

Changes to legislation: There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Cross Heading: Consideration of objections by appointed person. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 1A

COASTAL ACCESS REPORTS

Textual Amendments

- F1** [Sch. 1A](#) inserted (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(1)(c)(d)(2)(d), [Sch. 19](#) (with s. 308)

Consideration of objections by appointed person

- 10 (1) This paragraph applies where the appointed person—
- (a) has determined that an objection about a coastal access report is an admissible objection, and
 - (b) has received, under paragraph 9, the relevant documents in relation to the objection.
- (2) The appointed person must determine whether the proposals set out in the report fail, in the respects specified in the objection, to strike a fair balance as a result of the matter or matters within paragraph 3(3)(a) to (f) specified in the objection.
- (3) If the appointed person is minded to determine that the proposals fail to strike a fair balance, the appointed person must comply with sub-paragraphs (4) and (5) before making such a determination.
- (4) The appointed person must publish a notice containing—
- (a) details of the objection and Natural England's comments on it under paragraph 6,
 - (b) a statement that the appointed person is minded to determine that the proposals fail to strike a fair balance, and
 - (c) an invitation to submit to the appointed person representations about—
 - (i) the objection (including any modifications of the proposals proposed by the objection),
 - (ii) any relevant alternative modifications contained in Natural England's comments on the objection under paragraph 6, and
 - (iii) any observations which the appointed person has made in the notice regarding any such relevant alternative modifications or any modifications proposed by the objection.
- (5) The appointed person must give a copy of that notice to—
- (a) Natural England;
 - (b) any person with a relevant interest in—
 - (i) affected land to which the objection relates, or

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- (ii) land which is not affected land but would be such land if any of the modifications referred to in sub-paragraph (4)(c)(i) or (ii) were made to the proposals;
 - (c) any person within paragraph 2(2)(b) to (f).
- (6) The Secretary of State may by regulations make provision about—
- (a) the form and manner in which notices are to be published or given under this paragraph,
 - (b) the timing of the publication or giving of notices under this paragraph, and
 - (c) the form and manner in which, and period within which, representations are to be made in response to an invitation in a notice under this paragraph.
- (7) The appointed person may require the Secretary of State, at the Secretary of State's expense—
- (a) to discharge the appointed person's duty to publish or give a notice under this paragraph;
 - (b) to receive on behalf of the appointed person any representations made in response to an invitation in a notice under this paragraph and forward such representations to the appointed person.]

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