STATUTORY INSTRUMENTS

2015 No. 523

COAST PROTECTION, ENGLAND

The Coast Protection (Variation of Excluded Waters) (England) Regulations 2015

Made - - - -	*3rd March 2015*
Laid before Parliament	*6th March 2015*
Coming into force - -	*6th April 2015*

The Secretary of State makes the following Regulations in exercise of the powers conferred by paragraph 113 of the Fourth Schedule to the Coast Protection Act 1949(**1**) and now vested in her(**2**).

Title and commencement

1. These Regulations may be cited as the Coast Protection (Variation of Excluded Waters) (England) Regulations 2015 and come into force on 6th April 2015.

Variation of the Fourth Schedule to the Coast Protection Act 1949

2.—(1) The Fourth Schedule to the Coast Protection Act 1949 ("the Act") is varied as provided in this regulation.

(2) For paragraph 7(**3**) (which, for the purposes of Part 1 of the Act, excludes from the definition of "sea" and "seashore" the River Wear above a line drawn from the south-eastern corner of the pilot lookout station situated on the old North Pier to the north-western corner of the seaward face of the old South Pier) there is substituted the following paragraph—

> "**7.** The River Wear, above a line drawn from the junction of Marine Walk and the old North Pier at Ordnance Survey national grid reference point NZ4098258342 to the north-western corner of the old South Pier at Ordnance Survey national grid reference point NZ4104058242.".

(**1**) 1949 c. 74. See section 49(1) for the definition of "Minister". See section 49(1) and (2) for the meaning of "sea" and "seashore". The definitions of "sea" and "seashore" in section 49(1) were amended by the Merchant Shipping Act 1988 (c.12), section 36(1) and (7)(a) and the Marine and Coastal Access Act 2009 (c. 23), section 112(1) and Schedule 8, Part 1, paragraph 1(1) and (3).

(**2**) The powers originally vested in the Minister of Health are now vested in the Secretary of State by virtue of S.I. 1951/142, 1951/1900, 1970/1681, 1985/442 and 2002/794.

(**3**) Paragraph 7 was substituted by S.I. 1983/1503.

(3) For paragraph 9(**4**) (which, for the purposes of Part 1 of the Act, excludes from the definition of "sea" and "seashore" the River Esk (Yorkshire) above a line drawn from the southern edge of Tate Hill Pier to the southern edge of Scotch Head at Whitby) there is substituted the following paragraph—

"**9.** The River Esk (Yorkshire) above a line drawn from the southern edge of Tate Hill Pier to the southern edge of Scotch Head at Whitby.".

(4) For paragraph 17a(**5**) (which, for the purposes of Part 1 of the Act, excludes from the definition of "sea" and "seashore" the Brightlingsea Creek, above a line drawn between St. Osyth Point and the shoreward end of the ferry landing stage) there is substituted the following paragraph—

"**17A.** The Brightlingsea Creek, above a line drawn between St. Osyth Point and the shoreward end of the ferry landing stage.".

(5) For paragraph 18(**6**) (which, for the purposes of Part 1 of the Act, excludes from the definition of "sea" and "seashore" the River Colne, above a line drawn between Viaduct Sluice, to the west of Bateman's Tower, and Mersea Stone) there is substituted the following paragraph—

"**18.** The River Colne, above a line drawn between Viaduct Sluice, to the west of Bateman's Tower, and Mersea Stone.".

(6) For paragraph 21(**7**) (which, for the purposes of Part 1 of the Act, excludes from the definition of "sea" and "seashore" the River Thames, above a line drawn from the westernmost point of Dagnam Saltings in the parish of Allhallows in the County of Kent, to Canvey Point, and thence to the westernmost point of the boundary of the County Borough of Southend, and the whole of the waters of Yantlet Creek) there is substituted the following paragraph—

"**21.** The River Thames, above a line drawn from the westernmost point of Dagnam Saltings in the parish of Allhallows in the County of Kent, to Canvey Point, and then to the westernmost point of the boundary of the Borough of Southend-on-Sea, and the whole of the waters of Yantlet Creek.".

(7) For paragraphs 30, 31 and 32(**8**) (which, for the purposes of Part 1 of the Act, excludes from the definition of "sea" and "seashore" parts of Chichester, Langstone and Portsmouth Harbours) there are substituted the following paragraphs—

"**30.** Chichester Harbour, above the Chichester to Southampton railway line.

31. Langstone Harbour, above the Chichester to Southampton railway line.

32. Portsmouth Harbour, above the Chichester to Southampton railway line.".

(8) For paragraph 33(**9**) (which, for the purposes of Part 1 of the Act, excludes from the definition of "sea" and "seashore" most of Southampton Water) there are substituted the following paragraphs —

"**33.** The Rivers Test and Blackwater above the railway bridge at Totton.

33A. Bartley Water, above the toll bridge at Eling.

33B. The River Itchen, above the weir at Woodmill.

33C. The River Hamble, above the railway bridge, northeast of Bursledon.".

(**4**) Paragraph 9 was substituted by S.I. 1997/2675.
(**5**) Paragraph 17a was substituted by S.I. 1958/2146.
(**6**) Paragraph 18 was substituted by S.I. 1958/2146.
(**7**) Paragraph 21 was substituted by S.I. 1965/204.
(**8**) Paragraphs 30, 31 and 32 were substituted by S.I. 1992/1549.
(**9**) Paragraph 33 was substituted by S.I. 1993/1149.