
STATUTORY INSTRUMENTS

2011 No. 1347

The Yarmouth (Isle of Wight) Harbour Revision Order 2011

PART 2

HARBOUR REGULATION

Other provisions

Power to designate parts of harbour, etc.

18.—(1) Subject to paragraphs (4) and (5), and to Schedule 4, but notwithstanding anything else in this or any other statutory provision of local application, the Commissioners may from time to time set apart or designate any part of the harbour for the exclusive, partial or preferential use or accommodation of any particular trade, activity, person, vessel or class of vessels or goods, subject to the payment of such reasonable charges and to such terms, conditions and regulations as the Commissioners think fit.

(2) Without prejudice to the generality of paragraph (1), the Commissioners may exercise the powers of this article in relation to any part of the harbour during and for the purposes of any regatta, boat race or other event or function.

(3) No person or vessel shall, otherwise than in accordance with the setting apart or designation, make use of any part of the harbour so set apart or designated without the consent of the harbourmaster or other duly authorised officer of the Commissioners, and—

- (a) the harbourmaster or, as the case may be, such officer may order any person or vessel making use of it without such consent to leave or be removed; and
- (b) the provisions of section 58 of the Harbours, Docks, and Piers Clauses Act 1847(1) shall extend and apply with appropriate modifications in relation to any such vessel.

(4) The Commissioners shall not exercise the powers of this article in such a way as to prevent the exercise of rights conferred by any licence granted pursuant to article 14(2) or article 15.

(5) Nothing in this article shall authorise the permanent or temporary stopping up or diversion or other interference with any public right of way over land within the harbour.