
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 361

HARBOURS, DOCKS, PIERS AND FERRIES

The Whiteness Marina Harbour Revision Order 2008

Made - - - - - *6th November 2008*

Coming into force - - - - - *7th November 2008*

Whiteness Marina Company Limited have applied for a harbour revision order under section 14 of the Harbours Act 1964(1) (“the Act”);

The Scottish Ministers(2) having, in pursuance of paragraph 4 of Schedule 3 (“the Schedule”) to the Act(3), determined that the application is made in relation to a project which falls within Annex II to Council Directive 85/337/EEC(4) (“the Directive”) on the assessment of the effects of certain public and private projects on the environment and whose characteristics require that it should be made subject to an environmental assessment, have directed the applicant to supply them with the information referred to in Annex IV to the Directive;

Notices have been published by the Company in accordance with paragraph 10 of the Schedule(5);

The Scottish Ministers have in accordance with paragraph 15 of the Schedule(6), furnished bodies appearing to them to have environmental responsibilities with the information supplied to them under paragraph 8 of the Schedule and have consulted such bodies;

No objection was made to the application and no representations relating to the environmental statement have been made pursuant to paragraph 10(2)(f) of the Schedule. In accordance with paragraph 19(1)(7) of the Schedule they have considered the information supplied under paragraph 4 of the Schedule, the environmental statement supplied under paragraph 8(1) of the Schedule(8), the further information falling within paragraph 10A(2)(9) and the result of consultations under paragraph 15 of the Schedule and are satisfied as mentioned in section 14(2)(b) of the Act;

The Scottish Ministers in exercise of the powers conferred by section 14 of the Act hereby make the following Order:

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- (1) 1964 c. 40; section 14 was amended by the Transport Act 1981 (c. 56), section 18 and Schedule 6, paragraphs 2, 3, 4(1) and 14, and by the Transport and Works Act 1992 (c. 42), section 63(1) and Schedule 3, paragraph 1.
 - (2) The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
 - (3) Schedule 3 was substituted by S.I.1999/3445 as amended by S.I. 2000/2391; paragraph 18 was amended by the Transport (Scotland) Act 2005 (asp 12), section 46.
 - (4) O.J. No. L 175, 5.7.85, p.40; Council Directive 85/337/EEC was amended by Council Directive 97/11/EC (O.J. No. L73, 14.3.1997, p.5) and by Council Directive 2003/35/EC (O.J. No. L156, 25.6.2003, p.17).
 - (5) Paragraph 10 of Schedule 3 was substituted by S.I. 1999/3445 and is amended by the Transport and Works (Scotland) Act 2007 (asp 8) section 25(5)(b) and (c).
 - (6) Paragraph 15 of Schedule 3 was substituted by S.I. 1999/3445 and is amended by the Transport and Works (Scotland) Act 2007 (asp 8) section 25(5)(e).
 - (7) Paragraph 19(1) of Schedule 3 was substituted by S.I. 1999/3445 and is amended by the Transport (Scotland) Act 2005 (asp 12), section 46 and the Transport and Works (Scotland) Act 2007 (asp 8), section 25(5)(i).
 - (8) Paragraph 8 of Schedule 3 was substituted by S.I. 1999/3445.
 - (9) Paragraph 10A of Schedule 3 was inserted by the Transport and Works (Scotland) Act 2007 (asp 8), section 25(5)(d).

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