

Report to the Cabinet Member for Environment, Planning and Cultural Services
Report submitted by: Head of Service Planning and Environment
Date 4th November 2015

Part I

Electoral Division affected:
Lancaster Rural North,
Morecambe North,
Morecambe West,
Heysham, Lancaster
Central, Wyreside, Fylde
West, Amounderness,
Thornton Cleveleys North,
Thornton Cleveleys Central,
Fleetwood East, Fleetwood
West, St Annes North, St
Annes South, Lytham, Fylde
South, Fylde East, Preston
West, Preston City,
Penwortham North, South
Ribblesdale Rural West, West
Lancs North

**The New England Coast Path and Coastal Access – Working with Natural
England**

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Executive Summary

This report sets out proposals for working with Natural England to deliver the Lancashire section of the governments aspirations to secure a walking route around the entire English coast 'the England Coast Path' and to secure an associated margin of land or 'spreading room' for the public to enjoy.

This is a Key Decision and the provisions of Standing Order 25 have been complied with.

Recommendation

The Cabinet Member for Environment, Planning and Cultural Services is requested to:

- (i) Approve the arrangements for working with Natural England to create the new English Coast Path and coastal access in Lancashire on the basis of the report presented.
- (ii) Authorise the Head of Planning and Environment to enter into a memorandum of agreement with Natural England to recover 100% of the cost of county council staff time involved in the planning, development and establishment of the coast path and coastal access.

Background and Advice

Natural England and the Secretary of State for the Environment have a duty to use their powers to secure a walking route around the entire English coast 'the England Coast Path' and to secure an associated margin of land or 'spreading room' for the public to enjoy. The Government have set out a timescale for the completion of the Coast Path, by 2020.

Work on Coastal Access is likely to start in Lancashire in early 2016.

Natural England's Coastal Access Team will take the lead in the development work but will fund all work undertaken by local authority staff concerning the planning of the route for the English Coast Path. They will cover agreed costs at 100%.

Once the route is approved by the Secretary of State establishment works are expected to be implemented by the access authority funded by a grant for 100% of the agreed costs.

The route will be part of the National Trail Family and maintenance will be grant aided by Natural England; currently at approximately 75% of the costs (exact figure determined by the agreed national funding formula, according to local circumstances).

The coast is important as a place for relaxation and enjoyment; valued for its scenery, wildlife and for its sense of freedom. Lancashire has a long established tourism industry, focused around the Fylde Coast, and the rich habitat of the coastline make it one of the most important places in Europe for wildlife.

In spite of the long traditions of public use there is a lack of clarity and consistency in access along the English coast.

The Marine and Coastal Access Act 2009 ("the 2009 Act") sets out the Government's aim to tackle these inconsistencies.

Part 9 of the 2009 Act aims to improve public access to, and enjoyment of, the English coastline by creating clear and consistent public rights along the English

coast for open-air recreation on foot. It allows existing coastal access to be secured and improved and new access to be created in places where it does not already exist.

There are two elements:

- to secure a route around the whole of the English coast – the England Coast Path,
- to secure an associated “margin” of land for the public to enjoy – the publicly accessible part of which is known as ‘spreading room’. In most cases this will be the land on the seaward side of the trail.

The County Council developed the Lancashire Coastal Way between Freckleton and Arnside, with the first stretch being opened in 1991.

The Lancashire Coastal Way will form part of the trail – but there are a number of locations in Lancashire where the new rights can bring significant improvements to coastal access.

- Silverdale to Carnforth
- Overton to Lancaster
- Cockerham to Knott End
- Wyre Estuary
- Freckleton to Preston

On completion the route will be part of the National Trail family and maintenance will be grant aided by Natural England – currently at approximately 75% of agreed costs.

The ongoing maintenance liability for the county council fits with the County Council's strategy of concentrating resources on maintaining certain popular, well maintained, routes in the access network

Development

Natural England will fund all work undertaken by local authority staff concerning the planning of the route for the English Coast Path. They will cover agreed costs at 100% and will include salary and on-costs. This will be covered by a memorandum of agreement (MoA) for a single financial year at a time which can be refreshed at the start of each new financial year. The MoA will cover all aspects of route planning, up to approval by the Secretary of State.

Natural England has sole responsibility for the preparation of the coastal access report and will:

- identify the options,
- consult with national and local organisations, including the local access forum,
- consult those with a legal interest in the land.

The County Council will provide local knowledge and context to ensure the best outcome for Lancashire. County Council officers will also develop a programme of works and estimated costs and consents.

Local knowledge of the coast and coastal issues will help the County Council to secure the best route and maximise the benefits of the scheme.

Although the project's aim is to secure pedestrian access there may well be opportunities to secure higher rights with benefits for cyclists and horse riders. The legal rights of access secured by the scheme may assist in adding value to programmes such as Coastal Communities and Highways Masterplans. Opportunities will be taken to improve existing public rights of way to National Trail standard with improved accessibility and quality infrastructure.

During this phase the costs of establishment and a programme of works will be identified.

The local knowledge and expertise of the County Council's Environmental Projects and Community Projects Team make it ideally placed to deliver this work. Based on discussions with Natural England and Cumbria County Council, who are already involved in delivering this project, it is anticipated that around 0.5 FTE will be required during this phase. The MoA will be renewed on an annual basis and the volume of work identified for each financial year.

Establishment

Establishment works, post Secretary of State Approval, are expected to be handled entirely by local authorities. This work will also be funded at 100% of agreed costs via a grant. Agreed costs will include staff time for contract management as well as the cost of practical works.

There are significant stretches of coast where there will be new public access, some places where work will be required to bring the path up to National Trail standards, and there may be opportunities for cycleway/bridleway development where it is supported by other programmes. Again it is anticipated that this will generate sufficient income to support 0.5 FTE.

Maintenance

The maintenance of the England Coast Path will be governed by the terms of the New Deal for National Trails. The expectation is that Natural England will cover around 75% of the maintenance costs. Funding will be by way of a grant administered by the National Trails team. National Trails are managed locally but within a national framework. Natural England is responsible for setting standards and investing in trail maintenance, highway authorities take responsibility for local delivery. This is an ongoing commitment on the part of Natural England /government.

Maintenance of the Pennine Bridleway National Trail in Lancashire currently supports 0.75 FTE. (Pennine Bridleway Ranger) On the basis of the length of new Coastal Path and the current funding formula it is anticipated that the ongoing income for the maintenance of National Trails in Lancashire could support 1.0 FTE

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

Although the duty to deliver this programme rests with Natural England if the County Council as Access Authority is not involved then opportunities to influence the alignment and to secure the best deal for both local people and visitors will be lost.

Financial

There will be no additional costs to the County Council until the maintenance phase in 2020 after which 25% of the costs of maintenance will fall to the Council.

During the development phase (2016/17 – 2019/20) Natural England will cover 100% of the cost of staff time including on costs, which, based on the experience of Cumbria County Council will require a 0.5 FTE post in the Environment and Community Projects Team. Beyond 2020 there is a government commitment to grant aid the maintenance of National Trails; currently at 75% of costs that can include staff time.

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
	Feb-Mar	Apr-Mar	Apr-Mar	Apr-Mar	Apr-Mar	Apr-Mar
Expenditure						
Maintenance work of coastal way						60,000
	-	-	-	-	-	60,000
Income						
For the development TP 3 - Grade 9 (income for an existing member of staff) 0.5 FTE	- 3,566	- 21,396	- 21,396	- 21,396	- 21,396	-
NE 75% contribution of maintenance expenditure						- 45,000
LCC Contribution	- 3,566	- 21,396	- 21,396	- 21,396	- 21,396	15,000

List of Background Papers

Paper

Date

Contact/Tel

Nil

Reason for inclusion in Part II, if appropriate

N/A