



# Pwllheli Harbour (Amendment) Act 1993

## 1993 CHAPTER xiii

### 1 Short title

This Act may be cited as the Pwllheli Harbour (Amendment) Act 1993.

### 2 Interpretation

In this Act—

“the Act of 1983” means the Pwllheli Harbour Act 1983;

“the Council” means Cyngor Dosbarth Dwyfor;

“dwellinghouse” includes any building or structure used either—

(a) for the purpose of a time-sharing scheme whereby any person is granted a right entitling him to occupy the building or structure or any part of it as a residence for a specified week or other period in every year during which the right subsists; or

(b) for the purpose of temporary sleeping accommodation;

“the harbour” means the harbour of Pwllheli the area whereof is described in section 16 (Area of harbour) of the Act of 1983;

“the plan” means the plan referred to in the Preamble to this Act.

### 3 Use and disposal of land

(1) (a) This subsection applies to—

(i) the land shown coloured pink on the plan; and

(ii) any land within the harbour which is reclaimed after the passing of this Act.

(b) Land to which this subsection applies shall not be used for—

(i) the provision of dwellinghouses; or

(ii) any purpose which by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust, grit or any other reason is detrimental to the use of the harbour as a fishery harbour or any purpose, not being a purpose associated with the use of the harbour as a fishery harbour, which by

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*Status: This is the original version (as it was originally enacted).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

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- any such reason is detrimental to the use, amenity or enjoyment of the harbour for leisure activities; or
- (iii) the purpose of retail sales not associated with harbour activities.
- (2) (a) The land shown coloured blue on the plan shall not be used for any purpose except—
- (i) the provision of open space; or
  - (ii) the provision of car parking; or
  - (iii) the provision of vehicular and pedestrian access to and from land to which this subsection or subsection (3) below applies.
- (b) For the purposes of this subsection “open space” has the meaning assigned to it by section 20 of the Open Spaces Act 1906.
- (3) Without prejudice to the provisions of subsection (1) above the land shown edged in green on the plan shall not be put to any industrial use.
- (4) There shall no longer be any prohibition on the disposal of land reclaimed, and of accretions of land, within the harbour.
- (5) Nothing in this section shall prevent the carrying out by statutory undertakers of any development permitted under Part 10, Part 16 or Part 17 of Schedule 2 to the Town and Country Planning General Development Order 1988 or such diversions of apparatus as may be agreed to from time to time between the Council and any statutory undertakers.

#### **4 Crown rights**

- (1) Nothing in this Act affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and, in particular and without prejudice to the generality of the foregoing, nothing in this Act authorises the Council to take, use, enter upon or in any manner interfere with any land or hereditaments or any rights of whatsoever description (including any portion of the shore or bed of the sea or of any river, channel, creek, bay or estuary) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners.
- (2) A consent under subsection (1) above may be given unconditionally, or subject to such conditions and upon such terms as may be considered necessary or appropriate.

#### **5 Repeals**

Sections 29 and 30 of the Act of 1983 are hereby repealed.