
STATUTORY INSTRUMENTS

1989 No. 490

The Lagside Development (Northern Ireland) Order 1989

PART III

OBJECT AND POWERS OF THE CORPORATION

Powers in relation to the river

Power to execute works in relation to the river

17.—(1) The [^{F1}Department] may execute such works in, on, across, over, alongside or adjacent to the river as it considers appropriate for the purposes of—

- (a) improving the quality of water in the river;
- (b) improving the immediate environment of the river;
- (c) promoting the recreational use of the river;
- (d) facilitating access to the river; and

[^{F2}(e) otherwise furthering the object of the Department under this Order.]

(2) Without prejudice to the generality of paragraph (1), the [^{F3}Department] may—

- (a) construct embankments, quays and footpaths alongside, or adjacent to, the river;
- (b) dredge, reclaim land from, and alter or divert the channel of, the river;
- (c) operate, maintain, repair, alter, extend or remove any works executed under this Order and any existing works; and
- (d) provide such buildings, amenities, machinery, plant, apparatus and appliances as it considers appropriate in connection with any works executed under this Order and any existing works.

(3) In paragraph (2) “existing works” means works in, on, across, over, alongside or adjacent to the river which were executed at any time before the coming into operation of this Order and which, had this Order been in operation at that time, could have been executed by the [^{F4}Department].

(4) Schedule 2 shall have effect in relation to works under this Article.

F1 Word in art. 17(1) substituted (1.4.2007) by [Lagside Corporation Dissolution Order \(Northern Ireland\) 2006 \(S.R. 2006/527\)](#), arts. 1(2), 5(1), **Sch. 2 Pt. 1 para. 1(1)(e)**

F2 Art. 17(1)(e) substituted (1.4.2007) by [Lagside Corporation Dissolution Order \(Northern Ireland\) 2006 \(S.R. 2006/527\)](#), arts. 1(2), 5(1), **Sch. 2 Pt. 1 para. 1(6)**

F3 Word in art. 17(2) substituted (1.4.2007) by [Lagside Corporation Dissolution Order \(Northern Ireland\) 2006 \(S.R. 2006/527\)](#), arts. 1(2), 5(1), **Sch. 2 Pt. 1 para. 1(1)(e)**

F4 Word in art. 17(3) substituted (1.4.2007) by [Lagside Corporation Dissolution Order \(Northern Ireland\) 2006 \(S.R. 2006/527\)](#), arts. 1(2), 5(1), **Sch. 2 Pt. 1 para. 1(1)(e)**

[^{F5}Construction of bridges, weirs, locks and barrages

- 18.**—(1) The Department may construct a bridge over, or weir, lock or barrage across, the river.
- (2) Before executing any works under paragraph (1) the Department shall take into consideration the reasonable requirements of navigation on the river.
- (3) Paragraphs 2, 3, 5 and 6 of Schedule 2 shall have effect in relation to works under this Article.
- (4) The reference in this Article to a bridge includes a reference to a road, footway or railway over the bridge and to the approaches of any road, footway or railway to the bridge.]

<p>F5 Art. 18 substituted (1.4.2007) by Lagside Corporation Dissolution Order (Northern Ireland) 2006 (S.R. 2006/527), arts. 1(2), 5(1), Sch. 2 Pt. 1 para. 1(7)</p>
--

[^{F6}Byelaws as to use of river and certain adjacent land

- 19.**—(1) The Department may make byelaws—
- (a) regulating the use of the river by vessels;
 - (b) requiring vessels using the river to be licensed for that purpose by the Department;
 - (c) regulating fishing in the river;
 - (d) requiring persons fishing in the river to obtain a permit for that purpose from the Department;
 - (e) regulating the grant, renewal and revocation of licences under sub-paragraph (b) and permits under sub-paragraph (d), the conditions subject to which such licences and permits are to be granted and prescribing the fees payable in respect of the grant or renewal of such licences or permits;
 - (f) regulating the construction, condition, safety and control of vessels which may use the river and the equipment to be carried on such vessels;
 - (g) regulating the movement of vessels, and the use of lights, on the river;
 - (h) for the levying by the Department of charges in respect of the use of the river or any service or facility provided by the Department on the river or on land adjacent to the river;
 - (i) for the removal by the Department of vessels or objects from the river in such circumstances as may be specified in the byelaws, the storage and disposal by the Department of vessels or objects so removed and the recovery by the Department of the costs of removal, storage and disposal;
 - (j) regulating the conduct of persons on the river or on land adjacent to the river vested in the Department;
 - (k) prohibiting the erection of any structure in the river or on land mentioned in sub-paragraph (j) without the consent of the Department;
 - (l) prohibiting the carrying on of any commercial activity on the river or on any land mentioned in sub-paragraph (j) without the consent of the Department;
 - (m) for such other purposes as appear to the Department to be appropriate in furthering its object under this Order.
- (2) Byelaws under this Article shall not apply in relation to—
- (a) any part of the river within the limits for the time being of the jurisdiction of the Belfast Harbour Commissioners under the Belfast Harbour Acts 1847 to 1967; or
 - (b) any land adjacent to any such part of the river.

(3) The Department may authorise persons appointed or employed to enforce byelaws made under this Article to take any action necessary for that purpose.

(4) The powers of a person authorised under paragraph (3) include power—

(a) to board and inspect any vessel on the river; and

(b) to require any person suspected of contravening a byelaw to furnish his name and address to that authorised person.

(5) Any person who contravenes a byelaw made under this Article shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale, and in the case of a continuing offence, a further fine not exceeding £2 per day for each day on which the offence continues after conviction.

(6) Section 94 of the Public Health Acts Amendment Act 1907 (licensing powers of district council in relation to pleasure vessels and persons in charge thereof) shall not apply in relation to any vessel using the river.]

F6 Art. 19 substituted (1.4.2007) by [Laganside Corporation Dissolution Order \(Northern Ireland\) 2006](#) (S.R. 2006/527), arts. 1(2), 5(1), **Sch. 2 Pt. 1 para. 1(7)**

Changes to legislation:

There are currently no known outstanding effects for the The Lagside Development (Northern Ireland) Order 1989, Cross Heading: Powers in relation to the river.