

## **HARBOURS ACT 1964 (AS AMENDED)**

### **PROPOSED FOWEY HARBOUR REVISION ORDER 20[ ]**

#### **NOTICE OF APPLICATION FOR A HARBOUR REVISION ORDER**

NOTICE IS HEREBY GIVEN that the Fowey Harbour Commissioners (“the applicant”) have applied to the Marine Management Organisation (“MMO”) for a harbour revision order under section 14 of the Harbours Act 1964.

The proposed order would provide clarity on the limits of the harbour to expressly include the harbour premises; modernised powers of management and control of the harbour to vest in the Commissioners including provisions relating to general and special powers of direction, licensing of boatmen and vessels, notices and amendments to the Commissioners’ constitution. The proposed order also amends articles 3, 4(1)(c) and 22 of the Fowey Harbour Order 1937, article 4 of the Fowey Harbour Revision Order 1980 and articles 4, 6, 8 and Schedule 2 of the Fowey Harbour Revision Order 2001. In addition, it repeals the Pier and Harbour Order (Fowey) Confirmation Act 1960 and revokes article 5 of the Fowey Harbour Revision Order 2001.

The proposed order would not authorise the construction or alteration of a project or confer development consent. Accordingly, Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (as amended) which is codified by Council Directive 2011/92/EU (as amended by Directive 2014/52/EU) does not apply to the proposals and no environmental statement has been supplied.

A copy of the draft order and accompanying documents is deposited at the offices of the applicant at: Harbour Office, Albert Quay, Fowey, Cornwall, PL23 1AJ. These may be inspected at all reasonable hours until the expiry of the forty-two day period referred to below.

The draft order and accompanying documents are also available for inspection at the offices of the MMO in Newcastle by appointment at the email address below or may be viewed on the MMO’s website at:

<https://www.gov.uk/government/collections/harbour-orders-public-register>

Any person desiring to make an objection or representation concerning the application should write to the Marine Licensing Team, Marine Management Organisation, Lancaster House, Hampshire Court, Newcastle Upon Tyne, NE4 7YH or email to [harbourorders@marinemanagement.org.uk](mailto:harbourorders@marinemanagement.org.uk). An objection or representation **should**:

- i. be received before the expiry of a period of 42 days starting with the date at the foot of this notice;
- ii. be made in writing quoting reference HRO/2019/00005;
- iii. state the grounds of the objection or representation;
- iv. indicate who is making the objection or representation; and
- v. give an address to which correspondence relating to the objection or representation may be sent.

The MMO will pass to the applicant and their relevant representatives a copy of any objections and other representations received.

If an objection is duly made and not withdrawn then the MMO may cause an inquiry to be held. Any objections duly made and not withdrawn and any representations duly made will be considered before the MMO decides whether or not to make the order.

Dated: 22 July 2020

**Ashfords LLP**

Solicitors for Fowey Harbour Commissioners