
STATUTORY INSTRUMENTS

2011 No. 3032

**The Portsmouth (Continental Ferry Port Berth
2 Extension) Harbour Revision Order 2011**

PART 3

MISCELLANEOUS AND GENERAL

Crown rights

21.—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and, in particular, nothing in this Order authorises the City Council (or other person acting on their behalf) to take, use, enter upon or in any manner interfere with, any land, hereditaments, or rights of whatsoever description (including any part of the shore or bed of the sea or any river, channel, creek, bay or estuary) –

- (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 the conditions and terms considered necessary.

Saving rights of Queen’s Harbour Master

22. Nothing in this Order shall take away, alter, prejudice or affect the jurisdiction or any rights, powers, authorities or privileges of the Queen’s Harbour Master.

Saving rights of Trinity House

23. Nothing in this order shall prejudice or derogate from any of the rights or privileges of Trinity House.

Inquiries by Secretary of State

24. The Secretary of State may cause such inquiries to be held as he may consider necessary for the purposes of the exercise of any of his powers or duties under this Order, and subsections (2) to (5) inclusive of section 250 of the Local Government Act 1972(1) shall apply to any such inquiry as if it were a local inquiry held in pursuance of subsection (1) of that section.

(1) 1972 c.70; section 250 was amended in subsection (2) by the Statute Law (Repeals) Act 1989 (c.43), section 1(1) and Schedule 1, Part IV, in subsection (3) by the Criminal Justice Act 1982 (c.48), sections 38 and 46 and in subsection (4) by the Housing and Planning Act 1986 (c.63), section 49(2) and Schedule 12, Part III.