
STATUTORY INSTRUMENTS

2008 No. 1261

The London Gateway Port Harbour Empowerment Order 2008

PART 1

PRELIMINARY

Application of the Local Government Act 1972

5. The provisions of sections 236(3) to (8) and (11) and 238 of the Local Government Act 1972⁽¹⁾ shall apply to any byelaws made by the Harbour Authority, subject to the following modifications—

- (a) references to a local authority shall have effect as if they were references to the Harbour Authority;
- (b) references to proper officer shall have effect as if they were a reference to a Director or the Company Secretary of the Harbour Authority;
- (c) the following subsection shall be substituted for section 236(3A)—

“(3A) No byelaws shall be made in accordance with subsection (3) unless the Harbour Authority has, not less than three months before making those byelaws, consulted the PLA and the Environment Agency.”;
- (d) subsection 236(7) shall have effect as if—
 - (i) at the beginning of that subsection, there were inserted the words “subject to subsection (7A)”;
 - (ii) after the words “The confirming authority may confirm” there were inserted the words “with or without modifications”;
- (e) the following subsection is treated as having been inserted after section 236(7)—

“(7A) Where the Secretary of State proposes to make a modification to a byelaw which appears to him to be substantial, he shall inform the Harbour Authority and require it to notify the PLA and take any other steps which he considers to be necessary for informing persons likely to be concerned with the modification and he shall not confirm the byelaw until such period has elapsed as he thinks reasonable for consideration of, and comment upon, the proposed modification.”.

Commencement Information

II Art. 5 in force at 16.5.2008, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The London Gateway Port Harbour Empowerment Order 2008, Section 5.