STATUTORY INSTRUMENTS

2016 No. 75

HARBOURS, DOCKS, PIERS AND FERRIES

The Mostyn Docks Harbour Revision Order 2016

Made - - - -	*22nd January 2016*
Coming into force - -	*1st March 2016*

Mostyn Docks Limited has applied for a harbour revision order under section 14 of the Harbours Act 1964(**1**).

The Secretary of State, who is the appropriate Minister(**2**) for the purposes of section 14 and is satisfied as mentioned in section 14(2), in exercise of the powers conferred by that section and now vested in the Secretary of State(**3**) and in accordance with section 7(5) of the Pilotage Act 1987(**4**), makes the following Order.

Citation and commencement

1.—(1) This Order may be cited as the Mostyn Docks Harbour Revision Order 2016 and comes into force on 1st March 2016.

(2) The Mostyn Docks Harbour Empowerment Order 1988(**5**) ("the 1988 Order"), the Mostyn Docks (Pilotage) Harbour Revision Order 1989(**6**) ("the 1989 Order") and this Order may be cited together as the Mostyn Docks Orders 1988 to 2016.

Interpretation

2.—(1) In this Order—

"added area" means the area described in sub-paragraphs (a) and (b) of article 3(1);

"Company" means Mostyn Docks Limited;

(**1**) 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 I), by the Planning Act 2008 (c.29), section 36 and Schedule 2, paragraphs 8 and 9, by S.I. 2009/1941, article 2(1) 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).

(**2**) For the definition of "the Minister" (mentioned in section 14(7)) see section 57(1).

(**3**) S.I. 1981/238, 1997/2971, 2001/2568, 2002/2626 and 2008/1034.

(**4**) 1987 c.21.

(**5**) S.I. 1988/1677.

(**6**) S.I. 1989/86.

"Dee Conservancy" means the area within which the Natural Resources Body for Wales(**7**) is the harbour authority pursuant to the Dee Conservancy Act 1889(**8**);

"extended harbour" means—

(a) the area described in article 4 of the 1988 Order; and

(b) the added area;

"signed plan" means the plan signed in triplicate by the Head of Maritime Commerce and Infrastructure Division in the Department for Transport and marked "Plan referred to in the Mostyn Docks Harbour Revision Order 2016", two copies of which have been deposited at that Department and one copy of which has been deposited at the offices of the Company situated at the Port of Mostyn, Mostyn, Holywell, Flintshire, CH8 9HE.

(2) In this Order longitude and latitude are stated by reference to the World Geodetic System (WGS84), revised in 1984 and further revised in 2004.

Extension of area of jurisdiction

3.—(1) The area within which the Company exercises jurisdiction as a harbour authority and within which the powers of the harbour master are exercised is extended to include, in addition to the area described in article 4 of the 1988 Order, the further areas as follows—

(a) the area consisting of a triangle made up of straight lines linking successively the points—

(i) 53° 21.86'N, 3° 18.04'W and 53° 21.62'N, 3° 18.24'W,

(ii) 53° 21.62'N, 3° 18.24'W and 53° 21.76'N, 3° 17.67'W and

(iii) 53° 21.76'N, 3° 17.67'W and 53° 21.86'N, 3° 18.04'W; and

(b) the area which lies within 250 metres on each side of a line—

(i) commencing at the point 53° 21.74'N, 3° 18.14'W,

(ii) then extending in a north-westerly direction to the point 53° 21.90'N, 3° 18.70'W,

(iii) then extending in a westerly direction to the point 53° 22.00'N, 3° 21.70'W,

(iv) then extending in a south-westerly direction to the point 53° 21.20'N, 3° 24.30'W,

(v) then extending in a westerly direction to the point 53° 21.20'N, 3° 27.00'W,

(vi) then extending in a westerly direction to the point 53° 21.70'N, 3° 31.40'W,

(vii) then continuing in a north-westerly direction to the point 53° 22.50'N, 3° 33.20'W and there terminating.

(2) The limits of the extended harbour are, for the purpose of identification only, shown cross-hatched and marked blue on the signed plan.

(3) The 1988 Order and all byelaws, regulations and directions made by the Company, which immediately before the coming into force of this Order related to or had effect within the harbour as defined in the 1988 Order, relate to or have effect within the extended harbour and accordingly, references to "the harbour" in the 1988 Order include references to the added area.

Extension of area of jurisdiction for purposes of pilotage

4. The area within which the Company has jurisdiction for the purposes of pilotage under Part I of the Pilotage Act 1987 consists of—

(a) the area described in article 4 of the 1988 Order,

(**7**) W.S.I. 2012/1903 (W.230) and W.S.I. 2013/755 (W.90), Schedule 2 Part 2, paragraph 470; the Natural Resources Body for Wales is also known as Natural Resources Wales.
(**8**) 1889 c.clvi.