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STATUTORY INSTRUMENTS

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**2010 No. 2020**

**The Port of Bristol (Deep Sea Container Terminal) Harbour Revision Order 2010**

**PART 1**

**PRELIMINARY**

**Citation and commencement**

**1.**—(1) This Order may be cited as the Port of Bristol (Deep Sea Container Terminal) Harbour Revision Order 2010 and shall come into force on 1st September 2010.

(2) The Bristol Dock Acts and Orders 1848 to 1993 and this Order may be cited together as the Bristol Dock Acts and Orders 1848 to 2010.

**Interpretation**

**2.**—(1) In this Order—

“the 1847 Act” means the Harbours, Docks and Piers Clauses Act 1847<sup>(1)</sup> as incorporated with the Bristol Dock Acts and Orders 1848 to 1993;

“the 1990 Act” means the Town and Country Planning Act 1990<sup>(2)</sup>;

“the 1993 Order” means the Port of Bristol Harbour Revision Order 1993<sup>(3)</sup>;

“the 1995 Order” means the Town and Country Planning (General Permitted Development) Order 1995<sup>(4)</sup>;

“AOD” means above Ordnance Datum (Newlyn);

“added pilotage area” means the area described in Schedule 5 (extension of limits of jurisdiction for purposes of pilotage);

“Chart Datum” in relation to any depth of dredging is 6.5 metres below Ordnance Datum (Newlyn);

“the Company” means First Corporate Shipping Limited, a company limited by shares and incorporated under the Companies Act 1985<sup>(5)</sup>, whose registered number is 2542406;

“construction” includes execution and placing and, in its application to works which include or comprise any operation, means the carrying out of that operation but does not include maintenance dredging, and “construct” and “constructed” shall be construed accordingly;

“the deposited plans” and “the deposited sections” mean, respectively, the plans and sections certified by the Secretary of State as the plans and sections for the purposes of this Order;

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(1) 1847 c. 27 (10 & 11 Vict.).

(2) 1990 c. 8.

(3) S.I. 1993/2974.

(4) S.I. 1995/418 to which there have been amendments not relevant to this Order.

(5) 1985 c. 6.

“the designated harbour” means the area within which the Company had jurisdiction as harbour authority pursuant to article 3 of the 1993 Order immediately before the coming into force of this Order;

“harbour master” means any person appointed as such by the Company under section 51 of the 1847 Act;

“level of high water” means the level of mean high-water springs;

“Lighthouse” means the disused lighthouse situated at the seaward limit of the North Pier;

“limits of construction activity” means the limits of construction activity shown on sheet 10 of the deposited plans;

“limits of deviation” means the limits of deviation for Works Nos. 1 to 6 shown on the deposited plans;

“limits of deviation for dredging” means the limits of deviation for the operations authorised by article 5 (power to dredge the Severn Estuary) and shown marked “LODD” on the deposited plans;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and “maintenance” shall be construed accordingly;

“maintenance dredging” means any dredging operations carried out under article 5 (power to dredge the Severn Estuary) in order to maintain the areas referred to in Schedule 3 (dredging works) to their respective depths, widths and positions as set out in that Schedule;

“tidal work” means so much of the works as is on, under or over tidal waters or tidal lands below the level of high water but excluding any operations authorised by article 5 (power to dredge the Severn Estuary) and excluding the projection over waters by booms, cranes and similar plant and machinery operating within the designated harbour;

“Trinity House” means the Corporation of Trinity House of Deptford Strond;

“undertaking” means the harbour undertaking of the Company from time to time, including all real and personal property and works acquired, appropriated or provided by the Company for that purpose;

“vessel” means every description of vessel, however propelled or moved, and includes non-displacement craft, a hovercraft (within the meaning of the Hovercraft Act 1968(6)), a hydrofoil vessel and any other thing constructed or used to carry or propel persons or goods by or across water;

“works” means the works and operations authorised by this Order, or any part of such works.

(2) All situations, points, directions, distances, lengths, dimensions, areas and other measurements stated in this Order shall be construed as if the words “or thereabouts” were inserted after each such situation, point, direction, distance, length, dimension, area or other measurement.

(3) In this Order, references to named breakwaters or piers, or other points, places, structures and apparatus are references to those so named on the Admiralty Chart for the Port of Bristol (No. 1859).

(4) In this Order—

- (a) any reference to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Order;
- (b) map reference points specified shall be construed as references to Ordnance Survey National Grid reference points; and
- (c) longitude and latitude are stated by reference to the World Geodetic System (WGS84) Datum.

(5) References in the Bristol Dock Acts and Orders 1848 to 1993 to the undertaking of the Company shall be construed for all purposes as including references to any works carried out and any lands reclaimed by or on behalf of the Company or any of its subsidiaries under or by virtue of this Order.