
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 3A of the Countryside and Rights of Way Act 2000 (c. 37) (“the CROW Act”). It applies in relation to land in England only.

The Order sets out descriptions of land which are coastal margin for the purposes of Part 1 of the CROW Act (*article 3*). It also makes provision for cases where relevant approved proposals (as defined in section 3A(10)) contain—

- (a) a proposal for any part of the English coastal route referred to in section 296 of the Marine and Coastal Access Act 2009 (c. 23) to be determined in accordance with provision made in the report prepared by Natural England, or
- (b) a proposal for the landward boundary of land which is to become coastal margin to coincide with a physical feature identified in the proposal (*articles 4 to 7*).

The Schedule to the Order modifies the way in which Part 1 of the CROW Act applies in relation to land which is coastal margin in four ways:

- (c) it amends Schedule 1 to the CROW Act (excepted land for the purposes of Part 1 of the CROW Act), which makes provision for certain categories of land to be excepted from the right of access under section 2(1) of that Act (*Part 1 of the Schedule*);
- (d) it amends Schedule 2 to the CROW Act (restrictions to be observed by persons exercising right of access), which makes provision preventing that right of access from being exercisable by persons who fail to observe certain restrictions (*Part 2 of the Schedule*);
- (e) it amends Chapter 2 of Part 1 of the CROW Act (exclusion or restriction of access) which makes provision for that right of access to be excluded or restricted in certain circumstances, including by means of a direction given by “the relevant authority” (as defined in section 21(5)) (*Part 3 of the Schedule*);
- (f) it amends section 1 of the CROW Act which sets out definitions used in Part 1 of that Act to make provision about land which is coastal margin by virtue of this Order and land which dedicated as coastal margin under section 16 of the Act (*Part 4 of the Schedule*).

A separate Impact Assessment has not been prepared in respect of this Order because the Impact Assessment which was prepared for the Marine and Coastal Access Act 2009 included assumptions which are reflected in the Order.