
STATUTORY INSTRUMENTS

2021 No. 43

The Weymouth Harbour Revision Order 2021

PART 6

MISCELLANEOUS AND GENERAL

Moorings

34.—(1) The Council may provide, place, lay down, maintain, renew, use, have and remove such moorings within the harbour—

- (a) on land owned or leased by it or in which it holds an appropriate interest; or
- (b) with the consent in writing of the owner and lessee thereof, on any other land in the harbour, as it considers necessary or desirable for the convenience of vessels.

(2) The Council may demand, receive and recover in respect of any vessel using any of the moorings provided under this article or moored to land owned or leased by the Council such reasonable charges as the Council may from time to time prescribe.

(3) The Council may compound with any person with respect to the payment of the charges prescribed under paragraph (2) above.

(4) Subject to paragraph (5), the Council may give notice in writing to the person having the control of any vessel using any mooring in the harbour at the date this Order comes into force requiring them within 28 days to remove the mooring so as to enable the Council to provide moorings in accordance with paragraph (1) above.

(5) The Council shall offer to make available to the person having the control of the vessel referred to in the notice a mooring provided by it under paragraph (1) above as soon as such mooring has been laid down.

(6) If any person fails to comply with a notice given by the Council under paragraph (4), the Council may at any time after the expiration of 28 days from the date of the giving of the notice remove the mooring referred to in that notice.

(7) Subject to paragraphs (8) and (9) the Council may from time to time grant to a person with or without conditions a licence to place, lay down, maintain, renew, use and have existing and future moorings, for vessels in the harbour.

(8) Nothing in any licence granted under paragraph (7) shall entitle a person to place, lay down, maintain, renew or use and have any mooring on land not owned or leased by them or by the Council or in which they have no appropriate interest.

(9) A licence granted under paragraph (7) shall be valid only for a period of a maximum of one year commencing with the date on which it is granted.

(10) The Council may charge for a licence granted under paragraph (7) such reasonable fee as the Council may from time to time prescribe.

(11) Any person who—

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

- (a) intentionally obstructs any person acting under the authority of the Council in setting out moorings;
- (b) intentionally and without lawful authority pulls up or removes any mooring in the harbour or any part thereof;
- (c) without reasonable excuse causes or permits a vessel to be moored in the harbour except at a mooring provided or licensed by the Council under this article; or
- (d) places, lays down, maintains, renews or has in the harbour any mooring not provided or licensed by the Council under this article;

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(12) If any person commits an offence under paragraph (11)(d) above, the Council may remove the mooring in question and recover from that person the expenses incurred in doing so.

(13) In this article “mooring” includes any buoy, pile, post, chain, pillar or like apparatus or convenience used for the mooring of vessels.