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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 167**

**The Millport Harbour Revision Order 2023**

**PART 1**

**Preliminary**

**Citation and commencement**

1. This Order may be cited as the Millport Harbour Revision Order 2023 and comes into force on the day after the day on which it is made.

**Interpretation**

2.—(1) In this Order—

“the 1905 Act” means The Millport Piers and Burgh Extension Order Confirmation Act 1905(1),

“the 1964 Act” means the Harbours Act 1964(2),

“the 1965 Order” means the Clyde Port Authority Order 1965(3),

“the 1994 Act” means the Local Government etc. (Scotland) Act 1994(4),

“the 1995 Act” means the Merchant Shipping Act 1995(5),

“the Clyde Navigation Acts 1858 to 1965” means the Clyde Navigation Consolidation Act 1858(6), the Clyde Navigation (Glasgow Harbour Tramways) Act 1864(7), the Forth and Clyde Navigation (Capital) Act 1866(8), the Clyde Navigation (Amendment) Act 1868(9), the Clyde Navigation (Stobcross Dock) Act 1870(10), the Clyde Navigation Act 1873(11), the Clyde Navigation Act 1878(12), the Clyde Navigation Act 1883(13), the Clyde Navigation Act 1884(14), the Clyde Navigation Act 1887(15), the Clyde Navigation Act 1890(16), the Clyde Navigation Act 1891(17), the Clyde Navigation Act 1894(18), the Clyde Navigation

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(1) 1905 c. cv.

(2) 1964 c. 40.

(3) As confirmed by the Clyde Port Authority Order Confirmation Act 1965 c. xlv.

(4) 1994 c. 39.

(5) 1995 c. 21.

(6) 1858 c. cxlix.

(7) 1864 c. ccxlviii.

(8) 1866 c. cclvi.

(9) 1868 c. cxxiv.

(10) 1870 c. liv.

(11) 1873 c. cxv.

(12) 1878 c. xlvii.

(13) 1883 c. clvi.

(14) 1884 c. xci.

(15) 1887 c. viii.

(16) 1890 c. clvi.

(17) 1891 c. xxxviii.

(18) 1894 c. clxviii.

Act 1897(19), the Clyde Navigation Act 1899(20), the Clyde Navigation Act 1904(21), the Clyde Navigation Act 1905(22), the Clyde Navigation Order 1907(23), the Clyde Navigation Act 1911(24), the Clyde Navigation Order 1914(25), the Clyde Navigation Act 1929(26), the Clyde Navigation Order 1950(27), the Clyde Navigation Order 1957(28), the Clyde Navigation Order 1960(29), the Clyde Navigation Order 1963(30), the Clyde Navigation Order 1964(31) and the Clyde Navigation (Superannuation) Order Confirmation Act 1965(32),

“Clydeport” means Clydeport Operations Limited (Company number: SC134759),

“the Clydeport Acts and Orders 1965 to 2021” means the 1965 Order, the Clyde Port Authority Revision Order 1968(33), the Clyde Port Authority Order 1969(34), the Clyde Port Authority Order 1971(35), the Clyde Port Authority (Hunterston Ore Terminal) Order 1973(36), the Clyde Port Authority Scheme 1991 Confirmation Order 1992(37), the Clydeport (Closure of Yorkhill Basin) Harbour Revision Order 2002(38), the Clydeport (Closure of Govan Basin) Harbour Revision Order 2004(39), the Clydeport Operations Limited (Greenock Ocean Terminal Cruise Berth) Harbour Revision Order 2018(40) and the Clydeport (COP 26 etc.) Harbour Revision Order 2021(41),

“Clydeport Harbour Master” means any person appointed by Clydeport to be the harbour master for the Clydeport jurisdictional area and includes that person’s deputies and assistants and any other person for the time being authorised by Clydeport to act, either generally or for a specific purpose, in the capacity of harbour master for the Clydeport jurisdictional area,

“Clydeport jurisdictional area” means the port as defined in section 5(1) of the 1965 Order, the limits of which are described in section 14 of the 1965 Order,

“Commissioners of Northern Lighthouses” means the general lighthouse authority for Scotland, a body corporate constituted by section 193 and schedule 8 of the 1995 Act,

“the Council” means The North Ayrshire Council, a local authority established by the 1994 Act and having its principal place of business at Cunninghame House, Irvine KA12 8EE,

“deposited plan” means the drawing numbered PC1683-RHD-ZZ-ZZ-DR-C-1952 entitled “Millport Coastal Flood Protection Scheme, Harbour Revision Order Extent of Works” signed with reference to this Order, of which one is deposited with the Ministers at the Scottish Government, Victoria Quay, Edinburgh EH6 6QQ and the other deposited at the principal office of the Chief Executive, The North Ayrshire Council, Cunninghame House, Irvine KA12 8EE,

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(19) 1897 c. xxxi.

(20) 1899 c. cexxxix.

(21) 1904 c. ccxlii.

(22) 1905 c. xxxiii.

(23) As confirmed by the Clyde Navigation Order Confirmation Act 1907 c. lxi.

(24) 1911 c. li.

(25) As confirmed by the Clyde Navigation Order Confirmation Act 1914 c. clxxix.

(26) 1929 c. xx.

(27) As confirmed by the Clyde Navigation Order Confirmation Act 1950 c. xxx.

(28) As confirmed by the Clyde Navigation Order Confirmation Act 1957 c. xxxiii.

(29) As confirmed by the Clyde Navigation Order Confirmation Act 1960 c. ii.

(30) As confirmed by the Clyde Navigation Order Confirmation Act 1963 c. i.

(31) As confirmed by the Clyde Navigation Order Confirmation Act 1964 c. xlii.

(32) 1965 c. xliv.

(33) S.I. 1968/788.

(34) As confirmed by the Clyde Port Authority Confirmation Act 1969 c. xxxi.

(35) As confirmed by the Clyde Port Authority Confirmation Act 1972 c. i.

(36) As confirmed by the Clyde Port Authority (Hunterston One Terminal) Order Confirmation Act 1973 c. xxxv.

(37) S.I. 1992/304.

(38) S.S.I. 2002/121.

(39) S.S.I. 2004/207.

(40) S.S.I. 2018/367.

(41) S.S.I. 2021/358.

“general direction” means a direction given under article 12,

“the Greenock Port and Harbour Acts 1913 to 1957” means the Greenock Port and Harbour Consolidation Act 1913<sup>(42)</sup>, the Greenock Improvement Order 1919<sup>(43)</sup>, the Greenock Port and Harbours Order 1920<sup>(44)</sup>, the Greenock Port and Harbours Order 1922<sup>(45)</sup>, the Greenock and Port Glasgow Tramways Company Act 1928<sup>(46)</sup>, the Greenock Port and Harbours Order 1943<sup>(47)</sup>, and the Greenock Port and Harbours Order 1957<sup>(48)</sup>,

“harbour” means the harbour of Millport as defined in the 1905 Act and represented by a dash and dotted purple line on the deposited plan, which line is indicative only of the harbour limits,

“harbour limits” means the limits of the harbour, as defined in the 1905 Act,

“harbour master” means any person appointed as such by the Council and includes that person’s deputies and assistants and any other person for the time being authorised by the Council to act, either generally or for a specific purpose, in the capacity of harbour master,

“limits of deviation” means the limits of deviation shown on the deposited plan,

“master” in relation to a vessel means any person for the time being having or taking the command, charge or management thereof,

“personal watercraft” means a watercraft intended for sports and leisure purposes of less than 4 metres in hull length which uses a propulsion engine having a water jet pump as its primary source of propulsion and designed to be operated by a person or persons sitting, standing or kneeling on, rather than within the confines of, a hull,

“sections” means the drawing numbered PC1683-RHD-ZZ-ML-DR-C-1973 entitled “Millport Coastal Flood Protection Scheme, Rock Revetment Sections” signed with reference to this Order, of which one is deposited with the Ministers at the Scottish Government, Victoria Quay, Edinburgh EH6 6QQ and the other deposited at the principal office of the Chief Executive, The North Ayrshire Council, Cunninghame House, Irvine KA12 8EE,

“special direction” means a direction given under article 14,

“UK Chamber of Shipping” means the trade association for the United Kingdom shipping industry, incorporated under that name as a company limited by guarantee,

“vessel” means a ship, boat, raft or craft of any description however propelled or moved, and includes a displacement craft, a non-displacement craft, a personal watercraft, a sea plane on the surface of the water, a hydrofoil vessel or any other amphibious vehicle and any other thing constructed or adapted for floating on or being submersed in water (whether permanently or temporarily),

“works” means the works authorised by this Order, or as the case may require, any part thereof and includes any work constructed under article 3 (power to construct works) or article 6 (subsidiary works).

(2) In this Order, all areas, directions, distances, lengths, widths and heights as stated in any description of the works, powers or lands shall be construed as if the words “or thereabouts” were inserted after each such area, direction, distance, length, width and height and any reference in a description of works to a point shall be a reference to that point on the deposited plan.

(3) Any reference in this Order to work identified by a number is a reference to the work of that number authorised by this Order.

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(42) 1913 c. xlii.

(43) As confirmed by the Greenock Improvement Order Confirmation Act 1919 c. cxii.

(44) As confirmed by the Greenock Port and Harbours Order Confirmation Act 1929 c. clxiii.

(45) As confirmed by the Greenock Port and Harbours Order Confirmation Act 1922 c. cii.

(46) 1928 c. lxxxii .

(47) As confirmed by the Greenock Port and Harbours Order Confirmation Act 1943 c. vii.

(48) As confirmed by the Greenock and port Harbours Order Confirmation Act 1957 c. xxii.

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

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