

ACCESS NEWSLETTER

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Access to the English coast and the draft Marine Bill

On 3 April 2008 the Government published the draft Marine Bill. The draft Bill helps fulfil the Government's 2005 election manifesto commitment to "introduce a new framework for the seas based on marine spatial planning, that balances conservation, energy and resource needs. To obtain best value from different uses of our valuable marine resources, we must maintain and protect the ecosystems on which they depend."

Part 9 of the draft Bill contains provisions for improving access to the English coast. It will place a duty on the Secretary of State and Natural England to secure a long distance route ("the English coastal route") and land available for open-air recreation ("spreading room") accessible to the public around the coast of England. The draft Bill amends existing legislation – namely the National Parks and Access to the Countryside Act 1949 and the Countryside and Rights of Way Act 2000 - to provide a coastal margin, within which people will be able to walk along a long distance route for the length of the English coast (with certain exceptions, including, for example, developed land, some Ministry of Defence land, land used as a park or garden, railways and quarries). In addition people will have access to coastal land such as beaches, cliffs, rocks and dunes, for the purposes of open-air recreation on foot.

The draft Bill has been published on the Defra website. A link to it can be found at the following address together with Explanatory Notes, a Policy Document and an Impact Assessment:
www.defra.gov.uk/corporate/consult/marinebill

The Government has also published a document that sets out the measures it intends will be contained in an order under the Countryside and Rights of Way Act 2000, as provided for in the draft Marine Bill. Following Royal Assent of the Bill, we will carry out a consultation process on the details of such an order which must be approved by each House of Parliament. You can view this document on <http://www.defra.gov.uk/marine/legislation>

The publication of the Bill in draft allows for pre-legislative Parliamentary scrutiny and public consultation before being introduced to Parliament. Comments may be made on the draft Marine Bill during the pre-legislative scrutiny period. Comments should be submitted in writing by **26 June 2008** to:

Marine Bill Team
Department for Environment, Food and Rural Affairs
Area 2C Nobel House
17 Smith Square
London SW1P 3JR

Alternatively comments may be sent electronically to: MarineBillTeam@defra.gsi.gov.uk

Natural England outline scheme

To accompany the draft Marine Bill, Natural England has published an outline of the scheme that it will use to decide where the new coastal access rights will apply at the local level. This document, which must be approved by the Secretary of State, sets out the practical considerations which will be taken into account in respect of particular land types and land uses.

Natural England intends to publish a first full draft of the scheme at the time that the Marine Bill is introduced into Parliament. Once the Bill receives Royal Assent, Natural England will finalise the document in consultation with key interests before submitting it to the Secretary of State. The outline scheme can be viewed on Natural England's website at the following address:

<http://www.naturalengland.org.uk/leisure/access/coastal/default.htm>

More information

The draft bill will be scrutinised by Parliamentary Committee during pre-legislative scrutiny. Details of the Committee will be available in due course on the Parliamentary website:

<http://www.parliament.uk/bills/draftbills.cfm>

Following pre-legislative scrutiny the Government will consider the need for further adjustment of its proposals. This will include responding to any recommendations that may come from the pre-legislative scrutiny of the draft Bill.

For more information on the coastal access proposals and Frequently Asked Questions see the following link to the Coastal Access page of the Defra website:

<http://www.defra.gov.uk/wildlife-countryside/issues/accesscoast.htm>

For further enquiries please telephone 0117 372 8449 or email our shared e-mail account:

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