

Coastal Access

Supplementary information from Natural England

December 2008

Purpose

Natural England is providing this supplementary information alongside its draft Coastal Access Scheme [“the Scheme”] to help Parliament in its consideration of Part 9 of the Marine and Coastal Access Bill [“the Bill”] that is currently before it.

The supplementary information is of two types:

- material not appropriate to the Scheme itself because it is transient or outwith the statutory scope of the Scheme; and
- material that reflects our emerging thinking on matters that the Scheme in its final form will address substantively.

It represents our best assessment of the various aspects covered at this stage and is all subject to the Parliamentary process, formal consultation on and approval of the Scheme by the Secretary of State, and the considerable further testing, field work and discussion with stakeholders that we are continuing to carry out to prepare for implementation.

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Natural England is here to conserve and enhance the natural environment, for its intrinsic value, the wellbeing and enjoyment of people and the economic prosperity that it brings.

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1. Further field testing of the Scheme and proposed alignment process

1.1 There are three main strands to the further field testing we are proposing to carry out on the practical application of the Scheme and alignment process:

- Work on National Nature Reserves
- Work on tenanted National Trust land on the coast
- Work on a 'typical' mix of land on the coast

1.2 We will discuss these plans further with our partners in order to maximise the value of the work. For example, we will discuss with the Environment Agency how we can take full account of coastal erosion and possible managed realignment of coastal flood defences in the testing locations.

1.3 We aim to complete the bulk of this field testing prior to publication next year of our formal consultation draft of the Coastal Access Scheme, so that any lessons from it can be reflected in that.

National Nature Reserves (NNRs)

1.4 We will work at four coastal National Nature Reserves (NNRs) that we manage to test aspects of the implementation process and to develop an alignment for the coastal trail and the extent of spreading room on those sites.

1.5 We have already started this work at Ainsdale NNR on the north west coast. Once completed we will select three other NNRs to work at which represent a variety of coastal situations.

1.6 The work will test the practical application of the alignment approach, including:

- the use of hand held GIS devices in handling on-site information on sensitive features, including nature conservation and heritage issues
- 'walking the course' with the land manager to reach consensus on the route of the trail (stage 2 of the alignment process set out in chapter 3 of the Scheme)
- the ability to use contextual information held on the GIS devices to inform this process, for example to look up relevant Environmental Stewardship targets to inform identification of environmental enhancement opportunities
- identifying an alignment that strikes an appropriate balance between providing the new access right for people to enjoy the coastal environment and ensuring that appropriate management and protection of wildlife, habitats and other sensitive features on key sites can continue
- the relative benefits and effectiveness of map-based and written descriptions of 'spreading room'

1.7 The work will result in an agreed alignment of the trail and definition of the extent of spreading room through the relevant NNRs that can then be used as a starting point for the formal alignment process on that stretch of coast.

1.8 In addition, for each of the NNRs we will identify;

- the need for access management, including dog control measures
- the potential opportunities for providing additional access for other users, such as horse riders
- sections of the trail that would be particularly suitable for use by people with limited mobility, or adapted in specific ways for that purpose
- opportunities for interpretation and links with wider access networks

National Trust land

1.9 The National Trust (NT) has agreed to work with us to help test the implementation process with multiple occupiers over stretches of coast of reasonable length.

1.10 We will work with a group of NT Property Managers and tenants with contiguous land on three stretches of the English coast:

- Dorset – from Lyme Regis east for 10 km to Bridport
- Northumberland – from Craster north to Beadnell
- Norfolk – from Cley to Blakeney

This covers a total of around 30km of coastline with varying patterns of land use and form.

1.11 The work will test a number of practical aspects of the alignment approach, in particular:

- joining up alignment across multiple land holdings along a section of coast, including initial contact, meetings and decision making with a range of tenants
- how we strike a fair balance between public interest, in terms of the new access provided, and private interests, particularly in this case agricultural and land management requirements
- the content and structure of the coastal access reports¹ - we will produce a sample report based on each of the stretches of coast
- the relative benefits and effectiveness of using map-based and written descriptions of spreading room in the sample reports

1.12 As with the NNRs, the work will produce an indicative trail alignment along with associated spreading room and this will be digitised into a database along with information about necessary infrastructure and any

¹ The reports we are required to prepare setting out our proposals for the alignment of the trail and extent of spreading room for each stretch of the coast (stage 5 of the implementation process set out in chapter 3 of the Scheme).

access management requirements (such as dog control measures). Whilst this will hopefully provide a good starting point for the actual alignment on this stretch of coast when it happens, it will be ‘without prejudice’ on any of the parties.

1.13 In addition, for each of the stretches of coast we will identify;

- the potential opportunities for providing additional access for other users, such as horse riders
- sections of the trail that would be particularly suitable for use by people with limited mobility, or adapted in specific ways for that purpose
- opportunities for interpretation and links with wider access networks

Typical coast

1.14 We plan to take a similar approach to the one on National Trust land on a number of stretches of coast that together could be considered ‘typical’ in terms of their mix of land tenure, use and characteristics. Again, this would be primarily to test the implementation process with multiple occupiers over stretches of coast of reasonable length. We also envisage one of these stretches including an estuary so that we can test that aspect of the Scheme.

1.15 We will identify three stretches of ‘typical’ coast, consulting with stakeholders such as the National Farmers Union and the Country Land & Business Association and the relevant access authorities in doing so. We will then invite the land owners and managers on those stretches of coast to meet with us to undertake the ‘walking the course’ process and explore the practicalities of aligning the trail across the multiple land holdings.

1.16 Again, we will aim to produce a route for the trail along with associated spreading room, and digitise it into a database along with details of necessary infrastructure and any access management requirements (such as dog control measures). Whilst this will hopefully provide a good starting point for the actual alignment on this stretch of coast when it happens, it will be ‘without prejudice’ on any of the parties.

1.17 In addition, for each of the stretches of coast we will identify;

- the potential opportunities for providing additional access for other users, such as horse riders
- sections of the trail that would be particularly suitable for use by people with limited mobility, or adapted in specific ways for that purpose
- opportunities for interpretation and links with wider access networks

2. Our operational approach to delivering improved coastal access

2.1 Our aim is that the new coastal access rights (through the establishment of a continuous trail and associated spreading room) will be in place for the whole of the English coast within 10 years of our Scheme being approved by the Secretary of State and any necessary regulations having come into force. Our current planning assumption is that this will begin sometime in 2010 and will therefore be complete by 2020.

2.2 As we have previously stated, we intend to work closely with the 53² English coastal access authorities to implement coastal access, recognising that they are best placed to manage many aspects of the local implementation such as consulting local interests, contacting and discussing options with land owners and managers and managing the work required to establish and maintain the access. These authorities have already been helping us to carry out an audit of existing access provision along their coastline as a planning tool to further refine our cost estimates and assessment of timescales. An update on progress with the audit is at Annex 2.

2.3 We will put agreements and funding in place with access authorities to enable them to work with us on the implementation of coastal access. This will include a clear definition of respective roles and responsibilities between us, not only to ensure clarity for landowners and other stakeholders but also to maintain a clear distinction between the role that access authorities can provide in agreement with us and the statutory duty that we [Natural England] alone have the responsibility to meet in terms of putting reports for each section of coast to the Secretary of State.

2.4 We will also ensure that the responsibility to meet other statutory and legal obligations is clear, for example in respect of undertaking an appropriate assessment in respect of sites covered by the Habitats Regulations.

Dividing up the coast

2.5 Before we start implementation, we will divide the coast into stretches that will each be the basis of a report to the Secretary of State containing our proposals for how the new access right should be provided on that stretch.

2.6 We will discuss with access authorities the basis for dividing up the coast that they cover and the sequence in which the alignment process should take place. There will be at least one coastal access report for each authority's area. In some cases there may be two or more. The criteria for division into two or more reports covering an authority's area could include:

- Having more than one clearly identifiable coast line. e.g. Urban and rural, north and south.
- Overall length of coast – it may be desirable to sub divide for some larger access authorities

² These are listed by region in Annex 1. This includes 5 National Park Authorities with coastal frontage – Lake District, North York Moors, The Broads, New Forest & Exmoor

- Having a strong contrast between stretches of coast with few complexities, where the new access will be relatively quick and simple to align, and stretches with many complexities that will take much longer to align.

2.7 There may be a case for considering the coast of some of the smaller unitary urban authorities as part of an adjacent authorities report(s). This is something we will discuss with the authorities concerned. Irrespective of this, we will ensure in all cases that there is cross-boundary working between access authorities to ensure that the alignment of the access takes account of issues both sides of the 'boundary' between them.

2.8 Taking these sorts of factors into account we currently estimate that there will be between 60 and 80 reports covering the whole of the English coast, though we will continue to review this in light of the access audit work we are undertaking. We would aim to complete all of these reports by 2016-17 to ensure that the approval process, establishment work and commencement of the new right could be completed by 2020.

Progressing around the coast

2.9 We propose to use a number of principles in considering where to make a start on the alignment process and how we progress implementation around the coast. These are:

- We want to start implementation in every region of England with a coast (of which there are seven³) as soon as possible. We aim to do so within two years of starting overall.
- Once we have begun the alignment process in an access authority's area, we will want to continue until their whole coastline has been completed
- In prioritising between different stretches of coast, we will want to strike a balance between: on the one hand, making quick progress on fairly straightforward stretches of coast, thereby delivering the benefit of continuity of access for people as soon as possible; and, on the other hand, the need to make an early start on more complex and challenging stretches of coast, where significant new access will eventually be created
- Once our proposals for a stretch of coast are approved by the Secretary of State, we will prioritise the establishment and other work required to pave the way for early commencement of the right along it, in order to maximise the ability for people to understand and enjoy it. For example, we might commence the right on a stretch of coast between two coastal towns with good transport links as soon as that was ready, even if it were part of a longer stretch requiring further work in other places.

³ North West, North East, Yorkshire & the Humber, East Midlands, East of England, South East and South West

- We will also look at the opportunity to link the development of the new access with other initiatives on a stretch of coast, especially where this could result in maximising the public benefits resulting. An example might be where this could support a wider coastal regeneration initiative.

2.10 Resources will clearly be a critical factor in ensuring we can make satisfactory progress towards completion by 2020. Different stages of the implementation process will require different levels of resourcing – both in terms of funding, staff time from Natural England and access authorities, and the participation that will be required from others, including landowners, their representatives, other stakeholders and Defra. We will need to take account of this in planning our implementation within the resources available to the project.

2.11 Our continued testing of the Scheme and alignment process (see section 1) will help us to refine our estimation of how long it will take to complete each stretch of coast. At present, we estimate that this will take between two and a half and four years depending on the complexity of the situation. This does not include additional time required if the Secretary of States asks us to look again at our proposals for any stretch.

3. Our approach to protecting and enhancing the coastal environment

Overarching principle

3.1 The key principle of our approach will be to strike the right balance for each circumstance in securing the new access opportunities whilst ensuring the protection and enhancement of the coastal environment. This principle is in keeping with Natural England's statutory purpose to conserve, enhance and manage the natural environment for the benefit of present and future generations.⁴

3.2 The application of this principle operates within two fundamental boundaries. On the one hand, the need to comply with legal and statutory obligations in respect of sites, species and features on the coast. On the other hand, the duty on us to deliver the new coastal access rights.

Application of the principle

3.3 The Coastal Access Scheme states that 'we will assess the potential effects of the coastal access rights on sensitive features along each stretch of coast, including wildlife, heritage, landscape and geodiversity'⁵

3.4 The embedding of strategic environmental assessment⁶ (SEA) as an integral part of the alignment process will ensure best practice in shaping and informing our plans and proposals for the new access right. It will also clearly demonstrate that we have applied any necessary legal and statutory tests in forming those proposals. For example, it will ensure that we undertake appropriate assessment of the proposals in respect of Natura 2000⁷ wildlife sites as required by the Habitats Regulations⁸.

3.5 Our proposed implementation process will integrate the assessment process for the Habitats Regulations and SEA. This will be set out in chapter 3 of the draft Scheme.

3.6 It will also help identify options for enhancement of the environment within the coastal corridor that adds to the quality of people's experience of the coastal environment.

3.7 We will be testing the assessment process including implications for historic environment features and landscape features, as part of the work described in section 1.

⁴ The Natural Environment and Rural Communities Act 2006

⁵ Para. 4.8.4 *Coastal access: Natural England's draft scheme*

⁶ As specified through the European Directive 2001/42/EC

⁷ Special Protection Areas, Special Areas of Conservation and Ramsar sites

⁸ The Conservation (Natural Habitats &c.) Regulations 1994

Strategic Environmental Assessment Directive - Screening Stage for Coastal Access

3.8 This is the first stage in the process and is undertaken to determine whether a plan or programme falls within the scope of the SEA Directive. It draws on the published guidance for application of the Directive in the UK⁹.

3.9 Our initial determination on the basis of this guidance is as follows.

Is coastal access a 'plan or programme'?

Our initial assessment is that our 'plans and programmes' for delivering the Coastal Access project do fall within the scope of the SEA Directive.

Both the Scheme and the proposed coastal access reports fall within Article 2(a) of the SEA Directive, in that they are subject to preparation by an authority at national, regional or local level and are required by legislative provisions.

Is SEA required?

We conclude that in the case of the Scheme, it does not set a framework for development to which an Environmental Impact Assessment (EIA) would apply, thus not falling within Article 3.2(a).

With regard to coastal access reports, a stronger case can be made for them falling within Article 3.2(a). However, even if the Report does not fall within 3.2(a), it does potentially fall within Article 3.2(b) which links the requirement of SEA to the requirement for assessment under the Habitats Directive on Natura 2000 sites.

This will require judgement in the case of each report. If it requires an appropriate assessment then, according to Article 3.2(b) it must also be subject to SEA.

Therefore we conclude that SEA is not required for the Scheme, but may be required for each coastal access report.

3.10 As specified in Article 6(3) we will now consult on our conclusions, with those authorities who have specific environmental responsibilities. Known as 'the consultation bodies', in England these are English Heritage and the Environment Agency. The screening consultation is designed to gain the consultation bodies' opinion on whether the proposed plan is likely to have significant effects on the environment.

⁹ Office of the Deputy Prime Minister 2005. A Practical Guide to the Strategic Environmental Assessment Directive.
<http://www.communities.gov.uk/publications/planningandbuilding/practicalguidesea>

Opportunities for environmental enhancement

3.11 Our initial scope for this work is to consider how we can:

- Enhance the coastal environment and people's experience where feasible to do so.
- Align other Natural England projects and programmes to deliver this enhancement.
- Develop new mechanisms as necessary to deliver elements of this vision.

3.12 Our ambition is that through the coastal access project we will facilitate a softening of intensive agriculture along the coastline and create a more diverse, wildlife-rich coastal environment around the trail. This will enable the join up of quality landscapes and habitats that are currently fragmented as well as improving people's enjoyment of the coast during and beyond the time scale for delivery of coastal access.

3.13 We are working to identify priorities for enhancement and reviewing the mechanisms that we and partner organisations currently have to deliver against these priorities. This will enable us to identify options for the delivery of environmental enhancements alongside coastal access and to put in place plans for their delivery before we commence implementation in 2010.

3.14 Our initial view is that the following criteria will be particularly relevant in assessing the priority of enhancement opportunities:

- Strengthens and enhances coastal and estuarine (where included) character and quality – for example restoration of characteristic coastal features and habitats
- Complementary to and in support of the trail and spreading room itself (eg. Habitat and feature creation and management that also helps to secure appropriate management of the trail, for example across agricultural land)
- Positively enhances the environmental experience that the user of the trail/spreading room enjoys (eg. Management of features or habitats that increases opportunity for people to experience natural environment or heritage)
- Contributes to the continuity of a coastal corridor in terms of character and constituent sites and features, leading to the experience of a coastal corridor of high quality environment (eg. Restoration/ re-creation of features/ habitats that link isolated coastal sites/ features)
- Contributes to a wider, integrated coastal benefits package (eg. Creation of appropriate green space providing multiple use and benefits as part of coastal developments)

3.15 This kind of enhancement activity is in addition to mitigation actions that might be required as an element of implementation to ensure compliance with the Habitats Regulations.

4. How we will deliver wider opportunities for people to enjoy the coast

4.1 The implementation process set out in chapter 3 of the Scheme, whilst principally designed to enable the creation of a legal right of access on foot around the English coast, will also enable us to identify potential access opportunities for a wider range of users. As part of this process, the Scheme will also ensure that we avoid putting any new obstacles in the way of people with limited mobility exercising their new right and identify specific, targeted opportunities to improve their ability to enjoy the coast.

4.2 Our intention as part of the 10 year implementation process is to identify local opportunities to provide access improvements for other users such as horse-riders and cyclists and, working with local partners and land owners, to support targeted implementation of these in so far as we have resources available.

Identifying opportunities

4.3 We are identifying existing and potential opportunities for other users such as horse-riders and cyclists and for people with limited mobility as part of our Coastal Access audit process (see Annex 2). These fall into three broad categories:

- **Utilising existing provision:** where the trail could be aligned to existing structures and routes such as bridleways, multi-user routes and 'easy-access' structures such as promenades. So far, the audit process indicates that the trail could potentially use up to 399 kilometres of such existing route (mostly open to cyclists but with significant sections of horse-riding route¹⁰). This is based on the length of the coast having been through the audit process.
- **Removing barriers:** removal of unnecessary barriers along the alignment of the trail and ensuring that any new provision will not result in any new barriers to users, in so far as this is practical¹¹. Provision under the Scheme will, by default, be fully compliant with the principle of least restrictive access in keeping with the requirements of the Disability and Discrimination Act 1995.
- **New provision:** where both the trail, potential 'link' routes and associated spreading room could provide new access opportunities for other users, such as horse-riders and cyclists, and improved access for people with limited mobility to enjoy the coast. Of the coast that has so far been audited we have identified 490 kilometres of wheelchair accessible route which the trail could adopt and 412 kilometres of potential provision mainly along adaptable surfaces and suitable gradients. We would look to focus on provision which would be practicable and achievable, link to existing routes, meet a known demand and provide a high quality experience for users. Any new

¹⁰ includes 238km of 'other' highways i.e. roads, 34km of bridleway and 5.9 km of BOATs

¹¹ Including ensuring that measures to prevent unauthorised use are in place where necessary

provision could only be achieved with permission and agreement of land owners.

4.4 We intend to work closely with user groups and partners representing these other users and limited mobility interests. Their advice and experience will be invaluable in informing decisions on such matters as user needs, targeting resource allocation, strategic and regional route planning, levels of demand and regional implementation. We will convene a working group to do this early in 2009.

4.5 We will integrate implementation of opportunities for other users such as horse-riders and cyclists and for people with limited mobility into our overall delivery process. We will use the findings of the audit and discussions with stakeholders to inform our approach. We will then discuss and agree with local access authorities how this aspect of implementation is taken forward. This may include initiating some exemplar projects at selected points around the coast to highlight best practice access provision. We will also be looking to develop, in partnership with stakeholders, a high standard of accessibility information to enable people to make their own choices and decisions about their visit to the coast.

4.6 Our cost estimates for implementing coastal access (see Section 5) include an allocation of funding (the Challenge Fund) to support the delivery of improvements for users above and beyond the establishment of the right of access on foot. We aim to maintain this important element of the budget for implementation, subject to the overall resources available to the project.

5. Additional information on the cost of the project

5.1 Our current estimate of the cost of implementing coastal access over 10 years is as follows:

Establishment costs:

Creating new Access	£12,070,000
Upgrading existing access	£ 2,900,000
Re-alignment	<u>£ 1,330,000</u>
	£16,300,000

Maintenance costs: £ 5,760,000

Staff costs and associated support costs:

External (Access Authorities)	£11,400,000
Natural England	<u>£ 4,750,000</u>
	£16,150,000

Programme and other costs:

Programme	£ 4,000,000
Other	<u>£ 1,590,000</u>
	£ 5,590,000

Challenge Fund: £ 6,800,000

Total costs: **£50,600,000**

5.2 The basis of these cost estimates and our assessment of the potential for variation in the eventual costs incurred is as follows.

Establishment

5.3 The current cost estimates are based on the proportion of the route requiring either wholesale, partial or no establishment works, extrapolated from the original study areas¹². The unit costs for the required infrastructure (gates, bridges etc), signage, fencing etc are based on actual coastal National Trail costs of £4,945 per kilometre for new access and £3,185 per kilometre for upgrading existing access to National Trail standards. The access audit currently being undertaken for the whole coast will provide the first actual estimate (though not definitive) of required works and will enable us to review this.

5.4 The cost estimates of re-aligning the coastal access are based on an assumed rate at which either coastal erosion or managed realignment of coastal flood defences, as well as other factors such as unforeseen major developments, will necessitate re-establishment of the access on a different alignment. This is our best estimate at this stage, though we will be working

¹² County Durham, Cumbria, North Devon & West Somerset, Suffolk

‘future proofing’ our initial alignment to minimise this eventuality as far as possible (see sections 4.9 and 5.5 of the Scheme).

Staff and associated support costs

5.5 The current estimates for staff and support costs in access authorities are based on the working assumption that they will manage the local alignment field work and consultation and implement that once approved. It is assumed that these costs will be incurred by authorities for three years on average, although there will be variation between authorities depending on the length and complexity of the coast they are dealing with. We will be working to define more precisely the specific role of access authorities and the costs relating to that over the next 6-9 months, taking account of the lessons from the field testing we will be doing (see section 1).

5.6 Natural England staff and support costs reflect that we will need to work closely with access authorities throughout the alignment process, but that we will have sole responsibility for many aspects of the process. This will require both regional staff and central project and specialist staff throughout implementation. We will define our roles and responsibilities more precisely alongside that of access authorities and the costs relating to that over the next 6-9 months, taking account of the lessons from the field testing we will be doing (see section 1).

Programme and other costs

5.7 Programme costs include: estimates for promoting the trail as it is created and publicising the introduction and operation of the new rights; research required to inform assessment of our proposals (for example, to enable us to carry out an appropriate assessment under the Habitats Regulations); and carrying out monitoring relating to use and impacts. We have drawn upon our experience of implementing CROW access land. We are also currently looking at the need to include funding for ongoing access management measures (for example, to mitigate potential environmental impacts on spreading room) and the most expedient option for funding these, drawing lessons from the Access Management Grant Scheme (AMGS) used on open access land.

5.8 Other costs include: estimated legal costs, which we consider reflect a ‘worse case’ scenario in terms of any legal challenge to our proposals under the provisions of the Bill; IT costs relating to the ongoing management of the spatial information that will underpin the alignment process and record; and the provision of hardware and software to support this.

Maintenance

5.9 The estimated cost of maintenance during the implementation phase is based on this being paid at 100% of cost on any newly created access, as is currently the case on new National Trails. It is based on the average maintenance and management costs for coastal National Trails, which is £580

per kilometre, and assumes that some maintenance and management will be required from the year following establishment.

Challenge Fund

5.10 This is the element of the overall cost estimates that we are proposing to use to support the delivery of wider opportunities for people to enjoy the coast, above and beyond the right of access on foot. Our proposed approach to determining how we might use this funding is described in section 4.

5.11 We envisage that in order to maximise public benefits we will use this element of funding in combination with other prospective funding sources to lever in as much 'added value' as possible. We will be seeking to work with other potential funding sources and stakeholders over the next 12-18 months to develop how we can best do this, so that our approach is in place before we begin implementation.

Contingency

5.12 We haven't identified an overall contingency element in the budget summarised above because there is contingency factored into each of the budget heads. We will keep the adequacy of this under review as we further refine the cost estimates.

Environmental enhancement

5.13 There is no allowance in the cost estimates above to fund the proposed environmental enhancement of the coastal corridor through which the access is being created. As stated in 3.12 we are exploring the potential of existing mechanisms such as Environmental Stewardship to help deliver this and, where necessary, the scope to develop new mechanisms.

6. How long we think the project will take to complete

6.1 As previously stated we are planning our implementation of coastal access over a 10 year period. This is the basis for the timescale outlined below. However, it is entirely scaleable to reflect changes in circumstances if that is required. Ongoing management – including reassessment and realignment – and maintenance will continue indefinitely as required beyond the initial establishment of the access rights.

6.2 The 10 year implementation period would begin as soon as the necessary regulations come into force and the Scheme is formally approved by the Secretary of State. The timescales below assume that this will have taken place by July 2010 at the latest.

6.3 Timescales:

Now – 2010	Conclusion of the legislative process and formal approval of our Scheme by the Secretary of State
	During this time we will also be doing further testing of the Scheme and our proposed implementation process and putting in place the necessary systems and resources to begin delivery
2010 – 2016	We aim to start and complete the development of our reports and gain their approval by the Secretary of State during this period. So by 2016 we aim to have an approved alignment for the whole of the English coast.
2013 – 2014	We will review the Scheme in light of our experience of early implementation and report on this and our progress with implementation to Parliament.
2012 – 2018	We aim to start and complete the establishment on the ground of our proposals during this period, following approval of each report by the Secretary of State.
2018 - 2020	We have allowed a 2 year contingency period for potential delay and rescheduling of establishment work where necessary.
By 2020	We aim to have completed the establishment of the new access and commencement of the new access rights. We will in any case report on our progress by this time to Parliament.

Annex 1 - Access authorities by region

Region	Access Authority
North East	Durham Sunderland Hartlepool Middlesbrough Stockton - on -Tees Redcar & Cleveland Northumberland North Tyneside South Tyneside
North West	Lancashire Blackpool Cumbria Lake District National Park Sefton Liverpool Wirral Cheshire
Yorkshire & Humber	North Yorkshire North York Moors National Park East Riding of Yorkshire Kingston-upon-Hull North Lincolnshire North East Lincolnshire
East Midlands	Lincolnshire
East of England	Suffolk Essex Thurrock Southend-on-Sea Norfolk The Broads Authority
South East	Hampshire Southampton Portsmouth New Forest National Park Isle of Wight Kent Medway East Sussex Brighton & Hove West Sussex
South West	Gloucestershire South Gloucestershire Bristol Cornwall Devon Plymouth Torbay Somerset North Somerset Exmoor National Park Dorset Bournemouth Poole
	Total = 53

Annex 2 – Our coastal access audit – updated information

Background

Natural England is undertaking a desk based audit of current satisfactory access on foot with access authorities in England to get an **initial indication** of any provisional or indicative alignments that could be put in place in order to ‘close the gaps’ in current provision. This provisional alignment is purely **indicative** and primarily intended to inform our implementation planning and resource estimates. It will carry no weight when we come to the formal alignment process though may provide a useful starting point for the local consultation and design that is integral to our advice to government.

The audit identifies:

- Where existing access is satisfactory
- Provisional alignment of the trail (based on the gaps in satisfactory access)
- Identification of any *major* infrastructure (bridges etc.) that may be required on the provisional alignment
- Identification of existing access furniture on the existing coastal access
- Where there are constraints or opportunities for nature conservation and landscape enhancements

The audits are carried out on the basis of existing data and knowledge of the coast. We look to gather data up to the mean high water mark as far inland as the first permanent pedestrian crossing point.

Current progress (at November 2008)

Audits completed: 62% of total number of access authorities¹³

Length of coast audited so far: 1,805 kilometres

The pie charts below are derived from the data taken from the audits so far completed.

Terms used

- Existing satisfactory access is legally secure linear access and includes Public Rights of Way (PRoW), urban roads and other highways, promenades.
- It does not include de-facto access, permissive access, CRoW area access or S15 access.

¹³ The SW Coast Path has been audited separately, and the data is in the process of being quality assured. This will add another 20% (approx.) to the total

Summary of conclusions to date

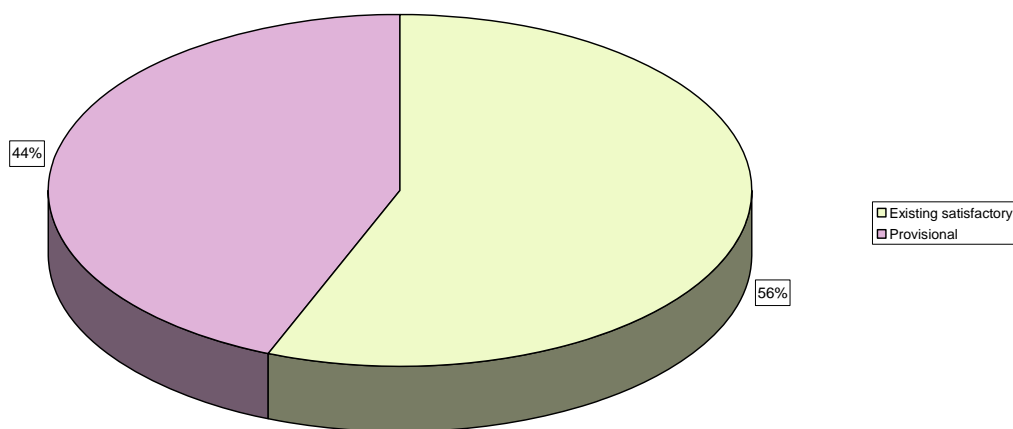
- Prior to the access audit, we estimated that access was present on 70% of the coast, of which only 50% where this access was 'joined up' and usable.
- In the light of the audit data so far, 56% of the coast has 'joined up' and usable access.
- Where access has been identified as being satisfactory 36% is on public roads or promenades, often through urban areas.
- 57% of the existing satisfactory access is on public footpaths.

Existing satisfactory access and provisional route

The chart below shows the split between;

- existing satisfactory access, that is access on PRow or other highways (legal secure existing access); and
- provisional alignment – where there is a gap in legally secure access, this is either no route at all or a route with only permissive access or existing de-facto use.

Proportion of existing vs provisional alignment



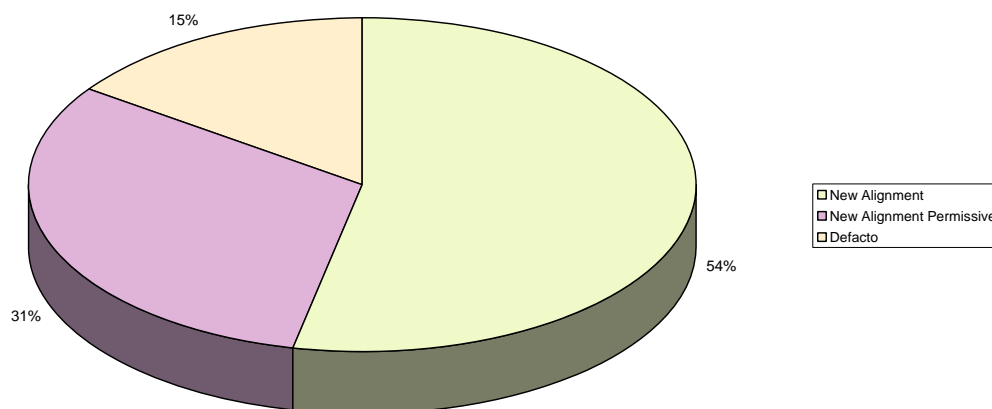
- Overall 56% of the coast so far subject to audit has existing satisfactory access.
- 44% will require a route to be secured through the new legislation, some of this will be an existing de-facto or permissive route.

How the provisional alignment breaks down

44% of the coast has so far shown no existing satisfactory access.

These lengths are recorded as a provisional alignment and include both de-facto and permissive routes as well as sections where there is currently no route on the ground. The chart below shows this split.

Provisional Alignment: New Alignment / Permissive Access / Defacto proportions



- 46% of the route where there is no legally secure access has either de-facto or permissive routes.
- 54% of the route with no existing satisfactory access will need a new route from scratch.

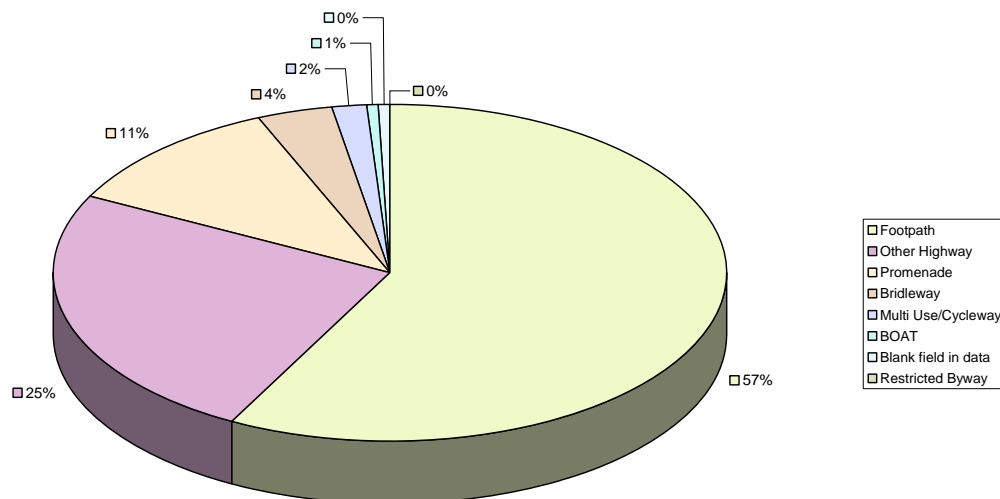
Existing satisfactory access

Existing satisfactory access is legally secure linear access and includes PRow, urban roads and other highways, promenades.

It does not include de-facto access, permissive access or Countryside & Rights of Way (CROW Act) area access or S15 access (access under other Acts).

Overall 56% of the coast so far subject to audit has existing satisfactory access. The chart below shows how that figure is split between types of legally secure access.

Existing Satisfactory Access: Proportion of PRow designations



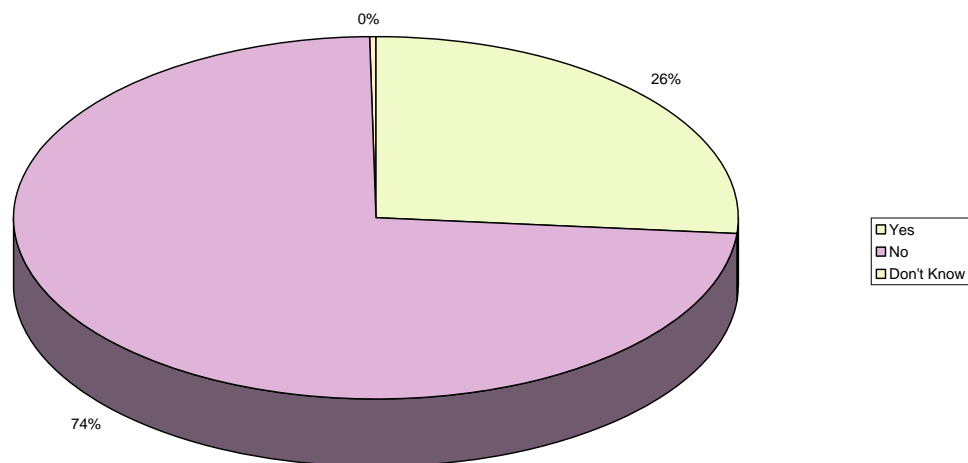
- Where existing access is satisfactory more than a third is on existing public road or promenade, often through urban areas.
- 57% is public footpath.
- 6% is multi-user cycle route or bridleway.

Roll-back provision

As part of the audit process each section of the trail has been looked at in terms of potential requirement for roll back provision. This records the future need for automatic roll back in the face of rapid coastal change.

The selection of roll-back as an option is confined to soft eroding cliff top alignments.

Proportion of the alignment in need of rollback



- Overall 26% of the route so far may require roll back provision over a potential 20 year timescale.
- However, in Durham 57% of the route may require roll back provision.

Annex 3 – Management of dogs on the coast

Government proposes that on coastal access land dogs should be under close control at all times¹⁴. This paper explains what we understand by this proposal and outlines the principles we intend to guide its implementation.

Key principles

People visit the countryside frequently with dogs to exercise them. This brings opportunities to enjoy the natural environment and health benefits which the coastal access proposals would greatly enhance. However, dogs can cause damage or disturbance if they are not responsibly controlled.

The level of control should therefore be proportionate to the risk of damage or disturbance in each circumstance, so that:

- The benefits of coastal access to people with dogs are not unnecessarily restricted; but
- land management, nature conservation and public safety objectives are suitably addressed.

'Under close control'

We take this to mean that under normal circumstances on the coast a person in charge of a dog must:

- keep the dog in sight and be aware of what it is doing; and
- when needed, be able to recall the dog, so that it returns reliably and promptly to the person's side and remains there.

If a dog will not respond reliably and promptly to such a command by the person in charge of it, they should keep it on a lead.

Tighter control than this default position will be necessary under certain circumstances, for example:

- Where key populations of wild birds or mammals are present which are vulnerable to disturbance by dogs;
- Where the trail passes along crop edges, to prevent contamination;
- In places where shooting takes place, to prevent disturbance to the quarry during the shooting season;
- In fields with livestock, to prevent stress or injury to the livestock.

Under such circumstances, a person in charge of a dog should keep the dog by their side, using a lead if necessary to achieve this.

Other dog control powers

Further dog control powers will be available on coastal access land locally if needed:

- Natural England will be able to restrict dogs to leads or exclude dogs for land management or nature conservation reasons; and

¹⁴ This is included in the Government paper which explains the contents of the proposed order under section 3A of the Countryside and Rights of Way Act 2000 (CROW).

- Local authorities, parish councils and other designated authorities will be able to make dog control orders after first consulting Natural England¹⁵.

These powers should in our view only be used in circumstances where other, less restrictive options will not meet the need, or have proven ineffective.

Next steps

Natural England intends to work with its partners to develop these principles into:

- More detailed guidance on forms of dog management appropriate to the circumstances of the coast, which will appear in the final draft of the scheme; and
- A strategy for communicating with people who visit the coast with dogs, so that they understand how to control dogs in their charge, in ways that are appropriate to the local circumstances, and therefore find it easier to comply with the law.

¹⁵ Guidance on the use of dog control orders is available at <http://www.defra.gov.uk/environment/localenv/legislation/cnea/dogcontrol-orders.pdf>