
STATUTORY INSTRUMENTS

2017 No. 1329

The Boston Barrier Order 2017

PART 6

PROTECTIVE PROVISIONS

Statutory undertakers, etc.

53. Schedule 6 (statutory undertakers, etc.) has effect.

Commencement Information

I1 Art. 53 in force at 2.1.2018, see [art. 1](#)

Protective Provisions

54. Schedule 7 (protection for electricity, gas, water and sewerage undertakers) and Schedule 8 (protection of Port of Boston) have effect.

Commencement Information

I2 Art. 54 in force at 2.1.2018, see [art. 1](#)

Saving for Trinity House

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

Commencement Information

I3 Art. 55 in force at 2.1.2018, see [art. 1](#)

Crown rights

56.—(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 to take, use, enter upon or in any manner interfere with any land or hereditament or any rights of any 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 the Crown and forming part of the Crown Estate without the consent in writing of the Crown Estate Commissioners;

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- (b) 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
 - (c) 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) Consent under this article may be given unconditionally or subject to such terms or conditions as are considered necessary or appropriate.

Commencement Information

I4 Art. 56 in force at 2.1.2018, see [art. 1](#)

Minerals

57. 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.

Commencement Information

I5 Art. 57 in force at 2.1.2018, see [art. 1](#)

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Order excluded in part by [S.I. 2023/778 art. 41](#)