
WELSH STATUTORY INSTRUMENTS

2024 No. 147 (W. 32)

HARBOURS, DOCKS, PIERS AND FERRIES

The Port Talbot Harbour (Extension of Limits) Harbour Revision Order 2024

Made - - - - 13 February 2024

Coming into force - - 24 February 2024

In accordance with section 14(1) of the Harbours Act 1964(1) (“the Act”), this Order is made in relation to a harbour which is being improved, maintained or managed by a harbour authority in the exercise and performance of statutory powers and duties, for achieving objects specified in Schedule 2 to the Act(2).

Associated British Ports, as harbour authority for Port Talbot Harbour, has applied in accordance with section 14(2)(a) of the Act for a harbour revision order under section 14 of the Act.

The functions of the appropriate Minister for the purpose of that section have been transferred to the Welsh Ministers(3).

Notice has been published in accordance with the requirements of paragraph 10 of Schedule 3 to the Act and the provisions of paragraphs 15 and 17 of Schedule 3 to the Act have been satisfied. No objections to the application have been made.

The Welsh Ministers, in exercise of the powers conferred by section 14(1) and (3) of the Act and being satisfied that the requirements of sections 14(2)(b) and 14(2B) of that Act have been met, make the following Order.

Title and coming into force

1.—(1) The title to this Order is the Port Talbot Harbour (Extension of Limits) Harbour Revision Order 2024.

(2) This Order comes into force on 24 February 2024.

(1) 1964 c. 40. section 14 was amended by the Transport Act 1981 (c. 56), section 18 and Schedule 6, paragraphs 2 to 4(1) and 14 and section 40 and Schedule 12 (Part II); the Transport and Works Act 1992 (c. 42), section 63(1) and Schedule 3, paragraph 1; by S.I. 2006/1117, regulation 2 and the Schedule (Part 1); by the Planning Act 2008 (c. 29), section 36 and Schedule 2, paragraphs 8 and 9; and by S.I. 2009/1941, article 2 and Schedule 1, paragraph 12.

(2) Schedule 2 was relevantly amended by the Transport and Works Act 1992 (c. 42), Schedule 3, paragraph 9; the Docks and Harbours Act 1966 (c. 28), sections 36(4) and 50(1); the Water Act 1989 (c. 15), sections 58(7), 101(1), 141(6) 160(1)(2) (4), 163 189(4)-10, 190, 193(1), Schedule 25, paragraph 31(1) and Schedule 26, paragraphs 3(1)(2), 17, 40(4), 57(6) and 58; and S.I. 2006/1177 Sch.1(I) para.1.

(3) Section 29(1) and 29(2)(b)(ii) of the Wales Act 2017 (c. 4), subject to S.I. 2018/278 Schedule 1 paragraph 1(1).

Interpretation

2. In this Order—

- “the 1847 Act” (“*Deddf 1847*”) means the Harbours, Docks and Piers Clauses Act 1847(4)
- “the 1899 Act” (“*Deddf 1899*”) means the Port Talbot Railway and Docks Act 1899(5);
- “the 1964 Act” (“*Deddf 1964*”) means the British Transport Docks Act 1964(6);
- “the 1971 Act” (“*Deddf 1971*”) means the British Transport Docks Act 1971(7);
- “the added area” (“*yr ardal ychwanegol*”) means the area described in Schedule 1 and shown for the purpose of identification only on the plan set out in Schedule 2;
- “the existing harbour byelaws” (“*is-ddeddfau presennol yr harbwr*”) means the Port Talbot Harbour byelaws dated 1st March 1923 as supplemented by the byelaws dated 29th April 1927;
- “the harbour authority” (“*awdurdod yr harbwr*”) means Associated British Ports in its capacity as harbour authority for Port Talbot Harbour;
- “Port Talbot Harbour” (“*Harbwr Port Talbot*”) means the docks and harbour comprising the undertaking of Associated British Ports at Port Talbot .

Extension of limits of jurisdiction

3.—(1) The limits of Port Talbot Harbour as defined in section 23 (Existing limits of harbour) of the 1899 Act and extended by section 19 (Extension of dock and harbour master’s jurisdiction and of limits of harbour) of the 1971 Act are further extended to include the added area.

(2) Subject to article 4 all enactments conferring rights and powers or imposing duties, obligations or liabilities upon the harbour authority or its harbour master which had effect immediately before the coming into force of this Order within the harbour are to have effect within the added area.

Application of existing legislation

4.—(1) The 1847 Act has effect within the added area as incorporated with the 1964 Act in relation to the Port Talbot works authorised by that Act.

(2) The existing harbour byelaws are not to apply to the added area.

(3) Ship, goods and passenger dues within the meaning of the Harbours Act 1964 may not be charged on any ship or on goods carried on that ship by reason only that the ship passes through or anchors within the added area on a voyage to and from a place outside Port Talbot Harbour.

(4) Pilotage charges under section 10 (pilotage charges) of the Pilotage Act 1987(8) may not be charged on any vessel passing through or anchoring in the added area which is travelling to or from an area of another competent harbour authority and is subject to a compulsory pilotage direction made by that authority.

(5) In this article “competent harbour authority” means a competent harbour authority for the purpose of the Pilotage Act 1987 and “compulsory pilotage direction” means a direction made under section 7 (pilotage directions) of that Act.

Crown rights

5.—(1) Nothing in this Order shall—

(4) 10 & 11 Vict. c 27
 (5) 1899.c.cxcix
 (6) 1964.c.xxxviii.
 (7) 1871.c.lix
 (8) 1987 c. 21

- (a) prejudicially affect any estate, right, power, privilege, authority or exemption of the Crown;
 - (b) authorise Associated British Ports or any licensee of Associated British Ports to take, use, enter upon or in any manner interfere with any land or interests in land or any rights of whatsoever description (including any part of the shore or bed of the sea or of any river, channel, creek, bay or estuary) belong to—
 - (i) His Majesty in right of the Crown and forming part of the Crown Estate without the consent in writing of the Crown Estate Commissioners, or
 - (ii) a government department or held in trust for His Majesty for the purposes of a government department, without the consent in writing of that government department.
- (2) A consent under paragraph (1)(b) may be given unconditionally or subject to such conditions and upon such terms as may be considered necessary or appropriate.

13 February 2024

Lee Waters
Deputy Minister for Climate Change, one of the
Welsh Ministers

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Article 2

Added Area

The added area means the area within Swansea Bay, shown for the purpose of identification only on the plan set out in Schedule 2, bounded by an imaginary line drawn between the following points—

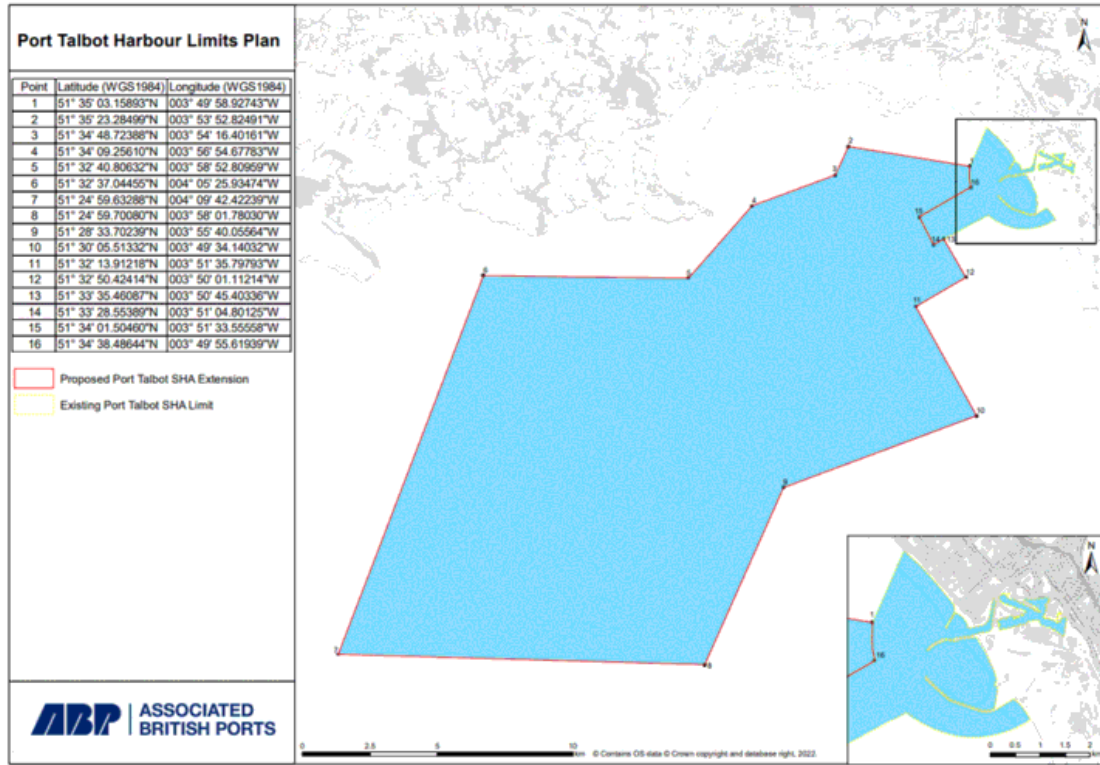
| <i>Point</i> | <i>Latitude</i> | <i>Longitude</i> |
|--------------|--------------------|---------------------|
| 1 | 51° 35' 03.15893"N | 003° 49' 58.92743"W |
| 2 | 51° 35' 23.28499"N | 003° 53' 52.82491"W |
| 3 | 51° 34' 48.72388"N | 003° 54' 16.40161"W |
| 4 | 51° 34' 09.25610"N | 003° 56' 54.67783"W |
| 5 | 51° 32' 40.80632"N | 003° 58' 52.80959"W |
| 6 | 51° 32' 37.04455"N | 004° 05' 25.93474"W |
| 7 | 51° 24' 59.63288"N | 004° 09' 42.42239"W |
| 8 | 51° 24' 59.70080"N | 003° 58' 01.78030"W |
| 9 | 51° 28' 33.70239"N | 003° 55' 40.05564"W |
| 10 | 51° 30' 05.51332"N | 003° 49' 34.14032"W |
| 11 | 51° 32' 13.91218"N | 003° 51' 35.79793"W |
| 12 | 51° 32' 50.42414"N | 003° 50' 01.11214"W |
| 13 | 51° 33' 35.46087"N | 003° 50' 45.40336"W |
| 14 | 51° 33' 28.55389"N | 003° 51' 04.80125"W |
| 15 | 51° 34' 01.50460"N | 003° 51' 33.55558"W |
| 16 | 51°34' 38.48644"N | 003° 49' 55.61939"W |

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SCHEDULE 2

Article 2

Plan of Added Area



EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made on the application of Associated British Ports the harbour authority for Port Talbot Harbour by the Welsh Ministers in exercise of the powers conferred by section 14 of the Harbours Act 1964.

This Order authorises the further seaward extension of the limits of Port Talbot Harbour and makes provision with regard to the application of legislation to the added limits.