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## STATUTORY INSTRUMENTS

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# 2009 No. 2325

## The Penzance Harbour Revision Order 2009

### PART 2

#### HARBOUR REGULATION

##### Removal of vehicles etc

**21.**—(1) If a vehicle or boat is left without the permission of the Council—

- (a) in any place where it is likely to obstruct or interfere with the use of the authorised works;  
or
- (b) in any part of the authorised works where the parking of vehicles or boats is prohibited by notice erected by the Council,

the Council may, at the risk of the owner, remove the vehicle or boat or cause it to be removed.

(2) Any notice erected under paragraph (1)(b) shall be conspicuously posted in or close to the place to which it relates.

(3) Where the Council in exercise of the powers of this article remove a vehicle or boat or cause it to be removed they shall as soon as practicable report that fact to a constable or to a police station.

(4) The expenses of and incidental to the removal of a vehicle or boat under this article shall be recoverable from any person responsible.

(5) For the purposes of paragraph (4) “person responsible” means—

- (a) the owner of the vehicle or boat at the time when it was put in the place from which it was removed under paragraph (1), unless the owner shows that he was not concerned in, and did not know of, its being put there; or
- (b) any person by whom the vehicle or boat was put in that place.

(6) If the Council in exercise of the powers of this article remove a vehicle to a place not readily visible from the place whence it is so removed they shall, if and as soon as it is reasonably practicable to do so, send to the person for the time being registered as the owner of the vehicle for the purposes of the Road Vehicles (Registration and Licensing) Regulations 2002<sup>(1)</sup> or any other regulations having the like effect for the time being in force, at his last known address, his registered address or the address where the vehicle is ordinarily kept, notice that they have exercised the powers of this article and of the place to which the vehicle has been removed.

(7) A notice stating the general effect of paragraph (1) shall be displayed in a prominent position at each place where a road accessible to vehicles enters any part of the works.

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##### Commencement Information

**II** Art. 21 in force at 18.9.2009, see [art. 1](#)

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(1) [S.I. 2002/2742](#).

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**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Penzance Harbour Revision Order 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Order revoked in part by [S.I. 2023/675 Sch. 4](#)