



# Decision-making in the Coastal Zone

## The Crown Estate – Landowner's Permission



# What is The Crown Estate?

- A statutory body : The Crown Estate Act 1961
- An estate in land : urban, agricultural and marine property (worth over £7bn)
- Part of the hereditary possessions of the Sovereign in right of the Crown
- Net annual revenue paid to the Exchequer (not The Queen!)
- Last year > £200m paid over for the benefit of UK tax payers

# What is the Marine Estate?

- Approx. half the foreshore and almost all the seabed to 12nm around the UK plus rights to continental shelf
- Not the water column (but principles of oversailing apply)
- Moveable freehold

# What we are not

- **Regulator or planning authority** (although we can be a Competent Authority and are subject to certain obligations as a public body e.g. NERC Act)
- **Custodian of public rights**

# What can you do without needing our permission?

- Navigate – including mooring in the course of navigation
- Fish – including digging for bait for private use
- Prospect for and mine hydrocarbons (oil, gas and coal)
- Take floating seaweed
- Excavate wrecks
- Undertake non-intrusive investigations
- Enjoy traditional recreational activities on foreshore, e.g. walking and bathing (licence is implied)
- Go wildfowling (in Scotland only!)

# What requires our permission?

Everything not on the previous slide!

- 1) Activities: e.g. dredging, dumping, wildfowling, metal detecting, fossil/pebble collecting, intrusive site investigations, several/regulating fisheries, firing ranges, potash mining
- 2) Works : any physical work on, over or under the land, e.g. land reclamation, coast protection works, moorings, jetties and pontoons, pipelines, cables, outfalls, wind farms, fish farms, diving facilities

# Dredging and dumping

- Commercial aggregates : licensing rounds and Govt. view procedure
- Capital dredging : consent with commercial payment based on amount of material; royalty for beneficial re-use
- Dumping : consent with nominal fee

# Wildfowling (not Scotland)

- Joint Tidal Group on Wildfowling
- BASC, NE, CCW and EHS
- Management Plan
- Lease (various lengths)
- Standard rent based on length of coastline

# Metal detecting

- Annual permits issued for in-hand land
- Finds assessed in accordance with Treasure Act and Code of Practice
- Primary aim: finds of public interest end up in museums

# Several/Regulating Fisheries

- Landowner's consent required under 1967 Shellfisheries Act
- Policy of consenting at no charge subject to protection of Crown rights
- Historic rights of landowner and grantee of Order currently subject of court proceedings

# Works

(e.g. port facilities, land reclamation, marinas etc.)

- Policy to lease or licence but not sell land
- Various lengths of lease (max 150 years)
- Rent assessed on basis of best consideration with periodic reviews
- Valuation methodology – comparable land values, turnover (e.g. berthing income), throughput (e.g. footfall, barrel or tonnage), construction cost

# Moorings

- Policy of licensing mooring sites to clubs, harbour authorities etc. who manage individual licenses
- Rents based on number of moorings, location etc.
- River Hamble – we own the mid-stream mooring facilities; for new facilities we are subject to normal regulatory constraints

# International cables and field to shore oil/gas pipelines

- Standard heads of terms published on website
- Cables : Licence with standard operational and non-operational annual fees (index linked)
- Pipelines : Lease at standard rent (index linked) based on diameter of pipeline

# If you want to do something on our land:

- Contact us at an early stage
- Provide full details
- We will assess effect on our land
- Generally, if land is available we will grant permission if all statutory consents are obtained
- In most cases, our regional managing agent will negotiate terms – must be compliant with CE Act

# Finally, a word about Land Registration

- Historically, Crown does not deduce title
- Ownership based on Crown prerogative
- Since LR Act 2002, all foreshore in England & Wales now capable of being registered
- Registration program underway
- Title certificate will be available



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Southampton Water

Hamble-le-Rice

Warsash

Oil Refinery

FAWLEY

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# Thank you for listening

[www.thecrownestate.co.uk](http://www.thecrownestate.co.uk)

