



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 4

MARINE LICENSING

CHAPTER 3

ENFORCEMENT

Enforcement notices

90 Compliance notice

- (1) If it appears to an enforcement authority that subsections (3) and (4) are satisfied in relation to a person carrying on an activity in its area, it may issue a compliance notice to that person.
- (2) A compliance notice is a notice requiring a person to take such steps (falling within subsection (5)(b)) as are specified in it.
- (3) This subsection is satisfied if a person holding a marine licence—
 - (a) has carried on, or is carrying on, a licensable marine activity under that licence, and
 - (b) in carrying on that activity has failed, or is failing, to comply with a condition of the licence.
- (4) This subsection is satisfied if the carrying on of the activity has not caused, and is not likely to cause, any of the following—
 - (a) serious harm to the environment;
 - (b) serious harm to human health;
 - (c) serious interference with legitimate uses of the sea.
- (5) A compliance notice must—

Status: This is the original version (as it was originally enacted).

- (a) state the enforcement authority's grounds for believing that subsections (3) and (4) are satisfied;
- (b) require the person to take such steps as the authority considers appropriate to ensure that the condition in question is complied with;
- (c) state the period before the end of which those steps must be taken.