

202[ ] No. [ ]

**HARBOURS, DOCKS, PIERS AND FERRIES**

The Port of Barrow (Closure of Harbour Facilities in part of  
Ramsden Dock) Harbour Revision Order 202[ ]

<i>Made</i>	- - - -	***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>		***

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[Associated British Ports has applied for a harbour revision order under 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 of the Act(d) to the Marine Management Organisation(e).

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

## PART 1

### PRELIMINARY

#### Citation, commencement and extent

- 1.—(1) This Order may be cited as the Port of Barrow (Closure of Harbour Facilities at Ramsden Dock) Harbour Revision Order 202[X].
- (2) This Order comes into force on [XXXX].
- (3) This order extends to England and Wales.

#### Interpretation

2. In this Order—

“the 1872 Act” means the Furness Railway Act 1872(f) ;

“AB Ports” means Associated British Ports;

“the appointed day” means a day appointed by AB Ports for the purpose of article 3 (Closure of Harbour Facilities at Ramsden Dock) of this Order which is within 6 months of the coming into force of this Order;

“the jetty” means the jetty shown coloured brown and the area of water enclosed by the jetty structures shown hatched green on the former gas condensate works plan;

“the former gas condensate works plan” means the plan prepared in duplicate, signed by the Chief Executive Officer of the Marine Management Organisation and marked “the former gas condensate works plan referred to in the Port of Barrow (Closure of Harbour Facilities at Ramsden Dock) Harbour Revision Order 202[X]”, one copy of which is deposited at the offices of the Marine Management Organisation and the other at the principal office of A.B. Ports and available on the A.B. Ports website(g);

“Port of Barrow” means the docks and harbour comprising the harbour undertaking of AB Ports at Barrow, the limits of which are outlined on the Port of Barrow port limits plan;

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- (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 I); 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 Schedule 6, paragraph 5(3) and Schedule 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) See S.I. 2010/674.
- (c) Section 42A was inserted, in relation to England and Wales, by section 315 of, and paragraphs 1 and 3(1) of Schedule 21 to the Marine and Coastal Access Act 2009 (c.23).
- (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).
- (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 located at Lancaster House, Hampshire Court, Newcastle upon Tyne NE4 7YH.
- (f) 1872 35 & 3 6 Vict. c. xcix
- (g) 25 Bedford Street London WC2E 9ES. The A.B. Ports website can be found at: [insert link]

“the Port of Barrow port limits plan” means the plan prepared in duplicate, signed by the Chief Executive Officer of the Marine Management Organisation and marked “the Port of Barrow port limits plan referred to in the Port of Barrow (Closure of Harbour Facilities at Ramsden Dock) Harbour Revision Order 202[X]”, one copy of which is deposited at the offices of the Marine Management Organisation and the other at the principal office of A.B. Ports and available on the A.B. Ports website(a); and

“the former gas condensate works” means the revetment and jetty formerly used as a gas condensate transfer site within and adjoining Ramsden Dock which is shown edged blue on the former gas condensate works plan.

### **Closure of harbour facilities at Ramsden Dock**

3.—(1) On and from the appointed day—

- (a) the former gas condensate works are to cease to be part of the Port of Barrow;
- (b) all rights duties and obligations conferred or imposed on AB Ports as a harbour authority under the 1872 Act or any other enactment with respect to or in connection with the former gas condensate works are to cease, and
- (c) no public rights of navigation are to be exercisable in relation to the jetty or the area of water occupied by the jetty so long as the jetty structures remains in place.

(2) At least one month before the appointed day AB Ports must—

- (a) publish a notice of its intention to close the harbour facilities comprised in the former gas condensate works in Lloyd’s List and once in each of two successive weeks in a local newspaper published or circulating in Barrow with an interval between the dates of publication of not less than six working days;
- (b) display a copy of one of the notices referred to in paragraph (2)(a) in a conspicuous position in the vicinity of the Port of Barrow; and
- (c) give notice of its intention to close the harbour facilities comprised in the former gas condensate works in writing to the Marine Management Organisation.

### **Application of the 1872 Act**

4.—(1) Upon the former gas condensate works ceasing to form part of the Port of Barrow in accordance with article 3 (Closure of Harbour Facilities in part of Ramsden Dock) the 1872 Act is to cease to apply to those works.

Signatory text

*Name*

Address

Date

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(a) 25 Bedford Street London WC2E 9ES. The A.B. Ports website can be found at: [insert link]

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is made on the application of Associated British Ports (“AB Ports”), the harbour authority for the Port of Barrow. The Order authorises the closure of harbour facilities at that port, within and adjoining the Ramsden Dock, and repeals local legislation, so far as it relates to those facilities.

On the making of this Order, on a day to be appointed by A.B. Ports, the following will take effect–

- (a) the works accommodating those facilities, consisting of a revetment and a jetty (a former gas condensate transfer site) will cease to form part of the Port of Barrow
- (b) all AB Port’s statutory rights, duties and obligations as a harbour authority in relation to the revetment and jetty will cease,
- (c) public rights of navigation will not be exercisable in relation to the land and water area occupied by the jetty so long as the jetty remains in place.

AB Ports is required to publish notice of the closure at least one month before it has effect.

Copies of the plans referred to in this Order can be inspected at the principal office of AB Ports

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