
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 233

**The Comhairle nan Eilean Siar
(Ardveinish) Harbour Revision Order 2000**

PART VII

MISCELLANEOUS

Power to sell or lease works

58.—(1) The Comhairle may, with the consent in writing of, and upon such terms, conditions and restrictions (and in the case of a lease for such period) as may be approved by, the Scottish Ministers, sell or lease works in the harbour.

(2) As from such sale or the commencement of such lease the purchaser, to the extent authorised by his conveyance, or the lessee during and to the extent provided in his lease, shall have and may exercise in relation to the works all or any of the powers conferred upon the Comhairle by this Order, and shall in respect of the works be subject to all the restrictions, liabilities and obligations to which the Comhairle are subject, and shall perform all the duties of the Comhairle under this Order in respect of the works.

(3) No lease made under this section shall be assignable without the previous consent in writing of the Scottish Ministers, and the provisions of this article with respect to such lease or the lessee shall apply to any such assignation or to the assignee respectively.

Power to lease harbour land and enter into agreements

59. The Comhairle may for such consideration and upon such terms and conditions and subject to such restrictions and for such period as they think fit sell, feu, lease, excamb or otherwise dispose of the whole or any part of the lands which from time to time form the harbour and may carry into effect agreements with respect to any offices, stalls and ancillary buildings in connection therewith.

Crown Rights

60.—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular and without prejudice to the generality of the foregoing, nothing in this Order authorises the Comhairle to take, use, enter upon or in any manner interfere with, any land or interest in land (including any portion of the shore or bed of the sea or of any river channel, creek, bay or estuary) or any rights of whatsoever description—

- (a) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners, without the consent in writing of those commissioners; or
- (b) belonging to a government department or held in trust for Her Majesty for the purposes of a government department, without the consent in writing of that government department.

(2) A consent under paragraph (1) may be given unconditionally, or subject to terms and conditions.