

Department for Environment, Food and Rural Affairs

**Notice by the Secretary of State under section
52 [and 55(1)] of the National Parks and
Access to the Countryside Act 1949
Nethertown and Sellafield**

January 2020

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Introduction

Under the duty in section 296(1) of the Marine and Coastal Access Act 2009 (“the duty”), (“the 2009 Act”):

On 14th October 2014 Natural England published proposals for a stretch of the English Coastal Path under section 51(1) of the National Parks and Access to the Countryside Act 1949 (“the 1949 Act”) named Whitehaven to Silecroft (“the Whitehaven to Silecroft proposals”)

On 28th September 2015 the Secretary of State gave notice under Section 52(2) that the Whitehaven to Silecroft proposals were approved (“the approved coastal access provisions”).

On 26th June 2019, under section 55(1) of the 1949 Act, Natural England submitted a coastal access variation report relating to proposed changes to the approved coastal access provisions (“the coastal access variation report”) to the Secretary of State for Environment, Food and Rural Affairs.

The coastal access variation report proposed changes to the approved coastal access provisions.

In reaching her determination under section 52 of the 1949 Act the Secretary of State has considered:

- a. Proposed Changes to the England Coast Path at Nethertown and Sellafield - Natural England’s coastal access variation report submitted to the Secretary of State on 26th June 2019;
- b. in accordance with paragraph 16(1)(d) of the Schedule, representations made by a person within paragraph 2(2)(b) to (f) of the Schedule, and the summary of other representations made, and Natural England’s comments on those representations which it sent to the Secretary of State on 29th August 2019.

In this notice –

(a) “objection” means an objection about the coastal access report which is made under paragraph 3 of the Schedule; and

(b) “representation” means a representation about the coastal access report which is made under paragraph 7 of the Schedule.

Secretary of State's approval of coastal access proposals

The Secretary of State has determined to approve in full the proposals for the route and associated coastal margin as set out in the coastal access variation report, in relation to which no objections were made.

The additional conclusions and observations of the Secretary of State in relation to the representations are set out in **Annex A** to this notice.

The Secretary of State has made available at www.gov.uk a copy of this notice and a copy of all representations made by a person within paragraph 2(2)(b) to (f) of the Schedule, and Natural England's comments on those representations, which were sent to the Secretary of State on 8 October 2018.

Natural England has also made available Proposed Changes to the England Coast Path at Nethertown and Sellafield, Cumbria – Natural England's report.

Annex A: Conclusions and observations on representations

The Secretary of State has considered, in relation to the coastal access variation report, the following representations made under paragraph 7 of the Schedule.

Representation No. MCA/WHS/VR7/R/1/WHS0080

Name of representation: Historic England

Report Chapter and route section(s):

WHS-VR7-S001 to WHS-VR7-S004 (Nethertown)

Secretary of State's conclusion and observation:

Secretary of State thanks Historic England for providing this confirmation.

Representation No. MCA/WHS/VR7/R/2/WHS0080

Name of representation: Historic England

Report Chapter and route section(s):

WHS-VR7-S005 to WHS-VR7-S017 (Sellafield)

Secretary of State's conclusion and observation:

Secretary of State thanks Historic England for providing this confirmation.

Representation No. MCA/WHS/VR7/R/3/WHS0013

Name of representation: The Ramblers (and the Open spaces Society)

Report Chapter and route section(s):

WHS-VR7-S001 to WHS-VR7-S004 (Nethertown)

Secretary of State's conclusion and observation:

Secretary of State acknowledges the disappointment expressed in the need to change the approved route in this area and notes support for Natural England's overall proposals.

Representation No. MCA/WHS/VR7/R/4/WHS0013

Name of representation: The Ramblers (and the Open spaces Society)

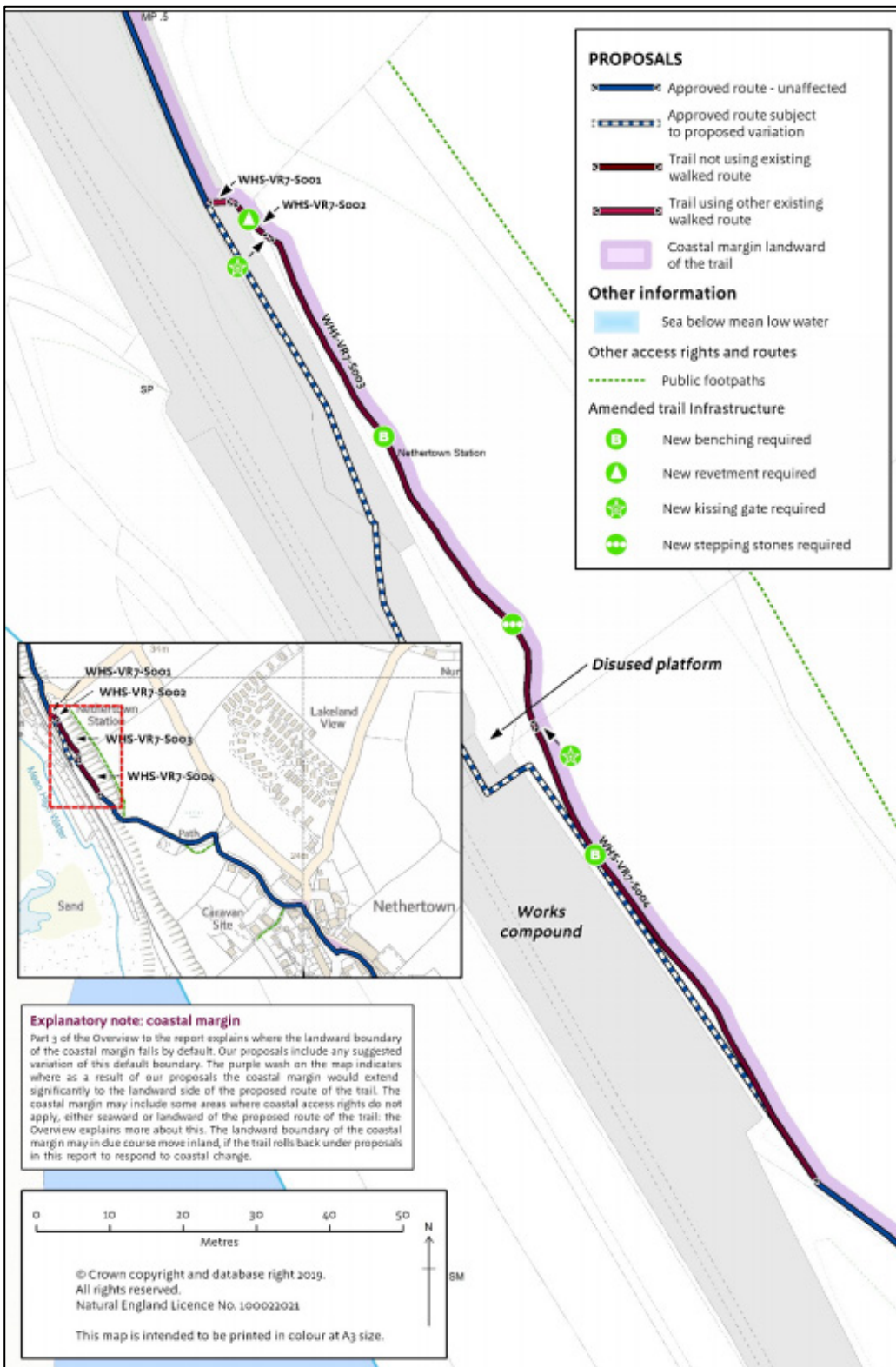
Report Chapter and route section(s):

WHS-VR7-S005 to WHS-VR7-S017 (Sellafield)

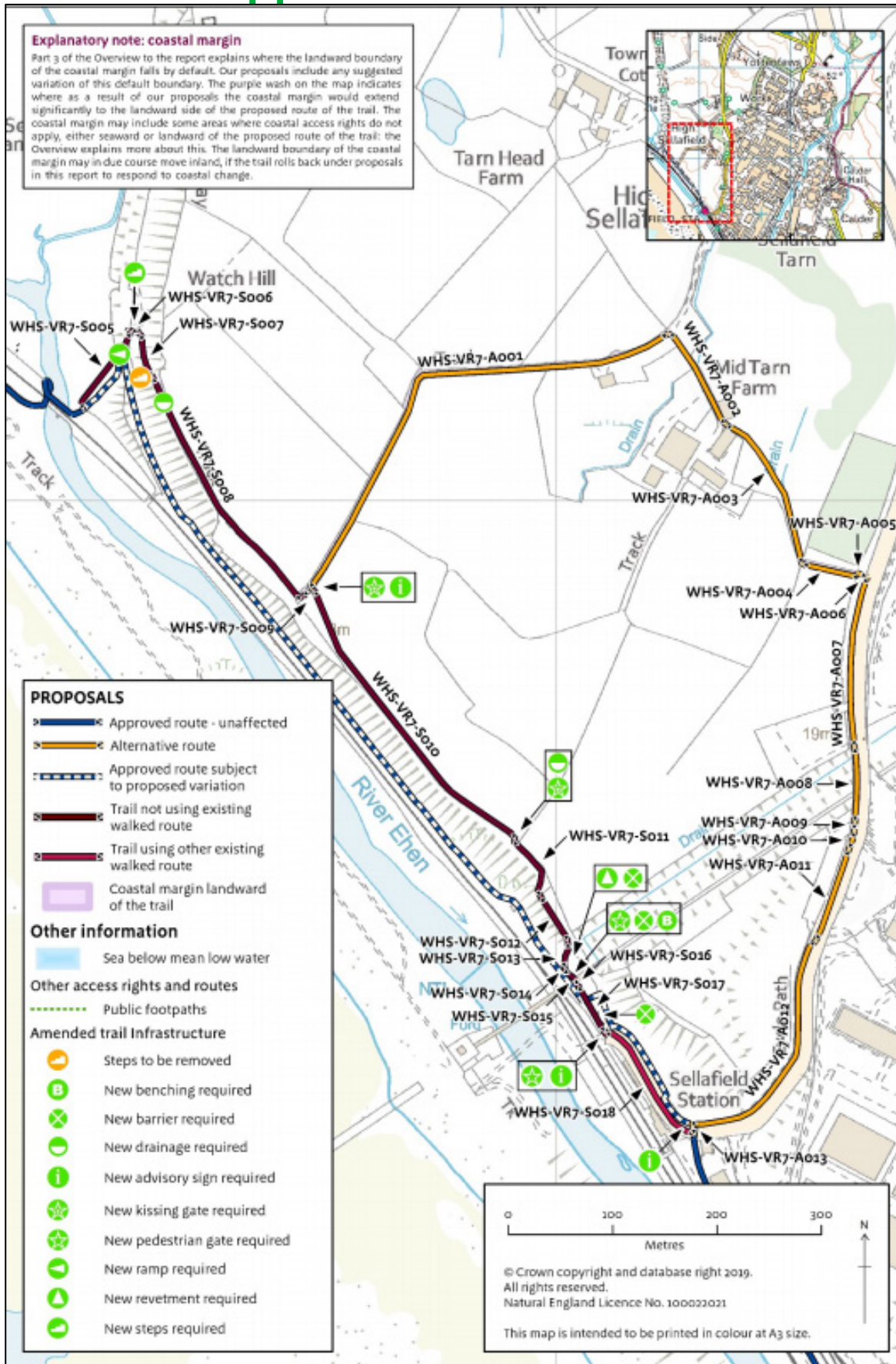
Secretary of State's conclusion and observation:

Secretary of State notes support for Natural England's overall proposals and acknowledges The Ramblers and Open Spaces Society's desire for a more coastal route in the area at a future date.

Annex B: Approved variation Nethertown



Annex C: Approved variation Sellafield



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