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**Changes to legislation:** Marine and Coastal Access Act 2009, Paragraph 9 is up to date with all changes known to be in force on or before 21 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

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## SCHEDULES

### SCHEDULE 20

#### ESTABLISHMENT AND MAINTENANCE OF THE ENGLISH COASTAL ROUTE ETC

##### *Powers of entry*

- 9 (1) A person who is authorised by Natural England may enter any land—
- (a) for the purpose of surveying that or any other land in connection with the preparation of a report under section 51 or 55 of the 1949 Act pursuant to the coastal access duty;
  - (b) in connection with the consideration of any representations made to Natural England in respect of a report submitted under section 51 of that Act pursuant to that duty;
  - (c) for the purpose of assisting Natural England to determine whether to exercise the power conferred by section 301(2) (including the power conferred by section 301(3)(b)) (decision to treat waters of river as part of the sea);
  - (d) for the purpose of assisting Natural England to provide the Secretary of State with advice in connection with the exercise of the Secretary of State's power under section 300(2)(b) (power to specify islands).
- (2) A person who is authorised by Natural England or the appropriate access authority may enter any land—
- (a) for the purpose of determining whether any works of the kind mentioned in paragraph 2(3) are required in respect of any land;
  - (b) for the purpose of carrying out works under—
    - (i) an agreement entered into pursuant to paragraph 2(4)(a), or
    - (ii) an agreement entered into pursuant to section 35(2)(a) of the CROW Act for the purposes of the coastal access duty;
  - (c) for the purposes of—
    - (i) carrying out works under paragraph 2(6) or 3(7),
    - (ii) carrying out works under section 36(1) or (5) of the CROW Act in connection with an agreement entered into for the purposes of the coastal access duty, or
    - (iii) carrying out works under section 37(5) of that Act for the purposes of that duty;
  - (d) for the purpose of ascertaining whether members of the public are being permitted to exercise the rights conferred on them in relation to section 15 route land by or under an enactment mentioned in section 15(1) of the CROW Act;
  - (e) in connection with an appeal under paragraph 4;
  - (f) for the purpose of erecting, maintaining or removing notices or signs under paragraph 6 or 8 or, in relation to land which is coastal margin, under section 19 of the CROW Act.

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- (3) Subsections (5) to (7), (9) and (10) of section 40 of the CROW Act (powers of entry for the purposes of Part 1 of that Act) apply in relation to a person acting in the exercise of a power conferred by this paragraph, and the rights conferred by this paragraph, as they apply in relation to a person acting in the exercise of a power conferred by that section and the rights conferred by that section.
- (4) Section 41 of that Act (compensation relating to powers under section 40) has effect as if the reference to section 40 of that Act included a reference to this paragraph.
- (5) A person may not under this paragraph demand admission as of right to any occupied land, other than access land or land over which the English coastal route passes, unless—
- (a) in a case where the power of entry is exercised for the purposes of carrying out works as mentioned in sub-paragraph (2)(b) or (c)—
    - (i) the works are to be carried out on the land and a notice has been given to the occupier of the land under paragraph 2(6) or 3(3) or under section 36(1) or (3) or 37(1) of the CROW Act in connection with the works, or
    - (ii) at least 7 days' notice of the intended entry has been given to the occupier;
  - (b) in any other case, at least 24 hours' notice of the intended entry has been given to the occupier or it is not reasonably practicable to give such notice.
- (6) In this paragraph—
- “access land” has the same meaning as in Chapter 3 of Part 1 of the CROW Act;
  - “appropriate access authority” means the access authority in relation to the land in respect of which the right of entry is being exercised;
  - “section 15 route land” means land—
    - (a) over which the English coastal route (or any part of it) passes, and
    - (b) which, for the purposes of section 1(1) of the CROW Act, is treated by section 15(1) of that Act as being accessible to the public apart from that Act.

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**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\(2\)\(a\)](#)