

Status: Point in time view as at 27/07/2021.

Changes to legislation: Marine and Coastal Access Act 2009, Cross Heading: Matters to which a marine plan authority is to have regard in preparing a marine plan is up to date with all changes known to be in force on or before 24 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 6

MARINE PLANS: PREPARATION AND ADOPTION

Matters to which a marine plan authority is to have regard in preparing a marine plan

- 9 (1) The matters to which a marine plan authority is to have regard in preparing a marine plan include each of the matters in sub-paragraph (2).
- (2) Those matters are—
- (a) the requirement under section 51(6) for a marine plan to be in conformity with any MPS which governs marine planning for the marine plan area, unless relevant considerations indicate otherwise,
 - (b) the duties imposed by paragraph 3(1) and (2) with respect to securing compatibility with marine plans or [^{F1}development plans] for areas which are related to the marine plan area,
 - (c) the effect which any proposal for inclusion in the plan is likely to have on any area which is related to the marine plan area;
 - (d) the results of the review required by section 54,
 - (e) the SPP,
 - (f) any representations made in response to the invitation issued pursuant to sub-paragraph (5) of paragraph 5,
 - (g) any advice received under paragraph 8(1),
 - (h) any plan (not falling within paragraph 3(1) or (2)) prepared by a public or local authority in connection with the management or use of the sea or the coast, or of marine or coastal resources, in the marine plan area or in any adjoining or adjacent area in England or Wales, Scotland or Northern Ireland,
 - (i) the powers and duties of the Crown Estate Commissioners under the Crown Estate Act 1961 (c. 55),
- and such other matters as the marine plan authority considers relevant.
- (3) For the purposes of this paragraph, one area is related to another if one or more of the following conditions is met—
- (a) the one area adjoins or is adjacent to the other;
 - (b) the one area lies wholly or partly within the other;
 - (c) the whole or any part of the one area affects or is affected by the whole or any part of the other.

Textual Amendments

- F1** Words in Sch. 6 para. 9(2)(b) substituted (E.W.) (6.9.2015 for specified purposes, 4.12.2020 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\), s. 58\(2\)\(b\)\(4\)\(b\)](#), [Sch. 2 para. 36](#); [S.I. 2020/1216, reg. 2\(b\)](#)

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