EXPLANATORY MEMORANDUM TO

THE COAST PROTECTION (VARIATION OF EXCLUDED WATERS) (ENGLAND) REGULATIONS 2015

2015 No. 523

1. This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 The purpose of these Regulations is to consolidate amendments to Schedule 4 to the Coast Protection Act 1949 ("the Act"), which has been amended 13 times through 8 previous Regulations. These earlier Regulations are consequently also revoked.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Context

4.1 Paragraph 113 of Schedule 4 to the Act allows the Secretary of State to amend the list of specified waters.

5. Territorial Extent and Application

5.1 The 2015 Regulations apply to England only.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The Act provides for the management of the coastline in England, Wales and Scotland as regards coastal erosion and coastal change.

7.2 The Act defines the coastline as "seashore", and includes any land adjacent to the shore and tidal areas of rivers and estuaries. However, Schedule 4 lists inland tidal areas of rivers and estuaries which are excluded from the scope of the Act.

7.3 In relation to England, there have been 13 amendments to Schedule 4, made through eight separate Regulations since the Act came into force. These Regulations will now consolidate these earlier Regulations to provide a single list of specified waters in England which are excluded from the scope of the Act. Once the 2015 Regulations enter into force, the previous Regulations will be revoked.

8. Consultation outcome

8.1 No consultation has been carried out with respect to this consolidation exercise as no material changes have been made to the existing amendments to the Act

9. Guidance

9.1 Guidance on the legal obligations pertaining to this Act is available on www.gov.uk."

10. Impact

10.1 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 These Regulations consolidate existing legislation. There is no impact on small business.

12. Monitoring & review

12.1 The Department for Environment, Food and Rural Affairs and the Environment Agency will continue to monitor the appropriateness of the list of specified waters.

13. Contact

13.1 Karen Carr, at the Department for Environment, Food and Rural Affairs Tel: 020 7979 8615 or email: karen.carr@defra.gsi.gov.uk can answer any queries regarding the Instrument.