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STATUTORY INSTRUMENTS

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**2022 No. 299**

**The Bridgwater Tidal Barrier Order 2022**

**PART 6**

**PROTECTIVE PROVISIONS**

**Statutory undertakers, etc.**

**52.** Schedule 8 (statutory undertakers, etc.) has effect.

**Protective Provisions**

**53.** Schedule 9 (protection for electricity, gas, water and sewerage undertakers) and Schedule 10 (protection of Port of Bridgwater) have effect.

**Saving for Trinity House**

**54.** Nothing in this Order prejudices or derogates from any of the powers, rights or privileges, or the jurisdiction or authority, of Trinity House.

**Crown rights**

**55.—(1)** Nothing in this Order affects prejudicially any estate, right, power, privilege or exemption of the Crown and in particular, nothing in this Order authorises the Agency or any other person—

- (a) to use, enter upon or in any manner interfere with any land or rights of any description (including any part of the shore or bed of the sea or any river, channel, creek, bay or estuary)—
  - (i) belonging to Her Majesty in right of the Crown and forming part of the Crown Estate without the consent in writing of the Crown Estate Commissioners;
  - (ii) belonging to Her Majesty in right of the Crown and not forming part of the Crown Estate without the consent in writing of the government department having the management of that land; or
  - (iii) 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; and
- (b) to exercise any right under this Order compulsorily to acquire an interest in any land which is Crown land which is for the time being held otherwise than by or on behalf of the Crown without the consent in writing of the appropriate Crown authority.

(2) Consent under paragraph (1) of this article may be given unconditionally or subject to such terms or conditions as are considered necessary or appropriate and is deemed to have been given in writing where it is sent electronically.

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**Status:** This is the original version (as it was originally made).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

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## **Minerals**

**56.** Nothing in this Order affects the rights of any person entitled to any mine or minerals of any description whatsoever under a street or other land in, on, or adjacent to which the authorised works are constructed to work the mine or get the minerals but this does not affect any liability (whether civil or criminal) of the person so entitled in respect of any damage to the authorised works resulting from the exercise of any such rights.