STATUTORY INSTRUMENTS

2024 No. 867

COUNTRYSIDE, ENGLAND

The Access to the Countryside (Coastal Margin) (Birkenhead to Welsh Border) Order 2024

Made - - - - 20th August 2024

Coming into force in accordance with article 1

The Secretary of State makes this Order in exercise of the powers conferred by section 3A(10) of the Countryside and Rights of Way Act 2000(**a**).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Access to the Countryside (Coastal Margin) (Birkenhead to Welsh Border) Order 2024 and comes into force on the day after the day on which it is made.

(2) In this Order—

"the Act" means the National Parks and Access to the Countryside Act 1949(**b**);

"the relevant approvals" means the approval, by the Secretary of State(**c**) under section 52(1) of the Act(**d**) of the—

(a) England Coast Path Birkenhead to Welsh Border BHW1, Seacombe Ferry Terminal, Birkenhead to Red Rocks Slipway, Stanley Road, Hoylake report on 7th July 2021;

(b) England Coast Path Birkenhead to Welsh Border BHW3, 'The Boat House' Public House, Parkgate to the Welsh border report on 7th July 2021.

"the relevant reports" means the reports, submitted by Natural England to the Secretary of State under sections 51 and 55A of the Act(**e**) on 16th December 2020 (**f**) entitled—

(**a**) 2000 c. 37; section 3A was inserted by the Marine and Coastal Access Act 2009 (c. 23), section 303(5).

(**b**) 1949 c. 97.

(**c**) The functions of the Secretary of State under sections 51 and 52 of the National Parks and Access to the Countryside Act 1949 (c. 97) were originally vested in the Minister of Town and Country Planning in relation to England and Wales (see section 114(1) of that Act). The Minister of Town and Country Planning was renamed the Minister of Local Government and Planning by S.I. 1951/142 and was further renamed the Minister of Housing and Local Government by S.I. 1951/1900. S.I. 1965/143 transferred (so far as relevant) the functions of the Minister of Housing and Local Government to the Minister of Land and Natural Resources. The Ministry of Land and Natural Resources was dissolved by S.I. 1967/156 and the functions of that Minister (so far as relevant) were transferred to the Minister of Housing and Local Government. The Ministry of Housing and Local Government was dissolved, and the functions of that Minister were transferred to the Secretary of State by S.I. 1970/1681.

(**d**) Section 52(1) was amended by the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 11, Part 1, paragraph 10(f).

(**e**) Section 51 was amended by: the Countryside Act 1968 (c. 41), section 21(2); the Local Government Act 1972 (c. 70), Schedule 30; the Environmental Protection Act 1990 (c. 43), Schedule 8, paragraph 1(7); the Environment Act 1995 (c. 25), Schedule 10, paragraph 2(5); the Countryside and Rights of Way Act 2000, Schedule 5, Part 2, paragraph 12 and Schedule 7 paragraph 1; and by the Natural Environment and Rural Communities Act 2006, Schedule 11, Part 1, paragraph 10(e). Section 55A was inserted by the Marine and Coastal Access Act 2009, section 302(1).

(**f**) The reports are available at www.gov.uk or may be obtained by writing to Coastal Access Delivery Team, Natural England, Mail Hub, County Hall, Spetchley Road, Worcester, WR5 2NP.

(c) England Coast Path Birkenhead to Welsh Border BHW1, Seacombe Ferry Terminal, Birkenhead to Red Rocks Slipway, Stanley Road, Hoylake;

(d) England Coast Path Birkenhead to Welsh Border BHW3, 'The Boat House' Public House, Parkgate to the Welsh border.

End of access preparation period

2. In relation to land which is coastal margin as a result of the relevant approvals of the relevant reports, the day appointed as the day on which the access preparation period(**a**) ends is 22nd August 2024.

Hayman of Ullock
Parliamentary Under Secretary of State
20th August 2024 Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints the day on which the access preparation period ends in relation to land which is coastal margin as a result of the approval, by the Secretary of State, of Natural England's proposals contained in reports relating to coastal access upon the long-distance route between Birkenhead and Welsh Border. A copy of the Secretary of State's notices of approval is available at www.gov.uk and may be obtained by writing to the Access and Engagement with Nature Team at the Department for Environment, Food and Rural Affairs, Seacole Building, 2 Marsham Street, London SW1 4DF.

An impact assessment has not been prepared in respect of this Order because the assumptions underlying the Order were reflected in the impact assessment which was prepared for the Marine and Coastal Access Act 2009 (c. 23). It is available at www.gov.uk, or may be obtained by writing to the Commons and Access Implementation Team at the Department for Environment, Food and Rural Affairs at the address given above.

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(**a**) The term "access preparation period" is defined in section 3A(10) of the Countryside and Rights of Way Act 2000.

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