
STATUTORY INSTRUMENTS

2015 No. 1390

The Poole Harbour (Works) Revision Order 2015

PART 3

MISCELLANEOUS AND GENERAL

Crown rights

16.—(1) Nothing in this Order shall-

- (a) prejudicially affect any estate, right, power, privilege, authority or exemption of the Crown; or
- (b) authorise the Commissioners to take, use, enter upon or in any manner interfere with, any land, hereditaments or rights of whatever description (including any part of the shore or bed of the sea or any river, channel, creek, bay or estuary) belonging to-
 - (i) Her Majesty in right of the Crown and under the management of the Crown Estate Commissioners, without the consent in writing of those Commissioners; or
 - (ii) 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)(b) may be given unconditionally or may be subject to such conditions and upon such terms as may be considered necessary or appropriate.

Saving for Trinity House

17. Nothing in this Order shall prejudice or derogate from any of the rights, duties or privileges of Trinity House.

For the protection of the Environment Agency

18. Nothing in this Order or in any enactment applied by this Order shall prejudice or affect the operation of section 109 of the Water Resources Act 1991(1) or any byelaw made under that Act or the Land Drainage Act 1991(2), in relation to anything done under or in pursuance of this Order.

Disapplication of regulation 73 of the Conservation of Habitats and Species Regulations 2010

19.—(1) Regulation 73 of the Conservation of Habitats and Species Regulations 2010(3) [“the Habitats Regulations”] shall not apply to any planning permission which relates to the development authorised by this Order and which is granted by article 3(1) of the Town and Country Planning

(1) 1991 c.57; section 109 was amended by the Environment Act 1995 (c.25), section 120(1) and Schedule 22, paragraph 128, by the Marine and Coastal Access Act 2009 (c.23), section 82 and by S.I. 2013/755, article 4(1) and Schedule 2 Part 1, paragraphs 264 and 274(b).

(2) 1991 c.59.

(3) S.I. 2010/490.

Status: This is the original version (as it was originally made).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

(General Permitted Development) Order 1995⁽⁴⁾ for the class of development described as permitted development in Parts 11 and 17 of Schedule 2 to that Order.

- (2) Paragraph (1) does not apply if and to the extent that the works-
- (a) do not form part of the plan or project which was subject to an appropriate assessment in accordance with regulation 61 of the Habitats Regulations in connection with the making of this Order; and
 - (b) are not subject a further consent, permission or authorisation by a competent authority as defined in the Habitats Regulations.

(4) S.I. 1995/418..