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STATUTORY INSTRUMENTS

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**2000 No. 1884**

**The Watchet Harbour Revision Order 2000**

**PART IV**

*BYELAWS*

**Byelaws as to harbour**

**27.—(1)** In addition to the byelaws which may be made by the Council under the existing enactments and subject to the provisions of this Order the Council may make, in relation to the harbour, byelaws for all or any of the following purposes:—

- (a) for regulating the use of any works and facilities provided by the Council;
- (b) for preventing damage or injury to any vessel, goods, vehicle, plant, machinery, property or persons within the harbour;
- (c) for regulating the conduct of all persons in the harbour, not being members of a police force or officers or servants of the Crown whilst in the exercise of their duties;
- (d) for regulating the placing and maintenance of moorings;
- (e) for preventing and removing obstructions or impediments within the harbour;
- (f) for regulating the launching of vessels within the harbour;
- (g) for regulating the berthing, mooring, anchoring, careening and beaching of vessels in any part of the harbour or harbour premises;
- (h) for regulating or preventing the use in the harbour or on board any vessel therein of fires, lights or any other equipment, tools or appliances which the Council consider involves a risk of fire;
- (i) for prohibiting the use of or regulating the use, movement, speed and parking of vehicles within the harbour;
- (j) for requiring the use of effectual silencers and the control of noise generally on vessels in the harbour;
- (k) for regulating vessels in the harbour and their entry into and departure from the harbour and, without prejudice to the generality of the foregoing, to prescribe rules for regulating the speed and manner of navigation and the lights and signals to be exhibited or made by, or for the benefit of, vessels using, navigating or mooring within the harbour;
- (l) for prescribing the lights and signals to be exhibited or made—
  - (i) by vessels aground within the harbour;
  - (ii) by devices used for marking obstructions within the harbour;
  - (iii) at the entrance to any pier or other work for assisting the navigation or mooring within the harbour;

- (m) for regulating or prohibiting fishing for marine creatures of any type and by whatever means from any pier, jetty, wharf, breakwater or other installation or structure of any kind within the harbour or from any vessels within the harbour;
- (n) for regulating or prohibiting bathing, and for securing the protection of bathers, within the harbour;
- (o) for regulating or prohibiting the use by vehicles of the foreshore; and
- (p) for regulating or prohibiting the disposal of any waste matter except at places or in a manner prescribed by the Council.

(2) In this article “signals” include sound signals and different byelaws may be made under this article in relation to different classes of vessels and vehicles.

(3) Byelaws made under this article may provide for the imposition on any person offending against any byelaws of a fine on summary conviction not exceeding level 4 on the standard scale and in the case of a continuing offence a fine not exceeding one-tenth of that level for each day on which the offence is continued after conviction for it.

### **Confirmation of byelaws**

**28.**—(1) The provisions contained in subsections (3) to (8) and (11) of section 236 and section 238 of the Local Government Act 1972(1) (which relate to the procedure for making, and evidence of, byelaws) shall apply to all byelaws made after the coming into force of this Order by the Council under the existing enactments or this Order.

(2) In its application to byelaws made under the existing enactments or this Order subsection (7) of the said section 236 shall have effect, subject to paragraph (3) below, as if after the word “confirm” in the second place where that word occurs there were inserted the words “with or without modification”.

(3) Where the confirming authority proposes to make a modification which appears to him to be substantial, then—

- (a) he shall inform the Council and require them to take any steps he thinks necessary for informing persons likely to be concerned with that modification; and
- (b) he shall not confirm the byelaws until there has elapsed such period as he thinks reasonable for the Council and other persons who have been informed of the proposed modification to consider and comment on it.

(4) The confirming authority for the purposes of this article and of the said section 236 in its application to byelaws made under the existing enactments or this Order shall be the Secretary of State.