

Status: Point in time view as at 26/12/2023.

Changes to legislation: Marine and Coastal Access Act 2009, Cross Heading: Establishment and maintenance of route in absence of agreement is up to date with all changes known to be in force on or before 14 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)

SCHEDULES

SCHEDULE 20

ESTABLISHMENT AND MAINTENANCE OF THE ENGLISH COASTAL ROUTE ETC

Establishment and maintenance of route in absence of agreement

- 3 (1) This paragraph applies where—
- (a) it appears to Natural England that, for the purposes of the coastal access duty, it is necessary for works within paragraph 2(3) to be carried out on any land, or
 - (b) it appears to the access authority in relation to any land that, for the purpose of Natural England discharging the coastal access duty, it is necessary for such works to be carried out on that land.
- (2) In this paragraph—
- “the relevant authority” means—
 - (a) in a case within sub-paragraph (1)(a), Natural England, and
 - (b) in a case within sub-paragraph (1)(b), the access authority in question;
 - “the required works” means the works within paragraph 2(3) which the relevant authority considers it necessary to carry out for the purposes mentioned in sub-paragraph (1)(a) or (b).
- (3) If the relevant authority is satisfied that it is unable to conclude on reasonable terms an agreement under paragraph 2 with the owner or occupier of the land for the carrying out of the required works, it may give the owner or occupier a notice stating that, after the end of the specified period, it intends to take all necessary steps for carrying out the required works.
- (4) The “specified period” means the period specified in the notice, being a period of not less than 21 days beginning with the day on which the notice is given.
- (5) A notice under sub-paragraph (3) must contain particulars of the right of appeal conferred by paragraph 4.
- (6) Where a notice under sub-paragraph (3) is given to any person as the owner or occupier, the relevant authority must give a copy of the notice to every other owner or occupier of the land.
- (7) If, at the end of the period specified in the notice under sub-paragraph (3), any of the required works have not been carried out, the relevant authority may take all necessary steps for carrying out those works.
- (8) The relevant authority exercising the power conferred by sub-paragraph (7) in respect of any land must have regard to the requirements of efficient management of the land in deciding how to carry out the required works.

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