
STATUTORY INSTRUMENTS

1996 No. 412

**The Campbeltown (Ferry Terminal)
Harbour Revision Order 1996**

**PART II
WORKS**

Power to carry out works

3.—(1) Subject to the provisions of this Order, the Council may, in the parish of Campbeltown, district of Argyll and Bute in the Strathclyde region and on the foreshore and in the sea adjoining the same in the situations and lines and within the limits of deviation and according to the levels shown on the deposited plans and sections construct, execute and maintain the works hereafter described, together with all necessary and proper works and conveniences connected with or incidental thereto, that is to say:

Work No.1

A vehicle marshalling area of predominantly rectangular shape to be constructed by reclamation of the foreshore and seabed by infilling, levelling and surfacing, varying in width from 68 metres at its western end to 24 metres at its eastern end and bounded on its south-eastern and eastern sides by rock faces and on its north-eastern side by sheet piling or reinforced concrete wall, the marshalling area commencing at a point at NR 7225020232 and extending in a north-easterly direction for a distance of 106.4 metres to a point at NR 7231520317 and there terminating.

Work No.2

An adjustable steel link bridge commencing at a point at NR 7231920313 connecting by a hinge to the eastern face of Work No.1 and extending in a generally north-easterly direction for a distance of 16 metres to a point at NR 7233720331 and there terminating, to form a link between a vessel and Work No.1 and including machinery for lifting and lowering the end adjoining the vessel, the width of the bridge being 5.5 metres.

Work No.3

Two fixed structures of solid construction to support the mechanism for lifting and lowering the adjustable end of the steel link bridge (Work No.2) and guiding the same; the centre of the northern structure being situated adjacent to the existing pier at a point at NR 7232620332, the northern structure having a width of 4 metres and a length of 4 metres, and the centre of the southern structure being situated at a point at NR 7233820321, the southern structure having a width of 4 metres and a length of 4 metres.

Work No.4

A realignment of part of the south-east face of the existing pier constructed by infilling and faced by sheet piling, commencing at a point NR 7231120322, 12.1 metres north-west from the commencement of Work No.2 and extending in a north-easterly direction for a distance of 54.9 metres to a point at NR 7235120359 and there terminating.

Work No.5

A realignment of part of the south-eastern face of the existing pier constructed by infilling and faced by sheet piling, commencing at a point at NR 7235120359, 1.1 metres south-east of the termination of Work No.4 and extending in a north-easterly direction for a distance 30 metres to a point at NR 7237320379 and there terminating.

Work No.6

An openwork extension of the existing pier consisting of a reinforced concrete deck supported on steel piles, commencing at a point at NR 7237020383, 4.1 metres north-west of the termination of Work No.5 and extending in a north-easterly direction for a distance of 25 metres to a point at NR 7238820400 and there terminating in a semicircular profile.

Work No.7

Fendering of the south-east face and eastern semicircular head of Work No.6 in open work construction commencing at a point at NR 7234520350, 19.5 metres north-east of the commencement of Work No.3 and extending in a north-easterly direction for a distance of 60 metres; thence in a generally north-westerly direction round the semicircular profile of Work No.6 for a distance of 10.5 metres to a point at NR 7238920400 and there terminating.

(2) The Council may within the limits of deviation reconstruct, renew and alter temporarily or permanently the works.

Power to deviate

4. Subject to the provisions of this Order, in the construction or execution of the works the Council may deviate laterally from the lines or situations thereof shown on the deposited plans to the extent of the limits of deviation, and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding 1.5 metres upwards and to any extent downwards.

Subsidiary works

5. Subject to the provisions of this Order, for the purposes of or in connection with the works authorised by article 3 above, the Council may within the limits of deviation construct, execute and maintain all such subsidiary or incidental works and conveniences as may be necessary for or in connection with those works.

Power to dredge

6. Subject to the provisions of this Order the Council may within the area marked "Limit of dredged area" on the deposited plans deepen, dredge, scour, cut and improve the bed of the sea and for that purpose may blast any rock within such area.

Obstructing works

7. Any person who intentionally obstructs any person acting under the authority of the Council in setting out the lines of the authorised works, or who moves or removes any pole, stake, station point or bench mark established for the purpose of such setting out shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Works deemed to be part of harbour undertaking

8. The works shall be deemed for all purposes to be part of the harbour undertaking of the Council and all byelaws, rules and regulations of the Council for the time being in force relating to the harbour undertaking shall apply to the works and may be enforced by the Council accordingly.

Tidal works not to be executed without approval of Secretary of State

9.—(1) A tidal work shall not be constructed, reconstructed, executed, renewed or altered except in accordance with plans and sections approved by the Secretary of State and subject to any conditions and restrictions imposed by the Secretary of State before the work is begun.

(2) If a tidal work is constructed, reconstructed, executed, renewed or altered in contravention of this article—

(a) the Secretary of State may by notice in writing require the Council at its own expense to remove the tidal work or any part thereof and restore the site thereof to its former condition, and if, on the expiration of 30 days from the date when the notice is served upon the Council it has failed to comply with the requirements of the notice, the Secretary of State may execute the works specified in the notice; or

(b) if it appears to the Secretary of State urgently necessary so to do, he may himself remove the tidal work or part of it and restore the site to its former condition;

and any expenditure incurred by the Secretary of State in so doing shall be recoverable from the Council.

Survey of tidal works

10. The Secretary of State may at any time if he deems it expedient order a survey and examination of a tidal work or of the site upon which it is proposed to construct and execute the work and any expenditure incurred by him in such survey and examination shall be recoverable from the Council.

Lights on tidal works during construction

11.—(1) The Council shall at or near a tidal work during the whole time of the construction, reconstruction, execution, renewal, or alteration thereof exhibit every night from sunset to sunrise such lights, if any, and take such other steps for the prevention of danger to navigation, as the Secretary of State shall from time to time direct.

(2) If the Council fails to comply in any respect with a direction given under this article it shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum and on conviction on indictment to a fine.

Permanent lights on tidal works

12.—(1) After the completion of a tidal work the Council shall at the outer extremity thereof exhibit every night from sunset to sunrise such lights, if any, and take such other steps for preventing danger to navigation, as the Commissioners of Northern Lighthouses shall from time to time direct.

(2) If the Council fails to comply in any respect with a direction given under this article it shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum and on conviction on indictment to a fine.

Abatement of works abandoned or decayed

13.—(1) Where a tidal work is abandoned or suffered to fall into decay the Secretary of State may by notice in writing require the Council at its own expense either to repair and restore the work or any part thereof, or to remove the work and restore the site thereof to its former condition, to such an extent and within such limits as the Secretary of State thinks proper.

(2) Where a work consisting partly of a tidal work and partly of works on or over land above the level of high water is abandoned or suffered to fall into decay and that part of the work on or over land above the level of high water is in such condition as to interfere or to cause reasonable apprehension

that it may interfere with the right of navigation or other public rights over the foreshore, the Secretary of State may include that part of the work, or any portion thereof, in any notice under this article.

(3) If, on the expiration of 30 days from the date when a notice under this article is served upon the Council, it has failed to comply with the requirements of the notice, the Secretary of State may execute the works specified in the notice and any expenditure incurred by him in so doing shall be recoverable from the Council.

Provision against danger to navigation

14.—(1) In the case of injury to or destruction or decay of a tidal work or any part thereof the Council shall forthwith notify the Commissioners of Northern Lighthouses and shall lay down such buoys, exhibit such lights and take such other steps for preventing danger to navigation as the Commissioners of Northern Lighthouses shall from time to time direct.

(2) If the Council fails to notify the Commissioners of Northern Lighthouses as required by this article or to comply in any respect with a direction given under this article it shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum and on conviction on indictment to a fine.

Period for completion of works

15. If the works are not completed within 10 years from the coming into force of this Order or such extended time as the Secretary of State may on the application of the Council allow, then on the expiration of that period or such extended time (as the case may be) the powers by this Order granted to the Council for constructing and maintaining the works shall cease except as to so much thereof as shall then be completed.