EXECUTIVE NOTE

THE LOCH RYAN PORT (HARBOUR EMPOWERMENT) ORDER 2009

1. The above instrument was made in exercise of the powers conferred by section 16 of the Harbours Act 1964 ("the 1964 Act") and is subject to affirmative resolution procedure.

Policy Objectives

2. The purpose of this Order is to enable the construction, operation and maintenance of a new harbour on Loch Ryan, and to confer on Stena Line Ports (Loch Ryan) Limited the powers of a statutory harbour authority within the limits of jurisdiction set out in the Order.

3. The importance of this project has been recognised in The National Planning Framework 2 published in June 2009 which recognises fourteen projects as being of national significance, among them port developments on Loch Ryan. That designation encompasses the construction of the new port, as provided within this Order, which is intended to replace the existing facility at Stranraer and offer increased freight capacity, reduced journey times and new opportunities for tourism at a recognised international gateway between Scotland and Northern Ireland,

4. The works provisions contained in the Order specify the infrastructure considered necessary for the operation of a modern port serving as a ferry terminal for an essential economic link between Scotland and Northern Ireland and provide for the future maintenance of that infrastructure and the navigation channels to keep the port access operational. Further provisions require the company to provide and maintain navigation lights as agreed with the Northern Lighthouse Board.

5. The Order empowers the company to regulate and operate the harbour within stated limits of jurisdiction, by way of byelaws and directions to vessels, and to levy charges for services performed in the exercise of its statutory powers and duties. These provisions serve to provide the new authority with the necessary powers and obligations to operate and manage the port..

Consultation

6. Public consultation was undertaken on the draft Order and Environmental Statement as specified within schedule 3 of the 1964 Act. Four objections were received and subsequently withdrawn. Following the provision of additional Environmental Information this was also subject to a further public consultation and no representations were received.

Financial Effects

7. There are no financial effects on the Scottish Government from this Order. No Regulatory Impact Assessment has therefore been carried out in respect of this Order

Aviation, Ports, Freight and Canals Division
Transport Directorate
Scottish Government
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