STATUTORY INSTRUMENTS

2026 No. 404

HARBOURS, DOCKS, PIERS AND FERRIES

The Ports of Fleetwood and Silloth (Transfer of Undertaking) Harbour Revision Order 2026

Made - - - -	*13th April 2026*
Laid before Parliament	*16th April 2026*
Coming into force - -	*7th May 2026*

CONTENTS

PART 1
PRELIMINARY

1. Citation, commencement and extent
2. Interpretation
3. Transfer date

PART 2
THE FLEETWOOD UNDERTAKING

4. Establishment of FJ Ports Fleetwood as harbour authority
5. Transfer of functions, property, etc. in respect of the Fleetwood undertaking
6. The Fleetwood undertaking byelaws etc.
7. Contracts to be binding in respect of the Fleetwood undertaking
8. Proceedings in respect of the Fleetwood undertaking not to abate

PART 3
THE SILLOTH UNDERTAKING

9. Establishment of FJ Ports Silloth as harbour authority
10. Transfer of functions, property, etc. in respect of the Silloth undertaking
11. The Silloth undertaking byelaws etc.
12. Contracts to be binding in respect of the Silloth undertaking
13. Proceedings in respect of the Silloth undertaking not to abate

PART 4
MISCELLANEOUS AND GENERAL

14. Saving for Trinity House

15. Crown Rights

Associated British Ports has applied for a harbour revision order in accordance with section 14(2)(a) of the Harbours Act 1964(**a**) ("the Act").

The Secretary of State, as the appropriate Minister for the purposes of that section, has by an Order(**b**) under section 42A of the Act(**c**) delegated the functions of the appropriate Minister under section 14(**d**) to the Marine Management Organisation(**e**).

The Marine Management Organisation, being satisfied as mentioned in section 14(2)(b), and in exercise of the powers conferred by section 14(1) and (3) of the Act, makes the following Order.

PART 1

PRELIMINARY

Citation, commencement and extent

1.—(1) This Order may be cited as the Ports of Fleetwood and Silloth (Transfer of Undertaking) Harbour Revision Order 2026.

(2) This Order comes into force on 7th May 2026.

(3) This Order extends to England and Wales.

Interpretation

2. In this Order—

"the 1855 Act" means the Carlisle and Silloth Bay Railway and Dock Act 1855(**f**);

"the 1880 Act" means the North British Railway (Amalgamations, &c.) Act 1880(**g**);

"the 1964 Act" means the Harbours Act 1964;

"A.B. Ports" means Associated British Ports (registered number ZC000195), whose registered office is at 25 Bedford Street, London WC2E 9ES;

"FJ Ports Fleetwood" means FJ Ports (Fleetwood) Ltd., a company incorporated under the Companies Act 2006(**h**) (registered number 15560248), whose registered office is at Unit 11 Neptune Court, Hallam Way, Blackpool, Lancashire FY4 5LZ;

"FJ Ports Silloth" means FJ Ports (Silloth) Ltd., a company incorporated under the Companies Act (registered number 15559785) whose registered office is at Unit 11 Neptune Court, Hallam Way, Blackpool, Lancashire FY4 5LZ;

(**a**) 1964 c. 40. Section 14 was amended by the Transport Act 1981 (c. 56), section 18 and Schedule 6, paragraphs 2 to 4(1) and 14 and section 40 and Schedule 12 (Part II), by the Transport and Works Act 1992 (c. 42), section 63(1) and Schedule 3, paragraph 1, by S.I. 2006/1177, regulation 2 and the Schedule (Part 1), by the Planning Act 2008 (c. 29), section 36 and Schedule 2, paragraphs 8 and 9, by S.I. 2009/1941, article 2 and Schedule 1, paragraph 12 and by the Criminal Justice Act 1982 (c. 48), sections 37 and 46. Section 54 (orders and regulations) was amended by the Transport Act 1981 (c. 56), sections 18 and 40 and Schedules 6 and 12 (Part II) and by the Marine and Coastal Access Act 2009 (c. 23), section 315 and Schedule 21, paragraphs 1 and 3(2).

(**b**) S.I. 2010/674.

(**c**) Section 42A was inserted, in relation to England and Wales, by the Marine and Coastal Access Act 2009 (c. 23), section 315 and Schedule 21, paragraphs 1 and 3(1).

(**d**) For the definition of "the Minister", see section 57(1) of the Harbours Act 1964 (c. 40).

(**e**) The Marine Management Organisation was established by section 1 of the Marine and Coastal Access Act 2009 (c. 23). The head office address of the Marine Management Organisation is Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne NE4 7AR.

(**f**) 1855 c. cliii.

(**g**) 1880 c. clxvii.

(**h**) 2006 c. 46.

"the Fleetwood Acts" means the Preston and Wyre Railway and Harbour Act 1835(**a**), the Preston and Wyre Dock Act 1837(**b**), the Preston and Wyre Railway and Harbour and Preston and Wyre Dock Consolidation Act 1839(**c**), the Lancashire and Yorkshire and London and North-western Railways (Preston and Wyre Railway, Harbour and Dock vesting) Act 1849(**d**), the Fleetwood Docks Act 1864(**e**), the Fleetwood Docks Act 1871(**f**), the Lancashire and Yorkshire Railway Act 1894(**g**), the London Midland and Scottish Railway Act 1931(**h**), the British Transport Docks Act 1973(**i**), the British Transport Docks Act 1974(**j**), the British Transport Docks Act 1976(**k**) and the Associated British Ports Act 1983(**l**);

"the Fleetwood undertaking" means the undertaking of A.B. Ports in relation to the Port of Fleetwood;

"the Port of Fleetwood" means the docks and harbour at Fleetwood within the limits which are defined in the enactments set out in paragraph 3 of the Schedule to the Harbour Directions (Designation of Harbour Authorities) (No. 2) Order 2015(**m**);

"the Port of Silloth" means the docks and harbour at Silloth within the limits described in section 41 of the 1855 Act together with the extension authorised by section 23 of the 1880 Act;

"the relevant A.B. Ports websites" means—

(a) https://www.abports.co.uk/locations/fleetwood/; and

(b) https://www.abports.co.uk/locations/silloth/;

"the Silloth Acts" means the 1855 Act and the 1880 Act;

"the Silloth undertaking" means the undertaking of A.B. Ports in relation to the Port of Silloth;

"the transfer date" means the date determined by A.B. Ports in accordance with article 3 (transfer date); and

"Trinity House" means the Corporation of Trinity House of Deptford Strond(**n**).

Transfer date

3.—(1) The transfer date for the purposes of this Order is a date fixed by A.B. Ports in accordance with this article.

(2) The transfer date must be within the period of six months beginning on the start date.

(3) A.B. Ports must publish notice of the transfer date—

(a) in a newspaper circulating in the area of the Port of Fleetwood;

(b) in a newspaper circulating in the area of the Port of Silloth; and

(c) electronically on the relevant A.B. Ports websites.

(4) A.B. Ports must display notice of the transfer date at a place or places accessible to the public at the Port of Fleetwood and at the Port of Silloth.

(5) The date fixed by A.B. Ports to be the transfer date must not be earlier than seven days after the last publication of the notice required to be published under paragraph (3).

(6) In this article "start date" means the later of the day after the day on which—

(**a**) 1835 c. lviii.
(**b**) 1837 c. xxviii
(**c**) 1839 c. liv.
(**d**) 1849 c. lxxiv.
(**e**) 1864 c. clxxxvii.
(**f**) 1871 c. lxx.
(**g**) 1894 c. cxlviii.
(**h**) 1931 c. xlix.
(**i**) 1973 c. xiii.
(**j**) 1974 c. xxii.
(**k**) 1976 c. xvii.
(**l**) 1983 c. viii.
(**m**) S.I. 2015/1656.
(**n**) The corporation of Trinity House, Tower Hill, London EC3N 4DH.

(a) the period for legal challenge in respect of this Order under section 44 of the 1964 Act expires; or

(b) the final determination or withdrawal of any such legal challenge under that section.

PART 2

THE FLEETWOOD UNDERTAKING

Establishment of FJ Ports Fleetwood as harbour authority

4. On the transfer date FJ Ports Fleetwood is established as the harbour authority for the Port of Fleetwood in place of A.B. Ports.

Transfer of functions, property, etc. in respect of the Fleetwood undertaking

5.—(1) On the transfer date all statutory and other powers and duties conferred or imposed on A.B. Ports by any provision of the Fleetwood Acts in force immediately before that date are transferred from A.B. Ports to FJ Ports Fleetwood.

(2) On the transfer date the Fleetwood undertaking as existing immediately before that date, including the lands, works, buildings, machinery, stores and other real and personal property, assets and effects, rights, powers and privileges vested in or enjoyed by A.B. Ports, and all liabilities and obligations to which A.B. Ports is then subject in relation to the undertaking, is transferred to and vested in FJ Ports Fleetwood.

(3) On and after the transfer date any statutory provision of local application and any document has effect in its application to the transferred undertaking as if any reference however worded and whether express or implied—

(a) to A.B. Ports, were construed as a reference to FJ Ports Fleetwood; and

(b) to an officer, employee or servant of A.B. Ports, were construed as a reference to an officer, employee or servant of FJ Ports Fleetwood.

The Fleetwood undertaking byelaws etc.

6. On and after the transfer date a byelaw, regulation, licence or consent made, issued or granted by A.B. Ports in relation to the Fleetwood undertaking and in force immediately before that date continues in force and has effect as if made, issued or granted by FJ Ports Fleetwood.

Contracts to be binding in respect of the Fleetwood undertaking

7. All purchases, sales, conveyances, deeds, contracts and agreements entered into or made by A.B. Ports in relation to the Fleetwood undertaking and in force immediately before the transfer date are, on and after that date, as binding and of as full force and effect in every respect against or in favour of FJ Ports Fleetwood as they have been before the transfer date against or in favour of A.B. Ports and may be enforced as fully and effectively as if in place of A.B. Ports, FJ Ports Fleetwood had been a party to such purchase, sale, conveyance, deed, contract or agreement.

Proceedings in respect of the Fleetwood undertaking not to abate

8. On and after the transfer date all legal and other proceedings begun before that date and relating to any property, rights or liabilities transferred to FJ Ports Fleetwood by this Order may be carried on by or in relation to FJ Ports Fleetwood.

PART 3

THE SILLOTH UNDERTAKING

Establishment of FJ Ports Silloth as harbour authority

9. On the transfer date FJ Ports Silloth is established as the harbour authority for the Port of Silloth in place of A.B. Ports.

Transfer of functions, property, etc. in respect of the Silloth undertaking

10.—(1) On the transfer date all statutory and other powers and duties conferred or imposed on A.B. Ports by any provision of the Silloth Acts in force immediately before that date are transferred from A.B. Ports to FJ Ports Silloth.

(2) On the transfer date the Silloth undertaking as existing immediately before that date, including the lands, works, buildings, machinery, stores and other real and personal property, assets and effects, rights, powers and privileges vested in or enjoyed by A.B. Ports, and all liabilities and obligations to which A.B. Ports is then subject in relation to the undertaking, is transferred to and vested in FJ Ports Silloth.

(3) On and after the transfer date any statutory provision of local application and any document has effect in its application to the transferred undertaking as if any reference however worded and whether express or implied—

(a) to A.B. Ports, were construed as a reference to FJ Ports Silloth; and

(b) to an officer, employee or servant of A.B. Ports, were construed as a reference to an officer, employee or servant of FJ Ports Silloth.

The Silloth undertaking byelaws etc.

11. On and after the transfer date a byelaw, regulation, licence or consent made, issued or granted by A.B. Ports in relation to the Silloth undertaking and in force immediately before that date continues in force and has effect as if made, issued or granted by FJ Ports Silloth.

Contracts to be binding in respect of the Silloth undertaking

12. All purchases, sales, conveyances, deeds, contracts and agreements entered into or made by A.B. Ports in relation to the Silloth undertaking and in force immediately before the transfer date are, on and after that date, as binding and of as full force and effect in every respect against or in favour of FJ Ports Silloth as they have been before the transfer date against or in favour of A.B. Ports and may be enforced as fully and effectively as if in place of A.B. Ports, FJ Ports Silloth had been a party to such purchase, sale, conveyance, deed, contract or agreement.

Proceedings in respect of the Silloth undertaking not to abate

13. On and after the transfer date all legal and other proceedings begun before that date and relating to any property, rights or liabilities transferred to FJ Ports Silloth by this Order may be carried on by or in relation to FJ Ports Silloth.

PART 4

MISCELLANEOUS AND GENERAL

Saving for Trinity House

14. Nothing in this Order prejudices or derogates from the rights, duties or privileges of Trinity House.

Crown Rights

15.—(1) Nothing in this Order—

(a) prejudicially affects any estate, right, power, privilege, authority or exemption of the Crown;

(b) authorises A.B. Ports, FJ Ports Fleetwood or FJ Ports Silloth 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 of 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 those Crown Estate Commissioners,

(ii) 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 sub-paragraph (1)(b) may be given unconditionally or subject to such conditions and upon such terms as may be considered necessary or appropriate.

Signed by the authority of the Marine Management Organisation

Michelle Willis
Chief Strategy Officer
13th April 2026 An authorised employee of the Marine Management Organisation

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made on the application of Associated British Ports ("A.B. Ports").

The primary object of the Order is to establish, in a place of A.B. Ports—

(a) FJ Ports (Fleetwood) Ltd. as the statutory harbour authority for the Port of Fleetwood; and

(b) FJ Ports (Silloth) Ltd. as the statutory harbour authority for the Port of Silloth.

The operative provisions relating to the Port of Fleetwood (articles 4 to 8) are contained in Part 2 of the Order and the operative provisions relating to the Port of Silloth (articles 9 to 13) are contained in Part 3 of the Order.

Article 3 in Part 1 of the Order provides for the date on which the matters provided for under the Order are to have effect ("the transfer date") to be a date fixed by A.B. Ports in accordance with the requirements specified in the article. Those requirements provide that the transfer date must be within six months of the expiry of the period during which any legal challenge to the Order may be made under section 44 of the Harbours Act 1964, or the final determination or withdrawal of any legal challenge made under that section and require publication of a notice in a newspaper circulating in the areas of each of the two ports and electronically on the relevant A.B. Ports websites which are specified in article 2.

Article 4 of the Order establishes, on the transfer date, FJ Ports (Fleetwood) Ltd. as the harbour authority for the Port of Fleetwood in place of A.B. Ports.

Article 5 of the Order transfers to FJ Ports (Fleetwood) Ltd. on the transfer date all statutory and other powers and duties relating to the Port of Fleetwood to FJ Ports (Fleetwood) Ltd. as well as the undertaking of A.B. Ports at Fleetwood which existed immediately before the transfer including all lands, works, buildings and property.

Article 6 provides for any byelaws etc. made in relation to the Port of Fleetwood to continue to have effect as if made by FJ Ports (Fleetwood) Ltd. immediately after it becomes the harbour authority for the Port of Fleetwood.

Article 7 of the Order provides for all contracts etc. entered into by A.B Ports in relation to the Port of Fleetwood immediately before its transfer to FJ Ports (Fleetwood) Ltd. to be binding on and enforceable against FJ Ports (Fleetwood) Ltd. following the Port's transfer.

Article 8 provides for all legal and other proceedings in relation to any property etc. transferred to FJ Ports (Fleetwood) Ltd. under the Order and begun before the transfer to be carried on by that company.

Article 9 of the Order establishes, on the transfer date, FJ Ports (Silloth) Ltd. as the harbour authority for the Port of Silloth in place of A.B. Ports.

Article 10 of the Order transfers to FJ Ports (Silloth) Ltd. all statutory and other powers and duties relating to the Port of Silloth to FJ Ports (Silloth) Ltd. as well as the undertaking of A.B. Ports at Silloth which existed immediately before the transfer including all lands, works, buildings and property.

Article 11 provides for any byelaws etc. made in relation to the Port of Silloth to continue to have effect as if made by FJ Ports (Silloth) Ltd. immediately after it becomes the harbour authority for the Port of Silloth.

Article 12 of the Order provides for all contracts etc. entered into by A.B. Ports in relation to the Port of Silloth immediately before its transfer to FJ Ports (Silloth) Ltd. to be binding on and enforceable against FJ Ports (Silloth) Ltd. following the Port's transfer.

Article 13 provides for all legal and other proceedings in relation to any property etc. transferred to FJ Ports (Silloth) Ltd. under the Order and begun before the transfer to be carried on by that company.

The Order also provides a saving for Trinity House (article 14) and Crown Rights (article 15).

An impact assessment has not been prepared for this Order as there is no, or no significant, impact predicated on businesses, charities, voluntary bodies or the public sector.

An Explanatory Memorandum is available alongside the instrument on the UK legislation website, www.legislation.gov.uk.

© Crown copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

£8.90

http://www.legislation.gov.uk/id/uksi/2026/404

ISBN 978-0-34-828229-0

