
STATUTORY INSTRUMENTS

2007 No. 3463

The Maryport Harbour Revision Order 2007

PART 7

Byelaws

General byelaws

56.—(1) The Authority may make, in relation to the harbour, byelaws for all or any of the following purposes—

- (a) regulating the use of any works and facilities provided by the Authority;
- (b) preventing damage or injury to any vessel, goods, vehicle, plant, machinery, property or persons within the harbour;
- (c) regulating the conduct of persons in the harbour, not being members of a police force or fire brigade or officers or servants of the Crown whilst in the exercise of their duties as such;
- (d) regulating the placing, maintenance and use of moorings within the harbour;
- (e) preventing or removing obstructions or impediments within the harbour or in or near the seaward approaches to the harbour;
- (f) regulating the launching of vessels within the harbour and the use of slipways and landing places;
- (g) regulating or prohibiting the lighting in the harbour or on board any vessel in it of fires, lights, tobacco or any other substances, equipment, tools or appliances which the Authority consider involve a risk of fire, explosion or chemical reaction;
- (h) prohibiting the use, or regulating the movement, speed and parking, of vehicles on harbour land;
- (i) requiring the use of silencers or other similar apparatus, and the control of noise generally in the harbour;
- (j) regulating vessels in the harbour and their entry into and departure from the harbour and, without prejudice to the generality of the foregoing, prescribing rules for the speed and manner of navigation and the lights and signals to be exhibited or made by, or for the benefit of, vessels using, navigating or mooring within the harbour;
- (k) regulating the embarkation of persons on, or their disembarkation from, vessels within the harbour;
- (l) prescribing the lights and signals to be made—
 - (i) by vessels aground within the harbour;
 - (ii) by vessels or other devices used for marking obstructions within the harbour;
 - (iii) at the entrance to any pier or other work for assisting navigation or mooring within the harbour;
- (m) prohibiting or regulating the discharge into the harbour of any material or substance;

- (n) regulating or prohibiting fishing for marine creatures of any type and by whatever means from any pier, jetty, wharf, or other installation or structure of any kind within the harbour or from any vessel within the harbour;
 - (o) regulating or prohibiting bathing, and for securing the protection of bathers, within the harbour;
 - (p) regulating or prohibiting the use of vehicles by persons on the foreshore within the harbour;
 - (q) regulating the berthing and anchoring of vessels in any part of the harbour and regulating or prohibiting the careening or beaching and keeping of vessels in the harbour;
 - (r) regulating or prohibiting the activities within the harbour of divers, surfers, underwater swimmers, water skiers and other persons engaged in similar recreational pursuits;
 - (s) regulating the disposal of any waste matter;
 - (t) regulating the use of personal water craft within the harbour;
 - (u) regulating the holding of regattas and other public events so far as within the harbour;
 - (v) preventing nuisances in the harbour;
 - (w) regulating the exercise of the powers vested in the harbourmaster.
- (2) In this article—
- (a) “signals” includes sound signals; and
 - (b) “divers” and “underwater swimmers” do not include persons carrying out repairs on or maintenance of any vessels moored in the harbour.
- (3) Byelaws made under this article may—
- (a) make different provision for different parts of the harbour or in relation to different classes of vessels or vehicles; and
 - (b) relate to the whole of the harbour or to any part of it.
- (4) Byelaws made under this article may provide for the imposition on any person offending against any byelaw of a fine on summary conviction not exceeding level 4 on the standard scale.

Procedure for byelaws

57.—(1) Section 236(3) to (8) and section 238 of the Local Government Act 1972(1) apply to all byelaws made by the Authority under this Order and those provisions so applied have effect subject to the modification that for references to a local authority there are substituted references to the Authority.

(2) In its application to byelaws made by the Authority under this Order section 236(7) shall, subject to paragraph (3), be construed as if the words “with or without modifications” were inserted after the word “confirm” in the second place where that word occurs.

(3) The confirming authority for the purposes of section 236 in its application to byelaws made under this Order shall be the Secretary of State.

(4) Where the confirming authority proposes to make a modification which appears to him to be substantial, then—

- (a) he shall inform the Authority and require them to take any steps he considers necessary for informing persons likely to be concerned with the modification; and
- (b) he shall not confirm the byelaws until such period has elapsed as he thinks reasonable for the consideration of, and comment upon, the proposed modification by the Authority and by any other persons who have, or are likely to have, been informed of it.

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