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STATUTORY INSTRUMENTS

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**2009 No. 837**

**The Local Government (Structural Changes) (Miscellaneous Amendments and Other Provision) Order 2009**

**PART 5**

**AMENDMENT OF PORT HEALTH AUTHORITY ORDERS**

**Amendment of the Manchester Port Health Authority Order 1977**

**14.**—(1) The Manchester Port Health Authority Order 1977<sup>(1)</sup> is amended as follows.

(2) In article 1 (citation, commencement and interpretation), in paragraph (3), for “Ellesmere Port and Neston Borough Council, Vale Royal District Council” substitute “Cheshire West and Chester Council”.

(3) In article 2 (port health authority), in paragraph (3)—

- (a) for “Ellesmere Port and Neston Borough Council” substitute “Cheshire West and Chester Council”;
- (b) for the number shown against the substituted “Cheshire West and Chester Council for “1” substitute “2”; and
- (c) omit “Vale Royal District Council” and the number shown against the name of that Council.

(4) For article 8 (expenses), substitute—

**“Expenses**

**8.** The riparian authorities shall contribute towards any expenses incurred or to be incurred by the joint board by virtue of the authority conferred upon them by this order in the following proportions—

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<i>Local authority</i>	<i>Contribution</i>
Manchester City Council	Four- fourteenths
Salford City Council	Four- fourteenths
Trafford Borough Council	One- fourteenth
Cheshire West and Chester Council	Two- fourteenths
Halton Borough Council	One- fourteenth
Warrington Borough Council	One- fourteenth
Wirral Borough Council	One- fourteenth”

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(1) [S.I. 1977/1460](#).

### **Amendment of the Plymouth Port Health Authority Order 1977**

**15.** In the Plymouth Port Health Authority Order 1977(2) in article 1 (citation, commencement and interpretation), for paragraph (3) substitute —

“(3) The riparian authorities specified for the purposes of this order are the City Council, the council for the county of Cornwall and South Hams District Council.”.

### **Amendment of the River Blyth Port Health Authority Order 1977**

**16.—**(1) The River Blyth Port Health Authority Order 1977(3) is amended as follows.

(2) In article 1 (citation, commencement and interpretation)—

(a) in paragraph (2)—

(i) after the definition of “the Act” insert—

““the Council” means the council for the county of Northumberland;”;

(ii) omit the definition of “the joint board”; and

(b) omit paragraph (3).

(3) In article 2 (port health authority), in paragraph (1), for “a joint board” substitute—  
“the Council”.

(4) Omit articles 3, 4 and 5 (provisions relating to the joint board);

(5) In article 6 (jurisdiction)—

(a) for “The joint board” substitute “The Council”; and

(b) omit “of the riparian authorities”.

(6) For the heading to article 7(functions assigned to the Joint Board), substitute—

*“Functions of the Port Health Authority”*

(7) In article 7—

(a) in paragraph (1)—

(i) for the words from the beginning to “local authority” substitute “The Council, as port health authority, shall have its functions, rights and liabilities”; and

(ii) for “their jurisdiction”, substitute “its jurisdiction”; and

(b) in paragraph (2), for “the functions, rights and liabilities assigned to the joint board” substitute “the Council’s functions, rights and liabilities”.

(8) Omit articles 8 and 9 (expenses and audit).

### **Amendment of the Falmouth & Truro Port Health Authority Order 1988**

**17.—**(1) The Falmouth & Truro Port Health Authority Order 1988(4) is amended as follows.

(2) In article 1(citation, commencement and interpretation), in paragraph (2)—

(a) after the definition of “the Act”, insert—

““the Council” means the council for the county of Cornwall”; and

(b) omit the definition of “the joint board”.

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(2) [S.I. 1977/1457](#).

(3) [S.I. 1977/1459](#).

(4) [S.I. 1988/2075](#) amended by [S.I. 2002/2000](#).

- (3) Omit article 2 (specified riparian authorities).
- (4) In article 3 (the port health authority)—
  - (a) in paragraph (1), for “joint board” substitute “Council”; and
  - (b) omit paragraphs (3) and (4).
- (5) Omit articles 4, 5 and 6 (provisions relating to the joint board).
- (6) In article 7 (jurisdiction), for “The joint board” substitute “The Council”.
- (7) For the heading to article 8 (functions assigned to the joint board), substitute—

*“Functions of the Port Health Authority.”*

- (8) In article 8—
  - (a) in paragraph (1)—
    - (i) for the words from the beginning to “local authority” substitute “The Council, as port health authority, shall have its functions, rights and liabilities”; and
    - (ii) for “their jurisdiction” substitute “its jurisdiction”; and
  - (b) in paragraph (2), for “the functions, rights and liabilities assigned to the joint board” substitute “the Council’s functions, rights and liabilities”.
- (9) Omit articles 9 and 10 (expenses and audit).

#### **The Fowey Port Health Authority Order 1979**

- 18.**—(1) The Fowey Port Health Authority Order 1979(5) is amended as follows.
- (2) In article 1 (citation, commencement and interpretation)—
    - (a) in paragraph (2)—
      - (i) after the definition of “the Act”, insert—

““the Council” means the council for the county of Cornwall”;
      - (ii) omit the definition of “the joint board”; and
    - (b) omit article 1(3).
  - (3) In article 2 (port health authority)—
    - (a) in paragraph (1), for “a joint board” substitute “the Council”;
    - (b) omit paragraphs 2(2) and 2(3) (provisions relating to the joint board).
  - (4) Omit articles 3, 4 and 5 (provisions relating to the joint board).
  - (5) In article 6 (jurisdiction)—
    - (a) in paragraph (1)—
      - (i) for “the joint board” substitute “the Council”; and
      - (ii) omit “of the specified riparian authorities”;
    - (b) omit paragraph (2).
  - (6) For the heading to article 7 (functions assigned to Joint Board), substitute—

*“Functions of the Port Health Authority”*

- (7) In article 7—

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- (a) in paragraph (1)—
    - (i) for the words from the beginning to “local authority” substitute “The Council, as port health authority, shall have its functions, rights and liabilities”;
    - (ii) for “their jurisdiction”, substitute “its jurisdiction”; and
  - (b) in paragraph (2), for “the functions, rights and liabilities assigned to the joint board” substitute “the Council’s functions, rights and liabilities”.
- (8) Omit articles 9 and 10 (expenses and audit).

**Amendment of the Penwith Port Health Authority Order 1980**

**19.** In the Penwith Port Health Authority Order 1980(6), in article 1(2), for “District Council of Penwith” substitute “council for the county of Cornwall”.