
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 156

**The Lochboisdale and Gasay Port
(Harbour Empowerment) Order 2016**

PART 5

MISCELLANEOUS

Requirements of reasonable notice

30. Where any claim, loss or demand is made by the Inner Harbour Authority under any provision of this Order, the Inner Harbour Authority shall give the Company reasonable notice of any such claim, loss, or demand and no settlement or compromise of any such loss, claim or demand shall be made by the Inner Harbour Authority without the prior consent of the Company, which consent must not be unreasonably withheld.

Saving for Commissioners of Northern Lighthouses

31. Nothing in this Order shall prejudice or derogate from any of the rights, duties or privileges of the Commissioners of Northern Lighthouses.

Crown rights

32.—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular and without prejudice to the generality of the foregoing, nothing in this Order authorises the Company to take, use, enter upon or in any manner interfere with, any land or interest in land (including any portion of the shore or bed of the sea or of any river, channel, creek, bay or estuary) or any rights of whatsoever description—

- (a) belonging to Her Majesty in right of the Crown and under the management of the Crown Estate Commissioners, without the consent in writing of those Commissioners;
- (b) belonging to Her Majesty in right of the Crown and not under the management of the Crown Estate, without the consent in writing of the Government Department having 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) A consent under paragraph (1) may be given unconditionally, or subject to terms and conditions, and shall be deemed to have been given in writing where it is sent electronically.

Saving for other consents

33. The carrying out of any works or operations pursuant to this Order is subject to the Company obtaining any consent, permission or licence required under any other enactment.