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STATUTORY INSTRUMENTS

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**2011 No. 2020**

**COUNTRYSIDE, ENGLAND**

The Access to the Countryside (Dedication of Land) (Amendment) (England) Regulations 2011

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|-------------------------------|---------|-------------------------|
| <i>Made</i>                   | - - - - | <i>11th August 2011</i> |
| <i>Laid before Parliament</i> |         | <i>17th August 2011</i> |
| <i>Coming into force</i>      | - -     | <i>1st October 2011</i> |

The Secretary of State, in exercise of the powers conferred by sections 16(1) and (6), 44(2) and 45(1) of the Countryside and Rights of Way Act 2000<sup>(1)</sup>, makes the following Regulations.

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Access to the Countryside (Dedication of Land) (Amendment) (England) Regulations 2011 and come into force on 1st October 2011.

(2) These Regulations apply in relation to England only.

**Amendment to the Access to the Countryside (Dedication of Land) (England) Regulations 2003**

2. The Access to the Countryside (Dedication of Land) (England) Regulations 2003<sup>(2)</sup> are amended as follows.

**Amendment to regulation 2**

3. For regulation 2 substitute—

“2. In these Regulations—

- (a) references to a numbered Chapter or section are references to that Chapter or section in Part 1 of the Countryside and Rights of Way Act 2000, and
- (b) references to Schedule 2 are references to Schedule 2 to that Act.”

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(1) 2000 c. 37. Section 45(1) contains definitions of “prescribed” and “regulations”. Section 16 was amended by section 303(6) of the Marine and Coastal Access Act 2009 (c. 23).

(2) S.I. 2003/2004.

#### **Amendments to regulation 4**

4.—(1) Regulation 4 is amended as follows.

(2) In paragraph (2)—

(i) at the end of sub-paragraph (b), omit “and” ;

(ii) at the end of sub-paragraph (c), for the full stop substitute “, and”; and

(iii) after that sub-paragraph add —

“(d) a statement as to whether or not the land is to be dedicated as coastal margin.”.

#### **Amendments to regulation 5**

5. In regulation 5, in paragraph (1)—

(a) in sub-paragraph (e), omit “and”;

(b) at the end of sub-paragraph (f), for the full stop substitute “, and”; and

(c) after sub-paragraph (f), add—

“(g) a statement as to whether or not the land is dedicated as coastal margin.”.

#### **Amendment to regulation 6**

6. In regulation 6, in paragraph (1)(d), for “the Countryside Agency” substitute “Natural England”.

#### **Amendment to regulation 7**

7. In regulation 7, after paragraph (2) add—

“(3) A dedication previously made under section 16 (otherwise than by virtue of subsection (2A) of that section) in respect of land within subsection (2B) of that section may be amended by the persons by whom a dedication could be made, so as to provide that the land is dedicated as coastal margin for the purposes of subsection (2C) of that section.

(4) Any exclusion or restriction under Chapter 2 of access by virtue of section 2(1) which has effect in relation to land which is within subsection (2B)(b) of section 16 immediately before it is dedicated as coastal margin shall cease to have effect at the time the dedication takes effect.”.

*Richard Benyon*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

11th August 2011

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Section 16 of the Countryside and Rights of Way Act 2000<sup>(3)</sup> enables persons to dedicate their land for the purposes of Part 1 of that Act, which established a new regime for access to the countryside. Part 9 of the Marine and Coastal Access Act 2009<sup>(4)</sup> amends section 16 to make provision to enable persons to dedicate land which is coastal margin or adjacent to it as coastal margin.

These Regulations amend the Access to the Countryside (Dedication of Land) (England) Regulations 2003<sup>(5)</sup>, which provide for the steps to be taken when land is dedicated under section 16. The amendments in these Regulations make provision for the steps to be taken when land is dedicated under section 16 as coastal margin. In particular they—

- (i) provide for the information required to be provided to persons requested to consent to a dedication of land to include a statement as to whether or not the land is to be dedicated as coastal margin (regulation 4);
- (ii) provide for an instrument of dedication to include a statement as to whether or not the land is dedicated as coastal margin (regulation 5); and
- (iii) enable a previous dedication under section 16 to be amended to provide that the land is dedicated as coastal margin, and that any exclusion or restriction of access in effect on the land immediately prior to dedication of land as coastal margin shall cease to have effect (regulation 7).

A separate Impact Assessment has not been prepared in respect of these Regulations, because the Impact Assessment which was prepared for Part 9 of the Marine and Coastal Access Act 2009 (Coastal Access) examined the impact of the implementation of Part 9 of which these Regulations form part.

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<sup>(3)</sup> 2000 c. 37.

<sup>(4)</sup> 2009 c. 23.

<sup>(5)</sup> S.I. 2003/2004.