



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

- 27 Acquisition by coast protection authority of right of passage for facilitating coast protection work.**
- (1) Where, for providing convenient access to land on which any coast protection work has been or is proposed to be carried out, it appears to a [^{F1}coast protection authority][^{F1}coastal erosion risk management authority] necessary to obtain a right of passage over other land, the authority may, by agreement or compulsorily, secure the creation of such a right in their favour either in perpetuity or for such term (whether fixed or determinable by notice) as they consider requisite.
 - (2) In this section the expression “right of passage” means a right of passage for persons, vehicles, plant and materials, and includes a right to carry out work for facilitating their passage.
 - (3) The provisions of the Lands Clauses Acts as to the acquisition of land by agreement or compulsorily, the provisions of the ^{M1}[^{F2}Land Compensation Act 1961], the [^{F3}Acquisition of Land Act 1981], and the ^{M2}Lands Tribunal Act 1949, and the provisions of this Act relating to the acquisition of land, shall with such adaptations, exceptions and modifications as may be prescribed by regulations made by the Minister apply to securing the creation of such rights as aforesaid as they apply to the acquisition of land.
 - (4) Without prejudice to the generality of the last foregoing subsection, regulations thereunder may provide—
 - (a) in the case of rights created for a term, for the payment of compensation either in one sum or periodically, or partly in one way and partly in the other;

Changes to legislation: There are currently no known outstanding effects for the Coast Protection Act 1949, Section 27. (See end of Document for details)

- (b) for authorising or requiring the [^{F4}coast protection authority][^{F4}coastal erosion risk management authority] to carry out such measures for reinstating the land as may be specified by or under the regulations, and for adjusting compensation accordingly.
- (5) A [^{F5}coast protection authority][^{F5}coastal erosion risk management authority] may acquire by agreement, whether by way of purchase, feu, lease or exchange, any land required by them for providing convenient access to land on which any coast protection work has been or is proposed to be carried out, or may purchase any land required by them as aforesaid compulsorily in accordance with the provisions of subsection (1) of section fourteen of this Act.
- (6) In the application of this section to Scotland, for any reference to the [^{F3}Acquisition of Land Act 1981], there shall be substituted a reference to the ^{M3}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.

Textual Amendments

- F1** Words in s. 27(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. 20](#) (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 virtue of [Interpretation Act 1889 \(c. 63\), s. 38\(1\)](#)
- F3** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\), s. 34\(1\), Sch. 4 para. 1](#) Table
- F4** Words in s. 27(4)(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. 20](#) (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))
- F5** Words in s. 27(5) 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. 20](#) (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))

Marginal Citations

- M1** 1961 c. 33.
- M2** 1949 c. 42.
- M3** 1947 c. 42.

Changes to legislation:

There are currently no known outstanding effects for the Coast Protection Act 1949, Section 27.