
STATUTORY INSTRUMENTS

1985 No. 1026

HARBOURS, DOCKS, PIERS AND FERRIES

The Warkworth Harbour Revision Order 1984

<i>Made - - - -</i>	11th November 1984
<i>Laid before Parliament</i>	23rd May 1985
<i>Coming into Operation</i>	3rd July 1985

The Secretary of State for Transport, in exercise of the powers conferred by section 14 of the Harbours Act 1964(a) and now vested in him(b) and of all other powers enabling him in that behalf and on the application of the Warkworth Harbour Commissioners, hereby makes the following Order:—

Citation and commencement

1.—(1) This Order may be cited as the Warkworth Harbour Revision Order 1984 and shall come into operation on the date fixed in accordance with the provisions of the Statutory Orders (Special Procedure) Acts 1945 and 1965(c).

(2) The Warkworth Harbour Acts and Order 1847 to 1973 and this Order may be cited together as the Warkworth Harbour Acts and Orders 1847 to 1984.

Remuneration of Commissioners

2.—(1) The Warkworth Harbour Commissioners may pay their Chairman and the other Commissioners such reasonable fees, allowances and travelling expenses as the Commissioners may from time to time determine:

Provided that no such payment shall exceed the maximum amount that would have been payable by way of attendance, travelling and subsistence allowances if the Commissioner concerned were a councillor and member of a local authority (other than a parish or community council) pursuant to sections 173, 174 and 175 of the Local Government Act 1972(d).

(a) 1964 c. 40; section 14 and Schedule 3 were amended by the Transport Act 1981 (c. 56), section 18 and Schedule 6, paragraph 4(1) to (8).

(b) S.I. 1981/238.

(c) 1945 c. 18 (9 & 10 Geo. 6), 1965 c. 43.

(d) 1972 c. 70; sections 173, 174 and 175 were amended by the Local Government Act 1972 (References to Aldermen) Order 1977 (S.I. 1977/1710); the Local Government, Planning and Land Act 1980 (c. 65), sections 24, 25 and 194 and Schedule 34, Part XVI; and the Water Act 1983 (c. 23), section 11(3) and Schedule 5, Part I.

(2) Section 20 (Allowance to Commissioners for Travelling and other Expenses) of the Warkworth Harbour Act 1847^(a) is repealed.

Tenders for Contracts

3. In its application to the Commissioners, section 57 of the Commissioners Clauses Act 1847^(b) (Tenders for contracts and security from contractors) shall be read and have effect by substituting, for the words “one hundred”, the words “five thousand”.

Small Contracts

4.—(1) Before a contract of value less than £5,000 but greater than £250 is entered into by the Commissioners for works in or about the harbour, the Commissioners shall, save when it is not reasonably practicable so to do, obtain at least three estimates from persons willing to undertake the works, and shall enter into the contract with the person appearing to them in all the circumstances best fitted to carry out the contract.

(2) For the purpose of obtaining estimates in an expeditious manner, the Commissioners shall maintain a list of approved contractors but shall not be bound to seek estimates or enter into contracts only with persons on that list.

Interests of Commissioners

5.—(1) Section 9 of the Warkworth Harbour Act 1847 shall be amended by inserting after the word “mentioned” the following:—

“and clause 9 of the Commissioners Clauses Act 1847”.

(2) No Commissioner shall as a Commissioner take part in the consideration or discussion or vote on any question with respect to any contract in which he has a pecuniary interest, direct or indirect, nor shall he be counted in the quorum present at the meeting during such consideration, discussion or vote.

Signed by authority of
the Secretary of State
11th November 1984.

David Mitchell,
Parliamentary Under Secretary of State,
Department of Transport.

^(a) 1847 c. cxxviii.

^(b) 1847 c. 16.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes provision for the payment to the Commissioners of the Warkworth Harbour of fees, allowances and travelling expenses. In addition, it increases the size of contract for which the Commissioners must seek tenders, makes provision regarding small contracts, and bars Commissioners with a pecuniary interest in a contract from voting on it.

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