



Department
for Environment
Food & Rural Affairs

Lord Gardiner of Kimble
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Robert Seely MP
House of Commons
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Your ref: Valerie Taylor/AF/4169
Our ref: MC2019/08422/SH

23rd May 2019

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03 JUN 2019

Dear Robert,

Thank you for your letter of 8 April on behalf of Mrs Valerie Taylor, Whippingham Parish Clerk, Whippingham Parish Council, 3 Downside, Ventnor, about the Access to the Countryside (Coastal Margin) (England) Order 2010 and Natural England's approach to England Coast Path route determination in Whippingham.

In response to Whippingham Parish Council's request for clarity over the definition of excepted land in relation to dwellings under the creation of coastal access, let me provide some further explanation.

The 2010 amendment to Part 1 of the Countryside and Rights of Way Act 2000, as referenced by Mrs Taylor, alters the definitions of excepted land in relation to creating the England Coast Path and associated coastal margin. Specifically, the amendment of one of these definitions to 'Land (other than coastal margin) within 20 metres of a dwelling' appears to be causing a degree of confusion. The inclusion of the wording in brackets means that the approach to excepted land in the vicinity of dwellings differs between general open access land and land designated as coastal margin; namely that:

- General open access land must not come within 20 metres of a dwelling; and
- Land designated as coastal margin, with its associated rights of access, may come within 20 metres of a dwelling.

This amended approach for coastal access is necessary because of the often crowded and varied nature of land use around England's coast. I hope that the above provides some clarity and assists your constituents in understanding Natural England's duties and approach to the route in the Whippingham area.

In relation to Whippingham Parish Council's concerns that Natural England is not engaging with residents of Whippingham Heights, I understand that the sequencing of how Natural England's draft proposals were shared with affected individuals in this area did not go as intended, causing some concern to local residents. I also understand that Natural England has since apologised and directly addressed how it is working to achieve a fair balance in this area with those involved and with the parish council by letter.



Natural England informs me that the proposal including Whippingham is still at a draft stage and that it continues to consult on the route around the entirety of the Isle of Wight. Natural England assures me that it is committed to finding a route that represents a fair balance of all interests and I would encourage those with concerns in the Whippingham area to continue to engage with this process prior to publication of the final report.

Yours ever,
John

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