

**2007 No. 482**

**HARBOURS, DOCKS, PIERS AND FERRIES**

**The Perth Harbour Revision Order 2007**

*Made* - - - - *24th October 2007*

*Coming into force* - - *25th October 2007*

Perth and Kinross Council(a) have applied for an Order under section 14 of the Harbours Act 1964(b) (“the Act”):

The Scottish Ministers(c) are satisfied as mentioned in section 14(2)(b) of that Act:

The Scottish Ministers, in exercise of the powers conferred by that section make the following Order:—

**Citation and commencement**

1.—(1) This Order may be cited as the Perth Harbour Revision Order 2007 and shall come into force on 25th October 2007.

(2) This Order and the Perth Harbour Acts and Orders 1856 to 1988 may be cited together as the Perth Harbour Acts and Orders 1856 to 2007.

**Interpretation**

2. In this Order—

“the Council” means Perth and Kinross Council;

“existing westernmost Dundee harbour limits” means the westernmost limits of the port and harbour of Dundee as described in article 4 of the Dundee Harbour Revision Order 1969(d); and

“level of high water” means the level of mean high water springs.

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(a) A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39). Perthshire and Kinross Council changed the name of their area from “Perthshire and Kinross” to “Perth and Kinross” by resolution under section 23(1) of the Local Government (Scotland) Act 1973 on 1st December 1995.

(b) 1964 c.40; section 14 and Schedule 3 were amended by the Transport Act 1981 (c.56), section 18 and Schedule 6, paragraphs 2 to 4, 12 and 14; and by the Transport and Works Act 1992 (c.42), section 63 and Schedule 3, paragraphs 1 and 10.

(c) Section 14(7) contains a definition of “the appropriate Minister” relevant to the exercise of the powers under which this Order is made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(d) S.I. 1969/1488.

### **Extension of limits of harbour of Perth**

3.—(1) The limits within which the Council shall exercise jurisdiction as a harbour authority (including jurisdiction for the purposes of pilotage under Part I of the Pilotage Act 1987<sup>(a)</sup>) and within which the powers of the harbour master shall be exercised shall be the area described in paragraph (2) below.

(2) The area referred to in paragraph (1) above is the area which lies within a line commencing at a point on the level of high water on the east bank of the eastern arm of the River Tay at the south east corner of Perth Railway Bridge at 56°23'26.092"N 003°25'15.61"W proceeding thence in a southerly direction following the level of high water for a distance of approximately 1,448 metres or thereby to a point on the north bank of the River Tay opposite the south east corner of the area of land known as Moncrieffe Island at a position 56°22'45.16"N 003°24'45.04"W thence in an east north easterly, east south easterly and east north easterly direction following the level of high water on the north bank of the River Tay for a distance of approximately 28,162 metres or thereby to the east of the existing westernmost Dundee harbour limits on the north bank of the River Tay then in a southerly direction along an imaginary straight line following the existing westernmost Dundee harbour limits to a point on the level of high water on the south bank of the River Tay in a west south westerly direction following the level of high water on the south bank of the River Tay for a distance of approximately 17,058 metres or thereby to a point on the south bank of the River Tay at the junction with the south east corner of the River Earn at a position 56°21'07.12"N 003°17'51.00"W thence along an imaginary line across the mouth of the River Earn to a point on the level of high water on the south bank of the River Tay above the junction with the River Earn at a position 56°21'12.52"N 003°18'05.59"W thence in a north westerly and west south westerly direction following the level of high water on the south bank of the River Tay for a distance of approximately 8,303 metres or thereby to a point on the south bank of the River Tay opposite the southeast corner of the area of land known as Moncrieffe Island at a position 56°22'39.95"N 003°24'50.45"W and thence in a westerly and northerly direction following the level of high water along the western bank of the western arm of the River Tay for a distance of approximately 2,461 metres or thereby to the north west corner of Perth Railway Bridge at a position 56°23'30.58"N 003°25'34.22"W thence in a south easterly direction following Perth Railway Bridge to the point of commencement under exception of the area of land known as Moncrieffe Island.

(3) For illustrative purposes only, a map showing the limits of the harbour of Perth as defined by this Order and showing the area hatched red, marked "The Perth Harbour Revision Order 2007 – Limits of Perth Harbour" has been signed in triplicate on behalf of the Scottish Ministers and copies of the map have been deposited at the offices of the Scottish Executive, Victoria Quay, Edinburgh, EH6 6QQ and are available for inspection at those offices at all reasonable hours.

(4) All enactments conferring rights, powers, privileges and immunities or imposing duties, obligations and liabilities upon the Council, and all byelaws, regulations and directions made by the Council which immediately before the date of the coming into force of this Order related to or had effect within the harbour, as it existed immediately before that date, shall relate to and have effect throughout the harbour as described in paragraph (2) of this article.

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<sup>(a)</sup> 1987 c.21. Perth and Kinross Council were made a competent harbour authority in respect of the harbour of Perth for the purposes of the Pilotage Act 1987 by S.S.I. 2006/46.

(5) Nothing in this Order shall affect the operation within the harbour, as it existed immediately before the date of the coming into force of this Order, of such of the provisions of the Harbours, Docks and Piers Clauses Act 1847 as were operative within those limits immediately before that date and the said provisions shall extend and apply to the harbour as described in paragraph (2) of this article.

*ALASTAIR WILSON*

A member of the Staff of the Scottish Executive

Victoria Quay,  
Edinburgh  
24th October 2007

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order extends the limits of the harbour of Perth, within which the Perth and Kinross Council exercise jurisdiction as harbour and pilotage authority. The new harbour limits are described in article 3 of the Order.

The applicant for the Order is Perth & Kinross Council, 2 High Street, Perth, PH1 5PH.

**£3.00**

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