



Marine and Coastal Access Act 2009

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MARINE AND COASTAL ACCESS ACT 2009

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Marine plan authority to notify related planning authorities of decision to prepare plan

- 1 (1) A marine plan authority which decides to prepare a...

Secretary of State to be kept informed of authority's intentions as to certain matters

- 2 (1) This paragraph applies in any case where a marine...

Marine plans to be compatible with certain other marine plans and Planning Act plans

- 3 (1) In preparing or amending a marine plan for a...

Consultation in Northern Ireland

- 4 (1) In the case of a marine plan for a...

Statement of public participation

- 5 (1) Before preparing a marine plan for any marine plan...

Further provision about the content of an SPP

- 6 (1) An SPP must include a proposed timetable.

Review and revision of the SPP

- 7 (1) The marine plan authority must keep the SPP under...

Advice and assistance

- 8 (1) In connection with the preparation of a marine plan,...

Matters to which a marine plan authority is to have regard in preparing a marine plan

- 9 (1) The matters to which a marine plan authority is...

Sustainability appraisal

- 10 (1) A marine plan authority preparing a marine plan must...

Preparation and publication of a consultation draft

- 11 (1) A marine plan authority preparing a marine plan must...

Representations about the consultation draft

- 12 (1) Any person may make representations about the consultation draft....

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Independent investigation

13 (1) A marine plan authority which has published a consultation...

Matters to which marine plan authority to have regard in settling text for adoption etc

14 A marine plan authority settling the text of a marine...

Adoption and publication of a marine plan

15 (1) A marine plan is “adopted” by a marine plan...

Schedule 7 — Further provision about civil sanctions under Part 4

Interpretation

1 In this Schedule “civil sanction” means a fixed monetary penalty...

Fixed monetary penalties: other sanctions

2 (1) Provision under section 93 must secure that, in a...

Variable monetary penalties: other sanctions

3 Provision under section 95 must secure that, in a case...

Combination of sanctions

4 (1) Provision may not be made under section 93 and...

Monetary penalties

5 (1) An order under section 93 or 95 which confers...

Costs recovery

6 (1) Provision under section 95 may include provision for an...

Appeals

7 (1) An order under section 93 or 95 may not...

Consultation

8 (1) Before making an order under section 93 or 95,...

Guidance as to use of civil sanctions

9 (1) Where power is conferred on an enforcement authority under...

Guidance as to enforcement of offences

10 (1) Where power is conferred on an enforcement authority under...

Publication of enforcement action

11 (1) Where power is conferred on an enforcement authority under...

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Payment of penalties into Consolidated Fund etc

- 12 (1) Where pursuant to any provision made under section 93...

Disclosure of information

- 13 (1) Information held by or on behalf of a person...

Schedule 8 — Licensing: minor and consequential amendments

Part 1 — CONSEQUENTIAL AMENDMENTS

The Coast Protection Act 1949

- 1 (1) The Coast Protection Act 1949 (c. 74) is amended...

The Food and Environment Protection Act 1985

- 2 (1) The Food and Environment Protection Act 1985 (c. 48)...

The Government of Wales Act 2006

- 3 (1) In Schedule 3 to the Government of Wales Act...

The Planning Act 2008

- 4 (1) The Planning Act 2008 (c. 29) is amended as...

Part 2 — OTHER AMENDMENTS

The Food and Environment Protection Act 1985 Electronic communications apparatus: operations in tidal waters etc

- 5 In the Food and Environment Protection Act 1985 after section...

Electronic communications: emergency works

- 6 (1) Section 9 of the Food and Environment Protection Act...

The Petroleum Act 1998 Application of Part 3 in relation to submarine pipelines

- 7 (1) Section 24 of the Petroleum Act 1998 (c. 17)...

Exception of certain pipelines from being “submarine pipelines” for the purposes of Part 4

- 8 (1) Section 45 of the Petroleum Act 1998 (interpretation of...

Schedule 9 — Licensing: transitional provision relating to Part 4

Part 1 — INTERPRETATION

- 1 In this Schedule— “the commencement date” means the date on...

Part 2 — COAST PROTECTION ACT 1949

Consents previously given and outstanding applications

- 2 (1) Any consent given under subsection (1) of section 34...

Safety requirements

- 3 The repeal of section 36A of the CPA does not...

Part 3 — FOOD AND ENVIRONMENT PROTECTION ACT 1985

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Licences previously issued and outstanding applications

- 4 (1) Any licence having effect under Part 2 of FEPA...
- 5 (1) Despite the amendments made by paragraph 2 of Schedule...

Remedial action

- 6 The amendments made by paragraph 2 of Schedule 8 do...

Register

- 7 (1) This paragraph applies in any case where—

Channel Islands and British overseas territories

- 8 (1) In this paragraph “relevant territory” means any of the...
Part 4 — MISCELLANEOUS

Dredging

- 9 (1) During the relevant transitional period, section 65 does not...

Water Resources Act 1991

- 10 The amendment made by section 82 of this Act applies...

Electronic Communications Code: England and Wales

- 11 (1) In this paragraph— (a) “the Code” means the Electronic...

Electronic Communications Code: Scotland

- 12 (1) In this paragraph— (a) “the Code” means the Electronic...

Direction under section 58(1)(c) of the Government of Wales Act 2006

- 13 (1) To the extent that they relate to the abandonment...

Schedule 10 — Further provision about fixed monetary penalties under section 142

Fixed monetary penalties: other sanctions

- 1 (1) Provision under section 142 must secure that, in a...

Monetary penalties

- 2 (1) An order under section 142 which confers power on...

Appeals

- 3 (1) An order under section 142 may not provide for...

Consultation

- 4 (1) Before making an order under section 142, the appropriate...

Guidance as to use of fixed monetary penalties

- 5 (1) Where power is conferred on an enforcement authority under...

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Guidance as to enforcement of offences

- 6 (1) Where power is conferred on an enforcement authority under...

Publication of enforcement action

- 7 (1) Where power is conferred on an enforcement authority under...

Payment of penalties into Consolidated Fund etc

- 8 (1) Where pursuant to any provision made under section 142...

Disclosure of information

- 9 (1) Information held by or on behalf of a person...

Schedule 11 — Consequential amendments relating to MCZs

Conservation of Seals Act 1970 (c. 30)

- 1 In section 10 of the Conservation of Seals Act 1970...

Wildlife and Countryside Act 1981 (c. 69)

- 2 (1) The Wildlife and Countryside Act 1981 is amended as...

Water Resources Act 1991 (c. 57)

- 3 In paragraph 5 of Schedule 25 to the Water Resources...

Conservation (Natural Habitats, &c) Regulations 1994 (S.I. 1994/2716)

- 4 (1) For regulation 36 of the Conservation (Natural Habitats, &c)...

Schedule 12 — Transitional provision relating to MCZs

- 1 In this Schedule— “the 1981 Act” means the Wildlife and...
 2 (1) Any area which, immediately before the commencement date, is...
 3 Any byelaw which, immediately before the commencement date, is in...
 4 Any provision of this Chapter which— (a) confers any function...

Schedule 13 — Marine boundaries of SSSIs and national nature reserves

Part 1 — INTRODUCTORY

- 1 In this Schedule “the 1981 Act” means the Wildlife and...

Part 2 — SITES OF SPECIAL SCIENTIFIC INTEREST

Marine boundaries of sites of special scientific interest

- 2 (1) Section 28 of the 1981 Act (sites of special...
 3 In section 28A of the 1981 Act (variation of notification...
 4 In section 52(1) of the 1981 Act (interpretation of Part...

Notification of additional land that is subtidal

- 5 (1) Section 28B of the 1981 Act (notification of additional...

Enlargement of SSSI to include subtidal land

- 6 (1) Section 28C of the 1981 Act (enlargement of SSSI)...

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Guidance in relation to subtidal notifications of SSSIs

7 After section 28C of the 1981 Act insert— Guidance in...

Power to call in subtidal notifications of SSSIs

8 After section 28CA of the 1981 Act (inserted by paragraph...

Denotification of SSSI on designation of area as MCZ

9 (1) Section 28D of the 1981 Act (denotification) is amended...

Part 3 — NATIONAL NATURE RESERVES

Marine boundaries of national nature reserves

10 (1) In section 35 of the 1981 Act (national nature...

Power to call in subtidal declarations of national nature reserves

11 After section 35 of the 1981 Act insert— Power to...

Schedule 14 — Inshore fisheries and conservation authorities: amendments

Coast Protection Act 1949 (c. 74)

1 The Coast Protection Act 1949 is amended as follows.

2 In section 2 (constitution of coast protection boards)—

3 In section 45 (service of notices and other documents), in...

4 In section 49(1) (interpretation) after the definition of “functions” insert
—...

5 In Part 1 of the First Schedule (general provisions concerning...

Nuclear Installations Act 1965 (c. 57)

6 In section 3 of the Nuclear Installations Act 1965 (grant...

Sea Fish (Conservation) Act 1967 (c. 84)

7 In section 3 of the Sea Fish (Conservation) Act 1967...

Prevention of Oil Pollution Act 1971 (c. 60)

8 In section 19 of the Prevention of Oil Pollution Act...

Local Government Act 1974 (c. 7)

9 In section 31A of the Local Government Act 1974 (consideration...

Fisheries Act 1981 (c. 29)

10 In Part 1 of Schedule 4 to the Fisheries Act...

Wildlife and Countryside Act 1981 (c. 69)

11 In section 27(1) of the Wildlife and Countryside Act 1981...

Local Government and Housing Act 1989 (c. 42)

12 The Local Government and Housing Act 1989 is amended as...

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- 13 (1) Section 5 (designation and reports of monitoring officer) is...
- 14 In section 13 (voting rights of members of certain committees),...
- 15 In paragraph 2(1) of Schedule 1 (political balance on local...

Radioactive Substances Act 1993 (c. 12)

- 16 The Radioactive Substances Act 1993 is amended as follows.
- 17 In section 47(1) (general interpretation provisions), in the definition of...
- 18 In Schedule 3 (enactments to which section 40 applies), after...

Freedom of Information Act 2000 (c. 36)

- 19 In Part 2 of Schedule 1 to the Freedom of...

Natural Environment and Rural Communities Act 2006 (c. 16)

- 20 In Schedule 7 to the Natural Environment and Rural Communities...

Schedule 15 — Sea Fish (Conservation) Act 1967: minor and consequential amendments

Sea Fish (Conservation) Act 1967 (c. 84)

- 1 (1) Section 1 (size limits, etc for fish) is amended...
- 2 (1) Section 3 (regulation of nets and other fishing gear)...
- 3 (1) Section 5 (power to restrict fishing for sea fish)...
- 4 In section 11 (penalties for offences), in subsection (3), for...

Fisheries Act 1981 (c. 29)

- 5 (1) Schedule 4 (exemptions for fish farming) is amended as...

Schedule 16 — Migratory and freshwater fish: consequential and supplementary amendments

Salmon and Freshwater Fisheries Act 1975 (c. 51)

- 1 The Salmon and Freshwater Fisheries Act 1975 has effect subject...
- 2 Section 3 (nets) is omitted.
- 3 (1) Section 5 (prohibition of use of explosives etc) is...
- 4 Sections 6 to 8 (fixed engines, fishing weirs and fishing...
- 5 Section 16 (boxes and cribs in weirs and dams) is...
- 6 Section 17 (restrictions on taking salmon or trout above or...
- 7 In section 18 (supplementary provisions), in subsection (4), for “,...
- 8 Sections 19 to 22 (close seasons etc) are omitted.
- 9 (1) Section 25 (licences to fish) is amended as follows....
- 10 (1) Section 26 (limitation of fishing licences) is amended as...
- 11 (1) Section 27 (unlicensed fishing) is amended as follows.
- 12 In section 33 (orders and warrants to enter suspected premises),...
- 13 In section 34 (power to apprehend persons fishing illegally), for...
- 14 (1) In section 41 (interpretation), subsection (1) is amended as...
- 15 Schedule 1 (close seasons and close times) is omitted.
- 16 (1) Schedule 2 (licences) is amended as follows.
- 17 (1) Schedule 4 (offences) is amended as follows.

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Fisheries Act 1981 (c. 29)

- 18 (1) In the Fisheries Act 1981, in Part 1 of...

Salmon Act 1986 (c. 62)

- 19 In section 32 of the Salmon Act 1986 (handling salmon...

Water Resources Act 1991 (c. 57)

- 20 The Water Resources Act 1991 has effect subject to the...
21 In section 115 (fisheries orders), in subsection (1)—
22 In section 116 (power to give effect to international obligations)—...
23 (1) Section 212 (compensation in respect of certain fisheries byelaws)...
24 (1) In Schedule 25 (byelaw-making powers of the Agency), paragraph...
25 In that Schedule, paragraph 7 is omitted.

Environment Act 1995 (c. 25)

- 26 In section 13 of the Environment Act 1995 (regional and...

Schedule 17 — Warrants issued under section 249

Introductory

- 1 (1) This Schedule has effect in relation to the issue...

Applications for warrants

- 2 (1) Where an enforcement officer applies for a warrant, the...

Safeguards in connection with power of entry conferred by warrant

- 3 A warrant authorises an entry on one occasion only.
4 (1) A warrant must specify— (a) the name of the...
5 (1) Two copies are to be made of a warrant....

Execution of warrants

- 6 (1) A warrant may be executed by any appropriate enforcement...
7 (1) A warrant may authorise persons to accompany any enforcement...
8 (1) Execution of a warrant must be within three months...
9 (1) Where the occupier of a dwelling that is to...

Return of warrants

- 10 (1) A warrant which— (a) has been executed, or

Schedule 18 — Forfeiture of property under section 275 or 276

Application of Schedule

- 1 (1) This Schedule applies where— (a) property seized by an...

Notice of intended forfeiture

- 2 (1) The relevant authority must give notice of the intended...

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Notice of claim

- 3 A person claiming that the property is not liable to...
4 (1) A notice of claim must be given—

Automatic forfeiture in a case where no claim is made

- 5 The property is to be taken to have been duly...

Decision whether to take court proceedings to condemn property as forfeited

- 6 (1) Where a notice of claim in respect of the...

Return of property if no forfeiture proceedings

- 7 (1) If, in a case in which a notice of...

Forfeiture proceedings

- 8 (1) This paragraph applies if, in a case in which...

Supplementary provision about forfeiture proceedings

- 9 Proceedings by virtue of this Schedule are civil proceedings and...
10 (1) In proceedings by virtue of this Schedule, the claimant...
11 (1) In the case of proceedings by virtue of this...
12 Where an appeal has been made (whether by case stated...

Effect of forfeiture

- 13 Where property is treated or condemned as forfeited under this...

Disposal of property which is not returned

- 14 (1) This paragraph applies where any property is required to...

Provisions as to proof

- 15 In proceedings under this Schedule, the fact, form and manner...
16 In any proceedings, the condemnation by a court of property...

Special provisions as to certain claimants

- 17 (1) This paragraph applies where, at the time of the...

Power to destroy fish before condemnation, etc

- 18 (1) The relevant authority may destroy any fish liable to...

Saving for owner's rights

- 19 Neither the imposition of a requirement by virtue of this...

Interpretation

- 20 In this Schedule— “the court” is to be read in...

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The following is the Schedule to be inserted as Schedule...

Schedule 20 — Establishment and maintenance of the English coastal route etc

Extension of Chapter 3 of Part 1 of the CROW Act

1 (1) Chapter 3 of Part 1 of the CROW Act...

Agreements relating to establishment and maintenance of route

2 (1) Where, in respect of any land, it appears to...

Establishment and maintenance of route in absence of agreement

3 (1) This paragraph applies where— (a) it appears to Natural...

Appeals relating to notices under paragraph 3

4 (1) Where a notice under paragraph 3(3) has been given...

Power for Natural England to fund works

5 Natural England may meet or contribute towards expenditure incurred or...

Erection and maintenance of notices and signs

6 (1) Natural England may erect and maintain notices or signs...

7 In section 19 of the CROW Act (notices indicating boundaries...

Removal of notices and signs

8 (1) Any notice or sign to which this paragraph applies...

Powers of entry

9 (1) A person who is authorised by Natural England may...

Interpretation of Schedule

10 (1) In this Schedule— “coastal margin” has the same meaning...

Schedule 21 — Amendments of the Harbours Act 1964

1 The Harbours Act 1964 (c. 40) is amended as follows....

Provision that may be made by harbour empowerment order

2 (1) Section 16 (power to make harbour empowerment orders) is...

Delegation of certain functions under the Act

3 (1) After section 42 (accounts and reports) insert— Delegation of...

Consent of Welsh Ministers or Secretary of State required for making of certain harbour orders

4 After section 42B (inserted by paragraph 3(1)) insert— Consent of...

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Procedure for dealing with applications for harbour orders

- 5 (1) In Schedule 3 (procedure for making harbour revision and...

Procedure where harbour revision orders are made otherwise than on application

- 6 (1) For paragraph 28 of Schedule 3 (inquiry to be...

Application of paragraphs 5 and 6

- 7 The amendments made by paragraphs 5 and 6 apply to...

Schedule 22 — Repeals

- Part 1 — EEZ, UK MARINE AREA AND WELSH ZONE
- Part 2 — MARINE LICENSING
- Part 3 — NATURE CONSERVATION
- Part 4 — MANAGEMENT OF INSHORE FISHERIES
- Part 5 — FISHERIES
- Part 6 — ENFORCEMENT
- Part 7 — COASTAL ACCESS
- Part 8 — MISCELLANEOUS

Changes to legislation:

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View outstanding changes

Changes and effects yet to be applied to :

- s. 107A heading words inserted by 2023 c. 55 s. 232(4)(a)
- s. 107B heading words inserted by 2023 c. 55 s. 232(5)(a)
- s. 13(7) omitted by 2016 c. 11 s. 62(20)
- s. 72A98(6)107A107B108(2A) amendments by 2016 anaw 3, ss. 77-80 extended to S. and N.I. by 2023 c. 55 s. 232(8)
- s. 72A heading words substituted by 2023 c. 55 s. 232(2)(a)
- s. 72A(1) words substituted by 2023 c. 55 s. 232(2)(b)
- s. 72A(2)(c) words inserted by 2023 c. 55 s. 232(2)(c)
- s. 72A(4) words substituted by 2023 c. 55 s. 232(2)(e)
- s. 72A(6) words inserted by 2023 c. 55 s. 232(2)(f)(iv)
- s. 72A(9) words inserted by 2023 c. 55 s. 232(2)(g)
- s. 98(6)(ca) words substituted by 2023 c. 55 s. 232(3)(a)
- s. 98(6)(ha) words substituted by 2023 c. 55 s. 232(3)(b)
- s. 98(6)(hb) words substituted by 2023 c. 55 s. 232(3)(c)
- s. 107A(1) words substituted by 2023 c. 55 s. 232(4)(b)
- s. 107B(1) words substituted by 2023 c. 55 s. 232(5)(b)
- s. 108(2A) words inserted by 2023 c. 55 s. 232(6)
- s. 110A(4) words inserted by 2023 c. 55 s. 232(7)(a)
- s. 110A(4) words inserted by 2023 c. 55 s. 232(7)(b)
- s. 110A(4) words inserted by 2023 c. 55 s. 232(7)(c)
- Sch. 6 para. 1(2)(e) repealed by 2011 c. 20 Sch. 8 para. 20(a)Sch. 25 Pt. 16
- Sch. 6 para. 1(3) words inserted by 2023 c. 55 Sch. 8 para. 31(2)(b)(ii)
- Sch. 6 para. 1(3) words repealed by 2011 c. 20 Sch. 8 para. 20(b)Sch. 25 Pt. 16
- Sch. 6 para. 1(3) words substituted by 2023 c. 55 Sch. 8 para. 31(2)(b)(i)
- Sch. 6 para. 3(6) words substituted by 2023 c. 55 Sch. 8 para. 31(3)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 72A(2A) inserted by 2023 c. 55 s. 232(2)(d)
- s. 72A(6)(a) words in s. 72A(6) renumbered as s. 72A(6)(a) by 2023 c. 55 s. 232(2)(f)(i)
- s. 72A(6)(a) words inserted by 2023 c. 55 s. 232(2)(f)(ii)
- s. 72A(6)(b) and word inserted by 2023 c. 55 s. 232(2)(f)(iii)
- Sch. 6 para. 1(2)(da) inserted by 2023 c. 55 Sch. 8 para. 31(2)(a)