
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 182

**The Caledonian Maritime Assets Limited
(Largs) Harbour Revision Order 2008**

PART III

DUTIES AND POWERS OF THE COMPANY

Licensing of works

21.—(1) The Company may upon such terms and conditions as it thinks fit grant to any person a licence to maintain, alter or renew works within a harbour area on, under or over tidal waters or tidal land below the level of high water, notwithstanding any interference with public rights of navigation or other public rights by such works as maintained, altered or renewed.

(2) Application for a works licence shall be made in writing to the Company and shall—

- (a) be accompanied by plans, sections and particulars of the works to which the application relates;
- (b) specify whether the applicant holds such rights in, under or over land as are necessary to enable the applicant to enjoy the benefits of the licence and, if not, the action taken or to be taken to enable the applicant to obtain such rights if the licence is granted; and
- (c) be accompanied by a copy of a notice published in a newspaper circulating in the locality of the harbour stating that it is intended to make the application, containing a general description of the nature of the works for which application is being made and of the land affected thereby, and specifying a place where a copy of the plans, sections and particulars of the proposed works may be inspected at all reasonable hours and stating that any person who desires to object to the Company to the grant of the application should do so in writing stating the grounds of that person's objection before the expiration of the period of 28 days from the day of the publication.

(3) In deciding whether or not to grant a works licence or as to the terms and conditions to be included in the licence the Company shall take into consideration any objection made to them in accordance with paragraph (2)(c) above (hereinafter in this article and in article 23 below referred to as a competent objection) and in granting a licence the Company may require modifications in the plans, sections and particulars submitted to them by the applicant.

(4) If the Company decides to grant a works licence it shall give notice of its decision to the applicant and to any person who has made a competent objection and has not withdrawn it.

(5) If within 3 months from the date of the making of an application under paragraph (2) above the Company does not notify to the applicant its decision whether to grant a works licence, it shall be deemed to have refused the application.

(6) The Company may charge a reasonable fee for the grant of a licence under this article.

(7) The grant of a licence under this article has effect for the purposes of article 20 above and confers no other authority for the carrying out of the operations covered by the licence.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(8) In the execution of any works to which a works licence relates, the licensee shall not damage or injuriously affect any electrical plant or electric line (as respectively defined in section 64 of the Electricity Act 1989⁽¹⁾) belonging to, or used or maintained by, Scottish Power plc or without the consent of that company, interfere with or adversely affect the operation of any such line or work.

⁽¹⁾ 1989 c. 29.