



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 4

MARINE LICENSING

CHAPTER 5

SUPPLEMENTARY

Stop notices and emergency safety notices

102 Notice to stop activity causing serious harm etc

- (1) If it appears to an enforcement authority that subsections (3) and (4) are satisfied in relation to a person carrying on an activity in its area, it may issue a stop notice to that person.
- (2) A stop notice is a notice prohibiting a person from carrying on an activity specified in the notice.
- (3) This subsection is satisfied if a person is carrying on, or is likely to carry on, a licensable marine activity (whether or not in accordance with a marine licence).
- (4) This subsection is satisfied if the carrying on of the activity to be specified in the notice—
 - (a) is causing, or is likely to cause, any of the effects in subsection (5), or
 - (b) is creating, or is likely to create, an imminent risk of any of those effects.
- (5) The effects are—
 - (a) serious harm to the environment;
 - (b) serious harm to human health;
 - (c) serious interference with legitimate uses of the sea.

Changes to legislation: Marine and Coastal Access Act 2009, Section 102 is up to date with all changes known to be in force on or before 05 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

- (6) A stop notice (in addition to specifying the activity to which it relates)—
- (a) must state the enforcement authority's grounds for believing that subsections (3) and (4) are satisfied;
 - (b) must state the date and time from which the prohibition is to take effect (which may be a time on the date of the notice but must allow a period for compliance which is reasonable in all the circumstances of the case);
 - (c) may require the person to take such steps as the authority considers appropriate to ensure that the cessation of the activity takes place safely.
- (7) Except in a case falling within subsection (9), a stop notice—
- (a) ceases to have effect at the end of the period of 7 days (or such shorter period as may be specified in the notice) beginning with the date on which the prohibition takes effect, but
 - (b) may be renewed for a period specified in a further notice.
- (8) A stop notice may be renewed more than once under subsection (7)(b), but not so that it has effect for an aggregate period exceeding 35 days.
- (9) If a stop notice relating to a licensable marine activity is issued to a person who does not hold a marine licence authorising that activity, the stop notice may remain in force until such time (if any) as such a licence is granted to that person.

Commencement Information

II S. 102 in force at 6.4.2011 by [S.I. 2011/556](#), [art. 3\(2\)\(a\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 72A(2A) inserted by [2023 c. 55 s. 232\(2\)\(d\)](#)
- s. 72A(6)(a) words in s. 72A(6) renumbered as s. 72A(6)(a) by [2023 c. 55 s. 232\(2\)\(f\)\(i\)](#)
- s. 72A(6)(a) words inserted by [2023 c. 55 s. 232\(2\)\(f\)\(ii\)](#)
- s. 72A(6)(b) and word inserted by [2023 c. 55 s. 232\(2\)\(f\)\(iii\)](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)