



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 3

MARINE PLANNING

CHAPTER 3

DELEGATION OF FUNCTIONS RELATING TO MARINE PLANS

55 Delegation of functions relating to marine plans

- (1) A marine plan authority may give directions under this section.
- (2) A direction under this section is a direction which—
 - (a) designates any of the delegable marine plan functions which would (apart from directions under this section) be exercisable by or in relation to the authority, and
 - (b) directs that those functions, instead of being so exercisable, are to be exercisable by or in relation to such public body, acting on behalf of the authority, as is designated in the direction.
- (3) An authority which gives a direction under this section may do so only with the consent of the public body.
- (4) The public body—
 - (a) must comply with the direction, and
 - (b) is to be taken to have all the powers necessary to do so.
- (5) In this section “delegable marine plan functions” means—
 - (a) functions under Chapter 2 of this Part (marine plans), and
 - (b) functions under section 61 (monitoring etc of implementation), other than excepted functions.

Status: This is the original version (as it was originally enacted).

- (6) The “excepted functions” are the following functions of a marine plan authority—
- (a) deciding under paragraph 15 of Schedule 6 whether to publish a marine plan or any amendment of a marine plan;
 - (b) deciding under section 53 whether to withdraw a marine plan.
- (7) No direction may be given under this section in respect of any of the following functions of the Secretary of State—
- (a) deciding under paragraph 5 of Schedule 6 whether to give agreement to a statement of public participation;
 - (b) deciding under paragraph 7 of that Schedule whether to give agreement to a revised statement of public participation;
 - (c) deciding under paragraph 11 of that Schedule whether to give agreement to a consultation draft;
 - (d) deciding under paragraph 15 of that Schedule whether to give agreement to a marine plan;
 - (e) deciding under section 53 whether to withdraw agreement previously given under that paragraph to a marine plan.