
STATUTORY INSTRUMENTS

2023 No. 680

The Portreath, Portscatho and Portwrinkle
Harbour Empowerment Order 2023

PART 3

SAVINGS

Crown Rights

6.—(1) Nothing in this Order shall—

- (a) prejudicially affect any estate, right, power, privilege, authority or exemption of the Crown;
- (b) authorise the Council or any licensee to take, use, enter upon or in any manner interfere with any land or interests in land or any rights of whatsoever description (including any part of the shore or bed of the sea or any river, channel, creek, bay or estuary) belonging to—
 - (i) His Majesty in right of the Crown and under the management of the Crown Estate Commissioners, without the consent in writing of the Crown Estate Commissioners,
 - (ii) the Duchy of Cornwall or enjoyed by the possessor for the time being of the Duchy of Cornwall, without the prior consent of the Duke of Cornwall testified in writing under the seal of the said Duchy or, the consent in writing of two or more of such of the regular officers of the said Duchy or other such persons as may be authorised under section 39 of the Duchy of Cornwall Management Act 1863⁽¹⁾ (proviso for exercise of powers when the Duchy of Cornwall is vested in the Crown),
 - (iii) a government department, or held in trust for His Majesty for the purposes of a government department, without the consent in writing of that government department.

(2) A consent under paragraph 1(b) may be given unconditionally or subject to such conditions and upon such terms as may be considered necessary or appropriate.