STATUTORY INSTRUMENTS

2015 No. 1656

HARBOURS, DOCKS, PIERS AND FERRIES

The Harbour Directions (Designation of Harbour Authorities) (No. 2) Order 2015

Made - - - -	*7th September 2015*
Laid before Parliament	*9th September 2015*
Coming into force - -	*1st October 2015*

The Secretary of State, in exercise of the powers conferred by section 40A(4)(b) of the Harbours Act 1964(**a**), makes the following Order.

Citation and commencement

1.—(1) This Order may be cited as the Harbour Directions (Designation of Harbour Authorities) (No. 2) Order 2015.

(2) This Order comes into force on 1st October 2015.

Designation

2. The harbour authority for each harbour described in the Schedule is a designated harbour authority for the purpose of harbour directions.

Signed by authority of the Secretary of State for Transport

Robert Goodwill
Parliamentary Under Secretary of State
Department for Transport

7th September 2015

(**a**) 1964 c.40. Section 40A was inserted by the Marine Navigation Act 2013 c.23, section 5(1).

SCHEDULE

Article 2

1. Barry Harbour, being the harbour the limits of which —

(a) are defined in section 14(2) (extension of limits of Barry harbour etc.) of the British Transport Docks Act 1972(**a**); but

(b) are subject to the restrictions contained in section 14(7) and (8).

2. Cardiff Harbour, being the harbour which—

(a) lies within the limits as described in section 15(2) (extension of limits of Cardiff harbour etc.) of the British Transport Docks Act 1972, subject to the limitations on the dockmaster's authority described in section 30 (extension of limits of dockmaster's authority) of the Bute Docks Act 1894(**b**) and the limitations on the Board's authority in section 15(6) and (7) of the British Transport Docks Act 1972 Acts; but

(b) excludes the inland bay as defined in section 1(6) (construction of barrage etc. and other works) of the Cardiff Bay Barrage Act 1993(**c**) and the outer harbour as defined in section 33(1) (interpretation) of that Act.

3. Fleetwood harbour, being the harbour the limits of which are—

(a) defined in section 20 (defining the limits of the harbour) of the Act to amend the several Acts relating to the Preston and Wyre Railway and Harbour Company, and the Preston and Wyre Dock Company, and to consolidate the said Companies 1839(**d**);

(b) extended by section 49 (limits of harbour of Fleetwood) of the Lancashire and Yorkshire Railway Act 1894(**e**);

(c) extended by section 11 (extension of limits of dock master's jurisdiction) of the London Midland and Scottish Railway Act 1931(**f**);

(d) extended by section 13 (limits of jurisdiction of Board's dock and harbour master at Fleetwood) of the British Transport Docks Act 1973(**g**);

(e) extended by section 10 (limits of jurisdiction of Board's dock and harbour master at Fleetwood) of the British Transport Docks Act 1974(**h**) as modified by section 5 (work No.1 to form part of work No.2 of Act of 1974) of the British Transport Docks Act 1976(**i**); and

(f) extended by section 12 (limits of jurisdiction of A.B.Ports' dock and harbour master at Fleetwood) of the Associated British Ports Act 1983(**j**).

4. Goole harbour, being the harbour within the limits described in section 56 (limits of authority of harbour-master) of the Ouse (Lower) Improvement Act 1884(**k**).

(**a**) 1972 c.xxxvii.
(**b**) 1894 c.cliv.
(**c**) 1993 c.42.
(**d**) 1839 c.liv. This Act does not have a short title.
(**e**) 1894 c.cxlviii.
(**f**) 1931 c.xlix.
(**g**) 1973 c.xiii.
(**h**) 1974 c.xxii.
(**i**) 1976 c.xvii.
(**j**) 1983 c.viii.
(**k**) 1884 c.clxi.

5. The harbour of Grimsby Docks, being the harbour within—

(a) the limits prescribed by section 241 (prescribed distance within which powers of dock master to extend) of the Manchester, Sheffield and Lincolnshire Railway Act 1849(**a**) as extended by section 7 (extension of limit of dockmaster's authority at Grimsby Docks) of the Manchester, Sheffield and Lincolnshire Act 1887(**b**);

(b) the limits prescribed by section 23 (limits of harbour master's authority) of the Great Central Railway (Grimsby Fish Dock) Act 1912(**c**);

(c) the limits prescribed by section 33 (limits of dockmaster's authority) of the Grimsby Corporation (Dock etc.) Act 1929(**d**); and

(d) the limits described in article 9 (limits of jurisdiction of dock master) of the Associated British Ports (Grimsby Riverside Ro-Ro Terminal) Harbour Revision Order 2011(**e**).

6. The port of Immingham, being the harbour comprising—

(a) the area within the limits described in, and subject to the limitation in, section 47 (extension of limits of dock) of the Humber Commercial Railway and Dock Act 1904(**f**)

(b) area within the limits described in section 23 (limits of dockmaster's jurisdiction) of the British Transport Commission Act 1961(**g**);

(c) the area within the limits described in section 27(1) (limits of dock master's jurisdiction at Immingham and King's Lynn harbours) of the British Transport Docks Act 1964(**h**) in relation to Work.No.6 (Jetty at Immingham) authorised by section 14(1) (power to make works) of that Act but subject to the constraints set out in section 27(2) of that Act;

(d) the area within the limits described in article 19(1) (limits of dock master's jurisdiction), and subject to the limitation in article 19(2), of the Immingham Dock Revision Order 1966(**i**);

(e) the area within the limits described in article 21(1) (limits of N.C.B. harbour master's jurisdiction), and subject to the limitation in article 21(2), of the South Killingholme Jetty Empowerment Order 1968(**j**);

(f) the area within the limits described in section 13 (limits of Board's dock master's jurisdiction at Immingham) of the British Transport Docks Act 1971(**k**);

(g) the area within the limits described in section 11 (limits of jurisdiction of A.B.Ports' dock master at Immingham) of the Associated British Ports Act 1983(**l**) subject to the limitation in that section;

(h) the area within the limits described in section 10 (limits of jurisdiction at Immingham) of the Associated British Ports Act 1990(**m**) subject to the limitation in that section;

(i) the area within the limits of jurisdiction described in article 15 (limits of jurisdiction of Dock Master) of the Associated British Ports (Immingham Outer Harbour) Harbour Revision Order 2004(**n**); and

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(**a**) 1849 c.lxxxi.
(**b**) 1887 c.xvii.
(**c**) 1912 c.clxv.
(**d**) 1929 c.lxxxiv.
(**e**) S.I.2011/950.
(**f**) 1904 c.lxxxv.
(**g**) 1961 c.xxxvi.
(**h**) 1964 c.xxxviii.
(**i**) S.I. 1966/1430.
(**j**) S.I. 1968/986.
(**k**) 1971 c.lix.
(**l**) 1983 c.viii.
(**m**) 1990 c.xxi.
(**n**) S.I. 2004/2190.

(j) the area within the limits of jurisdiction described in, and subject to the proviso in, article 9 (limits of jurisdiction of dock master) of the Associated British Ports (Immingham Gas Jetty) Harbour Revision Order 2007(**a**).

7. King's Lynn harbour, being the harbour within—

(a) the limits described in article 9(1) (limits) of the King's Lynn Docks and Railway (Quay) Order 1930 confirmed by the Pier and Harbour Orders Confirmation (No.2) Act 1930(**b**);

(b) the limits described in section 27(1) (limits of dockmaster's jurisdiction at Immingham and King's Lynn harbours) of the British Transport Docks Act 1964(**c**) in relation to Work No.7 authorised by section 14(1) (power to make works) of that Act but subject to the constraints set out in section 27(2) of that Act; and

(c) the limits described in section 11(limits of jurisdiction at King's Lynn) of the Associated British Ports Act 1990(**d**) in relation to Work No.4 authorised by section 8(1) of that Act.

8. Lowestoft harbour, being the harbour comprising —

(a) the works at Lowestoft authorised by section 2 (purposes of the Act) of the Act for making and maintaining a navigable Communication for Ships and other Vessels between the City of Norwich and the Sea, at or near Lowestoft in the County of Suffolk Act 1827(**e**);

(b) the works authorised by section 16 (power to improve harbour) of the Lowestoft Railway and Harbour Act 1845(**f**);

(c) the works authorised by section 2 (power to construct works) of the Norfolk Railway (Lowestoft Harbour Improvement) Act 1854(**g**);

(d) the harbour described in section 12 (application of Harbours, Docks, and Piers Clauses Act 1847) of the Great Eastern Railway (Capital etc.) Act 1865(**h**);

(e) work F described in section 7 (description of improvements of railways) of the Great Eastern Railway Act 1877(**i**);

(f) work E described in section 8 (description of improvement of railways) of the Great Eastern Railway (General Powers) Act 1878(**j**);

(g) the works described in section 19 (extension of trawl basin etc. at Lowestoft to form part of existing harbour) of the Great Eastern Railway (General Powers) Act 1893(**k**);

(h) the works and area described in section 7 (new works at Lowestoft to form part of existing trawl basin etc.) of the Great Eastern railway (Lowestoft Harbour) Act 1897(**l**);

(i) the area within the limits described in article 6 (limits) of the Lowestoft (South Pier) Order 1900 which was scheduled to and confirmed by the Pier and Harbour Orders Confirmation (No.1) Act 1900(**m**);

(j) the enlarged Herring Basin described in section 17 (enlargement and extension of basin at Lowestoft to form part of existing basin) of the Great Eastern Railway Act 1902(**n**);

(k) the widened pier described in section 15 (pier widening to form part of existing pier etc.) of the Great Eastern Railway Act 1912(**o**); and

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(**a**) S.I. 2007/1803.
(**b**) 1930 c.cxlii.
(**c**) 1964 c.xxxviii.
(**d**) 1990 c.xxi.
(**e**) 1827 c.xlii. This Act does not have a short title.
(**f**) 1845 c.xlv.
(**g**) 1854 cxxx.
(**h**) 1865 c.clxxxiv.
(**i**) 1877 c.lxxxiii.
(**j**) 1878 c.clv.
(**k**) 1893 c.lii.
(**l**) 1897 c.xxxiii.
(**m**) 1900 c.lx.
(**n**) 1902 c.xxii.
(**o**) 1912 c.xxxvii.

(l) the area within the limits described in section 20 (limits of harbour master's jurisdiction at Lowestoft) of the British Transport Docks Act 1966(**a**).

9. The harbour and port of Manchester as constituted by section 3 (harbour and port of Manchester) of the Manchester Ship Canal Act 1885(**b**) and extended by section 9 (extending limits of harbour and port of Manchester) of the Manchester Ship Canal Act 1911(**c**) and by section 16 (new works to form part of undertaking etc.) of the Manchester Ship Canal Act 1949(**d**).

10. The Plymouth (Millbay) Docks being the Docks as defined in section 3 (interpretation of Act) of the Plymouth Great Western Dock Act 1846(**e**) and marked in accordance with section 32 (company to erect such marks to define their limits as shall be approved by the Admiralty) of that Act.

11. Port Talbot harbour, being the harbour within the limits described in section 23 (extending limits of Harbour) of the Port Talbot Railway and Docks Act 1899(**f**) and extended by section 19 (extension of dock and harbour master's jurisdiction and of limits of harbour) of the British Transport Docks Act 1971(**g**).

12. Runcorn Docks comprising Francis Dock, Alfred Dock and Fenton Dock at Runcorn constructed under authority of the Bridgwater Act 1759(**h**) and the Bridgwater Act 1766(**i**) and forming part of the Bridgewater undertaking acquired by the Manchester Ship Canal Company under the provisions of Part 3 of the Manchester Ship Canal Act 1885.

13. Silloth Harbour, being the harbour within the limits described in section 41 (limits within which the harbour master may exercise his authority) of the Carlisle and Silloth Bay Railway and Dock Act 1855(**j**) together with the extension authorised by section 23 (power to make dock etc.) of the North British Railway (Amalgamations etc.) Act 1880(**k**).

14. Swansea harbour, being the harbour within the limits described in and extended by section 15(2) (extension of limits of Swansea harbour etc. and power to dredge) of the British Transport Docks Act 1978(**l**).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the harbour authorities for the harbours described in the Schedule as authorities which may give harbour directions in respect of ships in accordance with sections 40A to 40D of the Harbours Act 1964 (c.40).

The harbours are:

those of Peel Ports at Manchester (including the Manchester Ship Canal) and Runcorn; and

those of Associated British Ports at Barry, Cardiff, Fleetwood, Goole, Grimsby, Immingham, King's Lynn, Lowestoft, Plymouth (Millbay), Port Talbot, Silloth and Swansea.

(**a**) 1966 c.xxxi.
(**b**) 1885 c.clxxxviii.
(**c**) 1911 c.lvi.
(**d**) 1949 c.xxxvi.
(**e**) 1846 c.ccclxxxiii.
(**f**) 1899 c.cxcix.
(**g**) 1971 c.lix.
(**h**) 1759 c.2.
(**i**) 1766 c.96.
(**j**) 1855 c.cliii.
(**k**) 1880 c.clxvii.
(**l**) 1978 c.xiv.

The harbour directions which may be given by designated harbour authorities for the regulation of ships within their harbours relate to their movement, mooring, equipment and manning.

A full impact assessment of the effect this instrument will have on the costs of business and the voluntary sector is published with the Explanatory Memorandum alongside this instrument on www.legislation.gov.uk.

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