

MARINE AND COASTAL ACCESS ACT 2009

EXPLANATORY NOTES

SUMMARY AND BACKGROUND

Schedule 20: Establishment and Maintenance of English Coastal Route Etc

Agreements relating to establishment and maintenance of the route

1024. *Paragraph 2* provides for Natural England to enter into an agreement with the owner or occupier of any land where it thinks it appropriate for works to be carried out in order to meet its coastal access duty, as set out in section 296. *Sub-paragraph (2)* enables the access authority to enter into a similar agreement. *Sub-paragraph (3)* defines the types of works that the agreement may include, including clearance or maintenance, the removal of an obstruction to the route, clearance or maintenance to enable the public to enter or remain on land on a bicycle or on horseback (where a general restriction under Schedule 2 to the CROW Act has been removed or relaxed), drainage or levelling, or the construction of a barrier.
1025. *Sub-paragraph (4)* enables the works to be carried out by either the owner or occupier or by a contracting authority (which is defined in *sub-paragraph (8)* as being either Natural England or the access authority), and allows a contracting authority to make a contribution towards the costs of the works under the agreement if the works are carried out by the owner or occupier.
1026. *Sub-paragraphs (5) and (6)* enable a notice to be given by the contracting authority to the owner or occupier, if the owner or occupier required by the agreement to carry out the works fails to carry them out. *Sub-paragraph (6)* requires the contracting authority to give at least 21 days' notice before taking steps to carry out the works.
1027. *Sub-paragraph (7)* enables the contracting authority to recover the costs of any works where a notice under *sub-paragraph (6)* has been given.