

Part A

Introduction

Chapter 1. The Scheme

1.1 Purpose

- 1.1.1 Part 9 of the Marine and Coastal Access Act 2009 (“the 2009 Act”)¹ aims to improve public access to, and enjoyment of, the English coastline by creating clear and consistent public rights along the English coast for most types of open-air recreation on foot. It allows existing coastal access to be secured and improved and new access to be created in coastal places where it did not already exist.
- 1.1.2 Section 296 of the 2009 Act places a duty on Natural England to use its powers to secure twin objectives for coastal access, one relating to a long-distance walking route (or routes) around the English coast (“the English coastal route”), the other to an accessible margin of land in association with the route where people will be able to spread out and explore, rest or picnic in appropriate places as well as walking along the coast (“the coastal margin”).
- 1.1.3 Section 298 of the 2009 Act requires Natural England to prepare a Scheme setting out the approach we will take to discharging the coastal access duty. The Scheme therefore describes our approach in relation to this duty. It does not explain our approach to related objectives, such as wider public access benefits for horse riders or cyclists, or improvements to the coastal environment.
- 1.1.4 This version of the Scheme was approved by the Secretary of State on 23 March 2010 and is the basis on which Natural England will prepare recommendations, in the form of reports to the Secretary of State, in relation to both objectives included in the coastal access duty.
- 1.1.5 Our reports may include recommendations on both the extent and the management of coastal access. The Scheme therefore explains how we decide where it is necessary to restrict or exclude coastal access rights locally, using the powers available to us under chapter 2 of the Countryside and Rights of Way Act 2000 (“CROW”), including consideration of other management options that may be appropriate in particular circumstances.
- 1.1.6 Our statutory guidance to the CROW relevant authorities² on their functions in relation to local restrictions and exclusions³ (the “relevant authority guidance”) provides similar guidance to the relevant authorities in relation to their decisions about the need for local restrictions and exclusions on other land with access rights provided under Part 1 of CROW. To avoid unnecessary repetition, the Scheme occasionally refers to particular parts of the relevant authority guidance which explain procedural aspects of the two regimes, where they are identical.

1.2 Review and revision

- 1.2.1 We may review the Scheme at any time. However, section 299(2) of the 2009 Act requires us to complete an initial review of the Scheme within three years of 23 March 2010, which is the date on which the Scheme was approved. We must also publish a report of the initial review (and of any subsequent review that we undertake) as soon as practicable after completion. As part of any formal review of the Scheme, we will invite organisations who have been involved in the implementation of our coastal access duty (and others, if we consider it appropriate at the time) to give us their views on it.

¹The legislation referred to in the Scheme is published at <http://www.statutelaw.gov.uk/Home.aspx>

²See entry for ‘relevant authority’ in part B of the glossary.

³See entry for ‘local exclusion’ in part B of the glossary.

- 1.2.2 We may conclude that it is necessary to revise the Scheme either as a result of a review or from direct experience of implementing the coastal access provisions. Any revision to the Scheme must be approved by the Secretary of State.
- 1.2.3 Before proposing a revision we must consult such persons as we consider appropriate, in accordance with section 298(7) of the 2009 Act. We would make a decision as to whom we would consider it appropriate to consult at the time, but in practice we would expect this to include, but not necessarily limited to, organisations who have been involved in the implementation of our coastal access duty.
- 1.2.4 Once the Secretary of State approves a revision to the Scheme, Natural England must act in accordance with the revised version.



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