



Coast Protection Act 1949

1949 CHAPTER 74 12 13 and 14 Geo 6

PART I

COAST PROTECTION

General and supplementary provisions relating to Part I

20 Contributions towards expenses of coast protection. E+W

[^{F1}(1) Where the Minister undertakes to make, or makes, a grant under the next following section towards expenditure incurred under this Act by the council of a [^{F2}maritime district] in England ^{F3} . . ., the council of the county within which the [^{F2}maritime district] is situated shall pay to the council of the [^{F2}maritime district] a contribution towards that expenditure of such amount and payable at such time as may be agreed between the two councils, or as, in default of agreement, may be determined by the Minister subject to the following provisions of this section.

(2) The amount determined by the Minister under the last foregoing subsection of a contribution towards any expenditure shall not without the consent of the county council—

- (a) exceed the amount of the grant which the Minister has made, or has undertaken to make, under the next following section towards that expenditure, or
- (b) be such that the amount of the contribution, together with the amount of any other contributions which, by virtue of any agreement or determination made under the last foregoing subsection, the county council have paid or have become liable to pay (whether to the same [^{F2}maritime district] council or to any other such council) in the same financial year, exceeds the product of a rate of [^{F4}1½p] in the pound levied over the whole county

[^{F5}in respect of the financial year ending on 31st March 1990, increased or decreased in proportion to the difference between—

- (a) the retail prices index for September of the financial year preceding that in which the contribution is payable and
- (b) the retail prices index for September 1989.]

*Status: Point in time view as at 19/07/2011. There are multiple versions of this provision on screen.
These apply to different geographical extents. This version of this provision has been superseded.
Changes to legislation: There are currently no known outstanding effects for
the Coast Protection Act 1949, Section 20. (See end of Document for details)*

Provided that in the case of a contribution determined by the Minister to be of a capital nature, paragraph (b) of this subsection shall apply as if the amount thereof were the amount so determined to be the annual amount which would have to be provided for the payment of principal and interest in respect of a loan made by the Public Works Loan Commissioners to the council and repayable by twenty equal annual instalments of principal and interest combined, being a loan of an amount equal to the actual amount of the contribution; and where this proviso has effect, then for the purposes of the said paragraph (b) (but not for any other purpose) the council shall be deemed to have become liable as aforesaid to pay, in each of the next nineteen financial years, a contribution of the amount determined as aforesaid.

- (3) So much of any contribution as is agreed between the county council and the [F2maritime district] council to be attributable to the protection of any highway for which the council was the highway authority when the relevant expenditure was incurred, or in default of such agreement so much thereof as is determined jointly by the Minister and the [F6Secretary of State] to be so attributable, shall be disregarded for the purposes of the last foregoing subsection.
- (4) The council of a county in England F7 . . . may pay such contributions as they think fit towards any expenses incurred by any person other than the council of a [F2maritime district] within the county in respect of coast protection work carried out within the county or appearing to the council to be work for the protection of any land in the county.
- (5) The council of a [F2maritime district] in England [F8, the council of a county or county borough in Wales] or the council of a [F9district] in Scotland, not being a coast protection authority or a constituent authority of a coast protection board, may if they think fit defray, or contribute towards, the cost of carrying out any coast protection work which appears to the council to be necessary or expedient for the protection of any land in their area.
- (6) A coast protection authority may defray, or contribute towards, the cost of carrying out any coast protection work, whether within or outside their area, which appears to the authority to be necessary or expedient for the protection of any land in their area.
- (7)] F10

Extent Information	
E1	This version of this provision extends to England and Wales only; a separate version has been created for Scotland only.
Textual Amendments	
F1	S. 20 repealed (E.W.) (19.7.2011 for E., 1.10.2011 for W.) by Flood and Water Management Act 2010 (c. 29) , s. 49(3), Sch. 2 para. 14 (with s. 49(1)(6)); S.I. 2011/1770, art. 3(d) (with art. 4(1)); S.I. 2011/2204, art. 3(2)(b) (with art. 5(1))
F2	Words substituted by Local Government Act 1972 (c. 70) , Sch. 29 para. 17(1)
F3	Words in s. 20(1) repealed (1.4.1996) by 1994 c. 19, ss. 22(5), 66(8), Sch. 11 Pt. III para. 5(2)(a), Sch.18 ; S.I. 1996/396, art. 4, Sch.2
F4	Words substituted by virtue of Decimal Currency Act 1969 (c. 19) , s. 10(1)
F5	Words in s. 20(2)(b) added (21.8.1991) by S.I. 1991/1730, art. 2(2), Sch. 2 , Pt. I
F6	Words substituted by virtue of S.I. 1970/1681

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| F7 | Words in s. 20(4) repealed (1.4.1996) by 1994 c. 19, ss. 22(5), 66(8), Sch. 11 Pt. III para. 5(2)(b), Sch.18 ; S.I. 1996/396, art. 4, Sch.2 |
| F8 | Words in s. 20(5) substituted (1.4.1996) by 1994 c. 19, s. 22(5), Sch. 11 Pt. III , para. 5(2)(c); S.I. 1996/396, art. 3, Sch.1 |
| F9 | Word substituted by Local Government (Scotland) Act 1973 (c. 65), s. 138(2)(b) |
| F10 | S. 20(7) repealed by Local Government (Scotland) Act 1973 (c. 65), Sch. 29 |

20 Contributions towards expenses of coast protection. **S**

(1) Where the Minister undertakes to make, or makes, a grant under the next following section towards expenditure incurred under this Act by the council of a [^{F11}maritime district] in England ^{F12}. . . , the council of the county within which the [^{F11}maritime district] is situated shall pay to the council of the [^{F11}maritime district] a contribution towards that expenditure of such amount and payable at such time as may be agreed between the two councils, or as, in default of agreement, may be determined by the Minister subject to the following provisions of this section.

(2) The amount determined by the Minister under the last foregoing subsection of a contribution towards any expenditure shall not without the consent of the county council—

- (a) exceed the amount of the grant which the Minister has made, or has undertaken to make, under the next following section towards that expenditure, or
- (b) be such that the amount of the contribution, together with the amount of any other contributions which, by virtue of any agreement or determination made under the last foregoing subsection, the county council have paid or have become liable to pay (whether to the same [^{F11}maritime district] council or to any other such council) in the same financial year, exceeds the product of a rate of [^{F13}½p] in the pound levied over the whole county

[^{F14}in respect of the financial year ending on 31st March 1990, increased or decreased in proportion to the difference between—

- (a) the retail prices index for September of the financial year preceding that in which the contribution is payable and
- (b) the retail prices index for September 1989.]

Provided that in the case of a contribution determined by the Minister to be of a capital nature, paragraph (b) of this subsection shall apply as if the amount thereof were the amount so determined to be the annual amount which would have to be provided for the payment of principal and interest in respect of a loan made by the Public Works Loan Commissioners to the council and repayable by twenty equal annual instalments of principal and interest combined, being a loan of an amount equal to the actual amount of the contribution; and where this proviso has effect, then for the purposes of the said paragraph (b) (but not for any other purpose) the council shall be deemed to have become liable as aforesaid to pay, in each of the next nineteen financial years, a contribution of the amount determined as aforesaid.

(3) So much of any contribution as is agreed between the county council and the [^{F11}maritime district] council to be attributable to the protection of any [^{F15}roads] for which the council was the [^{F15}roads authority] when the relevant expenditure was incurred, or in default of such agreement so much thereof as is determined jointly by the Minister and the [^{F16}Secretary of State] to be so attributable, shall be disregarded for the purposes of the last foregoing subsection.

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Changes to legislation: There are currently no known outstanding effects for the Coast Protection Act 1949, Section 20. (See end of Document for details)

- (4) The council of a county in England ^{F17} . . . may pay such contributions as they think fit towards any expenses incurred by any person other than the council of a [^{F11}maritime district] within the county in respect of coast protection work carried out within the county or appearing to the council to be work for the protection of any land in the county.
- (5) The council of a [^{F11}maritime district] in England [^{F18}, the council of a county or county borough in Wales]. . . , not being a coast protection authority or a constituent authority of a coast protection board, may if they think fit defray, or contribute towards, the cost of carrying out any coast protection work which appears to the council to be necessary or expedient for the protection of any land in their area.
- (6) A coast protection authority may defray, or contribute towards, the cost of carrying out any coast protection work, whether within or outside their area, which appears to the authority to be necessary or expedient for the protection of any land in their area.
- (7) ^{F19}

Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only.

Textual Amendments

- F11** Words substituted by [Local Government Act 1972 \(c. 70\)](#), [Sch. 29 para. 17\(1\)](#)
- F12** Words in s. 20(1) repealed (1.4.1996) by [1994 c. 19, ss. 22\(5\), 66\(8\)](#), [Sch. 11 Pt. III para. 5\(2\)\(a\)](#), [Sch.18](#); [S.I. 1996/396, art. 4](#), [Sch.2](#)
- F13** Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\)](#), [s. 10\(1\)](#)
- F14** Words in s. 20(2)(b) added (21.8.1991) by [S.I. 1991/1730, art. 2\(2\)](#), [Sch. 2, Pt. I](#)
- F15** Words in s. 20(3) substituted (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), [s. 156\(1\)](#), [Sch. 9 para. 38\(3\)](#)
- F16** Words substituted by virtue of [S.I. 1970/1681](#)
- F17** Words in s. 20(4) repealed (1.4.1996) by [1994 c. 19, ss.22\(5\), 66\(8\)](#), [Sch. 11 Pt. III para. 5\(2\)\(b\)](#), [Sch.18](#); [S.I. 1996/396, art. 4](#), [Sch.2](#)
- F18** Words in s. 20(5) substituted (1.4.1996) by [1994 c. 19, s. 22\(5\)](#), [Sch. 11 Pt. III para. 5\(2\)\(c\)](#); [S.I. 1996/396, art. 3](#), [Sch.1](#)
- F19** S. 20(7) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

Status:

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Changes to legislation:

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