



# Marine and Coastal Access Act 2009

## 2009 CHAPTER 23

### PART 4

#### MARINE LICENSING

#### CHAPTER 1

#### MARINE LICENCES

#### 70 Inquiries

- (1) The appropriate licensing authority may cause an inquiry to be held in connection with the determination of an application for a marine licence.
- (2) Subsection (1) is subject to the following provisions of this section.
- (3) Subsections (2) to (5) of section 250 of the Local Government Act 1972 (c. 70) apply to any inquiry which the Secretary of State or the Welsh Ministers may cause to be held under subsection (1) as they apply to inquiries under that section.
- (4) Subsections (2) to (8) of section 210 of the Local Government (Scotland) Act 1973 (c. 65) apply to any inquiry which the Scottish Ministers may cause to be held under subsection (1) as they apply to inquiries under that section.
- (5) Schedule A1 to the Interpretation Act (Northern Ireland) 1954 (c. 33) applies to any inquiry which the Department of the Environment in Northern Ireland may cause to be held under subsection (1) as it applies to a local inquiry held under an enactment passed or made as mentioned in section 23 of that Act.
- (6) Where—
  - (a) an inquiry is caused by a licensing authority to be held under subsection (1), and

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**Changes to legislation:** Marine and Coastal Access Act 2009, Section 70 is up to date with all changes known to be in force on or before 26 July 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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- (b) in the case of some other matter required or authorised to be the subject of an inquiry (“the other inquiry”), it appears to the relevant authority or authorities that the matters are so far cognate that they should be considered together, the relevant authority or authorities may direct that the two inquiries be held concurrently or combined as one inquiry.
- (7) In subsection (6) “the relevant authority or authorities” means the licensing authority or, where causing the other inquiry to be held is the function of some other person or body, the licensing authority and that other person or body acting jointly.
- (8) If, in the case of any particular application, the Secretary of State certifies that it would in the opinion of the Secretary of State be contrary to the interests of national security—
- (a) if an inquiry under subsection (1) were to be held, or
- (b) if any members of the public, or any specified persons, were to be admitted to the inquiry or some specified part of it,
- the inquiry is not to be held or, as the case may be, the public is not, or those persons are not, to be admitted to the inquiry or that part of it.
- (9) In subsection (8) “specified” means—
- (a) specified in the certificate, or
- (b) of a description specified in the certificate.

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**Modifications etc. (not altering text)**

- C1** Pt. 4 modified (E.W.S.) (7.9.2016) by [The Hornsea Two Offshore Wind Farm Order 2016 \(S.I. 2016/844\)](#), arts. 1(2), **36** (with arts. 37, 38)
- C2** Pt. 4 applied (E.W.S) (1.1.2022) by [The Norfolk Boreas Offshore Wind Farm Order 2021 \(S.I. 2021/1414\)](#), arts. 1, **32** (with arts. 41, 42, Sch. 17 para. 66)
- C3** Pt. 4 applied (E.W.S.) (5.3.2022) by [The Norfolk Vanguard Offshore Wind Farm Order 2022 \(S.I. 2022/138\)](#), arts. 1, **32** (with arts. 41, 42, Sch. 16)
- C4** S. 70(6): functions made exercisable jointly with the Welsh Ministers by 2006 c. 32, Sch. 3A para. 4 (as inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 4 para. 4** (with Sch. 7 paras. 1, 6); [S.I. 2017/1179](#), reg. 3(p))
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**Commencement Information**

- I1** S. 70 in force at 6.4.2011 by [S.I. 2011/556](#), art. 3(2)(a)

**Changes to legislation:**

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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. 58(5A) inserted by [2024 asc 3 Sch. 3 para. 10\(2\)](#)
- 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\(2\)\(f\)\(iii\)](#)
- s. 243A inserted by [2024 asc 3 s. 110](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)