



Consultation on Proposals to improve access to the English Coast Response Pro forma

Please use this pro forma to send in your thoughts on the draft Climate Change Bill.
The deadline for submissions is **1st September**.

Responses should be email to enquiries@ies-uk.org.uk or posted to The Institution of Environmental Sciences, 38 Ebury St, London, SW1W 0LU.

How to respond

The Institution of Environmental Sciences (IES) believes that environmental considerations, informed by sound science, are an essential component of sustainable public policy-making and other development initiatives. In responding to consultation invitations, the IES will emphasise the importance of environmentally-sound decision-making.

We expect consultation proposals to be supported by a clearly-articulated rationale for change, stating both intended outcomes and pragmatic means for their delivery. These must be clearly communicated at all stages. We also expect that environmental implications, including their consequences for human equity both geographically and across generations, will underpin consultation proposals. This would include all aspects of, and implication for, the sustainable use of resources – physical, chemical and biological – in consultation proposals. We will also require to see that consultation proposals are both proportional and reflect appropriate subsidiary in decision-making.

We advise that those planning a consultation exercise take these environmental considerations fully into account in developing the proposals upon which they plan to consult. In the absence of such considerations, the IES will be emphatic that their inclusion is central to sustainable and responsible decision-making.

Please email any responses to the IES office at enquiries@ies-uk.org.uk. Your response will be collated into a single document with other responses. By replying you are giving permission for the IES to edit you work.

Please leave the response form blank for any questions that you do not wish to answer. Any further comments can be added at the end of the form. All boxes can be expanded as required.

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For each question it would be helpful if you could please indicate whether you agree, disagree or are uncertain by marking the box (as appropriate).

Chapter 2: Vision and Outcomes

1 Do you support this vision? If not, what vision do you have for improving access along the English coast?

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The vision is broadly supported.

2 Do you have any comments on Outcome 1?

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It is particularly important for the access corridor to be of sufficient size so as not to be dangerous or oppressive.

The coastal access needs to be linked to the inland footpath network in order to facilitate circular walks.

There are many existing lengths of coastal access that can be helpful in the implementation of this bold project (e.g. Devon and Cornwall Coastal Path).

3 Do you have any comments on Outcome 2?

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The Institution strongly supports the development of circular walks and well publicised access points that are strongly integrated with public transport provision. Flamborough Head is a good illustration of this. Care will be necessary to avoid access points becoming over-developed and a mass of hard landscaping and car parking springing up.

4 Do you have any comments on Outcome 3?

Yes

No

The IES strongly supports the multiple benefits to landscape, access, biodiversity and coastal management. It remains vital to maintain the correct balance between these elements.

We agree on the need to 'soften' intensive agriculture along the coastal edge, but agriculture does have a place here. Used carefully it can help support landscape, access, biodiversity and coastal management. The Scilly Isles illustrate what happens to coastal vegetation when much of the land bordering the coast is no longer farmed. Lack of grazing can make access difficult in places.

5 Do you have any comments on the relative importance of the three Outcomes?

Yes

No

All outcomes are equally important and there is a need for supporting coastal corridor management plans. These should be provided by local authorities working together with their sub-regional neighbours and including a regional overview. It might be possible to build on the experience gained from areas designated as Heritage Coast.

Chapter 3: Factfinding and conclusions drawn

6 Are there any other sources of information you are aware of which you consider should contribute to the evidence base?

Yes

No

However, have the findings of the background research and factfinding, mentioned in the document, been published by Natural England?

7 Do you agree with Natural England's overall picture of the current access situation on the coast? Any there any other studies that might support these conclusions or add to them?

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A useful picture is built up, but it would be helpful to see as much of it mapped as possible. This would easily identify accessible areas of coast that give people confidence over access, in contrast to those areas that have a more negative image and are more frustrating of access. It would then be easier to target resources to those areas that need them most.

8 Do you agree with Natural England's strategic conclusions? If not, what aspects of Natural England's strategic conclusions do you disagree with, and why?

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Broadly yes, but it is important to issue 'health warnings' for certain types of coast (e.g. marsh, dangerous cliffs and sands).

It is essential to have the effective management in place on the ground. Without the guarantee of resources for this, one would seriously question providing the access in the first place. The two must work together.

9 Are there any other perspectives or factors that you think should be considered?

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A coastal ranger and voluntary ranger service is essential and might perhaps form part of local authority countryside services that are already in existence (e.g. Wyre Borough Council in the North West). Otherwise they would need to be put in place.

It is crucial that the correct balance is struck between access and landscape, biodiversity and coastal management. It may be that in some areas there are very good reasons why a route will need to bypass the immediate coastal edge (development; Ministry of Defence; SSSI or other biodiversity site that is not conducive to large visitor access). Once access is provided it is often surprising how this can bring about further hard development over time and by default - car park provision despite the availability of public transport, visitor centres, sales areas, hard landscaping, cafes, toilets etc. Sometimes this can detract from the very qualities of an area and completely change its appearance, atmosphere and ambience, creating in its place a visitor hotspot and an 'attraction' for the car based visitor. Capacity studies for specific areas of coast will be needed to ascertain the type, nature and volume of suitable access provision.

Chapter 4: Work undertaken on benefits and costs

10 Do you have any comments on the benefits and costs identified in the partial Regulatory Impact Assessment?

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11 Are there any other benefits and costs that are relevant to the options which should be considered?

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Evidence from the existing Heritage Coast areas could helpfully illustrate the practical aspects of costs and benefits. Lessons, that would assist the widening of access to the coast as a whole, could undoubtedly be gained from this.

Chapter 5: Option 1 – Highways Act 1980

12 Do you agree with Natural England's assessment of option 1 – use of the Highways Act 1980?

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13 Do you agree with our assessment of the likely scale of effect?

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Chapter 6: Option 2 - Section 3 of the Countryside and Rights of Way Act 2000

14 Do you agree with Natural England's assessment of option 2 – the use of section 3 of the Countryside and Rights of Way Act 2000?

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15 Do you agree with our assessment of the likely scale of effect?

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Chapter 7: Option 3 – Voluntary measures to create permissive access

16 Do you agree with Natural England’s assessment of option 3 – the use of voluntary measures to create permissive access?

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17 Do you agree with our assessment of the likely scale of effect?

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Chapter 8: Option 4 – proposal for new primary legislation

18 Do you agree that the Government should introduce new primary legislation to allow for a tailored access regime around the coast? If not, which of the options would you prefer?

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There is a strong case for a tailored approach to an access regime around the coast.

There is also a strong case for NOT intervening in coastal areas that already have good quality access.

It is essential that there is a clear and transparent case for the integration of conservation, landscape improvement and access benefits.

19 Do you think that spreading room (such as headlands, viewpoints or uncultivated land) along the coast is important?

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Spreading room is important in the 'right places', but only within the wider context of a 'coastal access corridor management plan'. These areas must NOT be seen as a developer's charter and should be subject to the rigours of planning policy and development management applications.

20 Do you believe it is important to formalise access to beaches?

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Beaches are usually a key focal point for coastal access. However, beaches fulfil a range of roles and there may be some beaches where access needs to be limited or restricted for one valid reason or another. Some beaches are 'quiet' and their atmosphere depends on few visitors being present at any one time. Sometimes it can be enough simply to look out over a beach, rather than to necessarily walk on or across it. Might it be useful to identify the various types of beach before selecting the most appropriate form of access for them? Local knowledge and expertise can be essential here.

21 Do you have any comments on the proposal for a statutory methodology?

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It is important that there is a national context to the statutory methodology applicable across the country. That is not to say that there may not be some scope for more local factors to be taken into account around such a national methodology.

22 Do you agree there should be a right of appeal against Natural England's application of the statutory methodology?

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It is only right and proper that such an appeal exists, but one would hope that it remains very much a last resort and that every effort will be made to reach an agreement that can be acceptable to all interested parties.

23 Do you have any views on this approach to protecting important wildlife and habitats?

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It is vital that any coastal access considerations complement rather than weaken important wildlife habitats.

24 Do you agree that planning and implementation should be undertaken through access authorities wherever possible and funded by Natural England?

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The democratic process will be best served by using local access authorities as a first choice. It is important that a good dialogue is established between local access authorities and Natural England.

25 Do you agree that Natural England should have powers to do such work itself where the access authority was unwilling to act?

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This should only be seen as a last resort. A partnership agreement is by far the most effective way forward, with local communities also having valuable input into the process.

26 Do you think it is important that local solutions should be designed in consultation with local interests?

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This is vital to the success of the whole venture. Local distinctiveness is a key element of the Countryside Character Programme. Local interests are important in getting the most out of any proposal, which may influence economic, social and environmental concerns. Local communities should be involved from the start - perhaps the case of the Pennine Bridleway will have some useful lessons for coastal access corridors?

27 Are there any partners that you consider Natural England should particularly involve in its consultations?

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Local planning authorities are important partners whilst Regional Development Agencies are important in the broader context.

Expertise can also be gained from the Environment Agency, English Heritage, National Trust, Sustainable Development Commission, Ramblers Association, CPRE and CLA.

28 Should any legislation enable conditions to be placed on access if necessary (eg seasonal diversions to protect sensitive species or permanent diversions as a result of coastal change and realignment)?

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It is important that this option should be available if needed.

29 If so, should it be the responsibility of Natural England or the access authority to plan for and implement such conditions?

In the final analysis, conditions must be agreed and planned by the access authority whose job it will be to ensure enforcement. Natural England must be available to give advice and guidance and agree on a common framework that will be applied across the country.

30 Do you agree 10 years is a reasonable timescale for implementation? If not, what period should the implementation programme be over?

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Timescales such as this are difficult to judge since circumstances can change to blow them off course. Nevertheless, it does seem a useful timeframe to work towards. As always, funding availability is crucial.

31 Do you have any comments on Natural England's assessment of costs?

Yes

No

32 Do you agree that compensation should not be paid in respect of the new right of access?

Yes

No

Not sure

As a general rule it should be accepted that compensation will not be paid, but it might be helpful to consider what, if any, circumstances might arise that would qualify for a consideration of some level and form of compensation.

33 If you disagree, in what circumstances do you think compensation should be paid, and why?

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34 Do you agree that the reduced level of occupiers' liability introduced for access land under the Countryside and Rights of Way Act 2000 should also apply to coastal access?

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It might be helpful to indicate just how successful or otherwise it has been in the case of access land under the Countryside and Rights of Way Act 2002.

35 Do you have any comments on Natural England's proposals for complementary work to enhance coastal landscapes and wildlife?

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Coastal Access Corridor Management Plans should be produced for each of the agreed access areas, possibly with a regional or sub-regional overview and specific sections for each local authority through which the area runs. Such plans should be mandatory to ensure the correct balance between access and landscape, biodiversity and coastal management.

36 Do you have any other general comments on Natural England's proposals for new primary legislation?

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37 Do you agree with Natural England's assessment of the outcomes its recommended approach would deliver?

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38 Do you agree with our assessment of the likely scale of effect?

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Chapter 9: Other issues

39 Do you believe there is a need for higher rights (rights other than a right of access on foot for open-air recreation) around the coast?

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It would be helpful to consider appropriate integrated links between the coastal access corridors and local cycling and horse riding networks. It is interesting that in some developed parts of the coast the promenade has been designated both for walkers and cycling (e.g. Morecambe).

40 Do you have any information on demand for, and opportunities to provide for higher rights?

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Not really, but certainly the cycling lobby has been vociferous in getting coastal access to the promenade. The Cycling Tourist Club would be a useful contact to make.

41 Do you consider there is a need for more advice or information on possible visitor safety risks being available to the public if access to the coast was improved? If so, are there any particular issues that the advice and information should cover?

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Potentially, the greater the amount of coastal access, the greater the potential risks to the public. All coastal rescue services (including RAF Air Sea Rescue) need to be consulted in preparing an integrated plan to provide greater safety along the coast.

42 Do you agree with Natural England's advice that improving access to salt marshes and mudflats should not be a national priority in its own right?

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These are potentially very dangerous coastal landscapes (eg Morecambe Bay). Great care will be necessary in improving access to many of these areas. In some cases it may simply be inappropriate to encourage greater access.

43 Are there any other issues we need to take into account in assessing how we might improve access to the English coast?

Improving access to the coast of England is an attractive vision at first sight. Upon closer reflection, it is important to recognise that access is only one of a number of valid interests that include landscapes, biodiversity and other coastal land uses. Balance is crucial in assessing how we might improve access to the coast. The planning system has an important part to play in achieving this balance and in trying to ensure that access interests are successfully integrated alongside the other interests and that over-development is not allowed to take place. Coasts can be fragile and dangerous places and these aspects must also form important considerations.