

---

STATUTORY INSTRUMENTS

---

**2000 No. 2152**

**The Burry Port Harbour Revision Order 2000**

**PART IV**

**FINANCIAL AND MISCELLANEOUS**

**Charges for services or facilities**

**41.**—(1) In addition to their power to demand ship, passenger and goods dues under section 26 of the Harbours Act 1964, the Council may demand, take and recover such charges for services and facilities provided by them at the harbour as they may from time to time determine.

(2) The Council may confer total or partial exemptions from, allow rebates to or make compositions with any person with respect to charges, and may vary or extinguish any such exemption or composition.

(3) Nothing in section 30 of the Harbours Act 1964 shall require the Council to include in the list of ship, passenger and goods dues kept at the harbour office, as required by subsection (1) of that section, charges reduced by a rebate allowed on, or subject to a compounding arrangement in respect of, a due included in the said list.

**Payment of charges**

**42.**—(1) A charge which the Council are for the time being authorised to demand, take and recover in respect of a vessel or goods or otherwise shall be payable before the removal from the harbour of any vessel or goods in respect of which they are payable, and may be demanded, taken and recovered by such persons, at such places, at such times and under such conditions as the Council may from time to time specify in their published list of charges.

(2) Charges payable to the Council shall be payable by the owner of any vessel or goods in relation to which the charges are payable.

(3) Where a charge payable to the Council may be recovered by them from more than one person, the persons from whom it may be recovered shall be jointly and severally liable.

**Deposit for charges**

**43.** The Council may, if they think fit, require any person who is or may become liable to pay charges to the Council to deposit with their collector, or to guarantee, such sum as in the opinion of the Council is reasonable having regard to the probable amount of the charges.

**Recovery of charges**

**44.** In addition to any other remedy given by this Order and by the Act of 1847 as incorporated with this Order (and, in a case where the master of a vessel in respect of which a charge is payable to the Council refuses or neglects to pay the same or any part thereof, whether or not the Council's collector has gone on board the vessel and demanded the charge pursuant to section 44 of that Act),

the Council may recover any dues, rates, rents or other charges payable to them as a debt in any court of competent jurisdiction.

**Power to lease, sell, etc.**

45.—(1) The Council may at any time lease or grant for harbour purposes the use or occupation of, or any right or interest in, over or relating to, any lands, works, buildings, equipment or other property forming part of the harbour for such period or periods and on such terms and conditions as may be agreed between the Council and the persons taking the same.

(2) If the Council consider that any land or other property forming part of the harbour estate is no longer required for harbour purposes, the Council may—

- (a) appropriate such land or other property for other purposes, or
- (b) dispose of such land or other property in such manner whether by way of sale, exchange, lease, the creation of any easement, right or privilege, or otherwise for such period, upon such conditions and for such consideration as they think fit.

**Protection for Environment Agency**

46. The provisions in Schedule 2 to this Order shall have effect.

**Crown rights**

47.—(1) Nothing in this Order shall affect prejudicially any estate, right, power, privilege, authority or exemption of the Crown and, in particular and without prejudice to the generality of the foregoing, nothing in this Order shall authorise any person to take, use, enter upon or in any manner interfere with, any land or hereditaments or any right of whatever description (including any part of the shore or bed of the sea or of any river, channel, creek, bay or estuary)—

- (a) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners, without the consent in writing of those Commissioners; or
- (b) belonging to a government department, or held in trust for Her Majesty for the purpose of a government department, without the consent in writing of that department.

(2) A consent under paragraph (1) above may be given unconditionally or subject to such conditions and upon such terms as may be considered necessary or appropriate.

**Repeals**

48. The enactments specified in columns (1) and (2) of Schedule 3 to this Order are hereby repealed to the extent mentioned in column (3) of that Schedule.