STATUTORY INSTRUMENTS

1985 No. 1473

HARBOURS, DOCKS, PIERS AND FERRIES

The Brightlingsea Harbour Revision Order 1985

Made - - - 16*th September* 1985

Coming into Operation 28*th October* 1985

The Secretary of State for Transport, in exercise of the powers conferred by section 14 of the Harbours Act 1964(**a**) and now vested in him(**b**) and of all other powers enabling him in that behalf, and on the application of the Brightlingsea Harbour Commissioners, hereby makes the following Order:—

Citation and commencement

1.—(1) This Order may be cited as the Brightlingsea Harbour Revision Order 1985 and shall come into operation on 28th October 1985.

(2) The Brightlingsea Harbour Orders 1927 to 1981 and this Order may be cited together as the Brightlingsea Harbour Orders 1927 to 1985.

Interpretation

2. In this Order:—

"the Commissioners" means the Brightlingsea Harbour Commissioners;

"the Order of 1927" means the Brightlingsea Harbour Order 1927(**c**).

New harbour limits

3.—(1) For section 13 (Limits of harbour) of the Order of 1927 there shall be substituted the following section:—

"Limits of harbour.

13.—(1) The limits within the Commissioners shall have and may exercise the powers of a harbour authority and within which the powers of the harbour master may be exercised shall be the limits of the area coloured blue on the map deposited in accordance with subsection (2) below.

(2) A map showing the area described in subsection (1) above having been signed in triplicate by an Assistant Secretary to the Department of Transport and two copies thereof having been deposited at the offices of the Department of Transport, the remaining copy thereof shall be deposited at the offices of the Commissioners.".

(**a**) 1964 c.40; section 14 and Schedule 3 were amended by the Transport Act 1981 (c.56), section 18 and Schedule 6, paragraphs 2 to 4.
(**b**) S.I. 1981/238.
(**c**) *See* 1927 c.xlii.

(2) The byelaws made by the Commissioners on 25th July 1973 and confirmed by the Secretary of State on 22nd October 1973, which immediately before the coming into operation of this Order applied with respect to the limits within which the Commissioners then had authority, shall until revoked apply with respect to the limits prescribed by section 13 (Limits of harbour) of the Order of 1927 as re-enacted by paragraph (1) of this article and the definition of "the Harbour" in the said byelaws shall be construed accordingly.

Costs of Order

4. All costs, charges and expenses of, or in connection with, the preparation, submission and making of this Order (other than costs, charges and expenses which any person is lawfully ordered to pay by the Secretary of State or a joint committee of both Houses of Parliament or any costs, charges and expenses incurred in opposing the Order) shall be paid by the Brightlingsea Harbour Commissioners and may in whole or in part be defrayed out of revenue.

Signed by authority of
The Secretary of State

16th September 1985.

G. R. Sunderland,
An Under Secretary in the Department of Transport.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order substitutes new limits of jurisdiction for the existing limits of Brightlingsea Harbour, to include, in particular, the main channels below mean high water of Brightlingsea Creek, Flag Creek, Thorrington Creek and part of St. Osyth Creek.

Printed in the UK for HMSO by Burrup Mathieson & Co., Ltd.
850 BM374616 0100 C8 9/85

40p net

ISBN 0 11 057473 7