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NATURAL
ENGLAND

England Coast Path Stretch: Silverdale to Cleveleys

Overview of Natural England's statutory reports to the Secretary of State for
Environment, Food and Rural Affairs



Map A: Key Map - Silverdale to Cleveleys

Report number and title

- SDC 1** Cove Well, Silverdale to Wild Duck Hall, Bolton-le-Sands (Maps SDC 1a - g)
- SDC 2** Wild Duck Hall, Bolton-le-Sands to Ocean Edge Caravan Park, Heysham (Maps SDC 2a - h)
- SDC 3** Ocean Edge Caravan Park, Heysham to Carlisle Bridge, Lancaster (Maps SDC 3a - j)
- SDC 4** Carlisle Bridge, Lancaster to Glasson Dock swing bridge (Maps SDC 4a - e)
- SDC 5** Glasson Dock swing bridge to Fluke Hall Lane car park, Pilling (Maps SDC 5a - l)
- SDC 6** Fluke Hall Lane car park, Pilling to South Promenade (Kingsway), Cleveleys (Maps SDC 6a - h)

Extent of proposals in each report



Proposed alternative/
optional alternative route



Extent of stretch



Motorway



A road



B road



Minor road



Railway & station



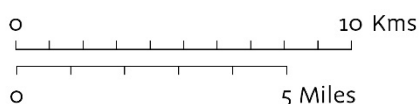
Airport



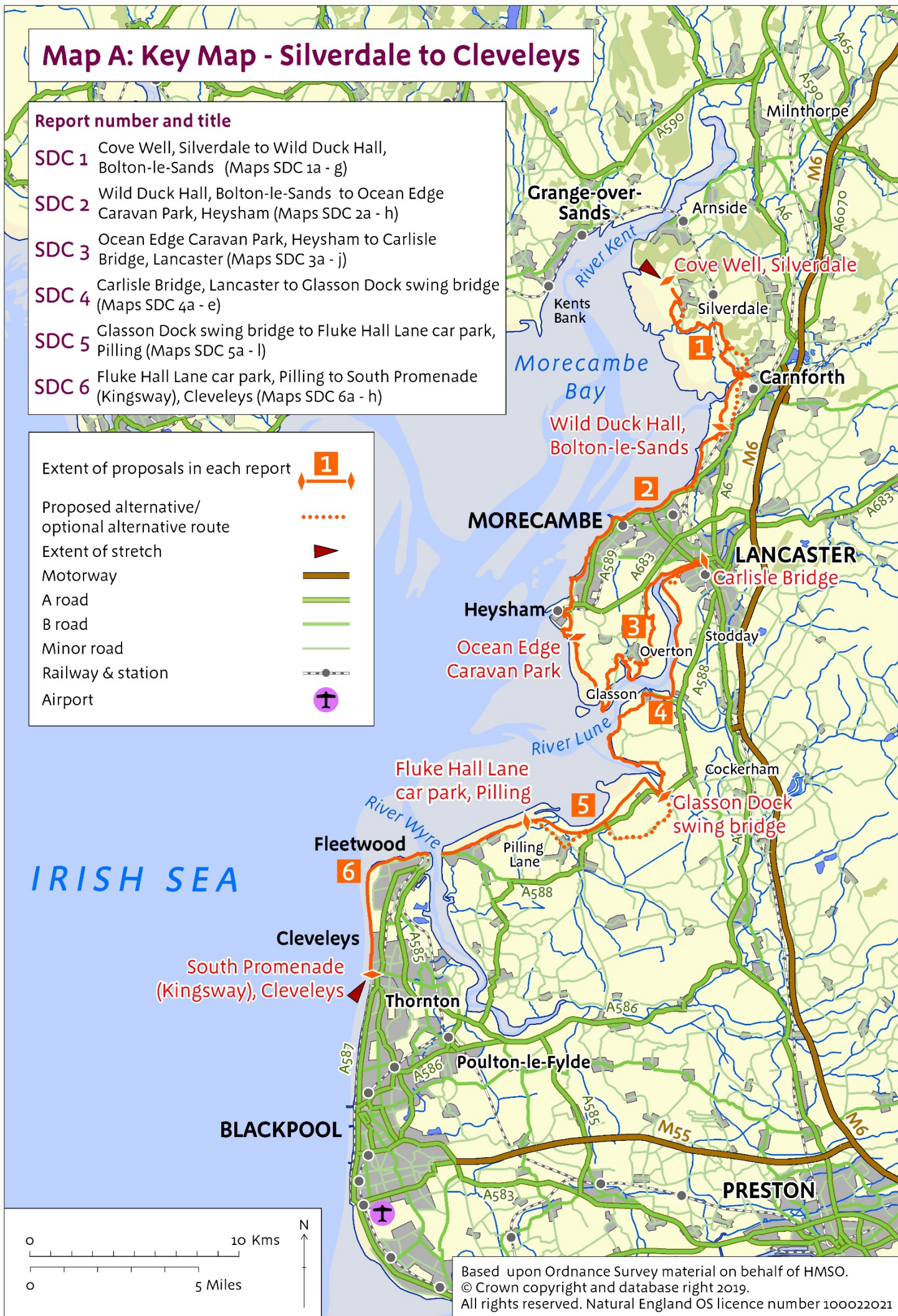
IRISH SEA

BLACKPOOL

PRESTON



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Report numbers and titles

SDC 1: Cove Well, Silverdale to Wild Duck Hall, Bolton-le-Sands (Maps SDC 1a to SDC 1g)

SDC 2: Wild Duck Hall, Bolton-le-Sands to Ocean Edge Caravan Park, Heysham (Maps SDC 2a to SDC 2h)

SDC 3: Ocean Edge Caravan Park, Heysham to Carlisle Bridge, Lancaster (Maps SDC 3a to SDC 3j)

SDC 4: Carlisle Bridge, Lancaster to Glasson Dock Swing Bridge (Maps SDC 4a to SDC 4e)

SDC 5: Glasson Dock Swing Bridge to Fluke Hall Lane Car Park, Pilling (Maps SDC 5a to SDC 5l)

SDC 6: Fluke Hall Lane Car Park, Pilling to South Promenade (Kingsway), Cleveleys (Maps SDC 6a to SDC 6h)

Using the Key Map

Map A (opposite) shows the whole of the Silverdale to Cleveleys stretch divided into shorter numbered lengths of coast.

Each number on Map A corresponds to the report which relates to that length of coast.

To find our proposals for a particular place, find the place on Map A and note the number of the report which includes it.

If you are interested in an area which crosses the boundary between two reports, please read the relevant parts of both reports.

Printing

If printing, please note that the maps which accompany reports 1 to 6 should ideally be printed on A3 paper. If you don't have the facility to print at A3 size, we suggest you print the text of the report you are interested in on A4 paper and view the associated map on your computer screen, using the zoom tool to view it at a suitable size.

Contents

Map A: Key Map – Silverdale to Cleveleys.....	2
Report numbers and titles.....	3
Using the Key Map	3
Printing.....	3
Contents.....	4
Please read first!	6
Introduction	7
1. Improving coastal access	7
2. The determination process.....	8
3. Understanding the proposals and accompanying maps	9
Our Proposals:.....	9
Part 3 Proposals Tables Explained.....	9
Part 4 Proposals Maps Explained.....	14
4. Preparation of the report	16
Stage 1 - Prepare	16
Stage 2 - Develop	17
Key issues along this stretch	18
5. Discretion to include part or all of an estuary or estuaries	18
Map A2: Estuarial limit of the Kent Estuary	20
Proposed route of the trail: Kent Estuary.....	22
MapA3: Estuarial limit of the River Lune.....	24
Proposed route of the trail: Lune Estuary	25
Map A4: Estuarial limit of the River Wyre	27
Proposed route of the trail: Wyre Estuary.....	28
6. Other considerations on this stretch.....	30
Map B: Existing public access map on the Silverdale to Cleveleys stretch	34
Map C: Key statutory environmental designations on the Silverdale to Cleveleys stretch	35
Map D: Key landscape designations on the Silverdale to Cleveleys stretch	36
Other issues.....	37
7. Future changes	37
8. Restrictions and exclusions.....	40
Maps E to E5: Maps showing overall effect of directions to restrict or exclude access on Silverdale to Cleveleys	46

Annex A: Bibliography..... 51
 Information about Natural England’s coastal access programme: 51
 Information about the statutory framework for coastal access: 51
 Environmental legislation referred to in the reports:..... 51
Annex B: Glossary of terms 53
Annex C: Excepted land categories..... 58
Annex D: National restrictions..... 59
 Countryside and Rights of Way Act 2000 60

Please read first!

This Overview document sets out the context for Natural England's proposals to improve public access to and along the stretch of coast between Silverdale and Cleveleys. It explains key common principles and background underlying the detailed proposals that we make in our compendium of linked but legally separate statutory reports, each covering a single length of coast within the stretch. Each of these reports should be read in conjunction with this Overview.

Taken together, these reports explain how we propose to implement the England Coast Path ("the trail") on this stretch of coast, and detail the likely consequences in terms of the wider 'Coastal Margin' that will be created if our proposals are approved by the Secretary of State. Our reports also set out:

- any proposals we think are necessary for restricting or excluding coastal access rights to address particular issues, in line with the powers in the legislation; and
- any proposed powers for the trail to be capable of being relocated on particular sections (through "roll-back"), if this proves necessary in the future because of coastal change.

So although this Overview has multiple reports associated with it, each report relating to a particular part of the stretch makes free-standing proposals, and seeks approval for them by the Secretary of State in their own right under section 52 of the National Parks and Access to the Countryside Act 1949.

We have carefully considered any potential environmental impacts of improving public access to this stretch of coast, and made any necessary adjustments to our proposals prior to publication in order to address these. Considerations in relation to environmental matters are explained in Section 6 of this Overview and relevant reports for each length of coast. Links are provided to relevant separately published documentation where appropriate.

The reports are published on our web pages as a series of separate documents, alongside this Overview and more general information about how the Coastal Access programme works.

Each report is accompanied by detailed **Proposals Maps** for the relevant length of coast. The maps are numbered according to the part of the report to which they relate. For example, maps SDC 1a to SDC 1g illustrate the proposals in report SDC 1, which deals with the length from Cove Well, Silverdale to Wild Duck Hall, Bolton-le-Sands.

Introduction

1. Improving coastal access

Natural England has a statutory duty under the Marine and Coastal Access Act 2009 to improve access to the English coast. The duty is in two parts: one relating to securing a long-distance walking route (“the trail”) around the whole coast: we call this the England Coast Path; the other relating to a margin of coastal land associated with the route which, in appropriate places, people will also be able to enjoy on foot. Associated with this duty is a discretion given to Natural England to extend the trail up any river estuary on either or both sides beyond the seaward limit of the estuarial waters¹, as far as the first bridge or tunnel with pedestrian access, or as far as any point between the two.

To secure these objectives, we must submit statutory reports to the Secretary of State for Environment, Food and Rural Affairs recommending where the route should be and identifying the associated coastal margin. The reports must follow the approach set out in our methodology (the Coastal Access Scheme), which – as the legislation requires – has been approved by the Secretary of State for this purpose.

This Overview and the related compendium of reports relate to the coast of Lancashire between Silverdale and Cleveleys. Taken together, our report proposals would make the following key improvements to the existing arrangements for access to this part of the coast:

- New sections of coastal path would be created in strategic places to link existing coastal paths into a continuous route along this stretch of coast for the first time;
- For the first time, there would be secure statutory rights of public access to most areas of beach, cliff and other coastal land on this stretch of coast;
- The coastal path would be able to ‘roll back’ as the cliffs erode or slip, or when other forms of coastal change occur, solving long-standing difficulties with maintaining a continuous route on this stretch of coast.

This is a significant opportunity to improve public access to this stretch of coast in these ways, with benefits for residents, businesses and visitors. More people will have easier and more extensive access to the coastal environment for open-air recreation, which is widely acknowledged to have significant benefits for human health and well-being.

Once approved and established, this part of the England Coast Path will be managed as part of the family of National Trails.

¹ section 301 of the Marine and Coastal Access Act 2009

2. The determination process

Each of the reports for this stretch is submitted in accordance with our statutory duty under section 296 of the Marine and Coastal Access Act 2009 ('the 2009 Act') to improve access to the English coast.

Publication of the reports has been advertised locally and online in accordance with the requirements of the coastal access legislation.

Following publication:

- Any person may make representations to Natural England about any of the reports; and
- Any owner or occupier of affected land may make an objection to Natural England.

In order to be treated as valid, all objections and representations must be received by Natural England no later than the end of the advertised eight week period following publication. The specific closing date appears in the statutory notice for Silverdale to Cleveleys, which can be viewed here www.gov.uk/government/publications/england-coast-path-from-silverdale-to-cleveleys-comment-on-proposals together with more information about how to make representations or objections.

The Planning Inspectorate will consider any objections and any related representations before passing recommendations to the Secretary of State, who in turn will consider both representations and objections and then make a decision as to whether to approve our proposals. Chapter 3 of our Coastal Access Scheme explains these processes in more detail (see Annex A: Bibliography).

The Secretary of State may confirm the proposals in each report in full, confirm some with modifications, or reject some or all of them. If the conclusion is that some modification to our proposed approach is required, further consideration may need to be given as to whether any further environmental assessment is necessary. We may need to prepare an amended report for consideration by the Secretary of State, relating to the part(s) of the coast affected by any rejected proposals. The same procedures for representation and objection would apply to the amended report.

Once proposals for the stretch have been confirmed, there will be a preparation period before the new access rights come into force. This period is to enable any necessary physical establishment of the trail to be carried out and to put in place any necessary local management arrangements (including any approved local access restrictions or exclusions).

Once the preparation period is complete, the rights will be brought into force by order on a date decided by the Secretary of State. Normally one single commencement date is used for the whole stretch. We will publicise the commencement of the rights to ensure they are known about and understood locally.

Parts 2 to 4 of each report explain more about the further steps that will be taken to establish the route, provisions for its future maintenance and the procedures which we will follow to make any subsequent changes that prove necessary once proposals for this part of the coast have been approved.

3. Understanding the proposals and accompanying maps

Before looking at the proposals and accompanying maps, it will help you if you read the following notes and then look carefully at the key to the maps.

Our Proposals:

The proposals are divided into 6 reports, each relating to a particular length of coast on this stretch. Each report is accompanied by detailed maps of the relevant length of coast. The maps are numbered according to the report to which they relate. For example, maps SDC 1a to SDC 1g illustrate the proposals described in report SDC 1.

Each **report** comprises four parts:

- **Part 1: Introduction** – This sets the context for our proposals for that length of coast.
- **Part 2: Proposals Narrative** – This summarises our alignment proposals in general, including any proposed use of our discretions to align the route along an estuary, or recommended changes to the default landward coastal margin. It also summarises the main access management measures that will need to be introduced and the overall accessibility (ease of use for all) of this length of coast, for all users. Additionally, it may identify any future changes of which we are aware that are likely to impact on this part of the coast, and explain how our proposals deal with this change. In each report the Part 2 Proposals Narrative, in conjunction with the Part 3 Proposals Tables and the Part 4 Proposals Maps, sets out our formal proposals to the Secretary of State in relation to the length of coast in question, for which we are seeking approval under section 52 of the National Parks and Access to the Countryside Act 1949.
- **Part 3: Proposals Tables** – These line-by-line listings set out in more detail our formal proposals to the Secretary of State for the length of coast in question, and should be read in conjunction with the Proposals Narrative and the relevant Proposals Maps.
- **Part 4: Proposals Maps** – These show in map form the proposals set out in the Proposals Narrative and Proposals Tables.

Part 3 Proposals Tables Explained

These notes explain how the various tables found in each report work:

- In the first table or set of tables, we set out detailed information for each section of coast under the following column headings:
 - Map(s) – This column indicates which of the report maps to view alongside the details in the other columns in the same row.
 - Route section number(s) – This is the unique identification number for the route section concerned. In some cases, two or more adjacent route sections will be amalgamated into a single row in the table, if all other displayed details happen to be identical.
 - Current status of route section(s) – This describes the current status of the route we have proposed and whether it has any existing access rights. Public highways, including public rights of way such as footpaths, are excepted from new coastal access rights because the existing public rights to use such highways will remain in force, and the trail is able to make use of these. Other sections of the proposed trail that do not currently have any access rights or where access is currently permitted by the landowner will become subject to new coastal access rights if our proposals are approved. These new rights, and any national or local restrictions on them, will not affect any existing access arrangements for cyclists, horse-riders or other types of recreational user that may currently exist at the local level - for example by formal agreement with, informal

permission from or traditional toleration by the owner of the land, or through any type of pre-existing legal right that remains in force.

- Roll-back proposed? – This indicates whether we propose that, in the event of significant coastal erosion or other geomorphological processes or significant encroachment by the sea, a section of trail which is affected by such factors should be capable of being repositioned in the future in accordance with this formal proposal, without needing further confirmation of the change at that time by the Secretary of State. Roll-back may be used to adjust the trail either in direct response to such changes or in order to link with other parts of the route that need to roll back in response to such changes. The column also indicates whether the ‘roll-back’ requirement is likely to give rise to a normal or more complex change on this section. (In the case of more complex outcomes, further details are provided in the ‘Roll-back implementation’ table). Section 4.10 of the Coastal Access Scheme explains in more detail how roll-back works.
- Landward margin contains default coastal land type? – Certain coastal land types are automatically included in the coastal margin where they fall landward of the trail if they touch it at some point. These coastal land types are: foreshore, cliff, bank, barrier, dune, beach, flat or section 15 land. This column identifies where one of the coastal land types is present in the landward coastal margin.
- Proposal to specify landward boundary of margin – This sets out any proposals for the default landward boundary of the coastal margin on this section to be altered or clarified - see iv below in the Notes on Maps.
- Reason for any proposed use of landward boundary discretion – This provides an explanation for any such proposal to alter or clarify the default margin on this section. This may be either because we are proposing a clear boundary around land that in our view would be margin by default, because it matches the description of ‘coastal land’ explained at paragraph 4.8.8 of the Scheme; or because we propose using our discretion to add land to or remove it from the default margin, as described at paragraphs 4.8.11 of the Scheme.
- Explanatory notes – This contains any additional information which may help further explain the proposal for this route section or group of sections.
- Where there is an alternative route or optional alternative route we set out the details of those routes in a separate table. The table includes columns that describe the landward and seaward boundaries of the alternative route strip. Alternative routes/optional alternative routes have a default width of two metres either side of the approved line. We propose specific landward and/or seaward boundaries to the route strip where doing so would add further clarity to the extent of access rights along the route, by working with the grain of what is already there. It should be noted that where the alternative route/optional alternative route follows an existing path corridor, the trail may adopt a variable width as dictated by existing physical features.
- Each report also includes a table that sets out any other options that were considered during our initial planning (in relation to the route and the coastal margin), and explains why they did not form part of our proposals.
- The final table or set of tables for each report provides further details of any situation where local circumstances mean that implementation of roll-back is likely to be more complex. We identify the key issue and our expected resolution.

Annotated examples of these various tables are given below, to illustrate how they are used.

In each report the Part 3 Proposals Tables, in conjunction with the Part 2 Proposals Narrative and the Part 4 Proposals Maps, set out our formal proposals to the Secretary of State in relation to the length of coast in question, for which we are seeking approval under section 52 of the National Parks and Access to the Countryside Act 1949.

Examples of tables found in each report, with explanation of their contents:

Example table 1: Section details

1	2	3	4	5a	5b	5c	6
Map(s)	Route section number(s)	Current status of route section(s)	Roll-back proposed? (See Part 7 of Overview)	Landward margin contains coastal land type?	Proposal to specify landward boundary of margin (See maps)	Reason for landward boundary proposal	Explanatory notes
ABC 1a	ABC-1-S003	Public footpath	No	No			
ABC 1b	ABC-1-S011	Public footway (shared use)	No	No	Pavement Edge	Clarity and cohesion	
ABC 1c	ABC-1-S018	Other existing walked route	Yes	Beach			
ABC 1d	ABC-1-S045	Other existing walked route	No	Bank	Edge of path	Clarity and cohesion	Top break of slope provides the greatest clarity for walkers

The route section number(s), as shown on the Proposals Map(s).

This column shows whether we are proposing that this route section could be repositioned in future in response to erosion etc. without further approval by Secretary of State. See notes to table. More complex situations are explained in Example Table 4 below.

If column 5b proposes any change or clarification to the landward extent of the margin, this column says why.

This column may offer further explanation of a more complex situation involving the margin.

The relevant Proposal Map(s) for the route section(s).

This column specifies the current access status of the proposed trail section.

We indicate here whether the landward coastal margin for this route section includes a default coastal land type.

This column shows any proposal we are making to align the landward boundary of the coastal margin for this route section with the physical feature shown. No text here means that for this route section the landward edge of the margin would be that of the trail itself - or if any default coastal land type is shown in column 5a, would be its landward boundary instead.

Example table 2: Alternative routes and optional alternative route details

1	2	3	4	5a	5b	6
Map(s)	Route section number(s)	Current status of route section(s)	Roll-back proposed? (See Part 7 of Overview)	Proposal to specify seaward boundary of alternative route strip	Proposal to specify landward boundary of alternative route strip	Explanatory notes
ABC 2a	ABC-2-A001	Public Footpath	No			
ABC 2b	ABC-2-OA001	Public Footway (shared use)	No	Pavement edge	Pavement edge	
ABC 2b	ABC-2-OA002	Other existing walked route	Yes	Fence	Various	The landward boundary corresponds with various features including a wall, fence and bramble hedge.

The route section number(s), as shown on the Proposals Map(s).

This column shows whether we are proposing that this route section could be repositioned in future in response to erosion etc. without further approval by Secretary of State. See notes to table. More complex situations are explained in Example Table 4 below.

This column may offer further explanation of a more complex situation, e.g. involving the boundaries of the route strip.

The relevant Proposal Map(s) for the route section(s).

This column specifies the current access status of the proposed trail section.

These columns show any proposal we are making to align either or both boundaries of the alternative route strip with a physical feature on the ground. No text in either column means that the edge of this section of the alternative route strip would be that of the trail itself.

Note: This table is only included in reports where we are proposing Alternative / Optional Alternative routes.

Example table 3: Other options considered

Map(s)	Section number(s)	Option(s) considered	Reasons for not proposing this option
ABC 3b	ABC-3-S011 to ABC-3-S019	We considered aligning the trail along the route of the existing public footpaths through the boat yard and along the flood bank.	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ it offers a safer and more convenient route with a newly created tarmac surface which is accessible to all. ■ it avoids passing through the working area of the boat yard. ■ the surface of the existing footpath along the flood bank is uneven and often waterlogged. <p>Under our proposals, the public footpaths would remain available for people to use but would not form part of the designated trail.</p>
ABC 3c	ABC-3-S017 to ABC-3-S020	We considered aligning the trail along the route of the existing public footpath on the cliff edge around the western edge of Cranham Hill.	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ it avoids increased footfall on the fragile limestone grassland flora which is designated as a SAC and SSSI feature. ■ it is comparable, in terms of the safety and convenience of walkers. <p>Under our proposals, the public footpath would remain available for people to use but would not form part of the designated trail.</p>

The relevant Proposal Map(s) for the route section(s).

The route section number(s), as shown on the Proposals Map(s).

This column describes other options we considered for the route or margin for the identified route section(s).

This column summarises the reason(s) that the other options we considered were not preferred.

Note: This table is only included in reports where we have considered other options.

Example table 4: Roll-back implementation – more complex situations

Map(s)	Route section number(s)	Feature(s) or site(s) potentially affected	Our likely approach to roll-back
ABC 4f	ABC-4-S040 to ABC-4-S045	Super Camp Holiday Village	<p>If it is no longer possible to find a viable route seaward of the specified campsite, we will choose a new route after detailed discussions with all relevant interests, either</p> <p>(a) to pass through the site, or (b) if this is not practicable, to pass somewhere on the landward side of it.</p> <p>In reaching this judgement we will have full regard to the need to seek a fair balance between the interests of potentially affected owners and occupiers and those of the public.</p>

The relevant Proposal Map(s) for the route section(s).

The route section number(s), as shown on the accompanying map(s).

This column identifies any areas that could cause us to consider a more complex solution to roll back than would normally be required.

This column summarises our expected approach to roll back in these circumstances.

Note: This table is only included in reports where we are proposing complex rollback.

Part 4 Proposals Maps Explained

The notes that follow will help explain the maps provided for each report.

The proposed route of the trail:

- i The thickness of the line used to depict the proposed route on the maps is intended to make it easy to find on the map. Different shading on the line differentiates between sections of the route that would use existing rights of way, sections that appear to follow other existing walked lines on the ground, and sections that do neither. The thickness of the line on the map is not an indication of the width of the actual trail on the ground. The proposed route simply follows the centre of the line shown. The legislation makes the default width of the trail four metres, but its actual width varies in practice according to the detail included section by section in our proposals.
- ii In places there are differences between the line of public rights of way recorded on the local Definitive Map that is maintained by the local highway authority, and paths currently used and managed on the ground as public rights of way. Some of these differences may be attributed to adaptation of the path over time to cope with coastal erosion and other processes, whilst others appear to arise from anomalies in the way the rights were originally recorded on the definitive map. The maps in this report show the public rights of way as recorded on the definitive map, and depict them as accurately as possible at the scale used. See part 4.7 of the Scheme for further information.

The coastal margin:

- iii The proposed route of the trail shown on the maps is important in understanding the extent of the coastal margin that would apply to either side of it. Under the legislation:
 - the coastal margin is a single, continuous corridor of land which includes the trail itself;
 - the margin includes all land seaward of the trail land - although not all of that land would be subject to a new right of access (see point vi below);
 - the landward extent of this margin is by default the trail itself, or the inland edge of any land adjoining the trail on its landward side that is foreshore, cliff, dune or beach, or a bank, barrier or flat, or section 15 land (see Annex B: Glossary of terms).
- iv We have the discretion to propose that the landward boundary of the coastal margin should coincide with a recognisable physical feature on the ground – even if the effect of doing so is to add land into the margin, or to remove land from it. We may use this discretion:
 - to propose that instead of the default trail width of four metres set by the legislation, particular physical features such as walls, fences or pavement edges should be used where appropriate to define the landward extent of the trail land on that section of the route: such features cannot be depicted on the maps at the scale used, but they are described in the Proposals Tables;
 - to clarify or adjust the boundaries of a landward area included by default as margin, in order to create a better ‘fit’ with the circumstances on the ground; or
 - to propose in some places that additional areas of land should be added to the coastal margin landward of the trail: land which is affected by such proposals is indicated on the maps with a purple wash and described in parts 2&3 of each report.

Further explanation of these powers can be found at part 4.8 of the Coastal Access Scheme. Our proposals take full account of any views expressed by the owner or occupier of affected land about whether the powers should be used in any of these ways.

- v Land which forms part of the coastal margin would be subject to access rights, other than:
 - any **excepted** land, such as land covered by buildings or their gardens or curtilage: Annex C summarises in full the categories of excepted land under the legislation; or
 - any land where coastal access rights would be **excluded** under our statutory powers: we indicate in the report where we already know of circumstances that make this necessary, and make any proposals accordingly.
- vi **Spreading room** is the term used in the reports to describe any land, other than trail land, which would form part of the coastal margin and would have public rights of access. It does not therefore include any excepted land within the margin, or any existing access land on the landward side of the trail that is omitted from the margin.

Annex B (Glossary of terms) includes a full definition of these terms which you may find helpful in understanding the report.

Voluntary access dedication

- vii Land that was previously dedicated as access land under section 16 of the Countryside and Rights of Way Act 2000 (CROW) will become subject to the coastal access regime if it forms part of the coastal margin in any of the ways described above. There is also provision in the legislation for a land owner or long leaseholder to dedicate other land voluntarily as coastal margin if it lies adjacent to it or within it. Dedicating land as coastal margin means the excepted land provisions do not apply there and may also be used to relax or remove specific national restrictions that would otherwise apply. Parts 4.8.20 to 4.8.23 of the Coastal Access Scheme explain these provisions in more detail.

In each report the Part 4 Proposals Maps, in conjunction with the Part 2 Proposals Narrative and the Part 3 Proposals Tables, set out our formal proposals to the Secretary of State in relation to the length of coast in question, for which we are seeking approval under section 52 of the National Parks and Access to the Countryside Act 1949.

4. Preparation of the report

To secure the twin objectives under the legislation we have followed the approach set out in our Coastal Access Scheme, as approved by the Secretary of State on 9 July 2013. Chapter 3 of this detailed document sets out the stages of implementation we must follow.

In line with this, before making the proposals in this compendium of reports for the stretch, we conducted extensive preliminary work in two main stages:

- Stage 1: Prepare – defining the extent of the coastal stretch with access authorities and identifying the key issues and opportunities, including sensitive features, in conjunction with key organisations; and
- Stage 2: Develop – checking the alignment on the ground, sharing our initial thoughts with land owners and offering to ‘walk the course’ with them, planning for the protection of key features, talking further with key interests and reality checking our proposals.

Stage 1 - Prepare

This stage involved us working closely with access authorities to develop an understanding of the stretch, agree its exact extent and carry out initial familiarisation visits. We held discussions with representatives of national and local organisations with a strategic interest in this stretch of coast. This included discussions with those we are required by legislation to consult at this stage:

- the Lancashire Local Access Forum (LLAF)
- County and District Council officers, including ecology, geology, historic environment, planning, transport and countryside ranger staff;
- local officers from the Environment Agency, in relation to flood defence and coastal erosion management on this stretch of coast;
- local officers of Historic England, in relation to historic features on this stretch of coast.

We also held discussions with representatives of specific interest groups, including:

- the Ramblers;
- the Open Spaces Society (OSS);
- the Royal National Lifeboat Institute (RNLI), the Maritime and Coastguard Agency / H.M. Coastguard and Bay Rescue;
- the Arnsdale and Silverdale AONB partnership;
- the Morecambe Bay Partnership;
- the Morecambe Bay Wildfowling and Morecambe Bay Wildfowling Liaison Group;
- the British Association for Shooting and Conservation (BASC);
- the Royal Society for the Protection of Birds (RSPB);
- the Wildlife Trust for Lancashire, Manchester and North Merseyside;
- the National Farmers Union (NFU); and
- the Country Land and Business Association (CLA).

We publicised on our website the start of work on the stretch and provided an opportunity for all other interested parties to submit to us their views on local issues and opportunities.

We also engaged with relevant specialists, both within Natural England and from other organisations, to consider any potential for impacts on key sensitive features.

In addition to these discussions we took into account a wide variety of information, plans and strategies that we considered relevant to the alignment process. Those that are published on the internet are listed in Annex A: Bibliography.

We then took all reasonable steps to identify owners, occupiers and those with a legal interest in the land which could be affected.

Stage 2 - Develop

This stage involved us contacting, and discussing our initial thoughts with, relevant owners, occupiers and other legal interests.

We asked for their views and invited them to join us when we visited the land to 'walk the course' so that we could discuss options for alignment based on mapped summaries of our emerging proposals.

In most cases this was done through separate site meetings with the individuals and businesses concerned. In addition, we held three public 'drop-in' sessions in May 2016, at the start of the work on this stretch of coast (in Carnforth, Hambleton and Overton) in order to give owners and occupiers an early opportunity to discuss the project in more detail and to allow us to explain how we would be managing the work. The CLA and NFU were invited to participate in these events and the CLA were able to attend the Carnforth session.

We also took reasonable steps to identify and contact any owners, occupiers or other legal interests who could foreseeably be affected in the future as a result of any roll-back that may prove necessary). **See part 7 – Future Changes – below.**

We then held further detailed discussions with internal and external specialists to refine our thinking on protecting key sensitive features, carrying out any necessary assessments.

After further discussions with key local and national organisations we refined our proposals and checked them on the ground before moving onto Stage 3 – Propose, which is the substance of these reports.

Key issues along this stretch

5. Discretion to include part or all of an estuary or estuaries

The proposed Silverdale to Cleveleys stretch includes the estuaries of the rivers Lune and Wyre and part of the estuary of the River Kent. The remaining part of the Kent Estuary is within the Silecroft to Silverdale stretch – please refer to our separately published reports relating to this stretch for more information.

a) Introduction

This part of the Overview:

- introduces the core statutory duties and considerations for the national programme as a whole in relation to exercising the discretion to include part, or all, of an estuary within our proposals;
- describes the overall nature of the estuary system(s) found in this part of England, identifying the geographical limits of our discretion to align the trail around the Kent, Lune and Wyre estuaries included within this stretch of coast;
- goes on to explain in more detail how each of the specific estuary considerations set out at section 301 of the 2009 Act affects our view of the options for the Kent, Lune and Wyre estuaries;
- sets out the options for estuary trail alignment which we have identified as a result of this analysis, and;
- describes and explains our chosen proposal in each case.

b) Estuary discretion

Under the 2009 Act there is no requirement for the trail to extend up any estuary further than the seaward limit of estuarial waters that is explained below under “Geographical limits of our discretion”.

But Natural England has a discretion to propose that the trail should extend from the seaward limit as far as the first bridge over which, or tunnel through which, there is a public right of way, or a public right of access, by virtue of which the public are able to cross the river on foot, or as far as any specified point in between. In exercising its discretion, Natural England must have regard to the core national duties and considerations described in Part B and Chapter 10 of the Coastal Access Scheme.

c) Core national duties and considerations relevant to estuaries

Section 296 of the 2009 Act places a legal duty (the Coastal Access Duty) on Natural England and the Secretary of State to secure a walking route around the whole of the open coast of England, together with an associated margin of land for the public to enjoy either in conjunction with their use of the route, or otherwise.

Section 297 goes on to require both, in discharging this duty, to have regard among other things to the desirability of ensuring that so far as reasonably practicable, interruptions to this route are kept to a minimum. This is a key consideration for the whole of the national delivery programme for coastal access. The whole concept of the England Coast Path relies on delivering continuity of the route so far as reasonably practicable for the whole country. Although proposing a route around each estuary is a discretion rather than a legal duty, if the presence of an estuary would interrupt this **continuity of access** along the open coast then this will constitute a strong prima facie reason for the trail to serve the estuary too, at least to the extent necessary to enable users to continue their onward journey around the coast.

The Scheme notes at paragraph 10.1.4 that because the seaward limit of estuarial waters is an arbitrary point from an access perspective, we are likely to use our discretion at most estuaries to extend the trail upstream to a more convenient point than this seaward limit. Paragraph 10.1.5 then adds “We will always give careful consideration to our option to extend the trail as far as the first bridge or tunnel with pedestrian

public access” – both for reasons of continuity, and with a view to any additional recreational benefits that might result within the estuary itself from doing so.

Chapter 10 of the Scheme explains the **statutory estuary criteria** that section 301(4) of the 2009 Act requires to be taken into account in deciding whether or not to include an estuary in our proposals. These are discussed in more detail in subsections **e to g** below in relation to the Kent, Lune and Wyre estuaries.

The other key considerations, including achieving a fair balance with the interests of owners and occupiers, are discussed in part 6 of this Overview.

d) Overall nature of estuary systems in this part of England

Morecambe Bay, in north-west England is the confluence of four principal estuaries, the Leven, Kent, Lune and Wyre. Collectively these form the largest single area of continuous intertidal mudflats and sandflats in the UK.

e) Kent Estuary

Geographical limits of our discretion

The seaward limit of the estuarial waters of the River Kent within this stretch extends between Morecambe and the mudflats in the vicinity of Flookburgh, on the northern side of Morecambe Bay, as shown on Map A2. This stretch begins at Silverdale which is seaward of the River Kent’s first public foot crossing at Levens Bridge near Kendal. It is also possible to cross the river by train at Arnside.

This upstream section of the river is dealt with in reports SDC 1 and SDC 2 and is also covered in our compendium of reports brigaded under the Silcroft to Silverdale Stretch, which has been submitted separately to the Secretary of State for consideration.

There is one significant tributary that merges with the Kent – the River Keer. The first bridge with pedestrian access over the River Keer is a small footbridge near Hagg Wood, to the north of Carnforth (See Report SDC 1 and map 1e).

The statutory estuary criteria

We have considered below each of the section 301 criteria under the headings given in Chapter 10 of the Scheme.

i) Ferry services

There is no existing ferry service across the estuary.

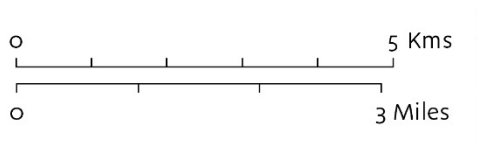
ii) Character of the Estuary

Estuary width

The width of the estuary is variable. At its widest point, between Flookburgh and Morecambe, it is more than 10 kilometres (6 miles) wide and creates a very open landscape. Creeks, channels and inlets join the estuary at various points, mostly only a few metres wide. At Silverdale (the northern extent of the stretch covered by these reports), the estuary is more than 6 kilometres (3.7 miles) wide. This contributes to a character that is considerably more coastal than riverine.

Map A2: Estuarial waters of the River Kent

- Proposed route —
- Proposed alternative route/
optional alternative route ⋯
- Proposed route -
Silecroft to Silverdale stretch - - -
- First bridge with pedestrian access ●
- Seaward limit of the estuarial waters
of the River Kent —
- Estuarial waters of the River Kent ▨
- Motorway —
- A road —
- B road —
- Minor road —
- Railway & station —●—



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Topography of the shoreline

The shoreline of the Kent Estuary is punctuated by several inlets and tributaries, the largest of which is the River Keer at Carnforth. From Silverdale to Carnforth, the coast is characterised by saltmarsh and some areas of low-lying farmland, backed by rising and often wooded limestone outcrops. South of Carnforth, the topography is more straightforward, being predominantly low-lying farmland and saltmarsh. Whilst the topography of the northern part of the estuary within this stretch is complex, it would be possible to create a route in a cost-effective way.

Nature of affected land

There are extensive flats and salt marsh that extend from the start of the stretch at Silverdale through to Morecambe. Areas of cliff and woodland are also found on the section between Silverdale to Carnforth.

Between Hest Bank and Morecambe, the land cover is more urban with sandflats and popular beaches running along the promenade.

Features of interest

There are several features of interest around the estuary, including Leighton Moss RSPB Reserve, Jenny Brown's Point, the Arnside and Silverdale AONB, the Morecambe Bay nature reserve and extensive roosts for many bird species.

Bolton-le-Sands and Morecambe are popular destinations, with various visitor facilities and attractions.

iii) Recreational Benefit

It is possible to walk across the estuary via existing public rights of way but these cross mudflats and saltmarshes and are potentially dangerous to walkers without a good understanding of the tides and the shifting nature of the flats.

It has previously been possible to walk around the estuary following two promoted routes – the Cumbria Coastal Way and the Lancashire Coastal Way. The former of these originally extended along the entire length of the Cumbrian coast, but is no longer shown on new Ordnance Survey maps. However, electronic versions of the guide book and GPS walking routes are still available. Parts of the route not designated as public rights of way were enabled by permissive agreement, some of which may now have lapsed. Both of these routes include extensive detours from the edge of the estuary. To a certain extent the inland detours attempt to balance the desire for a route around the estuary with the impracticality of following the shoreline more faithfully.

In places there are existing restrictions on shoreline access to consider alongside the practical considerations above, including controls for wildlife protection, public safety, and privacy. These would present additional challenges to the aspiration for a truly coastal route around the edge of the bay.

This part of the coast is in close proximity to a number of residential areas and so an estuary route would be easily accessible for a great many people. A coastal railway also follows this part of the coast, quite closely in places, with stations at Silverdale, Carnforth and Morecambe. There are also several formal and informal car parks between Silverdale and Morecambe, further increasing the ease of access to an estuary route.

Whilst some parts of the coast between Silverdale and Morecambe are already easily accessible, existing access is less comprehensive in other places, such as the section of coast between Carnforth and Leighton Moss, as well as north of Jenny Brown's Point. We have concluded that the improvements within our proposals in these areas will be of considerable recreational benefit.

iv) Excepted land

There are occasional dwellings close to the shore, as well as a handful of caravan parks, but there would be no extensive areas of excepted land within the coastal margin.

v) Options for the Kent estuary

Natural England's discretion to propose that the route should extend upstream beyond the seaward limit of the estuarial waters gives rise to a number of alignment options:

- Option 1 – Make no coastal access proposals in relation to the parts of the estuary covered by this report. The England Coast Path would end at the seaward limit of the Kent estuary, at Morecambe. Given the lack of a ferry service and the undesirability of crossing the estuarial flats on foot, this would create a significant break in the continuity of the England Coast Path.
- Option 2 – To exercise our discretion so that the trail should extend around the estuary. This would help fulfil local aspirations to create new and improved existing routes around the estuary. Such improvements would however need to take account of the unique characteristics of the shoreline, its existing uses and nature conservation sensitivities.
- Option 3 – To exercise our discretion so as to align the trail as far upstream as some other point between the seaward limit of the estuary and the northern extent of this stretch of coast.

Proposed route of the trail: Kent Estuary

Our proposal is to align the trail around the full extent of the Kent Estuary covered by Reports SDC 1 and SDC 2 (i.e. from Silverdale to Morecambe). In doing so, we also propose to cross the various other tributaries of this estuary, either via existing or new bridges. Taking all of the above considerations into account, this fulfils the core objective of the legislation - to create a continuous route around the coast – and will provide many significant local benefits. The proposed route of the trail will follow existing routes and rights of way where appropriate but will also incorporate new sections of path where no suitable routes currently exist.

The following factors were central to our proposal to align the route around the estuary:

- The estimated costs of establishing the proposed route are not excessively high, partly as a result of the relatively straightforward alignment proposed around much of the estuary.
- Whilst we are proposing to exclude access to many parts of the coastal margin, walkers would still benefit from panoramic and spectacular views over those areas from many parts of the proposed route. In some places, new rights would exist over the coastal margin.

This decision is consistent with our proposals for the adjoining Silecroft to Silverdale stretch, which includes the remaining parts of the Kent Estuary from Flookburgh to Silverdale. Please refer to the separately published reports for more information on our proposed estuary discretion application over these other parts of the Kent Estuary.

f) Lune Estuary

Geographical limits of our discretion

The seaward limit of the estuarial waters of the River Lune is between Overton and Glasson Dock, as shown on Map A3.

The first crossing point with pedestrian access is Carlisle Bridge at Lancaster, carrying the West Coast Main Line Railway, with a public walkway on the eastern side.

There are two significant tributaries that merge with the Lune downstream of Carlisle Bridge. The first bridges with pedestrian access over these tributaries are:

- River Condor – on the cycleway near to Conder Green Farm (See Report SDC 4, Map 4e)
- Lancaster Canal (Glasson branch) - on the swing bridge at Glasson Basin (See Report SDC 4, Map SDC 4e)

The statutory estuary criteria

We have considered below each of the section 301 criteria under the headings given in Chapter 10 of the Scheme.

i) Ferry services

There are no ferry services across the River Lune and its tributaries.

ii) Character of the Estuary

Estuary width

The width of the River Lune is variable. At the seaward limit of the transitional waters (from Glasson to Overton Marsh) it is approximately 700m wide. Views out to the open coast still give a coastal feel at this point. Further upstream, at the first bridge crossing at Carlisle Bridge, the river is about 100m wide and the creeks and inlets on the western and eastern sides contract to only a few metres wide.

Topography of the shoreline

The shoreline of the Lune Estuary consists predominantly of saltmarsh and mudflats along both its eastern and western shores with their characteristic creeks and channels prevalent throughout. The topography on either side of the estuary is generally flat although the agricultural land and raised earth embankments toward the back edge of the saltmarsh on the western side of the estuary provides decent opportunities to relatively straightforward establishment of a new route.

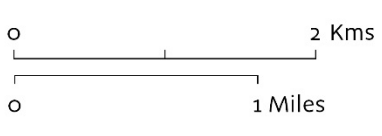
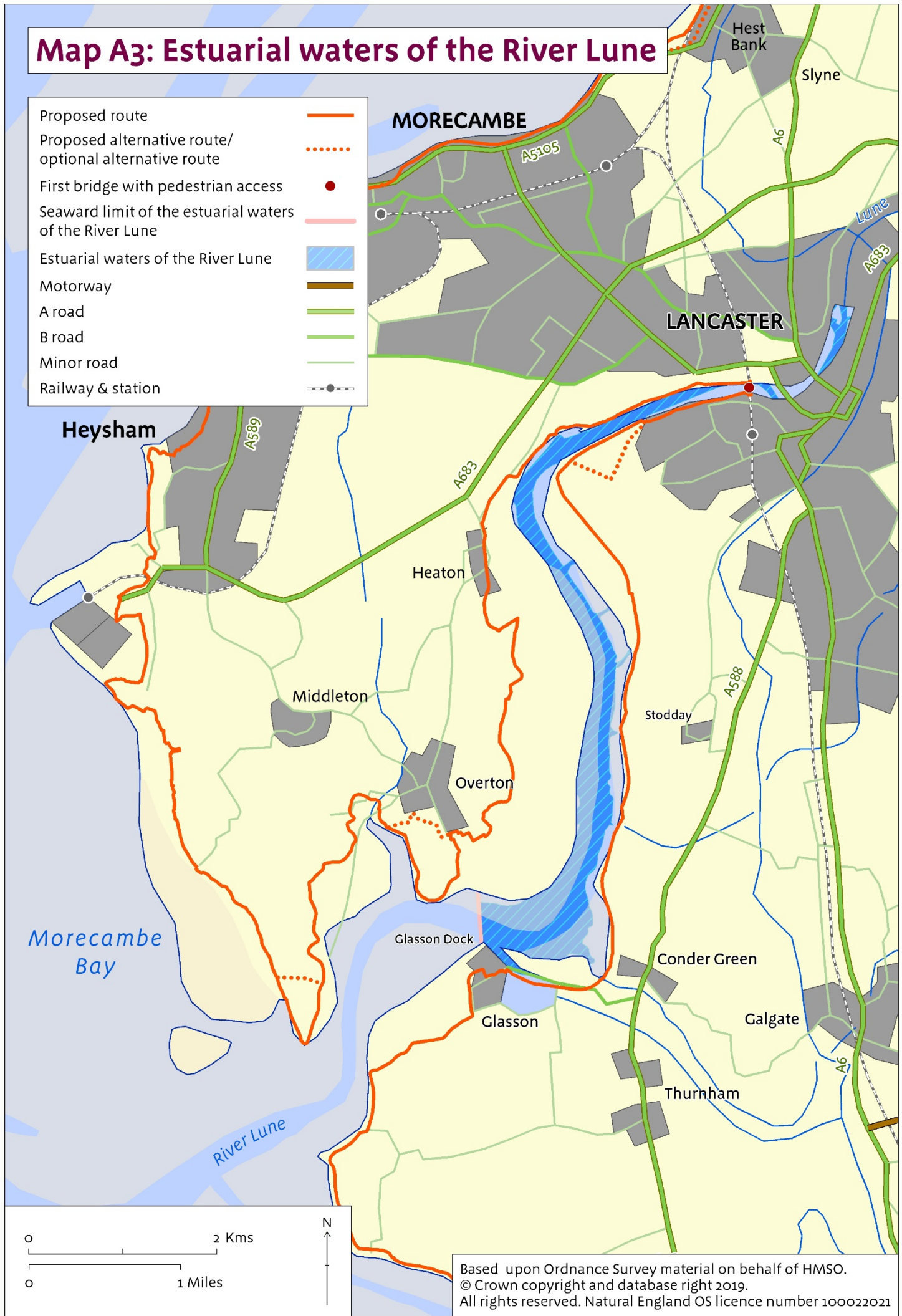
Nature of affected land

The western side of the river (broadly from Overton to Carlisle Bridge) is predominantly rural and natural or semi-natural in appearance, and is composed primarily of saltmarsh and mudflats.

The eastern side of the river (heading westwards for 2km from Carlisle Bridge, Lancaster) is urban and defended by concrete embankments. Further south, the land becomes more rural before it reaches the port and dock at Glasson. The proposed route follows the existing cycleway, which generally lies close to the top of the foreshore. The majority of the land which would fall within the coastal margin is foreshore and saltmarsh.

Map A3: Estuarial waters of the River Lune

- Proposed route —
- Proposed alternative route/
optional alternative route ⋯
- First bridge with pedestrian access ●
- Seaward limit of the estuarial waters
of the River Lune —
- Estuarial waters of the River Lune ▨
- Motorway —
- A road —
- B road —
- Minor road —
- Railway & station —●—



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Features of interest

The northern part of the estuary offers the historic city and county town of Lancaster, with its various visitor facilities and attractions. Further south east, at the mouth of the river Lune is the village of Glasson (or Glasson Dock) - a working sea port, with views across the Morecambe Bay to the fells of the Lakes District to the north and Blackpool Tower to the south.

iii) Recreational Benefit

Whilst existing provision of public access along the eastern side of the River Lune is good, by virtue of the existing cycleway that extends from Lancaster all the way to Glasson, access from Overton to Lancaster on the western side of the river Lune is very limited. There are no direct walking routes and access would only be possible via Lancaster Road, which has no pavement and is unsafe for pedestrians. Existing public access arrangements do improve northeast of the Golden Ball public house and the Riverside Caravan Park at Snatchems, where the existing Lancaster Cycle Way provides a pleasant, off road route into Lancaster city centre.

Extensive areas of saltmarsh dominate the shoreline on the western side of the river Lune and this, alongside wildlife protection and public safety considerations, do present additional challenges to the aspiration for a truly coastal route around the edge of the river.

Overall, the most significant recreational benefits arising from an estuary route are likely to be the provision of good connections to the open coast for the residents of Lancaster and other settlements along the estuary, particularly on the western side of the estuary.

iv) Excepted land

On both sides of the estuary, there are occasional dwellings on or near the shoreline but there would be no extensive areas of excepted land within the proposed coastal margin.

v) Options for the Lune Estuary

Natural England's discretion to propose that the route should extend upstream beyond the seaward limit of the estuarial waters gives rise to a number of alignment options:

- Option 1 – Make no coastal access proposals in relation to the estuary. The England Coast Path would end at the seaward limit of the Lune estuary on either side (Overton and Glasson Dock). Given the lack of a ferry service, this would create a significant break in the continuity of the England Coast Path.
- Option 2 – To exercise our discretion so that the trail should extend around the estuary to Carlisle Bridge, where pedestrians can cross the river on foot.

Proposed route of the trail: Lune Estuary

Our proposal is to align the trail upstream as far as Carlisle Bridge on both sides of the estuary, this being the first available crossing with a right of access on foot. In doing so, we also propose to cross the various other tributaries of this estuary, either via existing or new bridges. Taking all of the above considerations into account, this fulfils the core objective of the legislation - to create a continuous route around the coast – in a simple and cost-effective way.

The following factors were central to our proposal to align the route around the estuary:

- The estimated costs of establishing the proposed route are not excessively high, partly as a result of the relatively straightforward alignment proposed around much of the estuary.
- The presence of the existing cycleway/footpath from Lancaster to Glasson on the eastern side of the estuary.

- Whilst we are proposing to exclude new access from many parts of the coastal margin, walkers would still benefit from panoramic and good views over those areas from many parts of the proposed route. In some places, new rights would exist over the coastal margin.
- The character of parts of the estuary, which we believe to be distinctly coastal, at least as far Heaton and Colloway Marsh on its western side and from Aldcliffe to Glasson on its eastern side.

g) Wyre Estuary

Geographical limits of our discretion

The seaward limit of the estuarial waters of the River Wyre are upstream of the ferry crossing at its mouth, between Knott End-on-Sea and Fleetwood, as shown on Map A4. The first crossing point with pedestrian access is the existing A588 road bridge south of Hambleton ('Shard Bridge') which is approximately 10km upstream from the ferry crossing.

There are three other tributaries that merge with the Wyre upstream of the ferry crossing. The first bridges with pedestrian access over these tributaries are:

- Wardley Pool – on the minor road at Hambleton;
- Skippool Creek – on the footbridge at Skippool Marsh and on the A585 roadside path at Skippool; and
- Hillylaid Pool – on the public footpath at Stanah.

The statutory estuary criteria

We have considered below each of the section 301 criteria under the headings given in Chapter 10 of the Scheme.

i) Ferry services

There is a regular ferry service across the mouth of the River Wyre between Knott End-on-Sea and Fleetwood. Subject to tides, the ferry runs all year round and unless there are exceptional circumstances, it is only closed for annual maintenance work for two weeks in the winter each year. During the summer months the ferry currently operates from 7.45am to 5.45pm; sailings will be half hourly at 15 and 45 minutes past the hour from Fleetwood whereas in the winter the service runs on the hour. The journey takes no more than a few minutes.

ii) Character of the Estuary

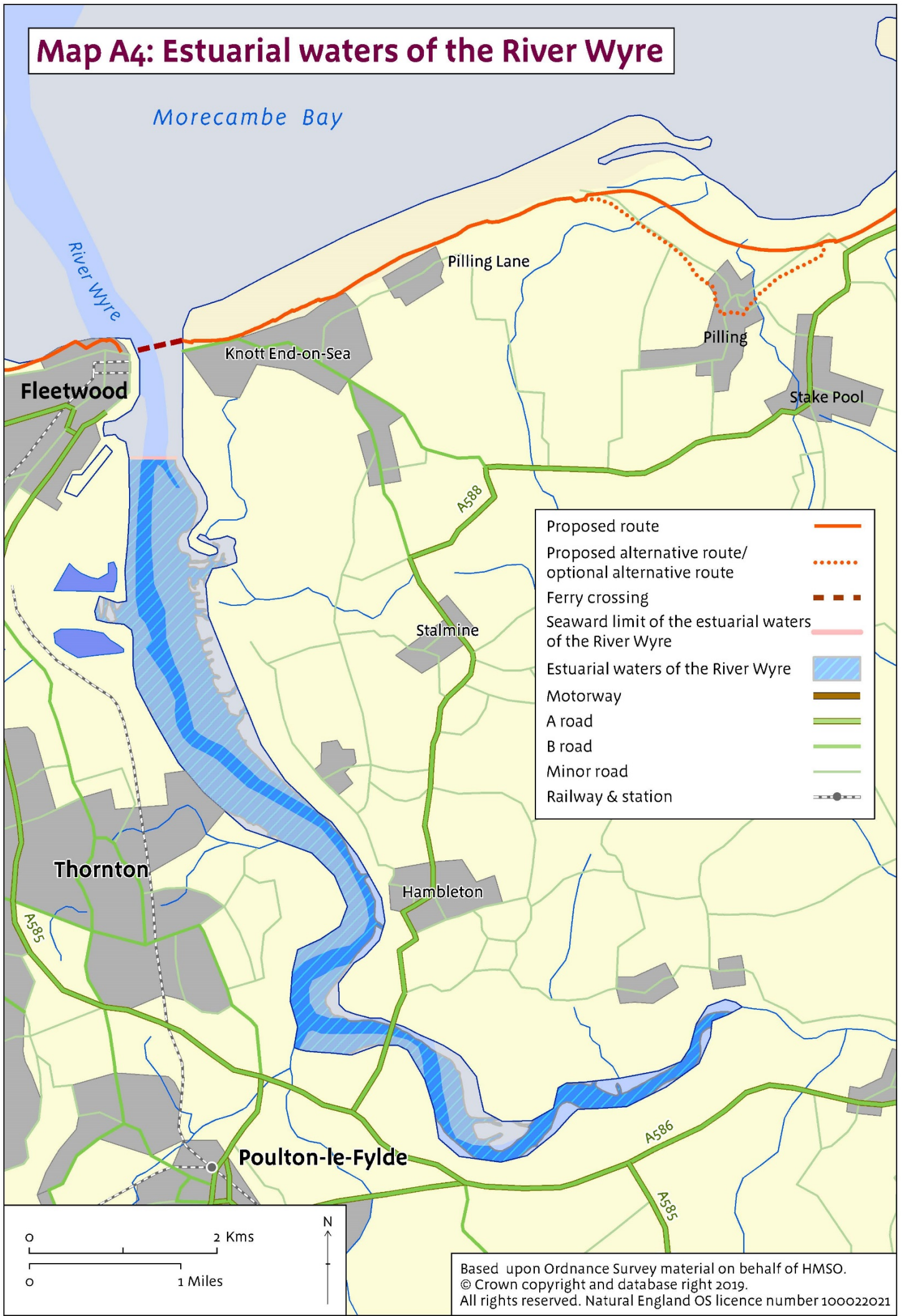
Estuary width

The width of the River Wyre is variable, and is almost 1km at its widest point. Some of the creeks and inlets on the eastern and western sides contract to only a few metres wide. The mouth of the river is approximately 550m in width (between Mean High Water Marks). There is still a distinctively coastal feel on this part of the estuary but this changes and becomes more riverine as you move further south along the estuary towards Stanah and Hambleton.

Topography of the shoreline

The shoreline of the Wyre Estuary is punctuated by creeks and channels as part of the extensive area of saltmarsh and mudflats which extends along both its eastern and western shores. The mouth of the estuary is far more urban in nature where Fleetwood and Knott End-on-Sea are protected by concrete sea defences.

Map A4: Estuarial waters of the River Wyre



Proposed route	
Proposed alternative route/ optional alternative route	
Ferry crossing	
Seaward limit of the estuarial waters of the River Wyre	
Estuarial waters of the River Wyre	
Motorway	
A road	
B road	
Minor road	
Railway & station	

0 2 Kms
0 1 Miles



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Nature of affected land

The eastern side of the River Wyre (broadly, from Knott End to Shard Bridge, south of Hambleton) is predominantly rural and natural in nature. It is fringed by saltmarsh, and flats which are revealed at low tide.

The western side of the estuary is more varied, including industrial areas, operational landfill sites, private houses and gardens and boatyards. There are narrow areas of saltmarsh and flats along much of the western side of the estuary.

Features of interest

Linked by the regular ferry service, the towns of Fleetwood and Knott End are situated either side of the mouth of the river.

The western side of the river offers the popular Wyre Country Park at Stanah, with its various visitor facilities. Visitors can walk close to the edge of the river at this point and enjoy extensive views out over the estuary. Further north, Fleetwood Marsh Nature Reserve provides wildlife interest on the edge of a new residential development, close to the marina and retail park.

iii) Recreational Benefit

It is possible to walk around the estuary by following the existing Wyre Way promoted route. This route is mostly fairly close to the shoreline but deviates inland in places, particularly on the western side of the estuary around industrial and landfill sites. On the eastern side of the river, the existing route in part follows narrow roads set some way back from the shoreline.

There are aspirations to improve the Wyre Way around the entire estuary by re-aligning the route off the highway and finding a more direct route to the seaward side of the industrial and landfill sites to the west.

There are existing restrictions on shoreline access to consider alongside the practical considerations above, including controls for wildlife protection, public safety, industrial use and privacy. These would present additional challenges to the aspiration for a truly coastal route around the harbour's edge.

iv) Excepted land

Much of the eastern shore is rural in nature and dominated by agricultural land, saltmarsh and mudflats, with few extensive areas of potential excepted land. The western side of the estuary (from Stanah north) is far more urban with industry, a landfill site and residential areas occupying land close to the river, just south of Fleetwood.

v) Options for Wyre Estuary

Natural England's discretion to propose that the route should extend upstream beyond the seaward limit of the estuarial waters gives rise a number of alignment options:

- Option 1 – To end the trail at the ferry ports at Fleetwood and Knott End. This would allow continuous access along the open coast for walkers, but would not offer any improvements to existing access around the estuary.
- Option 2 – To exercise our discretion so that the trail should extend around the estuary to Shard Bridge where pedestrians may cross the river on foot. This additional 22km of route would help fulfil local aspirations to improve existing routes on both sides of the Wyre estuary.

Proposed route of the trail: Wyre Estuary

We propose that the trail should be aligned to the ferry ports at Fleetwood and Knott End, at the mouth of the estuary, allowing walkers to continue their journey by means of the regular ferry. This fulfils the core objective of the legislation - to create a continuous route around the coast – in a simple and cost effective way. The additional local benefits of option 2 (see above) are potentially significant, but in our view – given

the existence of the regular ferry service - would not justify the additional cost to the national implementation programme.

The following factors were central to our proposal to align the route across the estuary using the existing ferry service:

- The proximity of the ferry service to the open coast increases the convenience of that mode of transport as a means of continuing a coastal journey.
- The estimated costs of establishing the proposed route via the ferry service are minimal compared to the costs of establishing a much longer route around the estuary (approx. 20km further).
- It was announced in January 2018 that a new 8 year contract was awarded to an operator to run the ferry service. If during or at the end of this period of time, the ferry service ceases to operate or becomes less convenient for the purpose, Natural England will review the trail alignment and, if appropriate, will prepare a separate variation report to the Secretary of State to ensure an uninterrupted journey along the trail.

6. Other considerations on this stretch

a) Recreational Issues

Map B gives an overview of existing public access to the Lancashire coast between Silverdale and Cleveleys, showing public rights of way, access land and other promoted routes along the stretch.

The Lancashire Coastal Way already affords relatively good linear coastal access along much of the Silverdale to Cleveleys stretch. For the most part it maintains relatively close proximity to the sea, but there are points where it moves inland and loses sea views for significant distances (for example, from Silverdale to Carnforth, Morecambe to Lancaster and from Cockerham to Pilling – see reports SDC 1, 2, 3 and 5 of the proposals). Our proposals make significant improvements in many of these areas.

In addition to this promoted route, there are other walked routes in places that are not shown on Map B but which we have taken into consideration. In such places where there is a choice between two or more existing walked routes along the coast, we describe the options in the commentaries to the relevant maps in each chapter and explain the reasons for the choice.

There are other areas of land with other existing rights of access, such as at Warton Sands and Bolton-le-Sands, near Carnforth and at Overton and Glasson – shown as existing access land on Map B. The spreading room (the accessible parts of the coastal margin) described in the later chapters of the report would include some of these areas, but there would also be spreading room in other areas where there are currently no existing public rights of access. The proposed coastal margin includes all land on the seaward side of the trail, which would become accessible by default under the legislation. We have also used our discretion to propose additional spreading room on the landward side of the trail at Jack Scout (see Report SDC 1), at Heysham Head (see Report SDC 2) and at Lane Ends Amenity Area (see Report SDC 6) with the support of the affected land owners.

Initial feedback from local groups asked for improvements to be made to access along the coast in several specific locations and to ensure that the route is made accessible for those with limited mobility. There were requests to see a new multi-user route created across Warton Sands (see Report SDC 1); and suggestions that a new walking route be provided much closer to the sea at Pilling (see Report SDC 5). We also received comments about the potential improvements to the existing 'Wyre Way' – the promoted route around the Wyre Estuary (see Report SDC 5). Others expressed concerns about the need to ensure that the new access proposals would not have any detrimental impact on the important nature conservation areas along the stretch and how the route would be managed in the longer term. These issues are addressed as part of our overall approach to the implementation of the proposals described later in the Overview.

b) Protection of the environment

The coastline between Silverdale and Cleveleys is highly designated for its landscape, wildlife and cultural heritage assets.

The area is of international importance for its estuarine habitats, breeding seabirds and populations of wintering and migratory waterbirds. It forms part of the Morecambe Bay Special Area of Conservation, Morecambe Bay and Duddon Estuary Special Protection Area and Morecambe Bay Ramsar site. The Wyre-Lune Marine Conservation Zone is located along this part of the coast between Heysham and Fleetwood (Reports SDC 2 – 6). The area also includes a range of sites designated for their woodland, limestone grassland, limestone pavement and other biological or geological features.

Typically, this stretch of coast is dominated by farmland and includes large areas of salt marsh, particularly at Warton common (Report SDC 1) and in the Pilling area (Report SDC 5). Extensive sand and mud flats are revealed at low tide.

Between Silverdale and Warton the area is characterised by the underlying limestone, with some areas of limestone cliffs, and includes areas covered by Limestone Pavement Orders (Report SDC 1).

Internationally important numbers of waterbirds use the intertidal flats and saltmarshes. Seabirds and waterbirds breed at key sites, such as the RSPB Leighton Moss Reserve and Warton common (Report SDC 1) and the Pilling area (Report SDC 5).

See Map C: Key statutory environmental designations on this stretch.

The coast between Silverdale and the River Keer (near Carnforth) forms part of the Arnside and Silverdale Area of Outstanding Natural Beauty and has a distinctive limestone scenery. The landscape is of national importance, and it is highly valued for its unique geology, rich wildlife and cultural heritage and the benefits it provides to society. It has a distinctive landscape character including an intimate mosaic of low limestone hills, woodland, wetland, pastures, limestone pavements, intertidal flats, coastal scenery and historic settlements. We have also considered the historic parkland and various listed buildings on this part of the coast; we have concluded that neither these nor the distinctive landscape features will be impacted by our proposals.

See Map D: Key landscape designations on this stretch.

Tourism is an important contributor to the economy locally, with visitors drawn to the coast and the various attractions. There are many camping and caravan sites along the coast; recreational activities include walking, cycling and water based pastimes such as surfing and sailing.

As a result of the proposals described in this Overview and associated reports for each length of coast, the quality of coastal paths will be improved and there will be greater certainty and clarity about the rights people have within the coastal margin. Use of the coast for outdoor recreation can, if not carefully managed, add to environmental pressures such as the presence of people causing disturbance to wildlife or new paths leading to removal and fragmentation of habitat. Part of the process we go through on each length of coast when we are developing our detailed proposals is about finding ways to avoid or reduce such impacts, and to ensure compliance with legislation to protect the environment.

In developing our detailed proposals for coastal access we have taken account of environmental protection objectives and these are, where relevant, discussed in more detail in the relevant report for each length of coast and the following documents that we have published separately:

- A Habitats Regulations Assessment relating to any potential impact on the conservation objectives of Morecambe Bay and Duddon Estuary SPA, Morecambe Bay SAC and Morecambe Bay Ramsar site from the proposals we make in each report for both parts of Morecambe Bay, covered in the Silecroft to Silverdale and Silverdale to Cleveleys stretches. This assessment considers any potential impacts in relation both to the individual length of coast covered by each report, and to the stretch as a whole.
- A further Habitats Regulations Assessment relating to any potential impact on the conservation objectives of Leighton Moss SPA & Ramsar site from the proposals we make in our relevant reports for Morecambe Bay, covered in the Silverdale to Cleveleys stretch. This assessment considers any potential impacts in relation both to the individual length of coast covered by each report, and to the stretch as a whole.
- Our Nature Conservation Assessment for both parts of Morecambe Bay, covered in the Silecroft to Silverdale and Silverdale to Cleveleys stretches, in which we document our conclusions in relation to any other potential impacts on nature conservation.

Each of the above documents is published alongside our coastal access proposals, at the following address: www.gov.uk/government/publications/england-coast-path-from-silverdale-to-cleveleys-comment-on-proposals

Once a route for the trail has been confirmed by the Secretary of State, we will hold further discussions with relevant bodies with a duty to protect these features, as appropriate, about any works on the ground that are necessary to prepare for commencement of the access rights.

c) Interests of owners and occupiers

In discharging our coastal access duty we must aim to strike a fair balance between the interests of the public in having rights of access over coastal land, and the interests of owners and occupiers of land over which any coastal access rights would apply. This was a key driver in the design of our proposals, which were discussed in detail with the owners and occupiers of the affected land during 'walking the course' and other processes.

'Rural coast'

The coast from Silverdale to Hest Bank (the northern end of the promenade at Morecambe Bay) covered in reports SDC 1 & 2, is predominantly rural in character, generally with good sea views and large areas of salt marsh, mudflats and other coastal land. Most of the saltmarshes are grazed, as is much of the other grassland adjacent to these areas.

The section of coast to the south of Heysham and onwards to Lancaster (report SDC 3), is a peninsula located between the mouth of the river Lune and Morecambe Bay. This is largely rural in nature with several large saltmarshes and agricultural land dominating the landscape.

To the south of Lancaster, the coast follows the eastern bank of the river Lune to Glasson and then onward past Cockerham to Pilling. The landscape is again dominated by large areas of salt marsh, mudflats and low-lying grazing land.

Concerns were expressed in connection with new public access rights over agricultural land, possible impacts on wildfowling activities that take place along the stretch of coast, alignment through or close to the many camping and caravan parks that are located along the coast and also about impacts of access on areas of particular nature conservation importance. We consider that these concerns are adequately addressed by the approved Coastal Access Scheme and the measures within our proposals.

'Urban coast'

The proposed route also follows the coast through and close to several locations that are best described as 'urban' in character. In most cases, the proposed route will pass close to and have reasonable views of the sea.

On the northern part of the stretch, the route will pass through the towns of Morecambe, Heysham and Lancaster – all of which are relatively large urban settlements. Further to the south, the proposed route passes by the fishing village of Glasson and the large village of Knot End-on-Sea, the main commercial and residential area in this part of the Wyre. To the western side of the river Wyre, the route passes through Fleetwood, a large town with a historically strong connection to the fishing industry. The final part of the route on the western side of the river Wyre, extending from Fleetwood to Cleveleys, is predominantly urban in character and follows the existing coastal promenade.

Generally our proposals would make little practical difference to activities in these urban areas. The issues raised by owners and occupiers on these parts of the stretch generally related to the operational needs of businesses or to the privacy of residents. Some of these issues are to a large extent addressed by the provisions in the legislation for particular categories of land to be automatically excepted from the coastal access rights – including land covered by buildings and their curtilage and land used as a garden. Land which becomes subject to development in the future will also become excepted from the coastal access rights if it is developed in these ways. Annex C: Excepted land categories sets out these provisions in more detail.

In other areas, the existing public access provisions are already managed effectively alongside adjacent land uses, but there are places where, following discussion with relevant interest, we have been able to identify adjustments to the existing coastal route which better integrate recreational benefits with the interests of owners and occupiers. These are described in the relevant report.

d) Coastal processes

The principal source of information regarding coastal processes on this stretch of coast is the North West England and North Wales Shoreline Management Plan 2 (see Annex A: Bibliography), a non-statutory policy document for the management of flood risk and coastal erosion. With reference to this document, and with advice from the Environment Agency and officers from relevant local authorities, we have identified the parts of the coast within this stretch which are particularly susceptible to coastal erosion or other geomorphological processes, such as landslips.

In general where the coast is defended with some certainty, we have not made any specific proposals to enable the trail to adapt to coastal change - for example, where the trail would be:

- on, or on the landward side of sea defences which would protect it; or
- landward of the roads and railway which would be protected under the policies set out in the Shoreline Management Plan 2.

However, in some cases we have identified a possible requirement for roll-back even in scenarios like this, to ensure that we can maintain continuity of the trail should a nearby section of the trail be affected by coastal change (see Part 4.10 of the approved Scheme).

The hard cliffs near Silverdale to Jenny Browns Point described in Report SDC 1 of the proposals are not subject to significant rates of coastal erosion. We have not made any specific proposals to enable the trail to adapt to coastal change on these lengths of coast.

Parts of the coast (near Morecambe, Heysham, Lancaster to Glasson, Cockerham to Pilling, Knott End-on-Sea, Fleetwood and Cleveleys) described in reports SDC 2 to SDC 6 of the proposals are protected by various sea defences and are unlikely to be affected significantly by coastal processes in the foreseeable future. We have not made any specific proposals to enable the trail to adapt to coastal change on these lengths of coast.

Elsewhere, the rest of the coast is either undefended or has flood defences that are soft earth banks designed to hold back flood waters rather than protect against erosion. In some cases, on these lengths of coast, we propose to recommend that the trail is able to roll back so that it can be repositioned without further reference to the Secretary of State, once he has approved the initial route. There is more detail about these roll-back arrangements in part 7 of the Overview and in the relevant chapters of the proposals.

e) Other substantive issues

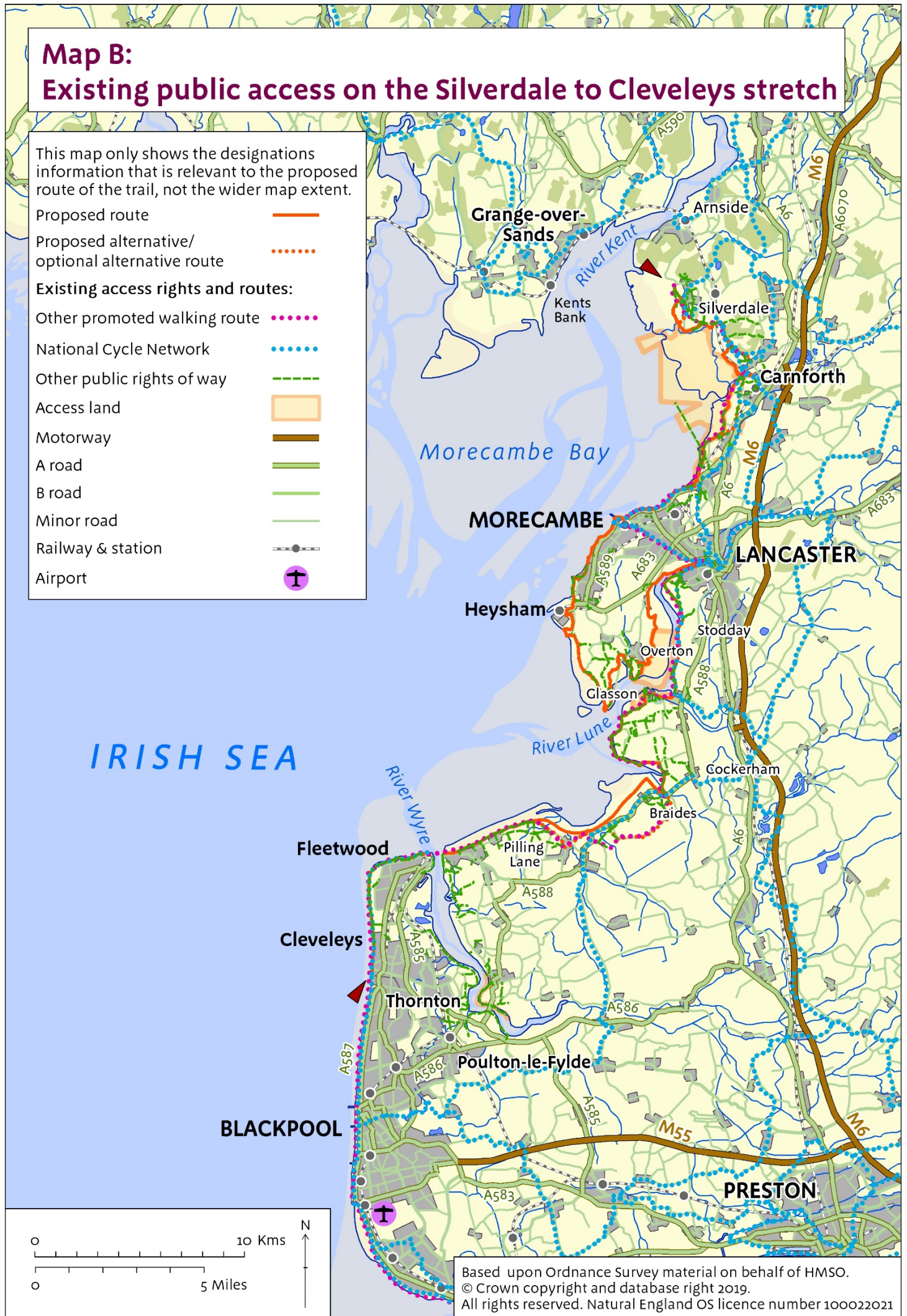
Sea and flood defence embankments

Some of the earth constructed, sea and flood defence banks in several locations along this stretch typically have no clear boundary line between the landward slope of the bank and adjacent land. Accordingly, where we propose that the trail should be along the top of the flood bank, we typically also propose that the landward boundary of the margin should be the rear break of slope on the top of the flood bank. This is generally a clear physical feature and the proposal would deliver more clarity on the ground than the default legal position that the whole bank forms part of the margin.

Map B: Existing public access on the Silverdale to Cleveleys stretch

This map only shows the designations information that is relevant to the proposed route of the trail, not the wider map extent.

- Proposed route —
- Proposed alternative/
optional alternative route ⋯
- Existing access rights and routes:**
- Other promoted walking route ⋯
- National Cycle Network ⋯
- Other public rights of way - - -
- Access land
- Motorway —
- A road —
- B road —
- Minor road —
- Railway & station —●—
- Airport ✈

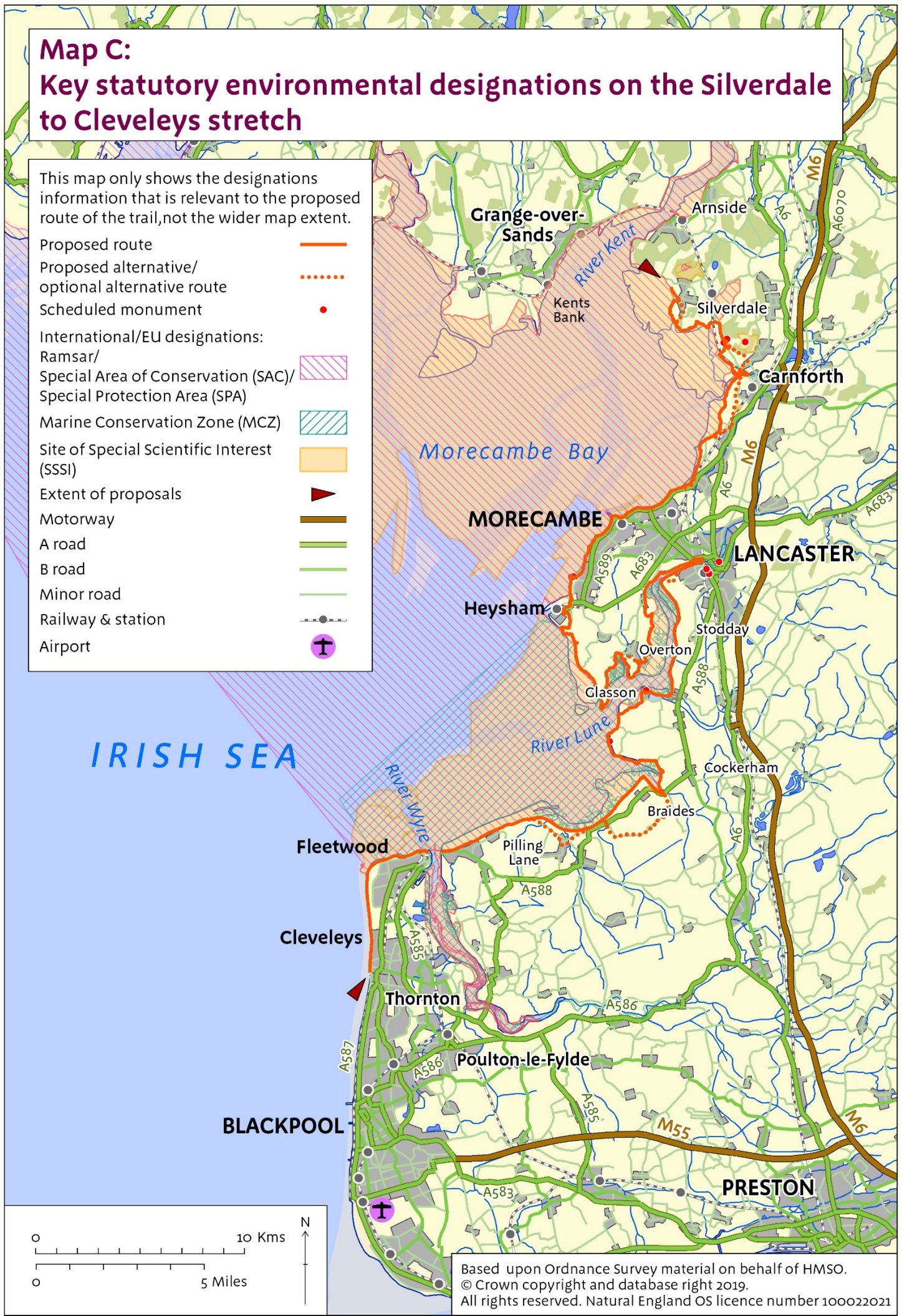


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Map C: Key statutory environmental designations on the Silverdale to Cleveleys stretch

This map only shows the designations information that is relevant to the proposed route of the trail, not the wider map extent.

- Proposed route
- Proposed alternative/ optional alternative route
- Scheduled monument
- International/EU designations:
- Ramsar/ Special Area of Conservation (SAC)/ Special Protection Area (SPA)
- Marine Conservation Zone (MCZ)
- Site of Special Scientific Interest (SSSI)
- Extent of proposals
- Motorway
- A road
- B road
- Minor road
- Railway & station
- Airport ✈

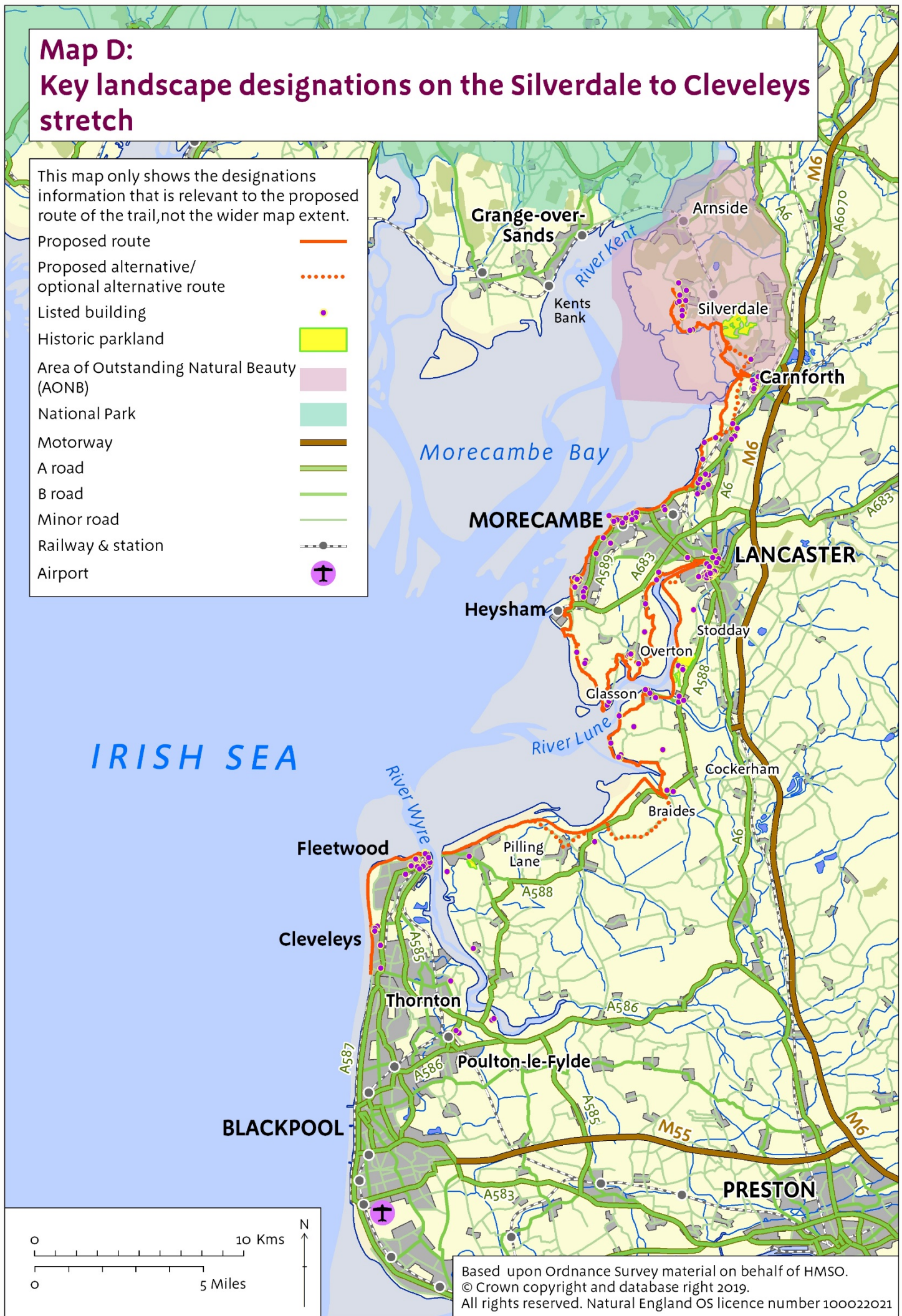


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Map D: Key landscape designations on the Silverdale to Cleveleys stretch

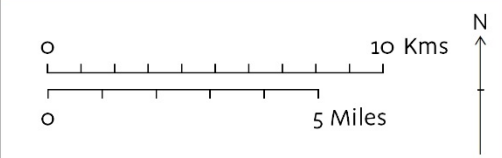
This map only shows the designations information that is relevant to the proposed route of the trail, not the wider map extent.

- Proposed route
- Proposed alternative/
optional alternative route
- Listed building
- Historic parkland
- Area of Outstanding Natural Beauty (AONB)
- National Park
- Motorway
- A road
- B road
- Minor road
- Railway & station
- Airport ✈



IRISH SEA

Morecambe Bay



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Other issues

7. Future changes

Below we explain the procedures for future changes to the coastal access provisions, once proposals have been approved by the Secretary of State. Where the need for future changes was foreseeable at the time of preparing the proposals we have indicated this in the relevant reports.

Roll-back

Reports SDC 1 to SDC 6 include proposals for specified parts of the route to 'roll back' either:

- in direct response to coastal erosion or other geomorphological processes, or significant encroachment by the sea; or
- in order to link with other parts of the route that need to roll back as a direct result of coastal erosion or other geomorphological processes, or significant encroachment by the sea.

Where sections of the approved route need to change for these reasons in order to remain viable, the new route will be determined by Natural England without any requirement for further reference to the Secretary of State. Coastal erosion can happen at any time and so, in some cases, this provision may need to be invoked between approval of the report and commencement of new access rights.

In particular, so far as we consider it necessary in order to maintain the viability of the route as a whole, we may determine that any part of the route is to be repositioned landward of any physical boundary feature, area of excepted land or area from which we consider it necessary to exclude access e.g. a protected site designated for its conservation value.

In determining the new route, we will take into account:

- the local factors present at that time, including any views expressed by people with a relevant interest in affected land;
- the terms of the Coastal Access duty (see Annex B: Glossary of terms), including the requirement to aim to strike a fair balance between the interests of the public and the interests of any person with a relevant interest in the land; and
- the criteria set out in part B of the Coastal Access Scheme.

Any changes to the route in accordance with these proposals will come into force on a date decided by us. On this date, coastal access rights will come into force as necessary along any new alignment. The date of change will follow any necessary physical establishment work, including any installation of signs to enable the public to identify the modified route on the ground. We will take reasonable steps to ensure that anyone with a relevant interest in land directly affected by the change is made aware this date.

In places where the trail rolls back in this way in response to coastal change, the landward extent of the coastal margin may also move inland automatically:

- with the trail itself, or
- because a landward area of section 15 land (see Annex B: Glossary of terms) or foreshore, cliff, dune, or beach, or a bank, barrier or flat, newly touches the trail when it rolls back, with the result that it automatically becomes part of the margin under the terms of the legislation.

Ordinarily, where roll-back has been proposed and becomes necessary, we would expect the trail to be adjusted to follow the current feature (for example, the cliff edge or top of foreshore). Where we foresee that local circumstances will require more detailed consideration, we have provided further information within the tables in Part 3 of the relevant report. This and the above information is intended as a guide only, based on information available to us at the time of writing, and on expert advice provided by the access authority,

Environment Agency and others. We have taken and will continue to take all reasonable steps to discuss implications and options with all parties likely to be affected by such changes, both during the initial planning work that preceded the writing of the reports for each length, and during any future work to plan and implement a 'rolled back' route.

Other changes

We will normally be required to submit a variation report seeking approval from the Secretary of State in order to make any other changes to the route of the trail (or to propose non-automatic changes to the landward boundary of the coastal margin) - for example if the land was subject to new build development. Such changes would be subject to the same procedures for consultation, representations and objections as our initial reports. Potential developments of which we are already aware that could potentially affect the route on the stretch are summarised below:

- Report SDC 2: Eden Project North – We understand that there are plans to open a major new attraction in Morecambe close to the promenade on the site of the former swimming pool and theatre. If and when the development occurs, the alignment of the England Coast Path along that section of the promenade would be reviewed and any resulting proposals to change the alignment of the trail would require the submission of a variation report to the Secretary of State.
- Report SDC 2: Expansion/development at the Port of Heysham – We understand that there are long term plans to develop and expand the Port and docks. If and when this development occurs, the alignment of the England Coast Path would be reviewed and any resulting proposals to change the alignment of the trail would require the submission of a variation report to the Secretary of State.
- Report SDC 3: Former Pontins site, north of Middleton Towers – We understand planning consent has been granted for new housing. If and when this development occurs, the alignment of the England Coast Path would be reviewed and any resulting proposals to change the alignment of the trail would require the submission of a variation report to the Secretary of State.
- Report SDC 6: Changes to the operation of the ferry service or development of a tidal barrage – In recent months, there has been some uncertainty about the future of the Knott End to Fleetwood ferry service, however in January 2018, a new 8 year contract was awarded to an operator to run the service. Should the service become less suitable for the purpose of the National Trail or cease to operate in the future, Natural England will review its trail alignment and if appropriate, will prepare a separate variation report to the Secretary of State to ensure an uninterrupted journey for this part of the coast.
- Report SDC 6: Development of a tidal barrage - We are aware of proposals to develop a new tidal barrage across the mouth of the river Wyre. If this development takes place, we understand that there may be the potential for new access on foot across the barrage which might provide a more convenient alignment of the England Coast Path. If and when this development occurs, the alignment of the England Coast Path would be reviewed and any resulting proposals to change the alignment of the trail would require the submission of a variation report to the Secretary of State.

However, even without a variation report:

- i We would be able to impose new or modify existing local restrictions or exclusions on coastal access rights as necessary, and people with a legal interest in the land would be able to apply to us for such directions under certain circumstances – see chapter 6 of the Coastal Access Scheme.
- ii Further work could be carried out where necessary either to establish or maintain the route, or to provide any means of access to the coastal margin, using powers and procedures set out in Schedule 20 of the Marine and Coastal Access Act 2009 and chapter 3 of Part 1 the Countryside and Rights of Way Act 2000.

- iii. If at any time the use of affected land should change, the normal rules in relation to excepted land would apply, so for example land newly covered by buildings and their curtilage, and land in the course of development, would automatically become excepted from the coastal access rights – see Annex C: Excepted Land Categories.

8. Restrictions and exclusions

In certain circumstances we can restrict or exclude access to the trail and margin. The legal term for an exclusion or restriction is a direction. Below, we summarise the directions to exclude or restrict coastal access rights proposed by these reports.

Refer to Part 6.7 and Figure 19 of the approved Coastal Access Scheme for more information.

Report reference	Location/extent (see relevant map for more information)	Type of direction	Purpose of direction	Grounds and relevant section of CROW	Duration
SDC 1	Part of the coastal margin at Leighton Moss – Directions Map SDC 1A	Exclusion	Land management	Land management s24	All year round
SDC 1	Intertidal areas of the coastal margin at Silverdale and Warton Sands – Directions Maps SDC 1B and 1C	Exclusion	Unsuitable for public access	Salt marsh and flat s25A	All year round
SDC 1	Part of the coastal margin at Leighton Moss and Warton Sands – Directions Maps SDC 1D and 1E	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 2	Intertidal areas of the coastal margin at Lancaster Sand, Ring Sands, Heysham Flats and Heysham Sands – Directions Maps SDC 2A to 2C	Exclusion	Unsuitable for public access	Salt marsh and flat s25A	All year round
SDC 2	Part of the coastal margin on the fishtail groynes from Hest Bank to Lower Heysham – Directions Map SDC 2D to 2F	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	Between September 1 st and March 31 st each year

Report reference	Location/extent (see relevant map for more information)	Type of direction	Purpose of direction	Grounds and relevant section of CROW	Duration
SDC 2	Part of the coastal margin on the shingle banks at Near Haze (Half Moon Bay) – Directions Map SDC 2F	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	Between September 1 st and March 31 st each year
SDC 2	Part of the coastal margin at Red Nab – Directions Map SDC 2G	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 3	Part of the route at Ocean Edge Caravan Park– Directions Map SDC 3A	Keep dogs on leads	Land management	Land management s24	All year round
SDC 3	Intertidal areas of the coastal margin at Sunderland Bank, Lades Marsh, Colloway Marsh, Heaton Marsh and the River Lune– Directions Maps SDC 3B to 3E	Exclusion	Unsuitable for public access	Salt marsh and flat s25A	All year round
SDC 3	Part of the coastal margin at Red Nab – Directions Map SDC 3F	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 3	Part of the route at Sunderland Point – Directions Map SDC 3G	Keep Dogs on Leads	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 3	Part of the coastal margin on marsh south of Potts Corner and the shingle banks at Sunderland	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	All year round

Report reference	Location/extent (see relevant map for more information)	Type of direction	Purpose of direction	Grounds and relevant section of CROW	Duration
	Point – Directions Map SDC 3G				
SDC 3	Part of the coastal margin at Bazil Point – Directions Map SDC 3H	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 3	Part of the route at Heaton Marsh - Directions Map SDC 3I	Keep Dogs on Leads	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 3	Part of the coastal margin at Heaton Marsh – Directions Map SDC 3I	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 4	Intertidal areas of the coastal margin at Aldcliffe Marsh, Glasson and along the River Lune – Directions Maps SDC 4A and 4B	Exclusion	Unsuitable for public access	Salt marsh and flat s25A	All year round
SDC 5	Part of the coastal margin on agricultural land at Crook Farm, Chapel Hill – Directions Map SDC 5A	Exclusion	Land management and public safety	Land management 24 and Public safety s25(1)(b)	Between March 1 st and October 31 st each year
SDC 5	Intertidal areas of the coastal margin at Glasson Marsh, Cockerham Marsh, Pilling Marsh, Crook Farm, Cockerham Sand and Pilling Sands – Directions	Exclusion	Unsuitable for public access	Salt marsh and flat s25A	All year round

Report reference	Location/extent (see relevant map for more information)	Type of direction	Purpose of direction	Grounds and relevant section of CROW	Duration
	Maps SDC 5B and 5C				
SDC 5	Part of the coastal margin at Chapel Hill – Directions Map SDC 5D	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 5	Part of the coastal margin at Plover Scar – Directions Map SDC 5E	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 5	Part of the route between Cocker Bridge and Sandside – Directions Map SDC 5F	Keep to fenced routes and dogs on leads	Sensitive wildlife	Nature conservation s26(3)(a)	Between April 1 st and August 31 st each year
SDC 5	Part of the route between Sandside and Wrampool – Directions Map SDC 5F	Keep dogs on leads	Sensitive wildlife	Nature conservation s26(3)(a)	Between April 1 st and August 31 st each year
SDC 5	Part of the route between Cocker Bridge and Wrampool – Directions Map SDC 5F	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	Between September 1 st and March 31 st each year
SDC 5	Part of the route between Wrampool and Lane Ends Amenity Area – Directions Map SDC 5F	Keep to fenced routes and dogs on leads	Sensitive wildlife	Nature conservation s26(3)(a)	All year round

Report reference	Location/extent (see relevant map for more information)	Type of direction	Purpose of direction	Grounds and relevant section of CROW	Duration
SDC 5	Part of the route between Lane Ends Amenity Area and Broadfleet – Directions Map SDC 5F	Keep Dogs on Leads	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 5	Part of the route between Broadfleet and Fluke Hall Lane – Directions Map SDC 5F	Keep Dogs on Leads	Sensitive wildlife	Nature conservation s26(3)(a)	Between April 1 st and August 31 st each year
SDC 5	Part of the route between Broadfleet and Fluke Hall Lane – Directions Map SDC 5F	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	Between September 1 st and March 31 st each year
SDC 5	Part of the alternative route between Wrampool and Wrampool Bridge – Directions Map SDC 5F	Keep to fenced routes and dogs on leads	Sensitive wildlife	Nature conservation s26(3)(a)	Between September 1 st and March 31 st each year
SDC 5	Part of the coastal margin between Cocker Bridge and Fluke Hall Lane – Directions Map SDC 5F	Exclusion	Sensitive wildlife	Nature conservation s26(3)(a)	All year round
SDC 6	Intertidal areas of the coastal margin at Pilling Sands, Bernard Wharf and Rossall Point – Directions Maps SDC 6A and 6B	Exclusion	Unsuitable for public access	Salt marsh and flat s25A	All year round

These directions will not prevent or affect:

- any existing local use of the land by right where such use is not covered by coastal access rights;
- any other use people already make of the land locally by formal agreement with the landowner, or by informal permission or traditional toleration; or
- use of any registered rights of common or any rights at common law or by Royal Charter etc



Any such use is not prohibited or limited by these arrangements.

Where land already has open access rights for the public under Part 1 of the CROW Act (the right to roam over mountain, moor, heath, down and registered common), those pre-existing rights are replaced by coastal access rights wherever the land in question falls within the coastal margin. Where that happens, our report may in some circumstances propose to exclude the replacement rights, even where they were not excluded previously, based on an updated analysis of relevant powers and requirements.

The maps below provide a summary of the effect of the proposed directions to exclude or restrict access. For a more detailed view, please refer to the Directions maps attached to the individual reports



Map E: Extent of directions on the Silverdale to Cleveleys stretch

This map provides the context of exclusions/restrictions on the stretch of coast from Silverdale to Cleveleys.





-  Proposed route
-  Proposed alternative/optional alternative route

These directions only affect land where coastal access rights apply and will not affect existing rights of access such as on public rights of way.

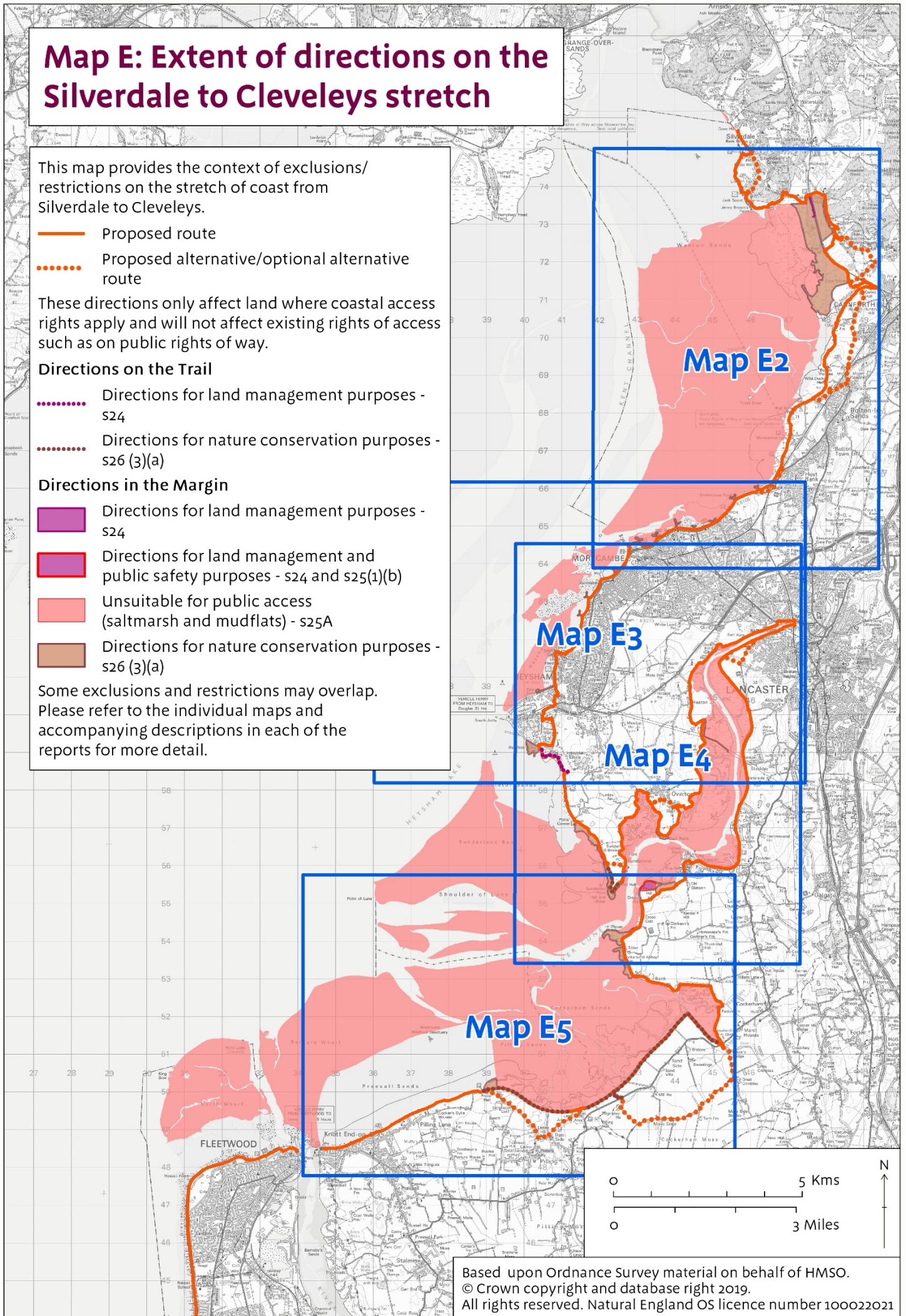
Directions on the Trail

-  Directions for land management purposes - s24
-  Directions for nature conservation purposes - s26 (3)(a)

Directions in the Margin

-  Directions for land management purposes - s24
-  Directions for land management and public safety purposes - s24 and s25(1)(b)
-  Unsuited for public access (saltmarsh and mudflats) - s25A
-  Directions for nature conservation purposes - s26 (3)(a)

Some exclusions and restrictions may overlap. Please refer to the individual maps and accompanying descriptions in each of the reports for more detail.






Map E2: Extent of directions on the Silverdale to Cleveleys stretch

This map provides the overview of exclusions/restrictions on part of the stretch of coast from Silverdale to Cleveleys.

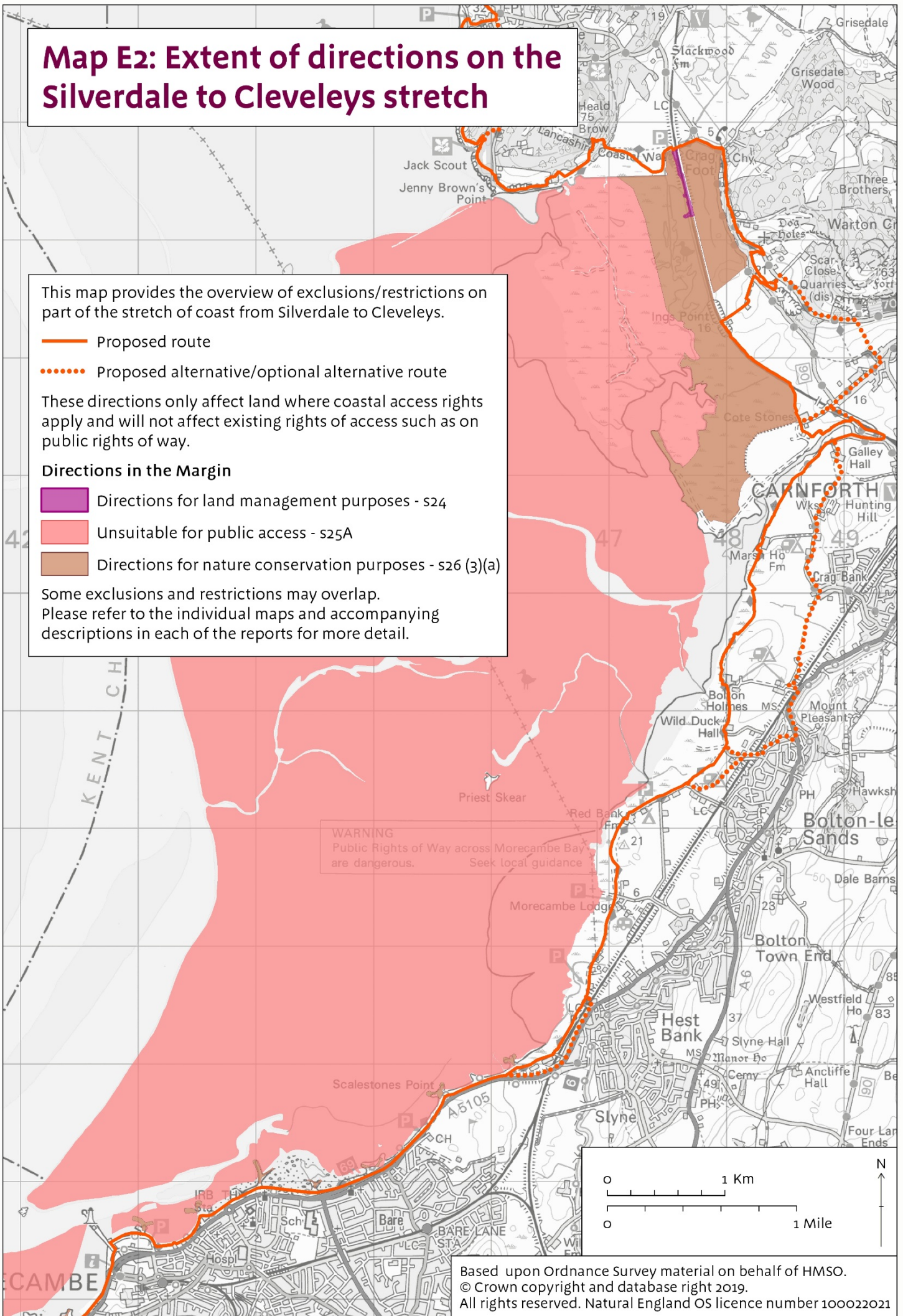
-  Proposed route
-  Proposed alternative/optional alternative route

These directions only affect land where coastal access rights apply and will not affect existing rights of access such as on public rights of way.

Directions in the Margin

-  Directions for land management purposes - s24
-  Unsuitable for public access - s25A
-  Directions for nature conservation purposes - s26 (3)(a)

Some exclusions and restrictions may overlap. Please refer to the individual maps and accompanying descriptions in each of the reports for more detail.



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Map E3: Extent of directions on the Silverdale to Cleveleys stretch

This map provides the overview of exclusions/restrictions on part of the stretch of coast from Silverdale to Cleveleys.

— Proposed route

..... Proposed alternative/optional alternative route

These directions only affect land where coastal access rights apply and will not affect existing rights of access such as on public rights of way.

Directions on the Trail

..... Directions for land management purposes - s24

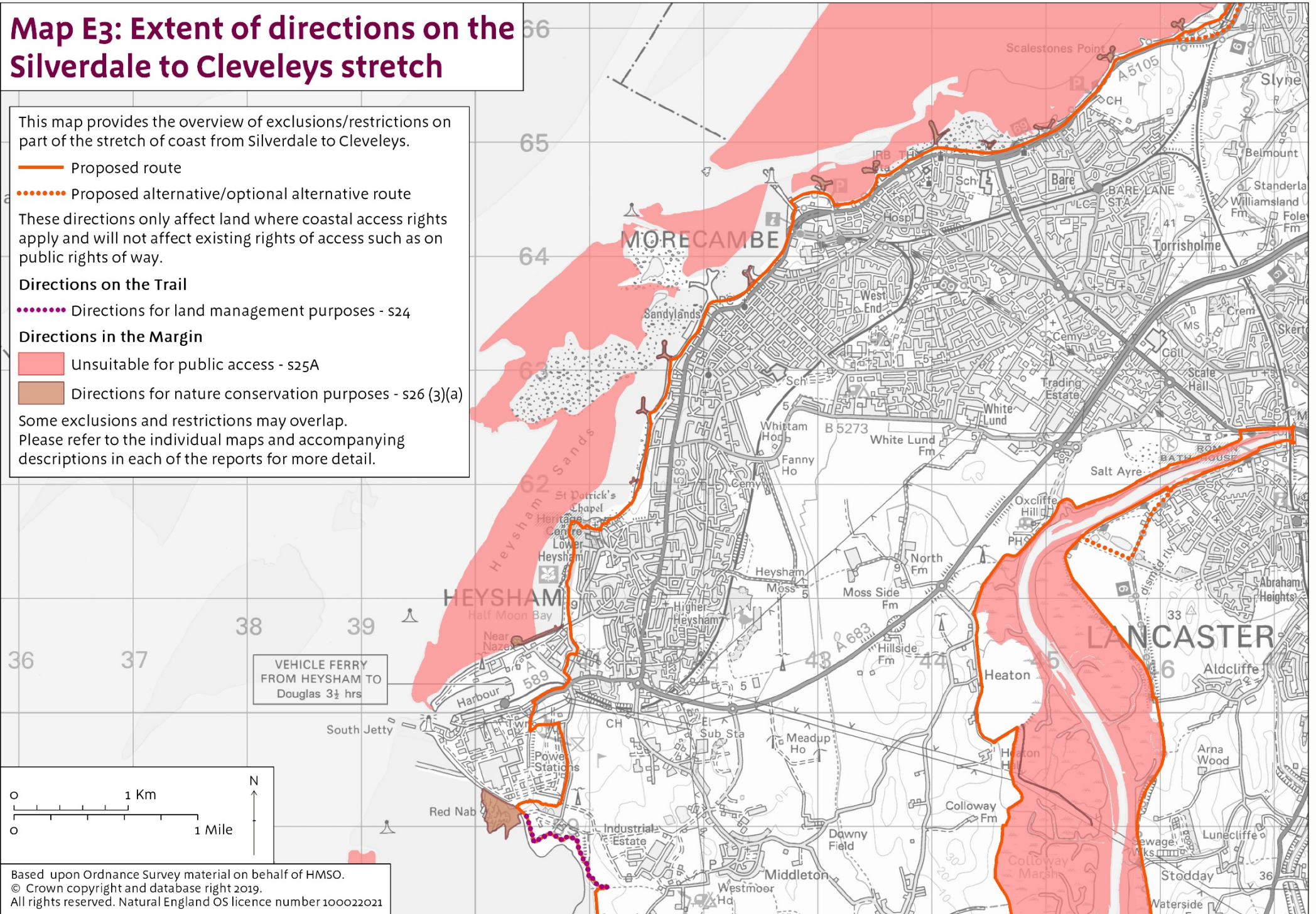
Directions in the Margin

Unsuitable for public access - s25A

Directions for nature conservation purposes - s26 (3)(a)

Some exclusions and restrictions may overlap.



Please refer to the individual maps and accompanying descriptions in each of the reports for more detail.



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Map E4: Extent of directions on the Silverdale to Cleveleys stretch

This map provides the overview of exclusions/restrictions on part of the stretch of coast from Silverdale to Cleveleys.




-  Proposed route
-  Proposed alternative/optional alternative route

These directions only affect land where coastal access rights apply and will not affect existing rights of access such as on public rights of way.

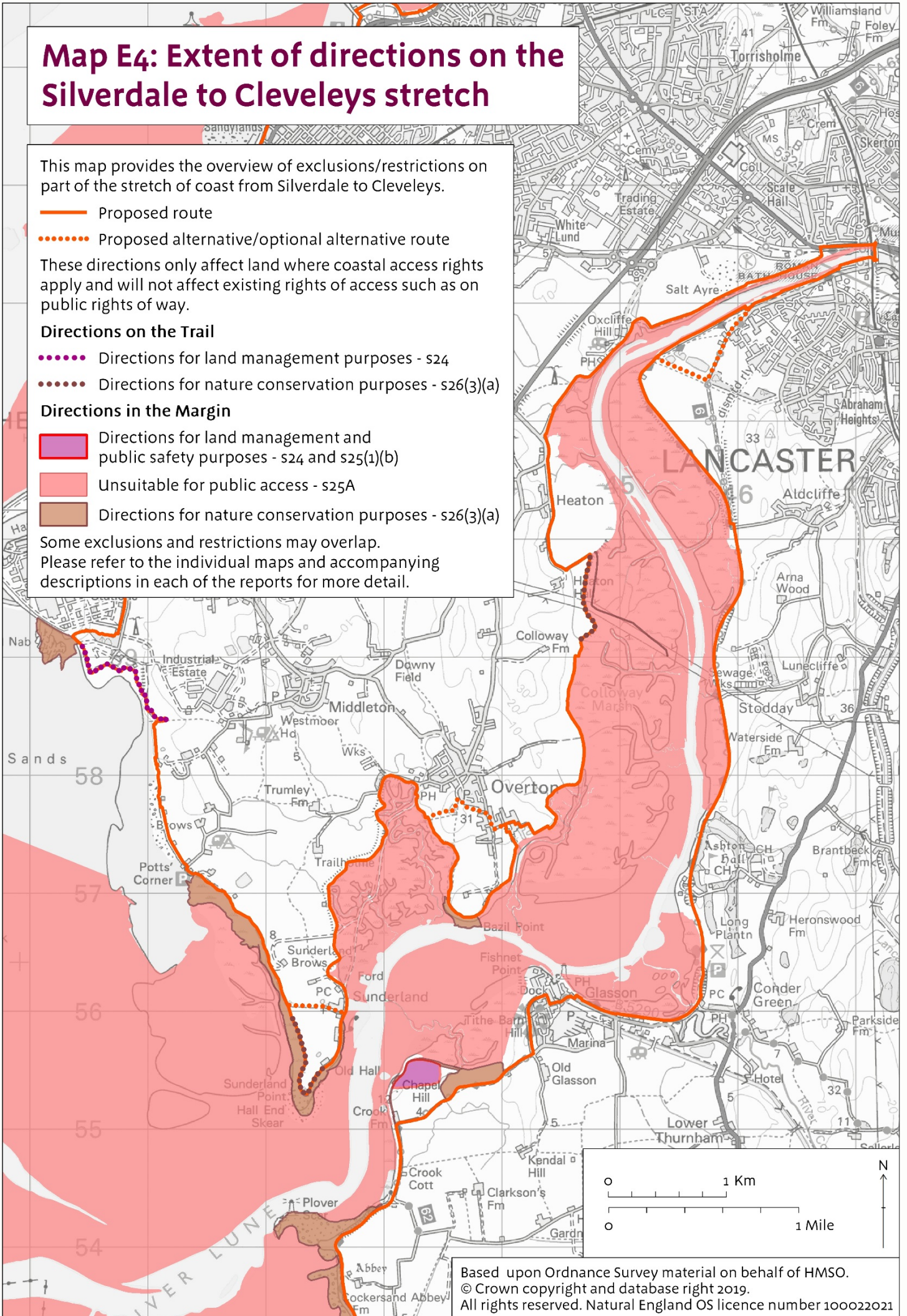
Directions on the Trail

-  Directions for land management purposes - s24
-  Directions for nature conservation purposes - s26(3)(a)

Directions in the Margin

-  Directions for land management and public safety purposes - s24 and s25(1)(b)
-  Unsuitable for public access - s25A
-  Directions for nature conservation purposes - s26(3)(a)



Some exclusions and restrictions may overlap. Please refer to the individual maps and accompanying descriptions in each of the reports for more detail.



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Map E5: Extent of directions on the Silverdale to Cleveleys stretch

This map provides the overview of exclusions/restrictions on part of the stretch of coast from Silverdale to Cleveleys.




-  Proposed route
-  Proposed alternative/optional alternative route

These directions only affect land where coastal access rights apply and will not affect existing rights of access such as on public rights of way.

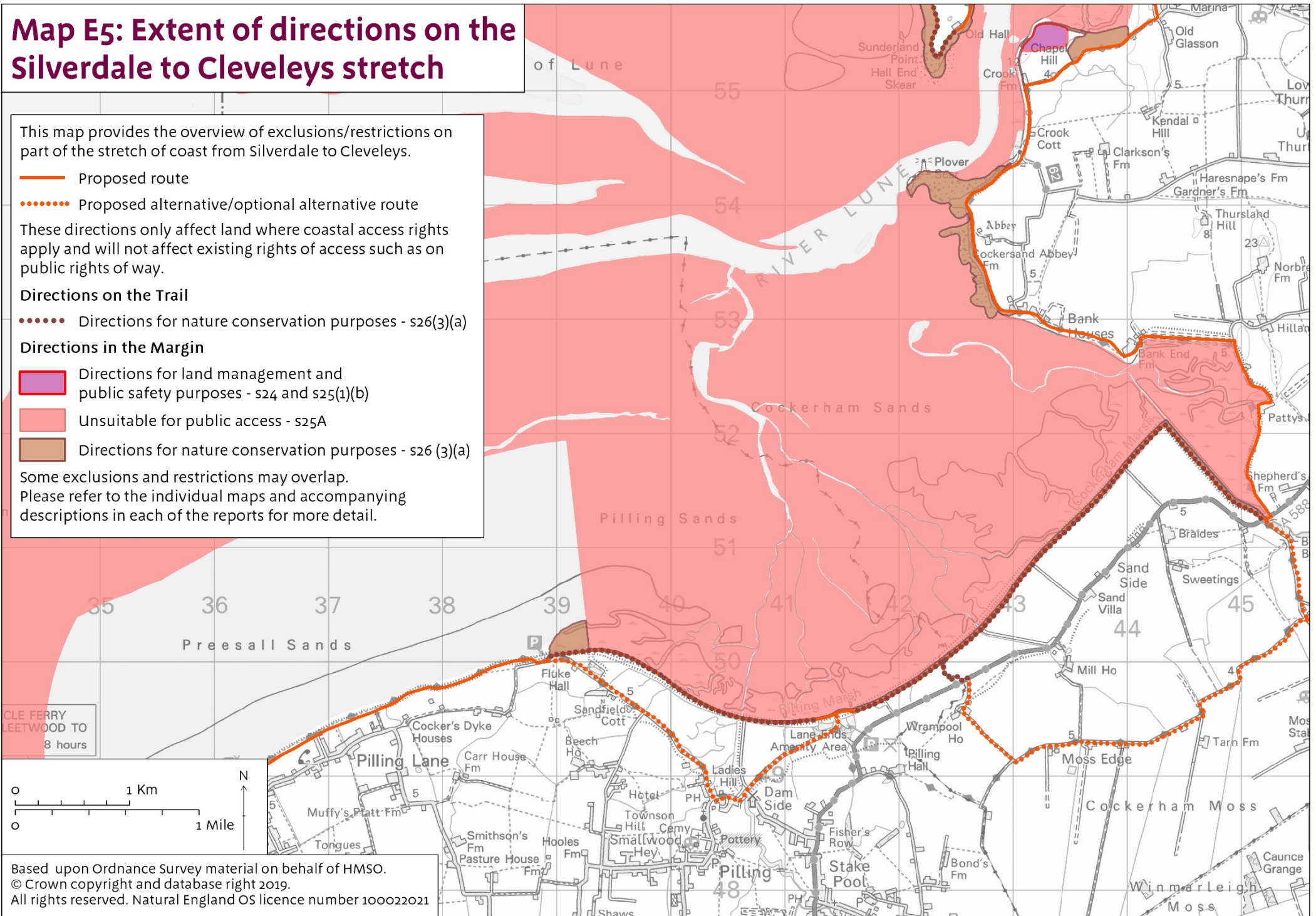
Directions on the Trail

-  Directions for nature conservation purposes - s26(3)(a)

Directions in the Margin

-  Directions for land management and public safety purposes - s24 and s25(1)(b)
-  Unsuitable for public access - s25A
-  Directions for nature conservation purposes - s26 (3)(a)

Some exclusions and restrictions may overlap. Please refer to the individual maps and accompanying descriptions in each of the reports for more detail.



Annex A: Bibliography

Information about Natural England's coastal access programme:

Natural England

www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast

Information about the statutory framework for coastal access:

Department for Environment, Food and Rural Affairs

www.gov.uk/government/publications/marine-and-coastal-access-act-2009

Coastal Access Scheme

NE446 - Coastal Access: Natural England's Approved Scheme

Natural England

<http://publications.naturalengland.org.uk/publication/5327964912746496>

Marine and Coastal Access Act 2009

www.legislation.gov.uk/ukpga/2009/23/part/9/crossheading/the-coastal-access-duty

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The Access to the Countryside (Coastal Margin) (England) Order 2010

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National Parks and Access to the Countryside Act 1949

www.legislation.gov.uk/ukpga/Geo6/12-13-14/97

The Coastal Access Reports (Consideration and Modification Procedure) (England) Regulations 2010

www.legislation.gov.uk/uksi/2010/1976/contents/made

Environmental legislation referred to in the reports:

The Conservation of Habitats and Species Regulations 2017 (as amended)

<http://www.legislation.gov.uk/uksi/2017/1012/contents/made>

The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

<http://www.legislation.gov.uk/uksi/2018/1307/contents/made>

Other published information used in the preparation of the report:

Lancashire Rights of Way Improvement Plan 2015-2025

Lancashire County Council

<http://council.lancashire.gov.uk/ieDecisionDetails.aspx?Id=9237>

Arnsdale & Silverdale AONB Management Plan 2014-19

Arnside and Silverdale AONB

www.arnsidesilverdaleaonb.org.uk/what-we-do/the-management-plan

North West England and North Wales Shoreline Management Plan 2

Halcrow Group Ltd – on behalf of the North West and North Wales Coastal Group

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The New deal: Management of National Trails in England from April 2013 (NE426)

<http://Publications.naturalengland.org.uk/publication/6238141>

Morecambe Bay Bird Disturbance and Access Management Report (May 2015)

Footprint Ecology for Morecambe Bay Partnership

Our Bay, our birds: Headlands to Headspace Waders and Wildfowl Interpretation Plan (Draft Report: December 2016)

TellTale for Morecambe Bay Local Nature Partnership

The English Coastal Trail: A report on the recommended route through the Lancaster District in the County of Lancashire (November 2011)

Lancaster Group of the Ramblers' Association

The English Coastal Trail: Cleveleys to Cocker Bridge (January 2016)

David Kelly

Annex B: Glossary of terms

The terms and their explanations below are included for guidance only

1949 Act means the National Parks and Access to the Countryside Act 1949. The 1949 Act includes provisions and procedures for the creation of long-distance routes (now more commonly known as National Trails). These provisions were amended and added to by the 2009 Act for the purpose of identifying the coastal trail. See Bibliography for publication details.

2009 Act means the Marine and Coastal Access Act 2009. Part 9 of the 2009 Act includes provisions to improve public access to the coast. There are supplementary provisions relating to:

- consideration of coastal access reports, objections and representations by the Secretary of State – in Schedule 1A of the 1949 Act (inserted by Schedule 19 of the 2009 Act);
- the establishment and maintenance of the English coastal route – in Schedule 20 of the 2009 Act.

Section 1.2 of the Coastal Access Scheme includes a brief overview of the main provisions, which are explained in more detail in subsequent chapters. See Bibliography for publication details.

alignment is the term we use to describe the choices we make about the proposed route of the trail and the landward boundary of the coastal margin.

alternative route means a route proposed to the Secretary of State under section 55C of the 1949 Act, to operate as a diversion from the ordinary route at certain times. The associated term optional alternative route denotes a route which the public has the *option* to use at times when the ordinary route is unsuitable for use because of flooding, tidal action, coastal erosion or other geomorphological processes. Neither type of alternative route creates any seaward margin. Paragraphs 4.10.16 to 4.10.18 of the Scheme explain more about the potential use of optional alternative routes.

building has the same meaning given in Schedule 1 to CROW, as amended for the coast by the Order. The term includes any structure or erection and any part of a building. For this purpose “structure” includes any tent, caravan or other temporary or moveable structure. It does not include any fence or wall, anything which is a means of access (as defined by CROW section 34 – for example steps or bridges), or any slipway, hard or quay.

coastal access duty means Natural England’s duty under section 296 of the 2009 Act to secure improvements to public access to the English coast. It is explained in more detail in 1.2 of the Coastal Access Scheme.

coastal access rights is the term we use to describe the rights of public access to the coast provided under section 2(1) of CROW as a result of the provisions of the 2009 Act and the Order. Coastal access rights are normally rights of access on foot for open-air recreation. These rights are by default subject to national restrictions and may additionally be subject to directions which restrict or exclude them locally. Section 2.4 of the Coastal Access Scheme explains more about the nature and management of coastal access rights.

coastal margin or margin means a margin of land at the coast falling within one or more of the descriptions given at article 3 of the Order. Its main component is land subject to the coastal access rights, but it also contains other land, including some land that is not accessible to the public. A land owner may also voluntarily include land in the coastal access margin by making a dedication. Section 2.3 of the Scheme explains these other categories of land and how they fit in.

coastal processes is a term used in the reports to mean coastal erosion, encroachment by the sea or other physical change due to geomorphological processes such as landslip. Where any part of the trail could be significantly affected by coastal processes, either directly or because of the need to maintain

continuity with a part that is directly affected, we have included recommendations for it to roll back in accordance with a description in the relevant report.

CROW means the Countryside and Rights of Way Act 2000. Coastal access rights take effect by virtue of CROW section 2(1). Certain provisions in CROW are amended or added to by the 2009 Act and the Order for the purposes of the coast. Chapter 2 of the Coastal Access Scheme provides an overview of how the amended CROW provisions apply to the coast. See Bibliography for publication details.

dedicate/dedication means any voluntary dedication of land by the owner or long leaseholder under section 16 of CROW so that it will be subject to access rights under that Act. A dedication may also make provision for specific national restrictions that would otherwise apply over the affected land to be removed or relaxed.

Land within the coastal margin that was previously dedicated as access land under CROW becomes subject to the coastal access regime, including the national restrictions and the reduced level of liability operating on other parts of the margin with coastal access rights. On certain land, a dedication may be used to 'opt in' to the coastal access regime land where it would not otherwise apply. Chapter 2 of the Coastal Access Scheme explains these scenarios in more detail.

definitive map means the legal record of public rights of way. It shows public footpaths, bridleways, restricted byways, and byways open to all traffic.

direction means a direction under chapter II of CROW Part 1 to impose local restrictions or exclusions on the use of the coastal access rights.

Estuarial waters are defined in section 309 of the 2009 Act as any waters within the limits of transitional waters within the meaning of Council Directive 2000/60/EC (the European Community Water Framework Directive). Transitional waters are defined in Schedule 1 to the Directive as "bodies of surface water in the vicinity of river mouths which are partially saline in character as a result of their proximity to coastal waters but which are substantially influenced by freshwater flows". The Environment Agency has mapped their seaward limit on each English estuary. Section 10.1 of the Scheme explains the relevance of estuarial waters to our proposals for coastal access at estuaries.

excepted land – see Annex C.

exclude/exclusion refer to local exclusion of the coastal access rights by direction (as opposed to the national restrictions that apply on all coastal access land by default). In this way the use of the rights may where necessary either be excluded completely, or restricted in specified ways by means of a local restriction. Section 6.6 of the Coastal Access Scheme explains the provisions in detail and our approach to their use.

foreshore is not defined in the 2009 Act or the Order. In the reports and this Overview it is taken to mean the land between mean low water and mean high water.

gate is used in several ways in the reports:

- 'Field gate' means a wide farm gate, for vehicle access.
- 'Kissing gate' means a pedestrian access gate, sometimes suitable for wheelchairs.
- 'Wicket gate' means a narrow field gate, sometimes suitable for wheelchairs, but unsuitable for larger vehicles.

guide fencing is a term the reports may use to describe simple temporary fencing which can be put up and taken down with minimal cost or effort – see figure 18 in chapter 6 of the Coastal Access Scheme.

Habitats Regulations Assessment means an assessment made in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

the legislation is the term the reports use to describe four pieces of legislation which include provisions relevant to the implementation of our proposals: the 2009 Act, the 1949 Act, CROW and the Order. There are separate entries in the glossary which describe each of these in more detail.

a **length** is the term used to describe the part of the stretch covered by each individual report.

local access forum means a local access forum established under section 94 of CROW. Natural England is required to consult the relevant local access forum in the preparation of the reports, and to invite representations from it on its proposals – see chapter 3 of the Coastal Access Scheme for details.

margin (see coastal margin)

national restrictions – see Annex D.

National Trail means a long-distance route approved by the Secretary of State under section 52 of the 1949 Act.

objection means an objection by a person with a relevant interest in affected land (i.e. its owner or occupier) to Natural England about a proposal in a report. An objection must be made on certain specified grounds, in accordance with the provisions in Schedule 1A of the 1949 Act (as inserted by Schedule 19 of the **2009 Act**). Stage 3 of the implementation process described in chapter 3 of the Coastal Access Scheme provides an overview of the procedures for considering objections.

ordinary route means the line normally followed by the trail.

the **Order** means the Access to the Countryside (Coastal Margin) (England) Order 2010 (S.I. 2010/558), made under section 3A of CROW. It sets out descriptions of land which are coastal margin and amends Part I of CROW in certain key respects for the purposes of coastal access. See Bibliography for publication details.

public right of way (PRoW) means a public footpath, bridleway, restricted byway or byway open to all traffic. These public rights of way are recorded on the definitive map.

relevant interest means a relevant interest in land, as defined by section 297(4) of the 2009 Act. This is a person who:

- holds an estate in fee simple absolute in possession in the land;
- holds a term of years absolute in the land, or
- is in lawful occupation of the land.

A relevant interest must therefore own or occupy the land in question, rather than simply having some other kind of legal interest over it.

representation means a representation made by any person to Natural England regarding proposals in any of its reports. A representation may be made on any grounds, in accordance with the provisions in Schedule 1A of the 1949 Act (as inserted by Schedule 19 of the 2009 Act). Stage 3 of the implementation process described in chapter 3 of the Coastal Access Scheme provides an overview of the procedures for considering representations.

restrict/restriction – see “exclude/exclusion”.

Roll-back is the term the Scheme uses to describe arrangements made under the provisions of section 55B of the 1949 Act, whereby we may propose to the Secretary of State in a coastal access report that the

route of a specified part of the trail which is subject to significant erosion or other coastal processes, or which links to such a section of trail, should be capable of being repositioned later in accordance with the proposals in our relevant report, without further confirmation by the Secretary of State. Section 4.10 of the Scheme explains in more detail how this works, and part 6(d) of this Overview explains this in the context of the stretch.

route section is the term used in the reports to describe short sections of the proposed route for the trail. Each route section is assigned a nationally unique serial number which we use to refer to it in the proposals and on the accompanying maps.

section 15 land means land with public access rights under:

- section 193 of the Law of Property Act 1925;
- a local or private Act;
- a management scheme made under Part I of the Commons Act 1899; or
- an access agreement or access order made under Part V of the National Parks and Access to the Countryside Act 1949;

or land subject to, or potentially subject to, public access under section 19 of the Ancient Monuments and Archaeological Areas Act 1979.

Where Section 15 land forms part of the coastal margin (which it may do in any of the ways explained in section 4.8 of the Coastal Access Scheme), these rights apply instead of the coastal access rights. Figure 6 in Section 2.4 of the Coastal Access Scheme shows the relationship of Section 15 land to the coastal access regime in more detail.

spreading room is the term we use to describe any land, other than the trail itself, which forms part of the coastal margin and which has public rights of access.

In addition to land with coastal access rights it therefore includes areas of section 15 land. Spreading room may be either seaward or landward of the trail, according to the extent of the margin. Section 4.8 of the Scheme explains in more detail the ways in which land may become spreading room. Spreading room may be subject to directions that restrict or exclude the coastal access rights locally from time to time. However, the Scheme does not use the term to describe land which is subject to a direction which excludes access for the long-term. Land is not described as spreading room in the Scheme if it falls into one of the descriptions of excepted land, although it may become spreading room if it loses its excepted status as a result of a change of use, or if the owner dedicates it as coastal margin. Where highways such as roads or public rights of way cross spreading room, they remain subject to the existing highway rights rather than becoming subject to coastal access rights.

statutory duty means the work an organisation must do by order of an Act of Parliament.

stretch is the whole area covered by our compendium of statutory reports making coastal access proposals to the Secretary of State, each covering one length within the stretch.

temporary route means a diversionary route which operates while access to the trail is excluded by direction. Unlike an alternative route, a temporary route may be specified later by or under the direction without requiring confirmation by the Secretary of State, though land owner consent is needed in some circumstances. Figure 17 in chapter 6 of the Coastal Access Scheme explains the provisions for temporary routes in more detail.

the trail is the term we use to describe the strip of land people walk along when following the route identified for the purposes of the Coastal Access Duty. See part 1.3 of the Coastal Access Scheme. Following approval by the Secretary of State of our proposals, the trail along that stretch becomes part of

the National Trail known as the England Coast Path. By default, it is the land within 2 metres on either side of the approved route line, but often it is wider or narrower than this. The trail forms part of the coastal margin.

variation report means a report to the Secretary of State under section 55(1) of the 1949 Act. Natural England may prepare a variation report recommending changes to coastal access proposals that have previously been approved. Figure 10 in chapter 3 of the Coastal Access Scheme explains in more detail the circumstances when a variation report is necessary.

A variation report may also be prepared by Natural England (in the context of our recommendations for the trail which we have a duty to secure under section 296 of the 2009 Act) to recommend that the route of another National Trail at the coast is modified.

Annex C: Excepted land categories

The effect of Schedule 1 to the Countryside and Rights of Way Act 2000 is that some categories of land are completely excluded from the coastal access rights, even if they fall within the coastal margin:

- land covered by buildings or the curtilage of such land;
- land used as a park or garden;
- land used for the getting of minerals by surface working including quarrying (except, under certain circumstances, the removal of sand or shingle from an area of foreshore or beach);
- land used for the purposes of a railway (including a light railway) or tramway;
- land covered by pens in use for the temporary detention of livestock;
- land used for the purposes of a racecourse or aerodrome;
- land which is being developed and which will become excepted land under certain other excepted land provisions;
- land covered by works used for the purposes of a statutory undertaking (other than flood defence works or sea defence works) or the curtilage of such land;
- land covered by works used for an electronic communications code network or the curtilage of any such land;
- land the use of which is regulated by byelaws under section 14 of the Military Lands Act 1892 or section 2 of the Military Lands Act 1900;
- land which is, or forms part of, a school playing field or is otherwise occupied by the school and used for the purposes of the school; and
- land which is, or forms part of, a highway (within the meaning of the Highways Act 1980) – see below.

Some other land categories are excepted by default, but we may propose that the trail should cross them on an access strip – in which case the strip itself is not excepted from the coastal access rights. Where land in any of these categories would form part of the coastal margin in proposals, it would therefore be fully excepted from coastal access rights. That includes:

- land on which the soil is being, or has at any time within the previous 12 months been, disturbed by any ploughing or drilling undertaken for the purposes of planting or sowing crops or trees;
- land used for the purposes of a golf course;
- land which is, or forms part of, a regulated caravan or camping site; and
- land which is, or forms part of, a burial ground.

Highways are also excepted from the coastal access rights. This does not prevent the trail from following a public footpath or other highway, and people can continue exercising their rights to use highways that fall within the wider spreading room. Such highways form part of the coastal margin even though the access rights along them are afforded by other legislation.

Land owners may choose, under the legislation, to dedicate excepted land as a permanent part of the coastal margin. These provisions are explained in more detail in Chapter 2 of our Coastal Access Scheme.

Annex D: National restrictions

The coastal access rights which would be newly introduced under our proposals include most types of open-air recreation on foot or by wheelchair including walking, climbing and picnicking.

The scope of these coastal access rights is normally limited by a set of rules that we call in the Coastal Access Scheme the “national restrictions”.

They list some specific activities not included within the coastal access rights – for example camping, horse riding and cycling. The national restrictions on the coastal access rights are set out on the pages that follow.

The national restrictions do not prevent such recreational uses taking place under other rights, or with the landowner’s permission, or by traditional tolerance – for example on an area of foreshore where horse riding is customary. In particular, these national restrictions have no effect on people’s use of public rights of way or Section 15 land (see the entry for ‘section 15 land’ in the Glossary).

The land owner (or in some circumstances a long leaseholder or farm tenant) also has the option to include such recreational uses within the coastal access rights on a particular area of land, or on his holdings generally. He can do this:

- permanently (i.e. on behalf of himself and future owners of the land), by dedicating such rights under section 16 of the Countryside and Rights of Way Act 2000 (CROW); or
- until further notice, by agreeing that we should give a direction under CROW Schedule 2 paragraph 7 to this effect.

We can provide more information about these options on request.

Countryside and Rights of Way Act 2000

SCHEDULE 2 RESTRICTIONS TO BE OBSERVED BY PERSONS EXERCISING RIGHT OF ACCESS (Section 2)

General restrictions

- 1 (1) Subject to sub-paragraph (2), section 2(1) does not entitle a person to be on any land if, in or on that land, he –
- (a) drives or rides any vehicle other than an invalid carriage as defined by section 20(2) of the Chronically Sick and Disabled Persons Act 1970,
 - (b) uses a vessel or sailboard on any non-tidal water,
 - (c) has with him any animal other than a dog,
 - (d) commits any criminal offence,
 - (e) lights or tends a fire or does any act which is likely to cause a fire,
 - (f) intentionally or recklessly takes, kills, injures or disturbs any animal, bird or fish,
 - (g) intentionally or recklessly takes, damages or destroys any eggs or nests,
 - (h) feeds any livestock,
 - (i) bathes in any non-tidal water,
 - (j) engages in any operations of or connected with hunting, shooting, fishing, trapping, snaring, taking or destroying of animals, birds or fish or has with him any engine, instrument or apparatus used for hunting, shooting, fishing, trapping, snaring, taking or destroying animals, birds or fish,
 - (k) uses or has with him any metal detector,
 - (l) intentionally removes, damages or destroys any plant, shrub, tree or root or any part of a plant, shrub, tree or root,
 - (m) obstructs the flow of any drain or watercourse, or opens, shuts or otherwise interferes with any sluice-gate or other apparatus,
 - (n) without reasonable excuse, interferes with any fence, barrier or other device designed to prevent accidents to people or to enclose livestock,
 - (o) neglects to shut any gate or to fasten it where any means of doing so is provided, except where it is reasonable to assume that a gate is intended to be left open,
 - (p) affixes or writes any advertisement, bill, placard or notice,
 - (q) in relation to any lawful activity which persons are engaging in or are about to engage in on that or adjoining land, does anything which is intended by him to have the effect –
 - (i) of intimidating those persons so as to deter them or any of them from engaging in that activity,
 - (ii) of obstructing that activity, or
 - (iii) of disrupting that activity,
 - (r) without reasonable excuse, does anything which (whether or not intended by him to have the effect mentioned in paragraph (q)) disturbs, annoys or obstructs any persons engaged in a lawful activity on the land,
 - (s) engages in any organised games, or in camping, hang-gliding or para-gliding, or
 - (t) engages in any activity which is organised or undertaken (whether by him or another) for any commercial purpose.
- (2) Nothing in sub-paragraph (1)(f) or (j) affects a person's entitlement by virtue of section 2(1) to be on any land which is coastal margin if the person's conduct (to the extent that it falls within sub-paragraph (1)(f) or (j)) is limited to permitted fishing-related conduct.
- (3) In sub-paragraph (2) the reference to permitted fishing-related conduct is a reference to the person –
- (a) having a fishing rod or line, or

(b) engaging in any activities which –

(i) are connected with, or ancillary to, fishing with a rod and line, or with a line only, in the exercise of a right to fish, and

(ii) take place on land other than land used for grazing or other agricultural purposes.

2 (1) In paragraph 1(k), “metal detector” means any device designed or adapted for detecting or locating any metal or mineral in the ground.

(2) For the purposes of paragraph 1(q) and (r), activity on any occasion on the part of a person or persons on land is “lawful” if he or they may engage in the activity on the land on that occasion without committing an offence or trespassing on the land.

3 Regulations may amend paragraphs 1 and 2.

4 (1) During the period beginning with 1st March and ending with 31st July in each year, section 2(1) does not entitle a person to be on any land if he takes, or allows to enter or remain, any dog which is not on a short lead.

(2) Sub-paragraph (1) does not apply in relation to land which is coastal margin.

5 Whatever the time of year, section 2(1) does not entitle a person to be on any land if he takes, or allows to enter or remain, any dog which is not on a short lead and which is in the vicinity of livestock.

6 In paragraphs 4 and 5, “short lead” means a lead of fixed length and of not more than two metres.

6A (1) Whatever the time of year, section 2(1) does not entitle a person to be on any land which is coastal margin at any time if –

(a) that person has taken onto the land, or allowed to enter or remain on the land, any dog, and

(b) at that time, the dog is not under the effective control of that person or another person.

(2) For this purpose a dog is under the effective control of a person if the following conditions are met.

(3) The first condition is that –

(a) the dog is on a lead, or

(b) the dog is within sight of the person and the person remains aware of the dog's actions and has reason to be confident that the dog will return to the person reliably and promptly on the person's command.

(4) The second condition is that the dog remains –

(a) on access land, or

(b) on other land to which that person has a right of access.

(5) For the purposes of sub-paragraph (4), a dog which is in tidal waters is to be regarded as remaining on access land.

6B (1) Section 2(1) does not entitle a person to be on any land which is coastal margin if, on that land, the person obstructs any person passing, or attempting to pass, on foot along any part of the English coastal route, any official alternative route or any relevant temporary route.

(2) In this paragraph –

“the English coastal route” means the route secured pursuant to the coastal access duty (within the meaning of section 296 of the Marine and Coastal Access Act 2009);

“official alternative route” has the meaning given by section 55J of the National Parks and Access to the Countryside Act 1949;

“relevant temporary route” means a route for the time being having effect by virtue of a direction under section 55I of that Act to the extent that the line of the route passes over coastal margin.

Front cover photo:
View across Morecambe Bay from Heysham
Head © Danny Moores / Natural England

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