies stabilises banks, offers food and shelter for animals and fish and nesting places for birds, and may screen sensitive birds from passing walkers. These benefits can be lost if vegetation is damaged by trampling.

7.9.15 The need for intervention will depend on the patterns and levels of public access at each site – see section 6.2. It may be needed where people pass close to the water's edge or where people are likely to do so, for example as a result of the introduction of coastal access rights.

Alignment solutions

7.9.16 These concerns will normally be addressed by aligning the trail a suitable distance from the bank to preserve a corridor of marginal vegetation. The trail may alleviate damage that is occurring elsewhere by concentrating most use on a route that is more resilient.

Informal management techniques

7.9.17 Any harmful effects of trampling on spreading room can be successfully contained by providing convenient, well-marked routes which avoid sensitive areas.

7.9.18 Boardwalks are sometimes used at popular sites to allow people to pass through wetland areas without disturbing the vegetation. Alternatively, routes may be less conspicuously marked with temporary guide fencing and guide posts which allow natural vegetation to regenerate and provide a more effective long-term barrier to sensitive areas.

7.9.19 Explanatory signs may also be used, for example to discourage people from letting their dogs go into the water.

Directions to restrict or exclude access

7.9.20 The solutions described above will often be adequate to prevent significant

damage. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to provide adequate protection for designated features. Where necessary they will usually take the form of small-scale exclusions from the affected area.

7.9.21 CROW does not include a general right to bathe in non-tidal waters. Directions cannot therefore be used to prevent it, but where necessary notices can be used to explain the national restriction which applies.

Disturbance to birds and amphibians

The need for intervention

7.9.22 Some freshwater habitats provide breeding, feeding and roosting sites for bird populations of high conservation status. Birds on open water may be particularly vulnerable to disturbance by people walking along the water's edge or by people or dogs swimming in the water. They may become used to people walking past on a predictable route, provided their dogs are kept under effective control. The degree of habituation varies according to a combination of factors in play at each site. These are likely to include:

- the amount of suitable habitat that is available and its distance from the trail or spreading room;
- the species present and the size of flocks (larger flocks are more likely to fly off when people are present);
- the availability of natural vegetation or other barriers which can act as a screen between people and birds.

7.9.23 Amphibians which occur in freshwater habitats may also be subject to special protection. Intervention may be necessary at sites where people may encourage their dogs to go into the water (for example to fetch sticks or drink), or to which dogs may be attracted of their own accord.

Alignment solutions

7.9.24 Many concerns can be managed effectively, where there are sensitivities, by aligning the trail at a suitable distance from the water, preferably where people can observe birds without disturbing them, or on the far side of natural vegetation that screens people from birds. This may also alleviate pressures that are already occurring closer to the water, by providing a more convenient route which people may prefer. However, trail alignment may not be sufficient to prevent disturbance where there would be spreading room closer to the water.

Informal management techniques

7.9.25 Carefully designed artificial screens or natural vegetation can be used to hide people from birds in wetland areas. At popular sites designated hides or viewing areas are sometimes provided where people can see the birds without disturbing them. Signs may encourage people to stay away from the water's edge and to prevent their dogs from approaching it.

7.9.26 Signs may be used to remind people to keep dogs under effective control in areas where there are sensitive bird or amphibian populations. Signs may also be used to discourage people from letting their dogs go into pools used by protected species of amphibian. It may be necessary in some cases to use fencing to prevent dogs from entering the pools.

7.9.27 People are more likely to respond to signs in combination with other communication techniques, for example a representative who can visit the site to talk to local walkers and explain the conservation objectives.

Directions to restrict or exclude access

7.9.28 The informal techniques above will sometimes be adequate to prevent significant disturbance. Directions may be used for this purpose where other solutions are

not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance to species subject to special protection.

7.9.29 Where necessary directions will normally require people to keep their dogs on leads in the affected area. We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead.

7.9.30 At key conservation sites it may also be necessary to exclude access from sensitive areas at times of year when birds congregate to feed or roost. The extent of such exclusions will typically depend on the degree to which waterside vegetation or other barriers can provide a screen between people and birds. Wherever practicable we will:

- leave areas or routes open where people can view the birds at a distance where they will not disturb them; and
- provide an alternative route if access to the trail is affected.

7.9.31 CROW does not include a general right to bathe in non-tidal waters. Directions cannot therefore be used to prevent it, but where necessary notices can be used to explain the national restriction which applies.

Disturbance to mammals

The need for intervention

7.9.32 Freshwater habitats may be used by mammal species subject to special protection, some of which have been shown to be sensitive to disturbance when they are breeding, when they have young or during hibernation periods. The need for intervention will depend on the sensitivity of the species in question and the patterns and levels of public access.

7.9.33 Intervention is most likely to be necessary for this reason in relation to otters. Otters are in general tolerant of low levels of disturbance by people on foot, in part because they are largely nocturnal, but female otters have been shown to be sensitive to regular disturbance when breeding and raising cubs (which may happen at any time of year), and may abandon their holts in response. Otters often build their holts adjacent to freshwater habitats where they hunt for food, although they may use other sites along the coast where food is available from the sea or river estuaries.

7.9.34 Otters are subject to special protection and intervention may therefore be necessary to prevent disturbance in the vicinity of their holts. The need for intervention will depend to some extent on likely levels and patterns of access in the vicinity of holts. Evidence shows that otters are particularly sensitive to disturbance by dogs.

Alignment solutions

7.9.35 Disturbance can be reduced to a significant extent by aligning the trail at a suitable distance from known holts.

Informal management techniques

7.9.36 Carefully designed screens or natural vegetation may be used to discourage people from going too close to a holt.

Directions to restrict or exclude access

7.9.37 The techniques above will sometimes be adequate to prevent significant disturbance. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance.

7.9.38 Where necessary directions will normally require people to keep their dogs on leads in the vicinity of a particular holt. We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead.

7.9.39 Otters may breed or raise cubs at any time of year, although this is more likely to occur during spring and summer. The timing of restrictions will therefore depend on what is known, if anything, about the breeding times of the local otter populations.

7.10 Dunes

Overview

7.10.1 Sand dunes may include a number of distinctive constituent parts, ranging from young (embryo) and mobile dunes at the top of a beach, through fixed dune grassland to dune heath and dune scrub. The sections of the Scheme covering these other environments may therefore also be relevant in some instances. Section 7.11 will also be relevant where there is an adjacent sandy beach.

7.10.2 Dunes are naturally dynamic, making it difficult in some circumstances to maintain permanent routes through them for the medium to long term. Moreover, attempts to retain a fixed route may interfere with dune dynamics, which may form part of the objectives for conservation and flood and coastal risk management at the site. Embryonic and mobile dunes especially rely on a continued supply of sand, either from the beach or re-worked from within the dunes.

7.10.3 Sand dunes are also home to specialised plants and animals, some of which are confined to dunes. Access through some dunes may therefore need to be carefully managed in some cases to balance public enjoyment with conservation objectives.

General approach to alignment

The trail

7.10.4 The trail may go through dunes if there is scope for a suitable route through them. Otherwise, it may follow the beach in front, if a route can be found which meets the criteria set out in section 7.11, or it may go inland, particularly if there is higher ground behind the dunes with sea views, or a route can be found which has a strong coastal feel.

7.10.5 Where the trail goes through dunes, it will normally roll back as the dunes develop and change as a result of coastal erosion and other geomorphological processes. This will happen without further reference to the Secretary of State, in accordance with the approved proposals in our coastal access report – see section 4.10.

The spreading room

7.10.6 All dunes will normally be included as spreading room whether seaward or landward of the trail (see section 4.8), unless they are excepted land or subject to long-term local exclusions.

7.10.7 Dunes are generally unlikely to be excepted land unless they form part of the playing area of a golf course (see section 8.20), or are subject to military byelaws. Older, stabilised dunes may include other types of excepted land such as buildings and gardens.

Figure 30 in chapter 9 illustrates how coastal access rights might be implemented in an area with dunes.

Potential issues and likely range of solutions

7.10.8 Where there are concerns, these are most likely to arise in relation to:

- Trampling
- Nutrient enrichment
- Disturbance to birds or amphibians
- Golf courses in dunes – see section 8.20

Trampling

The need for intervention

7.10.9 At relatively low levels, recreational use can contribute to the dynamic processes of dunes. This may be desirable for conservation reasons or as part of an overall strategy for flood and coastal risk management.

7.10.10 Above a threshold, trampling may destabilise existing dunes or prevent new dunes from forming where they would otherwise, with associated loss of plant and animal

life. This may occur on the trail itself or on secondary routes through dunes, in particular routes leading through the dunes to the beach from the trail or from an arrival point such as a car park. The need for intervention will therefore depend on:

- The overall objectives for conservation and flood and coastal risk management in each dune system;
- Our estimate of the tolerance threshold in sensitive areas, in terms of the amount of bare sand;
- An assessment of existing and predicted levels and patterns of visitor use (see section 6.2);
- Periodic monitoring of the effect of actual visitor use on sensitive areas.

Alignment solutions

7.10.11 Concerns over trampling are best avoided through sensitive alignment of the trail and in conjunction with the informal management techniques discussed below. Where appropriate we will also take account of the potential for future damage when considering the use of roll back – see section 4.10.

Informal management techniques

7.10.12 Potentially harmful effects from trampling can be managed informally in several ways, depending on the management objectives for the site and expected levels of public use. If a suitably resilient route can be found through the sensitive area we may use temporary guide fencing, natural vegetation and/or signage to direct people along it. Alternatively, we may avoid way-marking a route through sensitive areas so as to disperse use and avoid concentrations of trampling.

7.10.13 Intervention may be necessary for this purpose on the spreading room where:

- sensitive areas are crossed by secondary routes through the dunes from the trail to the foreshore; or
- secondary routes are likely to develop, for example as a result of the introduction of coastal access rights.

Directions to restrict or exclude access

7.10.14 The solutions described above will often be adequate to prevent significant damage. However, directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to provide adequate protection for designated features. Where necessary they will usually take the form of small-scale exclusions from the affected area.

Nutrient enrichment

The need for intervention

7.10.15 Nutrient enrichment caused by dog faeces can result in loss of specialist plants that are tolerant of low-nutrient conditions and may be subject to special protection. Intervention may therefore be necessary where these features occur next to car parks and other points where people arrive at the coast with their dogs.

Alignment solutions

7.10.16 Trail alignment may help to address this issue by encouraging people with dogs to walk in places where the vegetation is less vulnerable to nutrient enrichment.

Informal management techniques

7.10.17 Nutrient enrichment can be effectively managed by providing dog bins at arrival points and signs encouraging people to use them. It may also be desirable to provide an area which is not sensitive to enrichment where people can take their dog when they first arrive. Where it seems to us that the use of this technique would be an effective means to address the issue, we will discuss with the access authority and the owner or occupier of the affected land what options are available to implement it.

Directions to restrict or exclude access

7.10.18 Local authorities have powers under the Clean Neighbourhoods and Environment Act 2005 to make dog control orders requiring people to remove dog waste. We may advocate their use where there are persistent problems and where we conclude that other solutions are likely to be insufficient to provide adequate protection for designated features. We are unlikely to use directions for this purpose.

Disturbance to birds or amphibians

The need for intervention

7.10.19 Some protected species of amphibians occur in dune system pools which people may encourage dogs to go into (for example to fetch sticks or drink), or to which dogs may be attracted of their own accord.

7.10.20 Birds may nest on the ground in any of the constituent parts of a dune system. These are vulnerable to people or their dogs trampling on their nests because they are usually difficult to see. People or their dogs can also disturb nesting birds by passing very close to the nest, causing them to abandon their nests or leave them for short periods which may expose them to adverse weather conditions or allow predatory species (including dogs) to take eggs or young birds. Some ground-nesting species, including certain species which nest on beaches in front of dunes, are rare or declining and therefore subject to special protection - see section 7.11.

Alignment solutions

7.10.21 We will normally avoid aligning the trail through or adjacent to any areas which are particularly sensitive to access, for example nesting sites of protected species or pools used by protected amphibians. Disturbance is therefore more likely to be an issue on spreading room, depending on the patterns and levels of public access there – see section 6.2.

Informal management techniques

7.10.22 Signs can be used at the entry points to dunes asking people to keep their dogs out of pools used by amphibians. It may be necessary in some cases to use fencing to prevent dogs from entering the pools.

7.10.23 Signs may also be used where there are ground-nesting birds, reminding people to keep their dogs under effective control. Temporary guide fencing can also be used to help people to avoid concentrations of nesting birds, but is not by itself an effective means to prevent disturbance by dogs.

7.10.24 People who walk dogs are more likely to respond to signs in combination with other communication techniques, for example a representative who can visit the dunes to talk to local walkers and explain the conservation objectives.

Directions to restrict or exclude access

7.10.25 The solutions described above may be adequate to prevent significant disturbance. Directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance to species subject to special protection.

7.10.26 Where necessary directions will normally require people to keep their dogs on leads in the affected area. We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead.

7.11 Sandy beaches and sand spits

Overview

7.11.1 Sandy beaches and sand spits are among the most popular destinations on the coast, but do not usually provide the most convenient route along it.

7.11.2 The approaches described in other sections may also be relevant, in particular:

- section 7.10 (dunes) in relation to beaches backed by dunes;
- sections 7.12 (shingle) or 7.14 (rocky shores) in relation to beaches of mixed composition; and
- section 7.15 (salt marsh and flat) in relation to beaches fronted by extensive flats.

General approach to alignment

The trail

7.11.3 The trail will not normally be aligned on sandy beaches because they can be difficult to walk on for long distances and may be covered at high tides. For the same reasons we may elect not to align the trail to the end of a spit.

7.11.4 Occasionally however the trail will be aligned on a sandy beach where there are no other viable route options, if this offers the best 'fit' with the statutory criteria. In such instances we will seek to provide a route along the beach that is reasonably firm underfoot and available at most states of the tide. Where such a route section would not be available at all states of the tide, or would be prone to occasional flooding:

- we consult with HM Coastguard or other relevant agencies about the related safety issues;
- we may propose that an optional alternative route be available at such times, where this is practicable and sensible (see section 4.10, and figure 17 in chapter 6); and
- we will seek to ensure that appropriate notices warning of the tidal issues are erected at either end of the route affected by tides, and at any other access points to it.

The spreading room

7.11.5 Sandy beaches and spits will normally qualify as spreading room whether seaward or landward of the trail (see section 4.8), unless they are excepted land or subject to long-term local exclusions.

7.11.6 Sandy beaches and spits are unlikely to be excepted land unless subject to military byelaws. In practice it may not be possible to reach a beach on foot if the only way to reach it (other than from the sea) passes through excepted land, for example through a private garden or hotel premises.

Figures 23 and 30 in chapter 9 illustrate how coastal access rights might be implemented in areas with sandy beaches.

Potential issues and likely range of solutions

7.11.7 Where there are concerns, these are most likely to arise in relation to:

- Existing beach management
- Trampling
- Disturbance to nesting birds
- Disturbance to seals

Existing beach management

The need for intervention

7.11.8 Bathing beaches and other beaches with coastal access rights may already be subject to local byelaws, or to informal separation of different recreational activities into zones by the beach manager. These arrangements will continue to apply.

Alignment solutions

7.11.9 Our alignment of the trail or landward boundary of spreading room is unlikely to be relevant to the operation of existing beach management.

Informal management techniques

7.11.10 We will discuss with the beach manager whether any action is necessary on our part to enable existing beach management practices to continue.

Directions to restrict or exclude access

7.11.11 Restrictions may occasionally be used to replicate other existing rules (such as seasonal dog controls) that appear necessary for continuation of good beach management, whether by a public authority or by the beach owner or operator. For example, dogs may be excluded from designated bathing beaches during the warmer months, as they often are now. Where dogs are excluded from bathing beaches we will encourage:

- the local authority to provide nearby beaches where people can take their dogs and exercise them; and
- the beach manager to provide information about these alternatives and about any times of day or seasons when the exclusion is relaxed.

Trampling

The need for intervention

7.11.12 Where material is washed up and deposited on sandy beaches at the extreme high tide mark, this provides an environment in which specialised plants and invertebrates can colonise and new dunes may form. This process may be inhibited by trampling where popular routes develop, but there are informal management techniques that can be used to address the issue.

Alignment solutions

7.11.13 Most potential problems can be avoided by aligning the trail to avoid specific areas where protected features occur. The chosen route of the trail may alleviate pressures arising from existing routes that pass over these areas, by providing a more convenient way around the coast which people may prefer.

Informal management techniques

7.11.14 Where there is evidence that natural dune formation is being significantly impeded by access, signs, either alone or in combination with guide posts or guide fencing, can be used to steer people away from the affected area. We will try to encourage local authorities to leave natural debris on less intensively-managed beaches where this may enable the restoration of characteristic beach wildlife and new dune formation.

Directions to restrict or exclude access

7.11.15 Informal management is likely to be successful where the objective is to encourage new dune formation. We will not use directions for this purpose.

Disturbance to nesting birds

The need for intervention

7.11.16 Birds nest on the ground on parts of some beaches. These are vulnerable to people or their dogs trampling on their nests because they are usually difficult to see. People or their dogs can also disturb nesting birds by passing very close to the nest, causing them to abandon their nests or leave them for short periods which may expose them to adverse weather conditions or allow predatory species (including dogs) to take eggs or young birds. Some species which nest on beaches are rare or declining and therefore subject to special protection.

Alignment solutions

7.11.17 Disturbance may be significantly reduced by aligning the trail behind the beach or away from specific areas that are known to be sensitive. The trail may also alleviate pressures arising from existing routes that pass through sensitive areas, by providing a more convenient route around the coast which people may prefer. Trail alignment alone is unlikely to be sufficient to prevent disturbance to areas of beach used by species which are subject to special protection.

Use of informal management techniques

7.11.18 On sandy beaches where birds nest or roost, signs may be used at places where people arrive at the beach asking them to keep away from the birds and to prevent

their dogs from approaching them. Temporary guide fencing can also be used to help people to avoid concentrations of nesting birds.

7.11.19 People are more likely to respond to signs in combination with other communication techniques, for example a representative who can visit sensitive sites, talk to local walkers and explain the conservation objectives. Further intervention may be necessary during sensitive periods to prevent disturbance from dogs at sites with birds that are subject to special protection.

Directions to restrict or exclude access

7.11.20 The solutions above may be adequate to prevent significant disturbance at some beaches. However, directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance to birds subject to special protection.

7.11.21 At nesting sites directions will normally take the form of a direction requiring people to keep their dogs on leads. Additional measures are unlikely to be necessary provided that sensitive areas are clearly marked using signs or guide fencing and there is room on the beach for people to get past the nesting area. We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead.

Disturbance to seals

The need for intervention

7.11.22 Some seals use isolated beaches at certain times of year to have their pups on. Seals are easily disturbed during this period if people approach them too closely or make a lot of noise or movement and may abandon their favoured breeding sites. This can result in a reduced chance of successfully rearing their young. The criteria and solutions outlined below are also likely to be relevant on other types or beach or foreshore, where similar issues may occur.

7.11.23 Seals are subject to special protection and some kind of intervention will therefore be necessary at any sites where there is likely to be disturbance as a result of people's exercise of coastal access rights. The distances at which disturbance is likely to occur may vary from site to site according to factors such as the patterns and levels of access and any shelter or protection afforded them.

Alignment solutions

7.11.24 The risk of disturbance can be reduced to some extent by aligning the trail away from areas of beach or foreshore known to be used by seals. However, this is unlikely to be sufficient to prevent disturbance from people wishing to visit the site, who may be naturally curious to view seals at close quarters.

Informal management techniques

7.11.25 Disturbance to seals can be significantly reduced if people view them at a distance and keep their dogs under effective control. Signs can be used to explain the issue and ask people for cooperation at sensitive times. Guide fencing can be used to show people where to view the seals at a distance without disturbing them, but may not by itself be an effective means to prevent disturbance by dogs.

7.11.26 People are more likely to respond to signs in combination with other communication techniques, for example a representative who can visit the site, talk to the public about the seals and explain the sensitivities.

Directions to restrict or exclude access

7.11.27 The solutions described above may be adequate to prevent significant disturbance. However, directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient.

7.11.28 Where necessary directions will normally exclude people from the affected area

during the period when seals visit it to have their pups. It may also be necessary to require dogs to be kept on leads on adjacent areas of the coastal margin. We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead.

7.11.29 The extent of the arrangements will be determined by the distance at which disturbance is likely to take place. Wherever practicable we will provide areas where people can view the seals from a distance where they will not disturb them.

7.12 Shingle

Overview

7.12.1 Beaches, bars and spits consisting of shingle are often popular for swimming and other beach activities, but do not usually provide the most convenient route along the coast.

7.12.2 Shingle forms when sediment is deposited into ridges during storms and then sorted by subsequent wave action. The sorting process creates conditions in which specialised communities of plants and animals can colonise, some of which are confined to shingle. Where a series of beach ridges form larger shingle structures out of reach of waves, further communities can survive and develop. Large shingle structures may be very old and can demonstrate how the coast has evolved over thousands of years. There is considerable scope to develop public understanding and appreciation of the history and ecology of shingle habitats, which are nationally rare.

7.12.3 There has been widespread decline in the conservation status of shingle, in particular through compaction by vehicle traffic. Consequently shingle areas which retain a high conservation status are considered vulnerable, as are the specialised plant and animal communities which they sustain.

General approach to alignment

The trail

7.12.4 Shingle is difficult to walk on for any distance and may be partly covered by tides or subject to breach or flooding during storm conditions. We therefore normally avoid aligning the trail along it. We would only propose a route along shingle for a short distance, and only then where there are no other viable route options or if this offers the best 'fit' with the statutory criteria. Where such a route section would not be available at all states of the tide, or would be prone to occasional flooding:

- we consult with HM Coastguard or other relevant agencies about the related safety issues;
- we may propose that an optional alternative route be available at such times, where this is practicable and sensible (see section 4.10, and figure 17 in chapter 6); and
- we will seek to ensure that appropriate notices warning of the tidal issues are erected at either end of the route affected by tides, and at any other access points to it.

7.12.5 We will take into account the conservation objectives at the site when considering an alignment along a shingle beach.

The spreading room

7.12.6 All shingle beaches will normally qualify automatically as spreading room unless they are excepted land or subject to long-term local exclusions.

7.12.7 Shingle is unlikely to be excepted land unless subject to military byelaws. In practice it may not be possible to reach shingle beaches on foot if the only way to them (other than from the sea) passes through excepted land, for example through a private garden or hotel premises.

Figures 27 and 29 in chapter 9 illustrate how coastal access rights might be implemented in areas with shingle beaches.

Potential issues and likely range of solutions

7.12.8 Where there are concerns, these are most likely to arise in relation to:

- Trampling
- Disturbance to birds
- Disturbance to seals – see section 7.11

Trampling

The need for intervention

7.12.9 Some shingle areas are subject to special protection for their geomorphology or specialised plant communities, both of which are vulnerable to trampling. Trampling can damage established plants or counteract the natural sorting of shingle by wave action which in turn creates the special conditions in which seeds can germinate.

Alignment solutions

7.12.10 Since the trail will not generally cross shingle areas, damage is only likely to occur where people use secondary routes to walk from the trail to the foreshore and along it. The trail may alleviate pressure that is occurring elsewhere by concentrating most use on a route that is more resilient.

Informal management techniques

7.12.11 The harmful effects of trampling can be successfully contained by providing convenient, well-marked routes between the trail and the foreshore. Boardwalks are sometimes used at popular sites to discourage people from spreading out across sensitive areas. Alternatively, routes may be less conspicuously marked with temporary guide fencing and guide posts which can be moved about where necessary in accordance with conservation objectives.

7.12.12 Places where secondary routes meet the foreshore may be chosen with conservation objectives in mind, for example by leading people away from recovering vegetation. Temporary guide fencing may also be used to allow vegetation to establish or recover, where it is difficult to separate people from sensitive areas by providing routes.

7.12.13 Such techniques are likely to be more successful in combination with information about shingle ecology and conservation objectives. It may be beneficial for a representative to visit key sites to talk to local walkers and explain the conservation objectives in person.

Directions to restrict or exclude access

7.12.14 The solutions described above will often be adequate to prevent significant damage. However, directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to provide adequate protection for designated features.

7.12.15 Where necessary these are likely to take the form of small-scale exclusions from the affected area. Wherever practicable we will provide room for people to get past the affected area, for example to enable them to walk along the foreshore.

Disturbance to birds

The need for intervention

7.12.16 Birds nest on the ground on parts of some shingle beaches. These are vulnerable to people or their dogs trampling on their nests because they are usually difficult to see. People or their dogs can also disturb nesting birds by passing very close to the nest, causing them to abandon their nests or leave them for short periods which may expose them to adverse weather conditions or allow predatory species (including dogs) to take eggs or young birds. Some species which nest on shingle are rare or declining and therefore subject to special protection.

7.12.17 Significant populations of birds may gather on shingle at other times of year to roost.

These are also vulnerable to disturbance, particularly at high tides when the shingle provides a refuge, and may be subject to special protection. Again, birds are most vulnerable to disturbance by dogs, if people let them run about for exercise.

Alignment solutions

7.12.18 Since the trail will not generally cross shingle areas, disturbance is only likely to occur where people use it as spreading room, for example where secondary routes develop from the trail to the foreshore and along it. The trail may alleviate pressure that is occurring elsewhere by concentrating most use on a route that is more resilient, but trail alignment alone is unlikely to be sufficient to prevent disturbance to areas of beach used by species which are subject to special protection.

Informal management techniques

7.12.19 On shingle where birds nest or roost, signs may be used at places where people arrive at the beach asking them to keep away from the birds and to keep dogs under effective control. Temporary guide fencing can be used to help people to avoid concentrations of nesting birds, but is not by itself an effective means to prevent disturbance by dogs.

7.12.20 People are more likely to respond to signs in combination with other communication techniques, for example a representative who can visit sensitive sites, talk to local walkers and explain the conservation objectives.

Directions to restrict or exclude access

7.12.21 The solutions above may be adequate to prevent significant disturbance at some sites. However, directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance to birds subject to special protection.

7.12.22 Where necessary directions will normally require people to keep their dogs on leads. Additional measures are unlikely to be necessary provided that sensitive areas are clearly marked using signs or guide fencing and there is room on the beach for people to get past the affected area. We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead.

7.13 Saline lagoons

Overview

7.13.1 Saline lagoons are bodies of salty (saline) water wholly or partially separated from the sea. The separating barrier may be man-made, such as an embankment with a sluice or culvert allowing seawater to pass to a pool located behind the bank, or natural, such as a sand or shingle bar that may be over-topped at high or storm tides allowing seawater to penetrate the lagoon. Percolation and seawater seepage also allow sea water into coastal lagoons located behind barrier beaches.

7.13.2 Many saline lagoons provide habitat for specialised plants and/or animals which are rare or scarce and afforded a very high degree of protection. We will need to manage coastal access rights carefully in such instances to ensure that there is no adverse effect on conservation objectives.

General approach to alignment

The trail

7.13.3 The trail will often be on the landward side of lagoons because it will be less prone to flooding.

7.13.4 The trail may pass on the seaward side if the available surface is convenient for walking and such an alignment will not have a significant impact upon designated features. We may also propose an optional alternative route on the landward side of the lagoon in these circumstances if the ordinary route is subject to flooding.

The spreading room

7.13.5 We are unlikely to use our discretion to include saline lagoons as spreading room on the landward side of the trail in view of their vulnerable conservation status. We are likely to exclude access to them on nature conservation grounds in most instances where they occur seaward of the trail and would therefore otherwise qualify as spreading room.

7.13.6 Lagoons are unlikely to be excepted land unless subject to military byelaws.

Potential issues and likely range of solutions

7.13.7 Where there are concerns, these are most likely to arise in relation to:

- Damage to plants and animals
- Disturbance to birds

Damage to plants and animals

The need for intervention

7.13.8 Saline lagoons are not attractive places for people to swim in, but dogs can be attracted to them to swim or to fetch sticks. This is likely to result in damage to sensitive plants and animals that inhabit saline lagoons as a result of trampling or increased water turbidity, which can in turn lead to losses by smothering of plants and animals or reducing light availability which plants need.

7.13.9 Intervention is likely to be necessary in most cases to prevent such effects, due to the scarcity of the habitat and the extreme vulnerability of the species concerned.

Alignment solutions

7.13.10 Damage may be significantly reduced by aligning the trail at a distance from saline lagoons. The trail may also alleviate pressure that is occurring closer to the lagoon by concentrating most use on a route that is more resilient. However, trail alignment is unlikely to be sufficient to address conservation objectives where by default there would be spreading room access to the lagoon.

Informal management techniques

7.13.11 Carefully designed guide fencing or natural vegetation may help to prevent damage if it provides an effective barrier between the trail and the shore of the lagoon. It may be desirable to encourage suitable vegetation to grow in places for this purpose provided it will not adversely affect the ecology of the lagoon.

7.13.12 Explanatory signs may be used to discourage people from wading into the lagoon or allowing their dogs to go in. People are more likely to respond to signs in combination with other communication techniques, for example a representative who can visit sensitive sites, talk to local walkers and explain the conservation objectives.

Directions to restrict or exclude access

7.13.13 The informal techniques described above may in some cases be adequate to prevent significant disturbance. In others, directions are likely to be necessary to ensure no adverse effect on protected features.

7.13.14 CROW does not provide a right to bathe in non-tidal waters such as lagoons and directions are therefore unnecessary to prevent it. However, directions may be necessary to prevent people from wading into a lagoon, for example to cross it at a shallow point. Where necessary they will therefore exclude access to the lagoon. People may also be required to keep their dogs on leads on adjacent land to prevent them straying into the lagoon.

Disturbance to birds

The need for intervention

7.13.15 Lagoons provide important resting and roosting sites for birds in autumn, winter and spring, especially in stormy weather, and may be subject to special protection for this reason.

7.13.16 Birds may be particularly vulnerable to disturbance by people walking along the water's edge and by dogs swimming in the water, though they may become

used to people walking past on a predictable route provided dogs are kept under effective control. The degree of habituation varies according to a combination of factors in play at each site. These are likely to include:

- the patterns of access around the lagoon and the distance between the people and birds;
- the availability of natural vegetation or other barriers acting as a screen between people and birds; and
- the species present and the size of flocks (larger flocks are more likely to fly off when people are present).

Alignment solutions

7.13.17 Disturbance can be significantly reduced if the trail is set back at a suitable distance from the lagoon where people can observe the birds without disturbing them, or on the far side of an embankment or natural vegetation that screens people from birds. This may also alleviate pressure that is occurring closer to the lagoon by concentrating most use on a route that is more resilient. However, trail alignment is unlikely to be sufficient to address conservation objectives where there would be spreading room around the lagoon.

Informal management techniques

7.13.18 Carefully designed guide fencing or natural vegetation can be used to discourage people from approaching the lagoon where there are sensitivities and may help to prevent damage if it provides an effective barrier between the trail and the shore of the lagoon. It may be desirable to encourage suitable vegetation to grow in places for this purpose provided it will not adversely affect the ecology of the lagoon.

7.13.19 Signs may be used to explain the sensitivities and to ask people to prevent their dogs from approaching the lagoon. People are more likely to respond to signs in combination with other communication techniques, for example a representative who can visit sensitive sites, talk to local walkers and explain the conservation objectives.

Directions to restrict or exclude access

7.13.20 The informal techniques above may be adequate to prevent significant disturbance. However, directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance to birds subject to special protection.

7.13.21 Where necessary directions will normally require people to keep their dogs on leads while passing the lagoon. We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead.

7.13.22 It may also be necessary to exclude access from the lagoon and its shoreline at times of year when birds congregate to feed or roost. The extent of such exclusions will typically depend on the degree to which vegetation or other barriers can provide a screen between people and birds. Wherever practicable we will:

- leave areas or routes open where people can view the birds at a distance where they will not disturb them; and
- provide an alternative route if access to the trail is affected.

7.14 Rocky shores

Overview

7.14.1 Rocky shores are popular places for swimming and other general beach activities, as well as rock-pooling, exploring and climbing on adjacent cliffs. Rock-pooling in particular offers considerable scope to introduce people to natural history studies. Some rocky shores provide a way through to otherwise inaccessible destinations such as sandy beaches.

7.14.2 Section 7.1 may also be relevant to our considerations where there are adjacent cliffs.

General approach to alignment

The trail

7.14.3 Rocky shores are difficult to walk on for long distances, are often slippery and uneven, and are usually covered at least in part at high tide. We therefore normally avoid aligning the trail along them. We would only propose a route along a rocky shore for a short distance, and only then where there are no other viable route options or if this offers the best 'fit' with the statutory criteria. Where such a route section would not be available at all states of the tide, or would be prone to occasional flooding:

- we consult with HM Coastguard or other relevant agencies about the related safety issues;
- we may propose that an optional alternative route be available at such times, where this is practicable and sensible (see section 4.10, and figure 17 in chapter 6); and
- we will seek to ensure that appropriate notices warning of the tidal issues are erected at either end of the route affected by tides, and at any other access points to it.

The spreading room

7.14.4 Rocky shores seaward of the trail will automatically qualify as spreading room unless they are excepted land or subject to long-term exclusions. There are unlikely to be any significant areas of rocky shore landward of the trail but we may use our discretion to include as spreading room any that do occur in accordance with the principles described in section 4.8.

7.14.5 Rocky shores are unlikely to be excepted land unless subject to military byelaws. In practice it may not be possible to reach them on foot if the only way to them (other than from the sea) passes through excepted land, for example through a private garden or hotel premises.

Figures 25, 26 and 30 in chapter 9 illustrate how coastal access rights might be implemented on areas with rocky shores.

Potential issues and likely range of solutions

7.14.6 Where there are concerns, these are most likely to arise in relation to:

- Public safety
- Rock pooling, fossil hunting, bait collection, coasteering etc
- Disturbance to birds
- Disturbance to seals – see section 7.11

Public Safety

The need for intervention

7.14.7 Concerns may arise in areas where there is a danger of rock-falls from adjacent cliffs or where people could get cut off by the tide. People are generally well aware of these dangers.

Alignment solutions

7.14.8 Alignment solutions are unlikely to be an effective means to address these issues except in the unusual circumstance that the trail passes along an affected shoreline.

Informal management techniques

7.14.9 Where we receive information about particular local dangers, we will discuss the best course of action with organisations responsible for general safety at the coast. Signs may be used to point out any dangers that are not obvious.

Directions to restrict or exclude access

7.14.10 Directions may not be used to prevent danger to the public from natural features and hazards of this type – see section 6.6.

Rock pooling, fossil hunting, bait collection, coasteering etc

The need for intervention

7.14.11 In places where school groups visit regularly for rock pooling this can result in loss

of sensitive algae on which other creatures feed, or cause repeated exposure or abrasion to animals found under rocks and stones.

7.14.12 Intensive fossil collection can cause significant damage to sites of geological or geomorphological interest and may increase the risks to the public from falling cliff material.

7.14.13 CROW does not provide any rights to collect worms for bait or winkles, limpets, shore crabs etc for food, but over-harvesting is already occurring in some places and may occur in others where access is newly introduced. This can result in long-term localised declines in these species.

Informal management techniques

7.14.14 There are established codes of conduct which are often an effective means to enable the public to enjoy these activities without causing significant damage. These will form a basis for any additional guidance that we provide at specific locations.

Directions to restrict or exclude access

7.14.15 Directions are unlikely to be necessary in relation to rock-pooling or fossil hunting. There are restrictions on fossil-hunting at some coastal locations under other legislation which will continue to apply.

7.14.16 There is no right under CROW to collect bait or other species, so directions may not be given to prevent this. At some sites there may be local controls on such activities under other legislation; these will continue to apply.

Disturbance to birds

The need for intervention

7.14.17 Birds nest above rocky shores that are difficult for people to reach on foot and this in itself limits any potential for disturbance. Disturbance may occur where people use the shore to access cliffs that are popular for climbing. Section 7.1 considers this issue in more detail.

7.14.18 Birds also use rocky shorelines for feeding and roosting and are subject to special protection in some places. Again, the potential for disturbance is limited where the shoreline is difficult to reach on foot. Significant disturbance can occur in some places where people let their dogs run about for exercise.

Alignment solutions

7.14.19 The trail may in some cases alleviate existing disturbance by providing a safer and more convenient route around the coast which people will generally prefer.

Informal management techniques

7.14.20 Where disturbance to protected species is likely, signs can be used to explain the issue and ask for cooperation at sensitive times, for example by keeping dogs off the area in question. People are more likely to respond to signs in combination with other communication techniques, for example a representative who can visit sensitive sites, talk to local walkers and explain the conservation objectives.

Directions to restrict or exclude access

7.14.21 The solutions described above will often be adequate to prevent significant disturbance to feeding or roosting birds. However, directions may be used for this purpose where other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance to birds subject to special protection.

7.14.22 Where necessary directions will normally require people to keep their dogs on leads during sensitive periods.

7.14.23 We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can exercise their dogs off the lead. Wherever practicable we will leave additional areas or routes across spreading room where people can view the birds at a distance where they will not disturb them.

7.15 Salt marsh and flats

Overview

7.15.1 Salt marsh and flats are distinctive coastal environments. Many extensive intertidal areas of this type are unsuitable for informal open-air recreation, but people enjoy views over them from adjacent land. Many people are attracted in particular by the opportunities to watch wintering and migrant birds.

General approach to alignment

The trail

7.15.2 The trail will not normally be aligned on flats and salt marsh. There are usually safer, more convenient alternatives to landward. On estuaries and defended coasts, this will normally be an embankment.

7.15.3 Occasionally the trail may cross an area of salt marsh or flat, for example:

- for short sections on undefended coasts where there is no embankment to follow, so that the route is reasonably direct;
- to cross a small estuary at a convenient fording place; or
- to reach an island connected to the mainland by a tidal causeway.

7.15.4 In the first two circumstances, we may provide an optional alternative route which people can use when the ordinary route is flooded, provided this can be done at reasonable cost and is in keeping with other objectives over the affected land.

The spreading room

7.15.5 Areas of salt marsh and flat are unlikely to be excepted land unless subject to military byelaws. They therefore qualify by default as spreading room under most circumstances, because they will lie seaward of the trail. We have a power under section 25A of CROW[55] to exclude the coastal access rights from applying to them on the grounds that they are unsuitable for public access. We will often use this power, but with due regard to the nature of the land.

7.15.6 Extensive areas of salt marsh are usually characterised by networks of channels and creeks that make them difficult to walk on, and that often present unseen dangers in terms of factors such as sudden inundation by the tide. These will typically be considered unsuitable for public access. Small areas of salt marsh that occur in association with other land types such as beaches are less likely to be judged unsuitable in these terms.

7.15.7 Whether flats are considered unsuitable for public access will depend on local factors, for example:

- Flats with deep channels or very soft mud can be difficult to walk on and often present significant unseen dangers in terms of factors such as sudden inundation by the tide, sinking mud, and regular and unpredictable changes in the patterns of such features: they will typically be considered unsuitable for this reason.
- Sandy flats are less likely to be considered unsuitable for public access than muddy ones, because they normally provide a firmer surface that is more suitable for walking and beach activities.

7.15.8 We will ask local interests to help us to identify any areas of salt marsh or flat that are suitable or unsuitable for public access in these terms, or that are already in use in this way.

7.15.9 Where we do not exercise the section 25A exclusion power, we may still exclude access to such areas by direction if we conclude this is necessary on any of the other grounds explained in section 6.6, such as nature conservation or danger to the public from things done on the land.

7.15.10 Exclusions under section 25A of CROW may have the effect of excluding access rights

[55] Section 25A of CROW is inserted by the Order.

from some areas of registered common land that were previously subject to access rights provided under Part 1 of CROW. It was not previously possible to exclude access to such areas on the grounds that they are unsuitable for public access.

Figure 28 in chapter 9 illustrates how coastal access rights might be implemented in an area with flats and salt marsh.

Potential issues and likely range of solutions

7.15.11 Where there are concerns, these are most likely to arise in relation to:

- Public safety
- Trampling
- Collecting animals for bait or food
- Disturbance to birds
- Disturbance to seals – see section 7.11
- Wildfowling - see section 8.11
- Grazing animals – see sections 8.1 to 8.5.

Public safety

The need for intervention

7.15.12 As explained above, areas of salt marsh and flat often pose dangers that are neither well-understood nor readily apparent to many visitors to the area. We will typically use our separate power to exclude access from such areas on the grounds that they are unsuitable for public access. This will significantly reduce the need for further intervention. It may also be desirable to warn people about the hazards if they can reach the land easily from adjacent land where the coastal access rights apply.

Alignment solutions

7.15.13 We will not align the trail across salt marsh or flat unless we consider it reasonably safe to do so. For example, it should be possible on tidal causeways to gauge the state of the tide before crossing.

Informal management techniques

7.15.14 There are warning systems in place in some areas where there is already access to salt marsh and flats. Even where we exclude access to such areas, we will consider whether it is desirable at particular places to warn the public of the dangers of going on to them. Signs may be needed at fords and causeways (see section 7.15.4) advising people to check the tide before crossing, and to use any optional alternative route if necessary.

7.15.15 We will decide the design and location of any signs in consultation with organisations responsible for safety at the coast.

7.15.16 We may use guide posts to mark the trail where it crosses a causeway or ford. For safety reasons (and, in places, to reduce disturbance – see below), these may indicate the width of the trail as well as its location.

Directions to restrict or exclude access

7.15.17 It will often be necessary to exclude access to salt marsh and flats on the grounds that they are unsuitable for public access as described in sections 7.15.5 to 7.15.10. This includes assessment of public safety considerations.

7.15.18 The powers under section 25(1)(b) of CROW to exclude access to prevent danger to the public may not be used in relation to natural hazards such as those described above. Any directions that are necessary for this purpose will be made under section 25A of CROW, having regard to the criteria in sections 7.15.5 to 7.15.10.

Trampling

The need for intervention

7.15.19 Various types of vegetation and animal communities which occur on salt marsh or flat are sensitive to trampling and may be subject to special protection. As we will

typically use the power to exclude access to salt marsh and flats on the grounds that it is unsuitable for public access, the need for further intervention will be significantly reduced.

Alignment solutions

7.15.20 Most potential problems can be avoided by aligning the trail on adjacent land such as an embankment, or by avoiding specific areas that are known to be sensitive. The trail may also alleviate pressure over these areas by concentrating most use on a nearby route that is more resilient.

Informal management techniques

7.15.21 There are established techniques which may be used to prevent any potential harmful effects from trampling in places where coastal access rights extend to salt marsh or flats:

- Short sections of boardwalk may be used to prevent localised damage where paths cross small areas of upper salt marsh that are sensitive to trampling, although we will be mindful of any potential effects on the landscape and on grazing livestock before adopting this approach.
- Explanatory signs can be used, either alone or in combination with guide posts, to encourage people to walk on areas that are more resilient or to allow any damaged area to recover.

Directions to restrict or exclude access

7.15.22 The solutions described above will often be sufficient to prevent significant damage. Directions will only be necessary where:

- we decide not to deploy our separate power to exclude access to salt marsh or flat on the grounds that it is unsuitable for public access; and
- other solutions are not available or we conclude at any stage that they are likely to be insufficient to provide adequate protection for designated features.

7.15.23 Any directions that are necessary for this purpose are likely to take the form of small-scale exclusions from the affected area.

Collecting bait or food

7.15.24 CROW does not provide any rights to collect worms for bait or winkles, limpets, shore crabs etc for food. Over-harvesting is already occurring in some places, and may occur in others where access is newly introduced. This can result in long-term localised declines in these species.

Informal management techniques

7.15.25 There are established codes of conduct which are often an effective means to enable the public to enjoy these activities without causing significant damage. These will form a basis for any additional guidance that we provide at specific locations.

Directions to restrict or exclude access

7.15.26 There is no right under CROW to collect bait or other species, so directions may not be given to prevent this. At some sites there may be local controls on such activities under other legislation; these will continue to apply.

Disturbance to birds

The need for intervention

7.15.27 Birds nest on the ground on parts of the upper salt marsh closer to where people are likely to be walking past. These are vulnerable to people or their dogs trampling on their nests because they are usually difficult to see. People or their dogs can also disturb nesting birds by passing very close to the nest, causing them to abandon their nests or leave them for short periods which may expose them to adverse weather conditions or allow predatory species (including dogs) to take eggs or young birds. Some species which nest on salt marsh are subject to special protection.

7.15.28 Birds which feed or roost on salt marsh and flats are also vulnerable to disturbance and

may be subject to special protection. Disturbance can be critical during severe weather and late winter when food is in short supply and birds must develop fat reserves for the spring migration to breeding grounds. Invertebrates and molluscs are less abundant in sand than in mud, so correspondingly fewer birds are attracted to feed on sandy flats than on muddy flats. However, where sandy flats do support significant populations of feeding and roosting birds, they may also be vulnerable to disturbance.

7.15.29 Disturbance in either case is significantly more likely if people let their dogs run about on areas of salt marsh or flats for exercise.

7.15.30 Where we use the power to exclude access to salt marsh or flat on the grounds that it is unsuitable for public access, the need for further intervention will be significantly reduced. However, disturbance may also occur in some situations where people walk past such areas on adjacent land. Birds may become used to people walking along a predictable route, provided they keep their dogs under effective control. The degree of habituation varies according to a combination of factors in play at each site. Relevant factors include:

- the amount of suitable habitat that is available and its distance from the trail or spreading room;
- the species present and the size of flocks (larger flocks are more likely to fly off when people are present);
- the distance between people and birds; and
- any natural vegetation or other barriers acting as a screen between people and birds.

Alignment solutions

7.15.31 Where there are extensive areas of salt marsh or flat, disturbance can be minimised by aligning the trail on an adjacent embankment or other dry ground. This allows birds to frequent more distant areas where they can feed and roost undisturbed.

7.15.32 Occasionally it may be necessary to align the trail on the landward side of an embankment for short distances or, on undefended coasts, at a distance from the shoreline. This is most likely to be necessary:

- adjacent to confined areas of salt marsh or flat which are favoured by feeding and roosting birds; or
- where birds nest on the upper salt marsh adjacent to the embankment.

7.15.33 The trail may in some cases alleviate existing disturbance by providing a safer and more convenient route around the coast which people will generally prefer. In places where the trail crosses a tidal ford or causeway, people will be deterred from crossing at high tide when roosting birds are more vulnerable to disturbance.

Informal management techniques

7.15.34 Disturbance in sensitive areas can be minimised provided that people keep on the trail and keep their dogs under effective control. Signs may be used where people arrive at the coast to explain the sensitivities and remind them of these requirements. Signs may also be used, either alone or in combination with guide posts, to encourage people to follow particular routes across flats or salt marsh that avoid sensitive areas. People are more likely to respond to signs in combination with other communication techniques, for example a representative who can visit sensitive sites, talk to local walkers and explain the conservation objectives.

Directions to restrict or exclude access

7.15.35 Where access is not excluded on a salt marsh or flat using our power under section 25A of CROW on the grounds that it is unsuitable for public access, directions may be necessary during sensitive periods to prevent disturbance to populations of birds that are subject to special protection.

7.15.36 The nature of any directions that are necessary on these grounds will depend on the likely levels and patterns of access in the areas affected:

- Where the trail is closely adjacent to the affected area, or where people use tidal causeways to reach accessible islands, we will typically require them to keep dogs on a lead during sensitive periods.
- Where people are likely to walk over the areas used by the birds it may be necessary to exclude access rights.

7.15.37 We may also use a direction where the trail passes over adjacent land close to where birds nest or congregate to feed or roost. We will only do so if other solutions are not available or we conclude at any stage that they are likely to be insufficient to prevent disturbance at designated sites. Where necessary directions for this purpose will normally require people to keep dogs on leads during sensitive periods.

7.15.38 We will always endeavour on restriction notices to explain the reasons for the direction and to provide information about other nearby places on the coast where people can visit and exercise their dogs off the lead.

7.16 Islands

Overview

7.16.1 Under the 2009 Act, islands are excluded from the scope of the coastal access arrangements unless it is possible to walk to them from the mainland or from another accessible island[56].

7.16.2 The Secretary of State may include other islands by order, if satisfied that their coasts are long enough to provide a long-distance walk.

General approach to alignment

The trail

7.16.3 The trail will normally follow a bridge with pedestrian access or a tidal causeway to enable people to walk to an island. However, where the island cannot be reached on foot but is made accessible by order (see above), the trail may incorporate a convenient ferry crossing.

7.16.4 The trail need not include the coast of a very small island, but the island will normally become spreading room provided it is possible to walk to it on a bridge or tidal causeway.

7.16.5 The trail will broadly follow the periphery of any island which it includes, following the same principles as for the mainland coast. People will normally be able to choose when they arrive at the bridge or causeway whether to use the trail to reach the island or to continue along the mainland coast.

The spreading room

7.16.6 Islands are subject to the same general principles regarding spreading room and the status of excepted land as elsewhere on the coast.

7.16.7 Where the trail does not include the coast of an accessible island – for example a very small island that it is possible to walk to at low tide – the whole island will qualify automatically as spreading room as a consequence of its position seaward of the trail, unless it is excepted land or subject to access exclusions.

Potential issues and likely range of solutions

7.16.8 Any concerns that arise are likely to relate to a land cover, landform or land use dealt with elsewhere in part C of the scheme. Concerns relating to access along tidal causeways are considered in section 7.15.

[56] See section 300 of the 2009 Act.