



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

25 Powers of entry and inspection.

- (1) Subject to the provisions of this section, any person authorised by a [^{F1}coast protection authority][^{F1}coastal erosion risk management authority] shall, on producing, if so required, some duly authenticated document showing his authority, have a right at all reasonable hours—
- (a) to enter upon any land on which a power to carry out work is conferred on the authority by the provisions of this Act other than section four thereof;
 - (b) to enter upon any land to which entry is reasonably necessary in order to obtain access to any land on which a power to carry out work is conferred on the authority by any of the provisions of this Act;
 - (c) for the purpose of determining whether, and if so in what manner, any functions of the authority under this Act are to be exercised, or whether any provision of any enactment (including this Act) relating to such functions or any notice, order, direction or byelaw served, given or made under any such enactment is being or has been complied with, to enter upon any land and inspect or survey the land;
 - (d) without prejudice to the generality of the last foregoing paragraph, to enter upon any land in order to estimate, for the purposes of this Part of this Act, the amount of any compensation payable thereunder or the value of any interest in the land.

[^{F2}(1A) A person may not be authorised under subsection (1) to enter and survey or value land in England and Wales in connection with a proposal to acquire an interest in or a right over land (but see section 172 of the Housing and Planning Act 2016).]

Changes to legislation: Coast Protection Act 1949, Section 25 is up to date with all changes known to be in force on or before 12 April 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) View outstanding changes

- (2) Section nineteen of this Act shall apply to depreciation and disturbance caused by the exercise of the powers conferred by paragraphs (a) and (b) of the last foregoing subsection as it applies to depreciation and disturbance arising as mentioned in the said section nineteen.
- (3) Admission to any land used for residential purposes shall not be demanded as of right under this section unless twenty-four hours' notice of the intended entry has been given to the occupier.
- (4) If it is shown to the satisfaction of a justice of the peace, or in Scotland a justice of the peace or the sheriff, on sworn information in writing—
- (a) that admission to any land which any person is entitled to enter under this section has been refused to that person, or that refusal is apprehended, or that the land is unoccupied, or that the occupier is temporarily absent, or that the case is one of urgency; and
 - (b) that there is reasonable ground for entry on the land for the purpose for which entry is required,

the justice or sheriff may by warrant under his hand authorise that person to enter on the land, if need be by force:

Provided that such a warrant shall not be issued, unless the justice or sheriff is satisfied either that notice of the intention to apply for a warrant has been given to the occupier, or that the land is unoccupied, or that the occupier is temporarily absent, or that the case is one of urgency.

- (5) Any person entitled to enter upon any land by virtue of any right of entry under this section may take with him such other persons as may be necessary, and on leaving any unoccupied land which he has entered by virtue of such right shall leave it as effectually secured as he found it.
- (6) Any power of entry conferred by paragraph (a) or (b) of subsection (1) of this section shall include power to authorise the entry or passage of such persons, vehicles, plant and materials as may be necessary, and to authorise the carrying out of work for facilitating their passage.
- (7) Every warrant granted under this section shall continue in force until the purpose for which the entry is necessary has been satisfied.
- (8) Any person who wilfully obstructs a person exercising a right conferred by or under this section shall be guilty of an offence under this Act.
- (9) If—
- (a) any person who in compliance with the provisions of this Act or of a warrant issued thereunder is admitted into a factory or workplace discloses, otherwise than in the performance of his duty, to any person any information obtained by him in the factory or workplace with regard to any manufacturing process or trade secret; or
 - (b) any member or officer of a [^{F3}coast protection authority][^{F3}coastal erosion risk management authority] to whom by reason of his official position any information obtained as aforesaid is disclosed, discloses, otherwise than in the performance of his duty, that information to any person;

he shall be liable on summary conviction to a fine not exceeding [^{F4}level 3 on the standard scale] or to imprisonment for a term not exceeding three months.

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Textual Amendments

- F1** Words in s. 25(1) substituted (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. 18** (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** S. 25(1A) inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 14 para. 2**; S.I. 2016/733, reg. 3(h) (with reg. 6)
- F3** Words in s. 25(9)(b) substituted (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. 18** (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))
- F4** Words substituted (E.W.S.) by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c.21, SIF 39:1\)](#), **ss. 289F, 289G**

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Changes and effects yet to be applied to :

- s. 25(9) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)