



Open Report on behalf of Andy Gutherson, Executive Director, Place

Report to:	Lincolnshire Joint Local Access Forum
Date:	18 January 2021
Subject:	England Coast Path

Summary:

A review of the implementation of the national project to create a path around the English coastline

Recommendation(s):

Advisory only - For noting

Background

Whilst the Government had initially set out that the England Coast Path (ECP) project was to be completed in 2020 the Pandemic situation has delayed full opening of the route. This exacerbated an existing issue concerning a European Courts judgement regarding Habitats Regulation Assessments (HRA).

The scheme has 5 stages – Assess, Propose, Approve, Implement and Open and, as of December 2020, for the full 2697 miles:

- 385 miles has been opened
- 194 miles had been approved and was being implemented
- 1601 miles had been proposed and awaits Secretary of State Approval
- 517 miles are still being assessed although most are drawing to a conclusion

Lincolnshire

There are 4 stretches of the ECP in Lincolnshire listed as follows:

- Hunstanton to Sutton Bridge 33 miles
- Sutton Bridge to Skegness 57 miles
- Skegness to Mablethorpe 16 miles
- Mablethorpe to Humber Bridge 50 miles

Hunstanton to Sutton Bridge

There is approximately just 7 miles of this stretch within Lincolnshire and follows and established public right of way along the Wash flood bank before using the road alongside the R. Nene to enter Sutton Bridge.

This route was published for representations on 25 November 2020 and the consultation will close prior to review and approval processes on 20 January 2021.

Sutton Bridge to Skegness

This route follows the Wash Sea Bank into, and out of, Boston and then onto Gibraltar Point and into Skegness. The majority of the route follows existing public rights of way although for the section from Friskney to Gibraltar Point the ECP will create a new path on the flood bank. At Gibraltar Point a significant infrastructure improvement is required to enable crossing of the Steeping River.

The route was published for representations on 24 January 2018 and two objections were lodged. The Planning Inspector visited both sites and a decision is pending. This is however one of fifteen stretches that were caught on the judgement of the European Courts concerning the point at which a Habitats Regulations Assessment is undertaken in the process of any project requiring one. Prior to the judgement (actually concerning wind turbines in Ireland and is known as *People over Wind* or the *Sweetman* case) a HRA was made after the ECP proposals were approved however the CJEU ruling now requires that it is undertaken beforehand.

As a consequence this stretch of the ECP along with the fourteen others has been in abeyance whilst HRAs are undertaken across the whole project. The HRA for this stretch was due to be undertaken in December and thereafter an approval decision will be undertaken prior to the process of implementation.

Skegness to Mablethorpe

This stretch was opened on 27 February 2019 and predominantly follows the coastal promenade from Skegness to Chapel Point before varying between beach and dunes to Sandilands and thereafter on the promenade to Mablethorpe.

As part of the project a new c.200m section of promenade was built to enable equalities access between the former end of the promenade at Chapel St Leonards and the new North Sea Observatory building at Chapel Point.

The main management issue is the clearance of the promenade of wind-blown sand which restricts users of limited mobility.

Mablethorpe to Sutton Bridge

This stretch is yet to be published but is generally proposed to use established pathways in dune systems and the existing right of way network and sea bank paths to the border with North East Lincolnshire and then on along the Humber Estuary to North Lincolnshire and the Humber Bridge.

This stretch has reputedly the most complex HRA based on the habitats concerns regarding Donna Nook and the wider Humber Estuary. As a consequence the path report is not expected to be published until Spring 2021.

Associated Access Land

The ECP is not in itself a public right of way but rather an allocated pathway within an area of allocated coastal access land which was an extension of the provisions in the Countryside and Rights of Way Act 2000 concerning access land (colloquially known as "right to roam" land – mountain, moorland downland and heath alongside land dedicated by the Forestry Commission).

For Lincolnshire much of the seaward side of the path is not / will not be open access land due to falling into various exempted categories such as dangerous land such as saltmarsh or having dangerous estuarine creeks. As much of the pathway is on sea bank there is also limited landward access land as it will only extend to the nearest physical or natural boundary.

Implementation

This is undertaken by local authorities and funded by Natural England. Currently this is provided for by European RDPE funding however following the withdrawal from the European Union this will not be the case post June 2021. Natural England are therefore seeking to accelerate progress so that as much of the ECP route as possible qualifies for the funding before alternate sources are found.

Management

It is expected that Local Access Authorities will manage their stretches in blocks and within a partnership. For Lincolnshire the Natural England expectation is for a partnership of the three councils (NELC, LCC and NLC) alongside relevant agencies such as the District Councils, Wildlife Trusts, Environment Agency, National Trust, MoD and the Wash and North Norfolk Coast Partnership.

As there is just one open stretch in the Greater Lincolnshire area no partnership has yet been developed and LCC have managed the Skegness to Mablethorpe stretch.

a) Risks and Impact Analysis

None

Appendices

These are listed below and attached at the back of the report

Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Chris Miller - Team Leader - Environmental Services, who can be contacted on 01522 782070 or countryside_access@lincolnshire.gov.uk.