



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART I

ACCESS TO THE COUNTRYSIDE

CHAPTER I

RIGHT OF ACCESS

General

[^{F1}3A Power to extend to coastal land etc: England

- (1) The Secretary of State may by order specify the descriptions of land in England which are coastal margin for the purposes of this Part.
- (2) An order under subsection (1) may, in particular—
 - (a) describe land by reference to it being—
 - (i) land over which the line taken by the English coastal route passes,
 - (ii) land which is adjacent to and within a specified distance of that line, or
 - (iii) land which is adjacent to land within sub-paragraph (ii),if the land described under paragraphs (i) to (iii), taken as a whole, is coastal land;
 - (b) in relation to cases where a proposal of the kind mentioned in section 55B of the 1949 Act (power to determine the route in accordance with provision made in the report) is contained in relevant approved proposals, describe land by reference to the line taken by the English coastal route as it has effect from time to time in accordance with that proposal;
 - (c) in relation to cases where a proposal of the kind mentioned in section 55C of that Act (alternative routes) is contained in relevant approved proposals, describe land by reference to it being—

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- (i) land over which the line taken by an official alternative route which is for the time being in operation passes, or
 - (ii) land which is adjacent to and within a specified distance of that line, whether or not it is coastal land;
- (d) in relation to cases where a proposal of the kind mentioned in section 55D(2) (a) or (b) of that Act (proposal that boundary should coincide with a physical feature) is contained in relevant approved proposals, provide that the boundary of an area of coastal margin is to coincide with a physical feature as provided for in that proposal (and for this purpose it is immaterial if the effect is to include other land as coastal margin or to exclude part of an area of coastal land);
- (e) in relation to cases where a direction under subsection (3) of section 55I of that Act (temporary diversions) specifies a route which (or any part of which) passes over land within subsection (4)(d) of that section, describe land by reference to it being—
 - (i) land over which the line taken by that route (so far as it passes over land within subsection (4)(d) of that section) passes, or
 - (ii) land which is adjacent to and within a specified distance of that line (so far as it so passes),
 whether or not it is coastal land.
- (3) For the purposes of subsection (2) it is immaterial whether the English coastal route is in existence at the time the order is made.
- (4) An order under subsection (1) may modify the provisions of this Part in their application to land which is coastal margin.
- (5) Provision made by virtue of subsection (4) may, in particular—
 - (a) confer functions on the Secretary of State or Natural England;
 - (b) if providing for any description of land which is coastal margin to be excluded from any description of excepted land—
 - (i) describe that land as mentioned in subsection (2)(a)(i) to (iii), (b) or (c), or
 - (ii) in relation to cases where a proposal of the kind mentioned in section 55D(2)(c) of the 1949 Act (proposal that boundary should coincide with a physical feature) is contained in relevant approved proposals, provide that the boundary of that land (or any part of it) is to coincide with a physical feature as provided for in that proposal.
- (6) Where, as a result of proposals becoming approved proposals relating to a long-distance route, land becomes coastal margin by virtue of an order under subsection (1) —
 - (a) section 2(1) does not apply in relation to the land by reason of it being coastal margin until the end of the access preparation period in relation to the land,
 - (b) any direction given under Chapter 2 in relation to the land may be expressed to take effect immediately after the end of that period, and
 - (c) until the end of that period, the land is not to be regarded as coastal margin—
 - (i) for the purpose of determining whether it is open country or registered common land, or

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- (ii) for the purposes of section 1(6AA) of the Occupiers' Liability Act 1984 (duty of occupier of coastal margin to persons other than the occupier's visitors).
- (7) Where, as a result of proposals becoming approved proposals relating to a long-distance route, land becomes coastal margin by virtue of an order under subsection (1), any exclusion or restriction under Chapter 2 of access to the land by virtue of section 2(1) ceases to have effect at the end of the access preparation period.
- (8) Subsection (7) does not apply to any exclusion or restriction resulting from a direction under Chapter 2 which takes effect after the end of the access preparation period.
- (9) Subsections (6) and (7) do not apply to land if, at the time it becomes coastal margin by virtue of an order under subsection (1), it is already dedicated as coastal margin under section 16.
- (10) In this section—
- “the 1949 Act” means the National Parks and Access to the Countryside Act 1949;
 - “access preparation period”, in relation to any land, means the period which—
 - (a) begins when the land becomes coastal margin, and
 - (b) ends with the day appointed by the Secretary of State by order under this subsection in relation to that land;
 - “approved proposals relating to a long-distance route” is to be construed in accordance with sections 52(3) and 55(4) of the 1949 Act;
 - “coastal land” has the same meaning as in section 3;
 - “the English coastal route” means the route secured (or to be secured) pursuant to the coastal access duty (within the meaning of section 296 of the Marine and Coastal Access Act 2009);
 - “modify” includes amend, add to or repeal;
 - “official alternative route” has the meaning given by section 55J of the 1949 Act;
 - “relevant approved proposals” means approved proposals relating to a long-distance route which is or forms part of the English coastal route;
 - “specified” means specified in an order under subsection (1);
- and references to the exclusion or restriction under Chapter 2 of access to any land by virtue of section 2(1) are to be interpreted in accordance with section 21(2) and (3).]

Textual Amendments

- F1** S. 3A inserted (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), [ss. 303\(5\)](#), [324\(1\)\(c\)](#), [\(d\)](#), [\(2\)\(d\)](#) (with s. 308)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(1)(e) and word inserted by [2023 asc 3 Sch. 13 para. 179](#)
- s. 55A inserted by [2015 c. 20 s. 20](#)
- s. 56A inserted by [2015 c. 20 s. 21](#)
- s. 56B inserted by [2015 c. 20 s. 22\(1\)](#)