
STATUTORY INSTRUMENTS

2010 No. 1216

The Cowes Port Health Authority Order 2010

Citation, commencement, application and interpretation

1.—(1) This Order may be cited as the Cowes Port Health Authority Order 2010 and shall come into force on 6th April 2010.

(2) This Order applies in relation to England.

(3) In this Order—

“the Act” means the Public Health (Control of Disease) Act 1984;

“approaches” means seaward approaches and land approaches lying within the curtilage of a dock, harbour or marina;

“the Council” means the Isle of Wight Council;

“the Port of Cowes” means the port of that name established for the purposes of the enactments relating to customs and excise.

(4) References in this Order to reference points shall be construed as references to National Grid reference points.

The Port Health Authority

2.—(1) For the purposes of the Act the parts of the Port of Cowes and the land and water to which this article applies shall be a port health district and the Council shall be the port health authority for that district.

(2) This article applies to the parts of the Port of Cowes and the land and water which lies within the area bounded—

(a) by a line—

(i) from Ordnance Survey reference point SZ462943 (the western boundary of the Medina Borough Council at low water mark) north-north-east to Ordnance Survey reference point SZ464957 (Gurnard Ledge Buoy), then

(ii) north-east to Ordnance Survey reference point SZ485970 (Gurnard Buoy), then

(iii) east-north-east to Ordnance Survey reference point SZ500974 (Prince Consort Buoy) then,

(iv) south-east to Ordnance Survey SZ594937 (the northerly point of the pier at Ryde), then

(v) east to Ordnance Survey reference point SZ641938 (No Man’s Land Fort), then

(vi) south-south-east to Ordnance Survey reference point SZ648897 (St Helen’s Fort), then

(vii) south-west to Ordnance Survey reference point SZ638888 (the eastern end of the groyne on the west side of the entrance to Bembridge Harbour);

(b) by the mean high water line along the coast between Ordnance Survey reference point SZ638888 (the eastern end of the groyne on the west side of the entrance to Bembridge

Harbour) and Ordnance Survey reference point SZ462943 (the western boundary of the Medina Borough Council at low water mark),

together with—

- (aa) all docks, harbours and marinas, including the approaches to them; and
- (bb) as far as the tide flows, all river, canals, bays, creeks, streams, channels, waters and watercourses,

giving on to the area specified in this article.

Jurisdiction

3. The Council shall have jurisdiction as port health authority over all waters and land within the port health district.

Functions assigned to port health authority

4.—(1) There are assigned to the Council as port health authority the functions, rights and liabilities of a local authority under the enactments specified in the Schedule to this Order, as far as they are applicable to a port health authority, and to any land, waters, premises, vessels or persons within its jurisdiction.

(2) For the purposes of the functions, rights and liabilities assigned to the Council by virtue of this Order, the enactments mentioned in the Schedule to this Order shall have effect as if—

- (a) any vessel lying within the port health district were a house, building or premises; and
- (b) the master or other officer or person in charge of the vessel were the occupier.

(3) This article shall not apply to any vessel belonging to Her Majesty or to any vessel engaged in the service of Her Majesty, whether belonging to Her Majesty or not, or to any vessel belonging to the armed forces of any country to which the provisions of the Visiting Forces Act 1952(1) apply by virtue of section 1 of that Act.

Revocations

5.—(1) The Cowes Port Health Authority Order 1990(2) is revoked.

Signed by authority of the Secretary of State for Health

Jonathan Stopes-Roe
A member of the Senior Civil Service
Department of Health

1st April 2010

(1) 1952 c.67.
(2) S.I. 1990/81.