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STATUTORY INSTRUMENTS

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**2022 No. 299**

**The Bridgwater Tidal Barrier Order 2022**

**PART 7**

**MISCELLANEOUS AND GENERAL**

**Local legislation**

**65.**—(1) The following do not apply to the extent that they are inconsistent with a provision of, or a power conferred by, this Order—

- (a) any provision of the local enactments specified in Part 1 (local enactments) of Schedule 12 (local legislation);
- (b) any byelaws or other provisions made under any of those enactments;
- (c) the local byelaws specified in Part 2 (byelaws) of that Schedule.

(2) For the purpose of paragraph (1) a provision is inconsistent with the exercise of a power conferred by this Order if and to the extent that (in particular)—

- (a) it would make it an offence to take action, or not to take action, in pursuance of a power conferred by this Order,
- (b) action taken in pursuance of a power conferred by this Order would cause the provision to apply so as to enable a person to require the taking of remedial or other action or so as to enable remedial or other action to be taken, or
- (c) action taken in pursuance of a power or duty under the provisions would or might interfere with the exercise of any work authorised by this Order.

(3) Where any person notifies the Agency in writing that anything done or proposed to be done by the Agency by virtue of this Order would amount to a contravention of a statutory provision of local application, the Agency must as soon as reasonably practicable, and, at any rate within 14 days of receipt of the notice, respond in writing setting out—

- (a) whether the Agency agrees that the action taken or proposed to does or would contravene the provision of local application,
- (b) if the Agency does agree, the grounds (if any) on which the Agency believes that the provision is excluded by this article, and
- (c) the extent of that exclusion.