

1982 No. 1476

PORT HEALTH AUTHORITIES, ENGLAND AND WALES

The Grimsby Port Health Authority Order 1982

Made - - - - - 14th October 1982
Coming into Operation 1st November 1982

The Secretary of State for Social Services, in exercise of powers conferred by sections 2, 3 and 9 of the Public Health Act 1936(a), and now vested in him (b), and of all other powers enabling him in that behalf, having given the notices required by the aforesaid sections 2 and 9 of his proposal to make this order and not having received any notice of objection thereto, hereby makes the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Grimsby Port Health Authority Order 1982 and shall come into operation on 1st November 1982.

(2) In this order, unless the context otherwise requires—

“the Act” means the Public Health Act 1936;

“the Council” means the Great Grimsby Borough Council;

“the Port of Humber” means the Port of that name as established for the purposes of the enactments relating to customs and excise.

(3) References in this order to reference points shall be construed as references to National Grid reference points.

Port Health Authority

2. For the purposes of the Act, that part of the Port of Humber which lies between a line drawn from the boundary of the Borough of Great Grimsby

(a) 1936 c. 49. Section 2 was amended by the Local Government (Miscellaneous Provisions) Act 1982 (c. 30), section 42(1). Section 3 was extended by the Control of Pollution Act 1974 (c. 40), section 108 and Schedule 3, paragraph 6 and amended by the Local Government (Miscellaneous Provisions) Act 1982 (c. 30), sections 42(2) and 47 and Schedule 6, paragraph 1. See also the Food and Drugs Act 1955 (4 & 5 Eliz. 2. c. 16) section 88; Clean Air Act 1956 (c. 52) section 31; Public Health Act 1961 (c. 64) section 1; Clean Air Act 1968 (c. 62) section 14(1) Schedule 1 paragraph 1; Public Health (Recurring Nuisances) Act 1969 (c. 25) section 4(2) and (3); Local Government (Miscellaneous Provisions) Act 1976 (c. 57) section 27(4).

(b) See the Secretary of State for Social Services Order 1968 (S.I. 1968/1699) Art. 2.

on the south bank of the Humber at reference point TA2509 1203 across the Humber to Hawkins Point at reference point TA2878 1648 and a line drawn from the boundary of the Borough of Great Grimsby on the south bank of the Humber at reference point TA2908 1066 across the Humber to the Patrington Channel at reference point TA3350 1845 together with such part of the district of the Borough of Great Grimsby as is adjacent to or abuts on the waters of the part of the Port of Humber aforementioned and comprises the whole of any wharf and of the area within the gates of any dock and the buildings thereon respectively, shall be a port health district, and the Council shall be the port health authority for that district.

Jurisdiction

3. The Council shall have jurisdiction as port health authority over all waters and land within the port health district.

Functions assigned to Port Health Authority

4.—(1) There are hereby assigned to the Council as port health authority the functions, rights and liabilities of a local authority under the enactments specified in the Schedule to this order, so far as they are applicable to a port health authority and to any land, waters, premises, vessels or persons within their jurisdiction.

(2) For the purposes of the functions, rights and liabilities assigned to the Council by virtue of this order, the enactments mentioned in the Schedule to this order shall have effect as if—

- (a) any vessel lying within their jurisdiction were a house, building or premises, and
- (b) the master or other officer or person in charge of the vessel were the occupier.

(3) This article shall not apply to any vessel belonging to Her Majesty or to any vessel engaged in the service of Her Majesty, whether belonging to Her Majesty or not, or to any vessel belonging to the armed forces of any country to which the provisions of the Visiting Forces Act 1952(a) apply by virtue of section 1 of that Act.

Revocations

5. The order of the Local Government Board constituting the Grimsby Port Health Authority and dated 24th September 1887 together with the amending order of the Minister of Health dated 22nd April 1938(b) and the

(a) 1952 c. 67.

(b) S.R. & O. 1938/845

order of the Local Government Board dated 23rd September 1911 granting Grimsby Port Health Authority jurisdiction over a mooring station situate at the entrance to the River Humber are hereby revoked.

Signed by the authority of the
Secretary of State for Social Services.

Ian Gilbert,
Under Secretary,
Department of Health and Social Security.

14th October 1982.

SCHEDULE

Article 4

Public Health Act 1936 (c. 49)

Section 48	Power to examine and test drains.
Sections 51 and 52	Care of closets and sanitary conveniences.
Section 82	Byelaws as to removal through streets of offensive matter or liquid.
Sections 83-86	Filthy or verminous premises or articles and verminous persons.
Part III	Nuisances and Offensive Trades.
Sections 140 and 141	Provisions for the protection of the public from polluted water.
Part V	Prevention, Notification and Treatment of Disease.
Part XII	General.

Food and Drugs Act 1955 (4 & 5 Eliz. 2. c. 16)

Part I	General Provisions as to Food.
Part V	Administration, Enforcement and Legal Proceedings.
Part VI	Miscellaneous and General.

Clean Air Act 1956 (c. 52)

Public Health Act 1961 (c. 64)

Section 26	Defective premises.
Section 36	Power to require vacation of premises during fumigation.
Section 38	Power of justices to order a medical examination.
Section 39	Information to be furnished by occupier in case of notifiable disease or food poisoning.
Section 41	Compensation for stopping employment to prevent spread of disease.

Clean Air Act 1968 (c. 62)

The Public Health (Recurring Nuisances) Act 1969 (c. 25)

Control of Pollution Act 1974 (c. 40)

Part III (except sections
70(2), (3) and (5), and 71)
Section 76

Noise.
Regulations about sulphur content of
oil fuel for furnaces or engines.

Section 77 (insofar as it
is supplementary to
section 76)
Sections 79-83
Section 84
Section 86

Provisions supplementary to section 76.
Information about atmospheric pollution.
Interpretation of Part IV.
Protection of members and officers of
authorities from personal liability.
Rights of entry and inspection, etc.
Power of authorities to obtain information.
Prohibition on disclosure of information.
Default powers.
Interpretation.
Miscellaneous and General.

Sections 91 and 92
Section 93
Section 94
Section 97
Section 98
Part VI

The Local Government (Miscellaneous Provisions) Act 1976 (c. 57)

Section 16

Power of local authorities to obtain
particulars of persons interested in
land.

Section 32

Power of local authorities to execute
works outside their area.

Section 41

Evidence of resolutions and minutes
of proceedings etc.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order constitutes part of the Port of Humber as a port health district and constitutes the Great Grimsby Borough Council as port health authority for that district. Articles 3 and 4 relate to the jurisdiction and powers of the Council as port health authority. This order supersedes similar orders made under the Public Health Acts and confers upon the port health authority functions under general Acts relating to public health and food.