

# COASTAL ACCESS IN SELECTED EUROPEAN COUNTRIES

## SUMMARY

---

### Introduction

This report outlines and compares arrangements for recreational access – primarily for walking – on the coasts of Denmark, France, Ireland, Netherlands, N. Ireland, Portugal, Scotland and Sweden<sup>1</sup>. It was prepared for the Natural England partners to contribute to considerations of future arrangements for coastal access in England. Papers were prepared by experts in each country and collated and edited by the lead consultant in the UK.

### Key Findings

This review demonstrates that the landscapes, natural and cultural heritage, and leisure, recreation and tourism opportunities associated with each countries' coasts are highly valued by their societies. Consequently, special measures have been taken in most of the countries to secure coastal access through –

- i. securing public rights of access to the foreshores of every country, except N. Ireland. These rights of access extend to beaches and adjacent land in most of the countries
- ii. public and voluntary sector ownerships or guardianship providing opportunities for coastal access in most countries. Ireland is the principal exception
- iii. planning measures (e.g. coastal protection zones) in several countries, to protect coastal landscapes and access from development and the enclosure of properties in ways which prevent the exercise of access rights
- iv. the development and promotion of extensive coastal paths and cycleways.

Access is available on foot - by rights of access, or on a path or cycle route - around almost the entire coasts of all the countries, other than Ireland and N. Ireland, and except where there are estuaries, military land, ports or other 'excepted' land. Even in these cases, inland detours, or access on coastal defences, bridges, etc. often enables an onward journey.

### Contexts

Many factors influence the extent and characteristics of coastal access and these often vary between, and within, countries. Examples include –

- a. landforms and landscapes – for example, the dune coasts of Denmark and the Netherlands contrast strongly with the rocky shores of Ireland, N. Ireland and Scotland
- b. urbanisation, recreation and tourism pressures – especially on the Danish, French, Netherlands' and Portuguese coasts, but including other countries' coastal conurbations
- c. land uses and ownerships – whereas the Netherlands' dune areas are mostly owned by quasi-/public bodies for coastal defence, water storage and conservation, the coasts of Denmark, Ireland, N. Ireland and Scotland mostly comprise private farmland
- d. societal values – traditional access rights in Sweden and 'freedoms' in Scotland - now incorporated in statutory access rights - contrast with restrictions on access improvements in Ireland and N. Ireland, often due to farmers' opposition to public access on private land.

Common features of the coasts of the selected countries are –

- i. their varied and valuable recreational and tourism resources – indeed, coasts are amongst the most popular destinations for day visits and parts of many countries' coasts comprise major tourism resorts and destinations.
- ii. the special values of their landscapes, wildlife and cultural heritage - as recognised through inter-/national designations (e.g. Natura 2000 sites, national parks)

Consequently, the societies of the selected countries highly value their coasts and coastal access and several countries have taken special measures to secure access to their coasts.

---

<sup>1</sup> Detailed country papers were prepared for Denmark, France, Netherlands, Scotland and Sweden and briefer position papers for Ireland, N. Ireland and Portugal. This approach and the choice of countries are explained in the report.

## Access Rights, Legislation and Other Arrangements

Figure A summarises the principal arrangements whereby coastal access is available in the selected countries.

**Figure A. Coastal Access in the Selected Countries – Summary ‘Models’**

Coastal Access ‘Models’	Countries	Key Elements of Approach
<b>Country-wide access rights</b>	Denmark, Scotland, Sweden	<ul style="list-style-type: none"> <li>- rights of access to foreshore, beaches, dunes, cliffs, uncultivated land, etc. on foot, and for short stays and navigation (and other recreational activities in Scotland and Sweden)</li> <li>- exclusions (e.g. wildlife areas, growing crops, curtilage of homes)</li> <li>- restrictions/conditions (e.g. no damage, dogs under control)</li> </ul>
<b>Maritime Public Domain</b>	France, Portugal	<ul style="list-style-type: none"> <li>- public ownership and rights of access on foot and for navigation on the foreshore, beaches and adjacent land (depending on <i>lais et relais</i> in France; 50 m landward of high tide in Portugal)</li> </ul>
<b>Public ownerships of foreshore and beaches</b>	Netherlands	<ul style="list-style-type: none"> <li>- public ownership and rights of access to foreshores and beaches on foot and for navigation and recreation</li> </ul>
<b>Pedestrian Right of Way along the Coastline</b>	France	<ul style="list-style-type: none"> <li>- 3 m wide access ‘corridor’ along the landward boundary of Maritime Public Domain along entire coast; exclusions in vicinity of dwellings</li> </ul>
<b>Access to coastal areas, through public/voluntary sector ownerships</b>	Netherlands France N. Ireland other countries	<ul style="list-style-type: none"> <li>- permissive access on foot, and for walking and cycling on paths, in extensive dunes areas owned by public and voluntary bodies</li> <li>- Coastal Protection Agency acquisition of extensive coastal areas</li> <li>- permissive access on public sector and National Trust properties</li> <li>- public/voluntary sector ownerships (e.g. Scotland, Sweden)</li> </ul>
<b>Public rights of way and promoted routes</b>	all countries	<ul style="list-style-type: none"> <li>- public rights of way on foot +/- cycling and riding provide valuable access to coast – especially where no general rights of access</li> <li>- France: Public Right of Way across/to the Shore</li> <li>- Ireland + N. Ireland: limitations on public right of way networks</li> <li>- development and promotion of longer distance paths for walking and cycling at the coast (e.g. Nortrail)</li> </ul>

Note: All countries have access rights to the foreshore, except N. Ireland.

Provisions for coastal access in the countries studied can be summarised as -

### Area-wide coastal access

- a. All the selected countries have area-wide rights of access on their foreshores and beaches, for walking, short stays and navigation – except for Ireland and N. Ireland.** These rights may cover wider recreational activities (e.g. Scotland, Sweden). Ireland and N. Ireland do not have rights of access to their beaches, although Ireland has rights for access on the foreshore. Unlike N. Ireland (and England), Scotland had rights of foreshore access, even prior to its recent access legislation.
- b. Rights of access extend beyond the foreshore and beaches in France, Denmark, Portugal, Scotland and Sweden, but not in Ireland, the Netherlands and N. Ireland.** These rights are available as country-wide rights of access in Denmark, Scotland and Sweden, on the Pedestrian Right of Way along the Coastline in France, and on the Maritime Public Domain in Portugal. France’s Maritime Public Domain may not extend over, or beyond, all beaches.
- c. Area-wide access rights are usually subject to responsibilities on users and some limitations on access rights -** users are usually required to behave responsibly and not to cause any damage or disturbance. Access rights may be accompanied by restrictions or exclusions, for example, exclusions within the curtilage of dwellings or through growing crops
- d. Landowners and managers are obliged not to obstruct access -** land managers are usually prohibited from obstructing or deterring the exercise of access rights, unless for *bona fide* reasons (e.g. health and safety restrictions).

- e. **Public and voluntary sector ownerships or stewardship of coastal lands provide valuable access opportunities in, for example, France, Netherlands, N. Ireland and Scotland, but such access is mostly on a permissive basis, except in Scotland, where rights of access apply.**
- f. **Legislation generally avoids definitive mapping of area-wide access; thereby, acknowledging the natural dynamics of coastal areas and providing flexibility in interpretation.** For example, Denmark's, Sweden's and Scotland's legislation do not define precisely where access rights or restrictions apply and, while the limits of France's and Portugal's Maritime Public Domains are defined in legislation, leeway remains for interpretation on the ground and modifications to allow for changing coastlines. There may be occasional issues of interpretation at the margins of different land types, but the benefits of flexibility and 'common sense' approaches to suit local conditions are considered as far outweighing any benefits of more definitive approaches.

#### **Linear access along, and to, the coast.**

- i. **Access is, or should be, available on foot along the entire coasts of France, Scotland, Sweden and Portugal by access rights, and on more-or-less continuous footpaths or cycle routes in the Netherlands.** Exceptions include some urban areas, ports, power stations, military land, wildlife reserves and estuaries. However, even in these situations, inland detours or access across locks, dams or bridges often ensures the continuity of coastal paths. Access along the coasts of Denmark, Ireland and N. Ireland is more fragmented.
- ii. **France's Pedestrian Right of Way along the Coastline provides a 3 metre wide servitude along the coast and Public Rights of Way across/to the Shore enable access to the coast, where there are no public paths within 500 metres distance.**
- iii. **Public rights of way provide essential links to the coasts of countries, such as the Netherlands, Ireland, N. Ireland and Portugal, which do not have general rights of access on roads, tracks and paths.** In Ireland and N. Ireland many public rights of way have been 'lost', their status is uncertain, or they are poorly maintained.
- iv. **Coastal defence structures, such as the man-made dykes in the Netherlands, often incorporate paths for walking and cycling.**
- v. **Agreements and, less often, land acquisitions and agri-environment schemes have enabled public and voluntary organisations to create or improve longer distance coastal paths - especially along the coasts of the Netherlands, Denmark, France, Scotland and Sweden.** There are fewer coastal paths in Ireland, N. Ireland and Portugal – in the former cases, due to difficulties in negotiating access.
- vi. **The North Sea Trail and North Sea Cycle Route initiatives illustrate multi-national cooperation to develop and promote continuous walking and cycling trails around the North Sea coasts of the Netherlands, Germany, Denmark, Sweden, Scotland and England – often these routes incorporate existing longer distance coastal paths.**

#### **Planning Measures to Protect and/or Enhance Coastal Access**

**In recognition of threats to coastal landscapes and access from new development or enclosures (e.g. fencing) of private properties, Denmark, France, Sweden and Portugal have introduced statutory coastal protection measures to prohibit or restrict development.** These 'protection zones' extend from 100 metres to 500 metres from the shore, but generally exclude urban areas, except in Sweden. In addition, Denmark has a coastal planning zone extending 3 km inland from the shore. Shoreline protection regulations, or similar regulations, provide stronger protection than typical planning policies, although there are reports of frequent exemptions and unlawful enclosure of properties on Sweden's coast.

Importantly, the **coastal planning/protection measures** –

- a. **help to ensure that both area-wide and linear access provision offers a quality recreational experience** - by seeking to prevent situations where users are 'hemmed in' to narrow access 'corridors', bounded by built development, fences or similar features
- b. **recognise that the protection of coastal areas has wider biodiversity and landscape benefits.**

**In addition to planning measures to protect the coast, several countries' legislation requires local authorities to prepare and maintain paths plans, which are intended to protect and enhance access provision.** Examples include the Plans for Walking and Hiking Routes in France and Core Path Plans in Scotland.

#### **Other Key Principles underlying the Provision and Administration of Coastal Access**

- i. **Recognition in all countries of the recreational values and tourism and economic importance of coastal access, longer distance coastal paths and cycle routes, and the need for effective information on paths and other access opportunities.** Public and voluntary sector organisations have played valuable roles in creating or improving coastal paths and developing publications and Websites, which promote coastal walking and cycling routes.
- ii. **Coastal access rights have been introduced and secured without compensating landowners** - for example, in Denmark, France and Scotland.
- iii. **There are often restrictions on dogs, especially beaches** - for example:
  - it is a condition of the access rights in Scotland and Sweden that dogs must be kept under control at all times
  - in summer, dogs must be kept on a lead on beaches in Denmark and are prohibited on public beaches in Sweden and Portugal
  - in the Netherlands, local byelaws restrict or prohibit dogs on beaches.
- iv. **Horse riding is popular at the coast, but is often restricted.** For example, the landowner's/management authority's permission is required for riding on beaches in summer in Denmark, and for the regular use of beaches by individuals, or use of beaches by groups of riders, in Sweden. In the Netherlands, byelaws are used to control riding and riders are often restricted to specific paths in dune areas.
- v. **Management solutions** (e.g. zoning, path systems) **are often adopted in sensitive wildlife or landscape areas, rather than prohibitions on access.**
- vi. **Occupiers' liability is seldom a concern, as most countries' access legislation specifies that access is at the users' own risk, or this is taken for granted.** Notable exceptions are Ireland and N. Ireland, where land managers' concerns over occupiers' liability continue to impede access provision.
- vii. **Cultures of respect for the countryside and programmes to promote responsible behaviour.** For example, Scandinavian societies have a strong outdoor ethos and children are introduced to the outdoors and to respect it from a young age. There are problems of littering and disrespect for access 'rules' in all countries, but these are seldom significant, and several countries have run campaigns to promote responsible behaviour.