
STATUTORY INSTRUMENTS

2010 No. 1217

The Portsmouth Port Health Authority Order 2010

Citation, commencement, application and interpretation

1.—(1) This Order may be cited as the Portsmouth Port Health Authority Order 2010 and shall come into force on 6th April 2010.

(2) This Order applies in relation to England.

(3) In this Order—

“the Act” means the Public Health (Control of Disease) Act 1984;

“approaches” means seaward approaches and land approaches within the curtilage of a dock, harbour and marina;

“the Council” means Portsmouth City Council; and

“the Port of Portsmouth” means the port of that name established for the purposes of the enactments relating to customs and excise.

(4) The riparian authorities specified for the purposes of this Order are the Council, Gosport Borough Council, Havant Borough Council, Fareham Borough Council and the Isle of Wight Council.

(5) References in this Order to reference points shall be construed as references to National Grid reference points.

The Port Health Authority

2.—(1) For the purposes of the Act the parts of the Port of Portsmouth and the land and water to which this article applies shall be a port health district and the Council shall be the port health authority for that district.

(2) This article applies to the parts of the Port of Portsmouth and the land and water which lies within the area bounded—

(a) by a line—

(i) from Ordnance Survey reference point SZ606975 (Gilkicker Point) south-south-west to Ordnance Survey reference point SZ594937 (the northerly point of the pier at Ryde), then

(ii) east to Ordnance Survey reference point SZ641938 (No Man’s Land Fort), then

(iii) north-east to Ordnance Survey reference point SZ730984 (point on the foreshore opposite the southern end of Rails Lane, Hayling Island);

(b) by the mean high water line along the coast between Ordnance Survey reference point SZ730984 (a point on the foreshore opposite the southern end of Rails Lane, Hayling Island) westwards and via Langstone Harbour to Ordnance Survey reference point SZ730043 (the north-eastern tip of Northney Marina, Hayling Island);

(c) by a line from Ordnance Survey reference point SZ730043 (the north-eastern tip of Northney Marina north-west to Ordnance Survey reference point SZ725053 (a point on the foreshore opposite the southern end of Pook Lane, Warblington);

- (d) by the mean high water line between Ordnance Survey reference point SZ725053 (a point on the foreshore opposite the southern end of Pook Lane, Warblington) and Ordnance Survey reference point SZ606975 (Gilkicker Point),
together with
- (aa) all docks, harbours and marinas, including the approaches to them; and
 - (bb) as far as the tide flows, all rivers, canals, bays, creeks, streams, channels, waters and watercourses,

giving onto the area specified in this article.

Jurisdiction

3. The Council shall have jurisdiction as port health authority over all waters and land within the port health district.

Functions assigned to the port health authority

4.—(1) There are assigned to the Council as port health authority the functions, rights and liabilities of local authority under the enactments specified in the Schedule to this Order, as far as they are applicable to a port health authority, and to any land, waters, premises, vessels or persons within its jurisdiction.

(2) For the purposes of the functions, rights and liabilities assigned to the Council by virtue of this Order the enactments mentioned in the Schedule to this Order shall have effect as if—

- (a) any vessel lying within the port health district were a house, building or premises; and
- (b) the master or other officer or person in charge of the vessel were the occupier.

(3) This article shall not apply to any vessel belonging to Her Majesty or to any vessel engaged in the service of Her Majesty, whether belonging to Her Majesty or not, or to any vessel belonging to the armed forces of any country to which the provisions of the Visiting Forces Act 1952(1) apply by virtue of section 1 of that Act.

Revocations

5. The Portsmouth Port Health Authority Order 1990(2) is revoked.

Signed by authority of the Secretary of State for Health

Jonathan Stopes-Roe
A member of the Senior Civil Service
Department of Health

1st April 2010

(1) 1952 c.67.
(2) S.I. 1990/82.