



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART IX

MISCELLANEOUS AND GENERAL

The seashore etc.

123 Interpretation of sections 120 to 122

(1) In sections 120 to 122 of this Act—

" adjacent waters " means—

- (a) waters within a distance from low water mark of ordinary spring tides not exceeding 1,000 metres ; or
- (b) where the width of the waters separating the area of one district council from that of another is less than 2,000 metres, measured by the shortest distance between the respective such low water marks in these areas, the waters within the median line between those respective low water marks ;

" inland waters " means any inland loch or non-tidal river, or lake or reservoir whether natural or artificial, and includes the bed and the shores or banks thereof;

" proprietorial interest" means the interest of a proprietor or lessee;

" seashore " means the shore of the sea, that is to say, the land between the low water mark and the high water mark of ordinary spring tides and every cliff, bank, barrier, dune, beach, flat, esplanade or other land above the said high water mark adjacent to the shore, and to which the public have right of access;

" statutory undertakers " has the meaning assigned to it by section 275 of the Town and Country Planning (Scotland) Act 1972, except that it also includes the Post Office, the National Coal Board and British Telecommunications.

(2) Sections 120 to 122 of this Act and this section shall apply to Crown land, that is to say, land an interest in which belongs to Her Majesty in right of the Crown or belongs

Status: This is the original version (as it was originally enacted).

to a government department or is held in trust for Her Majesty for the purposes of a government department and, for the purposes of giving or withholding consent under these sections in relation to such land, the appropriate authority shall be—

- (a) in relation to land an interest in which belongs to Her Majesty in right of the Crown and is within the administration of the Crown Estate Commissioners, these Commissioners;
- (b) in relation to land an interest in which belongs to a government department or is held in trust for Her Majesty for the purposes of a government department, that department;

and, if any question arises as to the authority which is the appropriate authority in relation to any Crown land, the question shall be determined by the Treasury.