



Broads Authority Act 2009

2009 CHAPTER i

PART 3

MISCELLANEOUS

35 Breydon Water and Lower Bure

(1) In this section—

“Breydon Water and the Lower Bure” mean the areas described in Schedule 4 and shown edged in red on the deposited plan; and

“the deposited plan” means the plan deposited in connection with the Bill for this Act in the office of the Clerk of the Parliaments, the Private Bill Office of the House of Commons and at the principal office of the Authority.

(2) As from the appointed day Breydon Water and the Lower Bure shall form part of the navigation area for all purposes and accordingly—

- (a) the 1988 Act and this Act, and any byelaws made or directions given under the 1988 Act, shall apply to Breydon Water and the Lower Bure as they apply to the navigation area as defined in the 1988 Act;
- (b) the definition of the Haven in section 25 of the 1988 Act shall have effect subject to this section;
- (c) the Great Yarmouth Port Authority Acts and Orders 1866 to 2005 and any byelaws made thereunder shall not apply to Breydon Water and the Lower Bure.

(3) As from the appointed day Breydon Water shall form part of the Norwich navigation for all purposes and accordingly the 1988 Act shall apply to Breydon Water as it applies to the Norwich navigation as defined in that Act.

(4) The Authority shall not fix a day to be the appointed day for the purposes of this section without having obtained the written consent of the Great Yarmouth Port Authority.

(5) In the event of any discrepancy between the boundaries of Breydon Water and the Lower Bure described in Schedule 4, and the boundaries shown on the deposited plan, the description shall prevail.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (6) The Authority and the Great Yarmouth Port Authority may enter into and carry into effect agreements for the purposes of or in connection with the transfer of Breydon Water and the Lower Bure by subsection (2).