

ACCESS NEWSLETTER

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Marine and Coastal Access Act 2009

On 12 November 2009 the Marine and Coastal Access Bill received Royal Assent and became an Act of Parliament. The Act helps fulfil the Government's 2005 election manifesto commitments to: (1) introduce a new marine management framework, based on marine spatial planning – which aims to balance conservation, energy and resource needs; and (2) improve access to the English coast.

Part 9 of the Marine and Coastal Access (MCA) Act 2009 introduces new powers to extend public recreational access to the English coast. Its provisions place a duty on the Secretary of State and Natural England to secure, as far as possible, a continuous, signed and managed long distance route and wider spreading room which will be accessible on foot. To achieve this, the Act amends existing legislation – namely the National Parks and Access to the Countryside Act 1949 and the Countryside and Rights of Way Act 2000.

- A paper explaining how the coastal access provisions will work is available on Defra's web-site at: <http://www.defra.gov.uk/rural/documents/countryside/coastal-maca-policy.pdf>
- Further information and key background documents relating to the history of the MCA Bill can be viewed at: <http://www.defra.gov.uk/environment/marine/legislation/index.htm>
- Copies of the MCA Act are available at: <http://www.opsi.gov.uk/acts/act16-11>

Natural England's coastal access "Scheme" public consultation

The MCA Act requires Natural England to prepare a coastal access "Scheme" which sets out how it will approach implementing the new coastal access rights. On 13 November Natural England launched a public consultation on the contents of its proposed Scheme. You can view a copy of the consultation and documents outlining the proposed Scheme at: <http://www.naturalengland.org.uk/ourwork/position/consultations/>

Anyone with an interest is invited to submit comments via Natural England's web-site. The closing date for responses is **5 February 2010**.

Following the consultation, Natural England will prepare a final version of the Scheme for submission to the Secretary of State for approval. Approval of the Scheme must be received

before any implementation of coastal access provisions can begin. Once the Scheme is in place, Natural England will work with Dorset County Council on delivering the very first stretch of the new coastal route – a short section of coast at Weymouth Bay. This will be completed in time for the Olympic sailing events held there in 2012.

Natural England has also identified 5 other lead coastal areas where they plan to start delivering new and improved access – Kent, Somerset, Norfolk, Cumbria and East Riding. This stage is expected to start within 12 months of the Scheme being approved by the Secretary of State.

Reminder of closing date:

Consultation on amendments to the CROW Act 2000 for coastal land

This Defra consultation (which was published on 8 September 2009) seeks views on our proposals for a section 3A Order which will amend the Countryside and Rights of Way Act 2000 as applies to coastal access land. The amendments we propose will ensure that coastal land is included within the CROW Act's description of land to which the public has a right of access for open-air recreation. A number of other amendments are also proposed, including:

- Changes to the provisions for restrictions and exclusions;
- Changes to the categories of excepted land in Schedule 1; and
- Changes to the general restrictions in Schedule 2.

The full consultation paper and response templates can be found at:

<http://www.defra.gov.uk/corporate/consult/coastal-access/index.htm>

The final date for receipt of responses is **Tuesday 1 December 2009**.

If you have any queries on the above, please email us at: coast.consultation@defra.gsi.gov.uk