

SCHEDULES

SCHEDULE 9

LICENSING: TRANSITIONAL PROVISION RELATING TO PART 4

PART 2

COAST PROTECTION ACT 1949

Consents previously given and outstanding applications

- 2 (1) Any consent given under subsection (1) of section 34 of the CPA which—
- (a) is in effect immediately before the commencement date, and
 - (b) relates to an operation which—
 - (i) falls within that subsection, and
 - (ii) is a licensable marine activity,
- has effect on and after that date as if it were a marine licence granted by the appropriate licensing authority in relation to that activity (a “deemed licence”).
- (2) In accordance with sub-paragraph (1)—
- (a) a consent given for a specified period remains in force (subject to the provisions of this Part of this Act) for so much of that period as falls after the commencement date;
 - (b) any condition subject to which a consent under subsection (1) of section 34 of the CPA has been given has effect as if it were a condition attached to the deemed licence;
 - (c) any provision made under subsection (4) of that section in respect of a consent has effect as if it were provision made under section 71(4)(a) of this Act in respect of the deemed licence;
 - (d) any condition having effect under section 34(4A)(b) of the CPA has effect as if it were such a condition as is mentioned in section 71(5) of this Act.
- (3) Any reference in sub-paragraph (1) or (2) to a consent given under section 34(1) of the CPA, or to a condition subject to which such a consent is given, includes a reference to a consent deemed to have been given, or a condition deemed to have been imposed, by virtue of provision included in an order granting development consent (see paragraphs 27 and 28 of Schedule 5 to the [Planning Act 2008 \(c. 29\)](#)).
- (4) Any application for consent under subsection (1) of section 34 of the CPA which—
- (a) is made before the commencement date, and
 - (b) relates to an operation which—
 - (i) falls within that subsection, and
 - (ii) is a licensable marine activity,

Status: This is the original version (as it was originally enacted).

has effect on and after that date as if it were an application for a marine licence made to the appropriate licensing authority in relation to that activity.

Safety requirements

- 3 The repeal of section 36A of the CPA does not affect the operation of that provision in relation to anything occurring before the date on which that repeal takes effect.