

Free access to the Sea - The public's right to access the beach in Europe

In Ancient Rome, the sea and the beaches, just as the air, were considered common property. "*Mare commune est et omnium litora, sicut aer*" is what you can read in the Digest of Justinian (D. 47,10,13,7). Under present-day Italian law, the sea and the beaches are public property (*beni demaniali*), too, and can thus not be owned by private individuals. However, the public authorities grant licences to private individuals, mostly hotel operators or the operators of the countless lidos, for the use of the major part of the nearly 5000 km coastline excluding it from the public domain. The modern Romans and anybody else who is looking for recreation on the **Italian** beaches sometimes have to pay a steep price just to get access to the beach. Extra money is claimed for deck chairs and beach umbrellas and landing fees have risen enormously in the last few years.

However, those wishing to go for a refreshing swim in the sea for free quite often can not do so because the seaside is cordoned off by fences and similar barriers. Many operators charge steep admission fees just for entering the facilities and getting to the water and refer protesting beachgoers to public beaches even if they are miles away. This is not admissible as the current legal situation in Italy expressly provides that the licence holders have to guarantee unimpeded and free access to the sea and the coastal strip (*battigia*), a 5 metre strip starting from the point to which the water extends.

Thus, it is at any rate permitted to get to the sea directly from the street, go for a swim for free, sunbathe on the beach and go for a walk along the beach without having to pay any admission fees. However, it is not allowed to place bulky items such as deck chairs, camping tables or beach umbrellas on the coastal strip as rescue vehicles and authorized individuals have to be able to pass at any time. In addition, you can not expect other tourists to do a slalom to avoid bumping into umbrellas and deck chairs. It is also prohibited to stay in those areas of the beach which are reserved for paying guests or belong to hotels and other private institutions.

In most Italian bathing resorts there are also public beaches which are not operated by private licence holders and where no admission fees are charged. Sometimes, but far from everywhere, you can also hire deck chairs and umbrellas in such places.

Dog owners beware: Dogs are not allowed on most Italian beaches during the summer season. However, in many regions there are some beach areas where access with dogs is permitted and where you can sometimes even find special facilities such as dog showers or drinking troughs. Local regulations often exclude certain breeds, and usually there are also express prohibitions concerning sick and dangerous animals. But beware: If the dog is allowed on the beach, this does not automatically imply that it may go into the water. Those who take their dogs with them when travelling to an Italian seaside resort are well advised to get information about the local regulations with the municipality or the respective tourist board in advance as heavy fines are imposed in case of infringement.

This is the situation in Italy. But what happens **on the beaches in the rest of Europe**? The European Consumer Centre (ECC) Italy, Bolzano office, asked the other members of the network of European Consumer Centres (ECC-Net)*.

Austria has evidently no access to the sea, nevertheless it has many popular lakes. In many places it is possible to access the lakesides freely and unhindered, but there are also beaches, where an admission fee is charged. Other lakes are completely surrounded by private property and are therefore not accessible at all by the public. With regard to the access with dogs, the situation differs from one lake to another and from one shore section to another.

The **Belgian** beaches are public. Anyone can freely enter the beaches and use them for free. In some places you can hire beach chairs and umbrellas; there are playgrounds too but you have to pay for them. During the tourist season it is not allowed to go to the beach with your dog; out of season it is generally possible, but dogs have often to be kept on leash. The horse riding on the beach is permitted only outside the tourist season.

According to information from ECC **Bulgaria**, in Bulgaria beaches are for free and freely accessible, even dogs are usually allowed.

In **Cyprus** the public's right to access the sea and the beach is widely publicised in television, radio and newspapers, where both locals and tourists are informed that it is strictly forbidden to charge a fee for the use of beaches and access to the sea. If you'd like a comfortable sunlounger and a parasol, you don't need to fear to bust your holiday budget, as the renting fees are regulated by law. The price for each item (sunbed or umbrella) mustn't exceed 2.50 Euros. In accordance with the Foreshore Protection Law it is generally prohibited to take pets to the beach, although there are some exceptions: only in specifically signposted and designated areas, local authorities may allow dogs to be taken to the beach and to swim in the sea.

All of this applies to the approximately 300-km-long Southern coastline, but not to the remaining about 475-km-long shore which is under control of Turkey – and, to some extent, of the British military.

The beaches and shore areas of lakes of the **Czech Republic** may also be privately owned. Whether the access is permitted and whether it is free or not, depends therefore on the owner. The same applies to the access with pets.

Nearly all beaches and coasts of **Denmark** are freely accessible and can be used free of charge. However, there are some beaches in private hands: you cannot enter there within 50 meter from dwellings. In principle dogs are permitted on the beach; in the period from 1st April to 30th September they must always be kept on a leash. Leashes are compulsory even in winter when grazing animals are around. Riding on the beach is permitted from 1st September to 31st May.

The 451 km long **Dutch** coast is – for humans - freely accessible everywhere. Dogs however are banned practically everywhere in the period between 15th May to 31st October. To give dogs and their owners a chance to breathe sea air together, in some places there are special walking routes through the dunes marked by signposts. In some areas there is a time frame (usually from 7 to 9 both in the morning and in the evening), during which it is allowed to walk with dogs. Very important, and really a matter of course: dog owners are obligated to have their cleaning tools with them when walking with their dogs and must properly dispose of the droppings of their dogs, otherwise they risk a fine!

Who goes for a swim to **Estonia**, in principle finds beaches accessible for free. As in Italy dog owners prior to booking should get information at the local authorities whether and under what conditions and restrictions going to the beach with the dog is permitted. The provisions on that point are different from place to place.

* The ECCs in **Luxemburg** and **Hungary** informed us that there are no beaches and coastlines in these countries.

Finland's cool waters and beaches can also be enjoyed free of charge. Although dogs have always to be on leash, they can easily be taken everywhere.

Even **France's** beaches are - except for private hotel beaches - freely accessible. Dogs must have a leash and be muzzled on the beach. But ECC France points out that exemplars of some potentially dangerous breeds may not be imported to the territory or only under very strict security rules.

In **Germany's** coastal holiday resorts tourists often have to pay a so-called tourist tax to local authorities. Dogs are only allowed in specially designated areas, the so-called dog beaches.

Greece, one of the most popular tourist destinations of Europe, has many free accessible beaches. However, there are facilities and beach baths, where admission is required; umbrellas, deck chairs, drinks, etc. are offered there. On the cashier at the entrance the price list must be issued so that the consumer is informed about the costs. There is finally a third category of beaches: the entrance is for free, but a fee for the use of umbrellas and deck chairs has to be paid. There are no specific rules for the access of domestic animals to beaches in Greece.

In **Ireland**, there is no coastal section that is accessible for a fee. Even dogs are allowed on all beaches, they must, however, like everywhere in public places in Ireland, without exception be on leash. If the dog owner refuses to put a leash on his favourite, he has to pay a fine.

The access to the impressive beaches and coastal sections of **Iceland** are open and with no admission fee but you may leave swimming to fish and marine mammals. Whether dog venture to dive in the cold waters is also very questionable, but in any case, they can be taken on the beach. There is only one bathing beach in Reykjavik, Nauthólsvík, with fine white sand and warm sea water. No admission fee is requested there; but guests have to pay for access to locked closets to store their clothes. This beach is available from 15th May to 31st August. Dogs are not allowed in Nauthólsvík.

The regime is easy on the Baltic coast of **Latvia**. Access to the sea and the beach are generally free of charge, dogs are allowed, if provided with leash.

Also in **Lithuania** swimming in the sea is free; at some beaches, in order to use chairs and umbrellas, you need to pay a fee. During the summer season (from 1st of April to 30th of September) it is forbidden to exercise and to bath dogs and other pets on the beach.

The access to the beach on the Mediterranean island of **Malta** is generally open to all and free of cost. However, in some areas where the beach is administered by private individuals or firms, you need to pay a fee for the renting of umbrellas and beach seating. Access to the beach itself is however always free of charge. What animals including horse, there are at fixed times especially for the horse riding on the beach and swimming in the sea areas provided. These are marked by signs. Dogs are allowed everywhere on the beach, where it is not expressly prohibited. Make always sure to check the appropriate signs. Dogs in Malta have always to go on the leash in the public and of course, also on the beach.

In **Norway**, a distinction between public and private beaches must be made. Public beaches are open to everyone and free of charge. Within 10 metres from the water also the numerous small privately-owned beaches are freely accessible for sun-bathing and swimming, but only if this does not objectively disturb the owner and under the condition that the corresponding house is located more than 76 metres from the beach. This applies even if the owner of the beach has put up fences or other barriers. These rules have sometimes resulted in conflicts between beach owners and "intruders", which have even been brought to court. If a camping site owner owns a section of a beach, he may claim a fee if the camping area is close to the water. Whether dogs have access to public beaches or not, depends on the decisions of the local authorities. Therefore it is the best to ask for information on site. The regulations regarding dogs on private beaches vary from beach to beach as well.

In **Poland's** coastal areas going to the beach is still free everywhere. Even dogs - on a leash - can be taken along without any problem.

Naturally also on the Atlantic beaches of **Portugal** you must expect to be asked for a fee for the use of chairs and umbrellas or other facilities offered by licence holders. If you decide to reach the coast using your car, you should take into account that there might be no free of cost parking space. An admission fee for the access to the beach and the sea is never charged. In the high season from June to September there are restrictions concerning the access to the beach with dogs. They are allowed to stay only in special signposted areas, or even might not be allowed at all. So again, check out the rules applying to the beach in advance. Outside the season, dogs are generally allowed to stay on the beach.

In **Romania**, access to the beach is normally free, although if the beach is in private hands, there is generally a fee to be paid for the use of umbrellas, deck chairs and other beach facilities, but not for the mere access to the beach. Pets are not allowed on public beaches.

With the exception of beach sections in the vicinity of private beach houses, the beaches and shore areas of the **Slovak** lakes and water reservoirs can be used for free by. As long as it is properly secured by a leash and a muzzle, the dog may accompany its owner.

According to information from ECC **Slovenia** there the access to the beach is generally free for humans and dogs. However, there are private hotel beaches, which are not accessible to the general public. Whether the hotel guests may bring their pets to the private beach, has to be decided by the hotel management.

Spain's highly-frequented beaches are free for everyone to use. The only exception are beaches in military zones, where tourists are not entitled to be at all. Whether dogs may be taken to the beach in Spain depends on the provisions of the local authorities. Currently there are 46 beaches in Spain where dogs are allowed.

In **Swedish** law the right for the public to access the sea and the beach is protected by prohibiting - unless an exception is granted - the erection of new buildings or the modification of old buildings in the 100-meter-wide beach protection zone. It is further prohibited to restrict public access to the sea and the beach. In general, dogs can be taken to Swedish beaches. On some public beaches, however, they may not be allowed for sanitary reasons.

CONCLUDING:

On the whole those who are willing to spend a day at the beach and swim in the sea somewhere in Europe, can trust that they will be able to do so at no cost and that they can expect to pay only for the use of beach facilities and for the lending of deck chairs and umbrellas. Dog owners, however, are well advised to do a more thorough research beforehand, since the rules differ not only from country to country, but also from location to location and even from beach section to beach section.