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## SCHEDULES

### FIRST SCHEDULE **U.K.**

Sections 2, 8 and 31.

#### PROCEDURE FOR MAKING ORDERS AND PROVISIONS AS TO THE VALIDITY OF ORDERS

#### PART I **U.K.**

##### *General Provisions*

- 1 Before making an order the Minister shall prepare a draft order and shall cause notice of the intention to make the order and of the place where copies of the draft order may be inspected, and of the time (not being less than twenty-eight days) within which, and the manner in which, objections to the draft order may be made, to be published in the London Gazette and in such other manner as he may think best adapted for informing persons affected, and to be served—
- (a) on the council of every county [<sup>F1</sup>county borough,] . . . <sup>F2</sup> or county district wholly or partly included in the area affected by the order;
  - (b) <sup>F3</sup>[<sup>F4</sup> . . . on any sea defence commissioners, coast protection board, internal drainage board], harbour authority, fishery board, [<sup>F5</sup> inshore fisheries and conservation authority, ]<sup>F6</sup> . . . conservancy authority or navigation authority known to the Minister to be exercising jurisdiction within that area;
  - [<sup>F7</sup>(ba) on the Environment Agency if any part of the area affected by the order is in England, and on the Natural Resources Body for Wales if any part of the area affected by the order is in Wales;]
  - (c) on any local . . . <sup>F2</sup> authority known to him to be responsible for the maintenance of any highway in the area; and
  - (d) on the [<sup>F8</sup>British Railways Board or the British Waterways Board], if the area contains any railway, canal or inland navigation vested in [<sup>F8</sup>the Board.]
- 2 —Before making an order the Minister shall consider any objections which may be duly made to the draft order and may in any case cause a local inquiry to be held with respect to any objections to the draft order.
- 3 (1) In the case of an order which by virtue of the provisions of this Act is required to be made jointly by the Ministers concerned, references in the foregoing paragraphs to the Minister shall be construed as references to the Ministers concerned.
- (2) Where, in the case of an order not falling within the last foregoing sub-paragraph, objection to the draft order is duly made by a body mentioned in paragraphs (b) to (d) of paragraph 1 of this Schedule, the last foregoing paragraph shall have effect as if it required the objection to be considered, and authorised a local inquiry to be promoted, by the Ministers concerned instead of by the Minister.
- 4 In this Part of this Schedule the expression “the area affected by the order”—

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- (a) in the case of an order providing for the constitution of a coast protection board, means the area for which the board will be the coast protection authority;
- (b) in the case of an order varying the constitution of a coast protection board, but not altering the area for which the board is the coast protection authority, means that area;
- (c) in the case of an order altering the area of a coast protection board, means that area and any other area proposed by the order to be included in the area of the board; and
- (d) in the case of an order repealing or amending any provision of a local Act, means any area in relation to which any power or duty conferred or imposed by that provision is exercisable;

and the expression “the Ministers concerned” has the meaning assigned to it by subsection (8) of section two of this Act and the power of determination conferred on the Treasury by that subsection shall apply accordingly.

## PART II U.K.

### *Certain Orders to be subject to Special Parliamentary Procedure*

- 5 After an order has been made, the Minister shall, if an objection has been made under Part I of this Schedule by any body on whom notice is required to be served under that Part and has not been withdrawn, give notice of the making of the order and the effect thereof to every such body who have made such an objection which has not been withdrawn, and in that case the order shall not have effect before the expiration of twenty-eight days from the date of the said notice; and if within that period any such body give notice to the Minister that they object to the order and the objection is not withdrawn, the order shall be subject to special parliamentary procedure.

## PART III U.K.

### *Provisions with respect to the validity of Orders not confirmed by Parliament*

- 6 After the making of an order the Minister shall publish in the London Gazette, and in such other manner as he thinks best adapted for informing persons affected, a notice stating that the order has been made, and naming a place where a copy thereof may be seen at all reasonable hours:

Provided that in the case of an order to which Part II of this Schedule applies the said notice shall not be published until the expiration of the period of twenty-eight days referred to in that Part, and the notice shall state whether or not the order is to be subject to special parliamentary procedure.

- 7 If any person aggrieved by an order desires to question its validity on the ground that it is not within the powers of this Act or that any requirement of this Act has not been complied with, he may, within six weeks after the date of the first publication of the said notice, make an application for the purpose to the High Court, and if any such application is duly made the court, if satisfied that the order is not within the powers of this Act or that the interests of the applicant have been substantially prejudiced by any requirement of this Act not having been complied with, may

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quash the order either generally or in so far as it affects the applicant; but except as aforesaid the order shall not at any time be questioned by prohibition or certiorari or in any proceedings whatsoever:

Provided that this paragraph shall not apply to an order which is confirmed by Act of Parliament under section six of the <sup>M1</sup>Statutory Orders (Special Procedure) Act 1945, and shall have effect in relation to any other order which is subject to special parliamentary procedure by virtue of Part II of this Schedule as if for the reference to the date of the publication of the notice there were substituted a reference to the date on which the order becomes operative under the said Act.

#### Marginal Citations

**M1** 1945 c. 18 (9 & 10 Geo. 6).

## PART IV U.K.

### Application to Scotland

- 8 In the application of this Schedule to Scotland—
- (a) for references to the High Court there shall be substituted references to the Court of Session;
  - <sup>F9</sup>(b) for references to the London Gazette and to <sup>F10</sup>a council of]a county or county district there shall be substituted respectively references to the Edinburgh Gazette and to a <sup>F11</sup>council constituted under section 2 of the Local Government etc. (Scotland) Act 1994]]
  - (c) for sub-paragraph (2) of paragraph 3 there shall be substituted the following sub-paragraph—
    - “(2) Where, in the case of an order not falling within the last foregoing sub-paragraph, objection to the draft order is duly made by a conservancy authority or a navigation authority or by a harbour authority, other than the authority for a harbour principally used by the fishing industry, <sup>F12</sup>or by the British Railways Board or the British Waterways Board], the last foregoing paragraph shall have effect as if it required the objection to be considered, and authorised a local inquiry to be promoted, by the Minister and the <sup>F13</sup>Secretary of State], instead of by the Minister;” and
  - (d) for the words “section six of the <sup>M2</sup>Statutory Orders (Special Procedure) Act 1945”, there shall be substituted the words “subsection (4) of section two, as read with section ten, of the Statutory Orders (Special Procedure) Act 1945, or under section six of that Act”.

#### Textual Amendments

- F9** Para. 8(b) substituted by Local Government (Scotland) Act 1973 (c. 65), s. 138(2)(g)
- F10** Words in Sch. 1, para.8(b) inserted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13, para. 32(6)(a); S.I. 1996/323, art.4(1)(c)
- F11** Words in Sch. 1 para. 8(b) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13, para. 32(6)(b); S.I. 1996/323, art.4(1)(c)

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- F12** Words substituted by virtue of [Transport Act 1962 \(c. 46\)](#), **Sch. 2 Pt. I**  
**F13** Words substituted by virtue of [S.I. 1970/1681](#)

#### Marginal Citations

- M2** [1945 c. 18 \(9 & 10 Geo. 6\)](#).

## SECOND SCHEDULE U.K.

### PROVISIONS AS TO ORDERS RESTRICTING EXCAVATION OF MATERIALS FROM THE SEASHORE

#### PART I U.K.

##### *General Provisions*

- 1 Before making an order under section eighteen of this Act, the coast protection authority shall prepare a draft order and shall cause notice of their intention to make the order, and of the place where copies of the draft order may be inspected at all reasonable hours, and of the time within which, and the manner in which, objections to the draft order may be made, to be published, in two successive weeks, in the London Gazette and in one or more local newspapers circulating in the locality.
- 2 Where the coast protection authority cause notice to be published under the foregoing paragraph, they shall serve a like <sup>F14</sup>notice on the Environment Agency (if any land to which the draft order relates is in England), the Natural Resources Body for Wales (if any land to which the draft order relates is in Wales), and on any catchment board<sup>F15</sup>, external drainage board, conservancy authority, harbour authority, navigation authority or <sup>F16</sup>river authority] whose area<sup>F15</sup>the National Rivers Authority and on any catchment board, conservancy authority, harbour authority or navigation authority whose area, and on any internal drainage board whose district,] comprises land to which the draft order relates.

#### Textual Amendments

- F14** Words in [Sch. 2 para. 2](#) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), [art. 1\(2\)](#), **Sch. 2 para. 14(2)** (with [Sch. 7](#))
- F15** [Sch. 2 para.2](#) for from “any catchment” to “whose area” there is substituted (E.W.) “the National Rivers Authority and on any catchment board, conservancy authority, harbour authority or navigation authority whose area, and on any internal drainage board whose district,” by [Water Act 1989 \(c. 15, SIF 130\)](#), [ss. 58\(7\), 101\(1\), 141\(6\), 160\(1\)\(2\)\(4\), 163, 189\(4\)–\(10\), 190, 193\(1\)](#), [Sch. 25 para. 11\(9\)](#), [Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 57\(6\)](#), **58**
- F16** Words substituted by virtue of [Water Resources Act 1963 \(c. 38\)](#), **Sch. 3 para. 4**

- <sup>F173</sup> In this Schedule the expression “external drainage board” means a drainage board whose area, or any part of whose area, is not comprised in the area of any catchment board and is not for the time being comprised in the area of any <sup>F18</sup>river authority.]]

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### Textual Amendments

- F17** Sch. 2 para.3 repealed (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, [Sch. 27 pt. I](#)
- F18** Words substituted by virtue of [Water Resources Act 1963 \(c. 38\)](#), [Sch. 3 para. 4](#)

- 4 If no objection is duly made, or if all objections so made are withdrawn, the Minister, on being satisfied that the proper notices have been published, may confirm the order with or without modifications.
- 5 (1) If an objection duly made is not withdrawn, the Minister shall, before the order is confirmed, either cause a local inquiry to be held or afford to any person by whom objection has been duly made and not withdrawn an opportunity of being heard by a person appointed by him for the purpose.
- (2) Where the objection is made by any such body as is mentioned in paragraph 2 of this Schedule, references in the last foregoing sub-paragraph to the Minister shall be construed—
- (a) in the case of an objection made by a catchment board, external drainage board or [<sup>F19</sup>river authority], or by the harbour authority for a harbour to which the <sup>M3</sup>Fishery Harbours Act, 1915, applies, as references to the Minister and [<sup>F20</sup>the Minister of Agriculture, Fisheries and Food] and
- (b) in the case of an objection made by any other harbour authority, or by a conservancy authority or navigation authority, as references to the Minister and the [<sup>F21</sup>Secretary of State.]

### Textual Amendments

- F19** Words substituted by virtue of [Water Resources Act 1963 \(c. 38\)](#), [Sch. 3 para. 4](#)
- F20** Words substituted by virtue of [S.I. 1955/554 \(1955 I, p. 1200\)](#)
- F21** Words substituted by virtue of [S.I. 1970/1681](#)

### Modifications etc. (not altering text)

- C1** [Sch. 2 para.5](#) modified by [S.I.1985/442](#), [art.4\(5\)](#)

### Marginal Citations

- M3** [1915 c. 18](#)

- 6 If any person by whom an objection has been made avails himself of the opportunity of being heard, the Minister or Ministers concerned shall afford to the coast protection authority, and to any other persons to whom it appears to him or them expedient to afford it, an opportunity of being heard on the same occasion.
- 7 If objection is duly made—
- (a) by any person on the ground that the order would interfere with the exercise of his functions under any enactment other than this Act, or
- (b) by any person having an interest, right or privilege conferred on him by any local or private Act, on the ground that any such interest, right or privilege of his specified in the objection would be affected by the order,
- and the objection is not withdrawn, the order shall be subject to special parliamentary procedure.

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- 8 Subject to the last foregoing paragraph, the Minister may confirm the order with or without modifications as he may think fit having regard to the determination of any objections and to the report of any person appointed to hold an inquiry or to hear objections.
- 9 As soon as may be after the order has been confirmed the coast protection authority shall publish in the London Gazette and in one or more local newspapers circulating in the locality a notice stating that the order has been confirmed and naming a place where a copy thereof as confirmed may be inspected at all reasonable hours, and shall serve a like notice on any board or authority on whom a notice was required to be served by paragraph 2 of this Schedule.
- 10 If any person aggrieved by the order desires to question its validity on the ground that it is not within the powers of this Act or that any requirement of this Act has not been complied with, he may, within six weeks after the date on which notice of the confirmation of the order is published in accordance with the last foregoing paragraph, make an application for the purpose to the High Court; and if any such application is duly made the court, if satisfied that the order is not within the powers of this Act or that the interests of the applicant have been substantially prejudiced by any requirement of this Act not having been complied with, may quash the order either generally or in so far as it affects any property of the applicant; but except as aforesaid the order shall not at any time be questioned by prohibition or certiorari or in any proceedings whatsoever:

Provided that this paragraph shall not apply to an order which is confirmed by Act of Parliament under section six of the <sup>M4</sup>Statutory Orders (Special Procedure) Act 1945, and shall have effect in relation to any other order which is subject to special parliamentary procedure by virtue of paragraph 7 of this Schedule as if for the reference to the date of the publication of the notice there were substituted a reference to the date on which the order becomes operative under the said Act.

**Marginal Citations**

**M4** 1945 c. 18 (9 & 10 Geo. 6).

**PART II** **U.K.**

*Interim Orders*

- 11 Where it appears to a coast protection authority that by reason of emergency it is urgently necessary for the protection of any land that an order should be made applying the provisions of section eighteen of this Act to any portion of the seashore in their area or lying to seaward therefrom, the authority may make an interim order applying those provisions accordingly.
- 12 As soon as may be after the making of an interim order under the last foregoing paragraph the authority shall in two successive weeks publish in the London Gazette and in one or more local newspapers circulating in the locality a notice stating that the order has been made, and naming a place where a copy thereof may be inspected at all reasonable hours, and shall serve a like <sup>F22</sup>notice on the Environment Agency (if any land to which the interim order relates is in England), the Natural Resources Body for Wales (if any land to which the interim order relates is in Wales), and on

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any catchment board]<sup>F23</sup>, conservancy authority, harbour authority or navigation authority whose area, and on any internal drainage board whose district,] comprises land to which the interim order relates.

#### Textual Amendments

**F22** Words in Sch. 2 para. 12 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 14(3)** (with Sch. 7)

**F23** Sch. 2 para. 12 for from “any catchment” to “whose area” there is substituted (E.W.) “the National Rivers Authority and on any catchment board, conservancy authority, harbour authority or navigation authority whose area, and on any internal drainage board whose district,” by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 25 para. 11(9), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**

13 Any person who objects to an interim order may serve notice of objection on the Minister and on the authority by whom the order was made; and the Minister, after holding a local inquiry or affording to the objector and the authority and any other persons appearing to him to be concerned an opportunity of being heard by a person appointed by him for the purpose, may, if he thinks fit, revoke the order.

14 Subject to the last foregoing paragraph an interim order shall remain in force until the expiration of a period of six months after the making thereof and no longer:

Provided that if before the expiration of that period an order under section eighteen of this Act is made and confirmed in accordance with Part I of this Schedule with respect to the portion of the seashore to which the interim order applies, the interim order shall cease to have effect on the coming into operation of that order.

15 The provisions of paragraph 10 of this Schedule, other than the proviso to that paragraph, shall apply to an interim order as they apply to an order made in accordance with Part I of this Schedule, with the substitution of a reference to the date of the first publication of the notice under paragraph 12 of this Schedule for the reference to the date of publication of the notice of the confirmation of the order.

### PART III U.K.

#### *Application to Scotland*

16 In the application of this Schedule to Scotland—

(a) for references to the High Court and to the London Gazette there shall be substituted respectively references to the Court of Session and to the Edinburgh Gazette;

(b) for sub-paragraph (2) of paragraph 5 there shall be substituted the following sub-paragraph—

“(2) Where the objection is made by a conservancy authority or a navigation authority or by a harbour authority, other than the authority for a harbour principally used by the fishing industry, any reference in the foregoing sub-paragraph to the Minister shall be construed as references to the Minister and the [<sup>F24</sup>Secretary of State];” and

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- (c) for the words “section six of the <sup>M5</sup>Statutory Orders (Special Procedure) Act 1945”, there shall be substituted the words “subsection (4) of section two, as read with section ten, of the Statutory Orders (Special Procedure) Act 1945, or under section six of that Act”.

#### Textual Amendments

**F24** Words substituted by virtue of [S.I. 1970/1681](#)

#### Marginal Citations

**M5** [1945 c. 18 \(9 & 10 Geo. 6\).](#)

### <sup>F25F25</sup>THIRD SCHEDULE **U.K.**

#### Textual Amendments

**F25** [S. 48, Sch. 3](#) repealed by [Statute Law Revision Act 1953 \(c. 5\)](#)

F25

### FOURTH SCHEDULE **U.K.**

#### WATERS EXCLUDED FOR PURPOSES OF DEFINITIONS OF “SEA” AND “SEASHORE”

- 1 The River Tweed, above a line drawn from the north end of Spittal Point to the seaward end of the Harbour Breakwater.
  - 2 The River Aln, above the bridge carrying the road from Alnmouth to Alnmouth railway station.
  - 3 The River Coquet, above a line drawn from the seaward end of the north breakwater to the seaward end of the south breakwater at Amble.
  - 4 The River Wansbeck, above the ferry between Cambois and North Seaton.
  - 5 The River Blyth (Northumberland), above a line drawn from the seaward end of the eastern pier to the seaward end of the western pier at the harbour entrance.
  - 6 The River Tyne, above a line drawn across the Narrows from Lloyd’s Hailing Station to the Commissioners’ Staiths.
- [<sup>F267</sup> The River Wear, above a line drawn from the junction of Marine Walk and the old North Pier at Ordnance Survey national grid reference point NZ4098258342 to the north-western corner of the old South Pier at Ordnance Survey national grid reference point NZ4104058242.]



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#### Textual Amendments

**F26** Sch. 4 para. 7 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(2)**

8 The River Tees, above a line drawn from the seaward end of the North Gare breakwater to the seaward end of the South Gare breakwater.

[<sup>F27</sup>9 The River Esk (Yorkshire) above a line drawn from the southern edge of Tate Hill Pier to the southern edge of Scotch Head at Whitby.]

#### Textual Amendments

**F27** Sch. 4 para. 9 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(3)**

10 The River Humber, above a line drawn from Hawkins Point to the point where the north-western boundary of the Borough of Cleethorpes crosses high water mark of ordinary spring tides.

11 The Wash, south-west of a line drawn through the point where the northern boundary of the parish of Wainfleet Saint Mary in the County of Lincoln, Parts of Lindsey, crosses high water mark of ordinary spring tides and the north corner of Beach House in the parish of Snettisham in the rural district of Docking.

12 The River Yare above a line drawn between the seaward ends of the piers at the entrance to the Haven at Great Yarmouth.

13 Oulton Broad and Lake Lothing, above a line drawn between the seaward end of the old north pier and the seaward end of the south pier at Lowestoft.

14 The River Blyth (Suffolk), above the seaward end of the northern breakwater and the seaward end of the southern breakwater at the Harbour, Walberswick.

15 The River Alde, above Slaughden Ferry.

16 The River Deben, above a line drawn due east from the ferry quay at Felixstowe Ferry.

17 The Rivers Orwell and Stour, above the ferry between Felixstowe Pier and Harwich Landing Stage.

[<sup>F28</sup>17A The Brightlingsea Creek, above a line drawn between St. Osyth Point and the shoreward end of the ferry landing stage.]

#### Textual Amendments

**F28** Sch. 4 para. 17A substituted for sch. 4 para. 17a (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(4)**

[<sup>F29</sup>18 The River Colne, above a line drawn between Viaduct Sluice, to the west of Bateman’s Tower, and Mersea Stone.]

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#### Textual Amendments

**F29** Sch. 4 para. 18 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(5)**

- 19 The River Blackwater, above Longitude 0° 55’ East.
- 20 The Rivers Crouch and Roach, above Longitude 0° 47’ East.
- [<sup>F30</sup>21 The River Thames, above a line drawn from the westernmost point of Dagnam Saltings in the parish of Allhallows in the County of Kent, to Canvey Point, and then to the westernmost point of the boundary of the Borough of Southend-on-Sea, and the whole of the waters of Yantlet Creek.]

#### Textual Amendments

**F30** Sch. 4 para. 21 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(6)**

- 22 The River Medway, above a line drawn from the fixed green navigation light at the extreme north-west corner of Queenborough Railway Pier to Horseshoe Point, Isle of Grain.
- 23 The River Swale, above the Harty Ferry.
- 24 The River Stour (Kent), above the confluence of Stonar Cut and Flagstaff Reach.
- 25 The River Rother, above a line drawn from the seaward end of the eastern breakwater to the seaward end of the western breakwater.
- 26 The River Cuckmere, above the point where it passes through the sea wall between the cliff near the Coastguard Station and Cliff End.
- 27 The River Ouse (Sussex), above a line drawn from the seaward end of the western breakwater to the seaward end of the eastern pier at Newhaven Harbour.
- 28 The River Adur, above the Old Shoreham Bridge.
- 29 The River Arun, above a line drawn from the seaward end of the eastern pier to the seaward end of the western pier at Littlehampton.
- [<sup>F31</sup>30 Chichester Harbour, above the Chichester to Southampton railway line.

#### Textual Amendments

**F31** Sch. 4 paras. 30-32 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(7)**

- 31 Langstone Harbour, above the Chichester to Southampton railway line.

#### Textual Amendments

**F31** Sch. 4 paras. 30-32 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(7)**

- 32 Portsmouth Harbour, above the Chichester to Southampton railway line.]

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#### Textual Amendments

**F31** Sch. 4 paras. 30-32 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(7)**

[<sup>F32</sup>33 The Rivers Test and Blackwater above the railway bridge at Totton.

#### Textual Amendments

**F32** Sch. 4 paras. 33-33C substituted for Sch. 4 para. 33 (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(8)**

33A. Bartley Water, above the toll bridge at Eling.

#### Textual Amendments

**F32** Sch. 4 paras. 33-33C substituted for Sch. 4 para. 33 (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(8)**

33B. The River Itchen, above the weir at Woodmill.

#### Textual Amendments

**F32** Sch. 4 paras. 33-33C substituted for Sch. 4 para. 33 (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(8)**

33C. The River Hamble, above the railway bridge, northeast of Bursledon.]

#### Textual Amendments

**F32** Sch. 4 paras. 33-33C substituted for Sch. 4 para. 33 (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(8)**

34 The Beaulieu River, above Latitude 50° 47' 30" North.

[<sup>F33</sup>35 The Lymington River, above the road bridge between Lymington and Portmore.]

#### Textual Amendments

**F33** Sch. 4 para. 35 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(9)**

36 The River Yar (Eastern), above the road bridge on the Toll Road at the west end of Brading Harbour in the Isle of Wight.

37 The River Medina, above the Medina Road Ferry in the Isle of Wight.

38 The River Yar (Western), above the road bridge between Yarmouth and Totland in the Isle of Wight.

39 The River Stour (Hampshire), above a line drawn due west from Grimbury Point.

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- 40 The River Wey, above a line drawn from the seaward end of the north pier to the seaward end of the south pier at the mouth of the river.
- 41 The River Brit, above a line drawn from the seaward end of the west pier to the seaward end of the east pier at the harbour entrance.
- 42 The River Axe, above the Axmouth Bridge.
- 43 The River Sid, above the Alma Bridge.
- 44 The River Otter, above the road bridge south of “The Warren”.
- [<sup>F34</sup>45 The River Exe, above latitude 50° 39' 50" North.]

#### Textual Amendments

**F34** Sch. 4 para. 45 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(10)**

- 46 The River Teign, above the road bridge at the west end of “The Salty”.
- 47 The River Dart, above a line drawn from the Kingswear Station ferry landing stage to the ferry pier at Dartmouth.
- [<sup>F35</sup>48 At Salcombe—
- (a) Batson Creek, above latitude 50° 14' 23" North;
  - (b) Kingsbridge Estuary, above latitude 50° 14' 25" North; and
  - (c) Southpool Creek, above longitude 3° 45' 17" West.]

#### Textual Amendments

**F35** Sch. 4 para. 48 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(11)**

- 49 The River Avon (Devon), above the ferry nearest to the sea at Bantham.
- 50 The River Erme, above the ford near Efford House.
- 51 The River Yealm, above the ferry at Warren Point.
- 52 Plymouth Sound. The Hamoaze, above the Cremyll Ferry. The Cattewater, above the ferry between Phoenix Wharf and Mount Batten landing stage.
- 53 The River Fowey, above the ferry between Fowey and Polruan.
- 54 The River Porthcuel, above a line drawn east from Polvarth Point.
- 55 The River Fal, above a line between Pill Point and Turnawdre Point.
- 56 Restronguet Creek, above the ferry near Restronguet Point.
- 57 The River Penryn, above the easternmost ferry between Falmouth and Flushing.
- 58 The River Helford, above the ferry at Helford.
- 59 The River Camel, above Longitude 4° 54' West.
- 60 The River Torridge, above the ferry between Appledore and the quay at Instow.
- 61 The River Taw, above a line drawn due north from Penhill Point.

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- 62 The River Parrett, above a line drawn due west from Island Farm Point.
- 63 The River Brue, above Longitude 2° 59' 45" West.
- 64 The River Yeo, above a line drawn from the south-eastern end of the Wick Sea Wall to the south-eastern end of the Kingston Seymour Sea Wall.
- 65 The River Avon (Bristol), above Latitude 51° 29' 40" North.
- 66 The River Severn, above the railway bridge at Sharpness.
- 67 The River Wye, above a line drawn due west from Ewens Rock.
- 68 The River Usk, above Latitude 51° 33' 10" North.
- 69 The River Ebbw, above Latitude 51° 33' 10" North.
- 70 The River Taff, above Clarence Bridge.
- 71 The River Ely, above the line of the subway at Penarth Dock.
- 72 The River Avan, above a line drawn from the seaward end of the North Pier to the seaward end of the breakwater at the south of the river.
- 73 The River Neath, above Latitude 51° 38' North.
- 74 The River Tawe, above a line drawn from the seaward end of the west pier to the seaward end of the east pier at the river mouth.
- 75 The River Loughor, above the railway bridge, north-west of Loughor Station.
- 76 The Gwendraeth Fawr, above the railway bridge between Burry Port and Kidwelly.
- 77 The Gwendraeth Fach, above the railway bridge near Kidwelly Station.
- 78 The River Towy, above the ferry near Ferryside Station.
- 79 The River Taf, above the Ferry at Black Scar Point.
- 80 The Daucleddau, above Pembroke Ferry.
- 81 The River Gwaun, above the road bridge between Fishguard and Lower Town.
- 82 The River Nevern, above the road bridge between Newport and Berry Hill.
- 83 The River Teifi, [<sup>F36</sup>above the ferry north of St. Dogmells]<sup>F36</sup>above Priory Bridge at Cardigan]].

#### Textual Amendments

**F36** Words in Sch. FOURTH para. 83 substituted (W.) (1.8.2003) by [Coast Protection \(Variation of Excluded Waters\) \(River Teifi\) \(Wales\) Regulations 2003 \(S.I. 2003/1915\)](#), art. 1(1)**reg. 2**

- 84 The River Aeron, above the westernmost road bridge at Aberayron.
- 85 The River Dovey, above the railway bridge near Dovey Junction.
- 86 The River Dwyryd, above the railway bridge south-east of Penrhyndeudraeth Station.
- 87 The River Glaslyn, above the road bridge at Portmadoc.
- 88 The River Conway, above Talycafn Bridge.
- 89 The River Clwyd, above the Foryd Road Bridge, Rhyl.

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- 90 The River Dee, above a line drawn through the points where the southern boundary of the Borough of Flint and the north-western boundary of the Neston Urban District cross high-water mark of ordinary spring tides.
- [<sup>F37</sup>91 The River Mersey, above a line drawn from the south corner of Royal Seaforth Dock to the point where the north side of the Seacombe Ferry Landing Stage meets the Mersey River Wall.]

#### Textual Amendments

- F37** Sch. 4 para. 91 substituted (6.4.2015) by [The Coast Protection \(Variation of Excluded Waters\) \(England\) Regulations 2015 \(S.I. 2015/523\)](#), regs. 1, **2(12)**

- 92 The Rivers Ribble and Douglas, above a line drawn due south from the Naze.
- 93 The River Wyre, above a line drawn from the Fleetwood ferry pier to the Knott End ferry pier.
- 94 The River Lune, above a line drawn due north from the northernmost part of Fishnet Point.
- 95 The River Kent, above the railway viaduct at Arnside.
- 96 The River Leven, above the railway viaduct between Cark and Ulverston.
- 97 The River Duddon, above the railway viaduct between Foxfield Station and Green Road Station.
- 98 The River Esk, South, (Cumberland), above the railway bridge north of Eskmeals Station.
- 99 The River Mite, above the railway bridge north-west of Ravenglass Station.
- 100 The River Irt, above the railway bridge, south-east of Drigg Station.
- 101 The River Calder, above the railway bridge south-east of Sellafeld Station.
- 102 The River Derwent, above a line drawn from the seaward end of the New Pier and the seaward end of the North Jetty at Workington Harbour.
- 103 The River Ellen, above a line drawn from the seaward end of the southern pier and the seaward end of the northern pier at Maryport Harbour.
- 104 The River Waver, above Latitude 54° 52' North.
- 105 The River Wampool, above the ford at Anthorn.
- 106 The Rivers Eden and Esk, above Longitude 3° 5' West.
- 107 The River Clyde, above a line drawn from the seaward or western end of the Princes Pier, Greenock, to the seaward end of Craigendoran Pier.
- 108 The River Dee (Aberdeenshire), above a line joining the seaward end of the south breakwater and the seaward end of the north pier at Aberdeen Harbour.
- 109 The River Forth, above a line drawn between Hound Point on the south bank and Hopeward Point on the north bank.
- 110 The Water of Leith, above a line drawn from the seaward end of the east breakwater to the seaward end of the west breakwater at the entrance to the harbour and docks of Leith.

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- 111 The River Tay, above a line drawn from the northern end of the east pier at Tayport Harbour to the point where the centre line of Strips of Craigie Road, Dundee, produced in a southerly direction crosses high-water mark of ordinary spring tides.
- 112 The waters of any river flowing into the waters specified in the foregoing paragraphs of this Schedule above the limits therein specified.
- 113 The Minister may by regulation vary the foregoing provisions of this Schedule either by the inclusion of any waters not for the time being specified therein or by the exclusion of any waters for the time being so specified.

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**Changes and effects yet to be applied to :**

- s. 11(2)(a) words omitted by [2022 c. 6 Sch. 1 para. 5\(a\)](#)
- s. 11(2)(a) words omitted by [2022 c. 6 Sch. 1 para. 5\(b\)](#)
- s. 25(9) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)