



Ms Lara Moore
Ashfords LLP
(by email only)

Your reference:
Our reference: HRO/2022/00006

13 October 2026

Dear Ms Moore,

**The Harbours Act 1964
The Port of Tyne Harbour Revision Order**

1. The Marine Management Organisation (“the MMO”) informs you that consideration has been given to the application for the Port of Tyne Harbour Revision Order (“the Order”) for which you applied on behalf of Port of Tyne Authority (“the applicant”), under Section 14 of the Harbours Act 1964 (“the Act”) on 15 September 2022.

Summary of Decision

2. The MMO has authorised the making of the Order with amendments and modifications not affecting the character of the Order which it considers necessary and appropriate.
3. The Order grants the applicant modernised powers for general and special directions, provides clarification of the Port limits for the Port of Tyne (“the Port”) and updates powers relating to management, regulation, charging, navigation safety and port development for the efficient and economical operation, maintenance and improvement of the Port.

Context

4. The applicant is the Statutory Harbour Authority for the Port.
5. The applicant is responsible for the administration, maintenance, and improvement of the Port.
6. The Port is located on the River Tyne in north east England.
7. The Port is used by a variety of commercial vessels. The Port is the UK’s second largest car export hub, dealing with over 600,000 cars per year. It also has a

ferry terminal accommodating a daily service between North Shields and IJmuiden in the Netherlands.

8. The Harbour Revision Order (“the HRO”) is sought to achieve various objects specified in Schedule 2 to the Act, which are listed in Annex II to this letter.

Application procedure

9. On 15 September 2022 an application for the Order was submitted to the MMO by Ashfords LLP on behalf of the applicant.
10. Notice of the application for the Order was advertised in the London Gazette on 15 March 2024 as well as in the Chronicle and The Journal on 15 March 2024 and 22 March 2024.
11. MMO consulted the following organisations, their responses are summarised below:

Organisation	Response received and actions
British Ports Association The (“BPA”)	BPA supported the application.
Chamber of Shipping	No response was received.
The Crown Estate (“TCE”)	TCE had no comments to make.
Department for Transport (“DfT”)	No response was received.
Gateshead Council (“GC”)	GC had no comments to make.
Maritime and Coastguard Agency (“MCA”)	MCA had no objections to the application.
Ministry of Defence (“MoD”)	MoD had no objections to the application.
Newcastle Council (“NC”)	No response was received.
North Tyneside Council (“NTC”)	NTC had no objections to the application.
Royal Yachting Association (“RYA”)	The RYA objected to the wording of Article 36 but said their objection would fall away if it was reworded. The applicant reworded the article as per the suggested text provided by the RYA.
Trinity House (“TH”)	TH supported the inclusion of the standard saving provision for Trinity House in Article 63 of the draft Order.
UK Major Ports Group (“UKMPG”)	No response was received.

Public representations

12. One representation was received on 26 April 2024 within the statutory 42-day period provided for in Schedule 3 to the Act.
13. The representation did not object to the Order but requested clarification of the Port's limits and jurisdiction. The applicant agreed to provide the requested clarifications.

MMO consideration

14. Minor amendments were made to the provisions in the Order to be consistent with the wording in more recently laid Orders.
15. The MMO has considered the application in relation to the North East Marine Plan and is content that the application is in accordance with this marine plan.
16. Paragraph 19 of Schedule 3 to the Act provides that the MMO shall consider any Environmental Statement supplied with the application, the result of any consultations, any opinion under paragraph 16(5) and the result of any consultations with other European Economic Area states, any objections made and not withdrawn, any representations received and the report of any person who held an inquiry before making a determination where applicable.
17. Section 14(1) of the Act provides for an order to be made under this section ("a harbour revision order") in relation to a harbour which is being improved, maintained or managed by a harbour authority in the exercise and performance of statutory powers and duties for achieving all or any of the objects set out in Schedule 2 to the Act.
18. By virtue of section 14(2)(a) a harbour revision order may not be made in relation to a harbour unless the MMO is satisfied that an appropriate written application has been made by the authority engaged in improving, maintaining or managing it, or by a person appearing to it to have a substantial interest or body representative of persons appearing to it to have such an interest.
19. By virtue of section 14(2)(b) a harbour revision order shall not be made in relation to a harbour unless the MMO is satisfied that the making of the order is desirable in the interests of securing the improvement, maintenance or management of the harbour in an efficient and economical manner, or of facilitating the efficient and economical transport of goods or passengers by sea or in the interests of the recreational use of sea-going ships.

MMO's decision

20. The MMO is satisfied that the Order meets the requirements of section 14(1) and 14(2)(a) of the Act.
21. The MMO is satisfied for the reasons set out by the applicant in their Statement in Support, and summarised above, that the making of the Order (and each

provision of the Order) is desirable for the purposes of section 14(2)(a) and (b) of the Act, and should be made.

22. The MMO authorises the making of the Order with amendments and modifications which it considers necessary and appropriate but not substantially affecting the character of the Order.

Challenges to decisions

23. Information on the right to challenge this decision is set out in the Annex I to this letter.

Yours Sincerely



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Annex I

Right to challenge decisions

Right to challenge orders made under sections 14 and 16 of the Harbours Act 1964

Any person who desires to question the making of the Order on the ground that there was no power to make the Order or that a requirement of the Harbours Act 1964 was not complied with in relation to the Order, may within 6 weeks from the date on which the Order becomes operative make an application for the purpose to the High Court or the Court of Session, as the case may be.

A person who thinks they may have grounds for challenging the decision to make the Order is advised to seek legal advice before taking any action.

Annex II

Objects for whose achievement Harbour Revision Orders may be made within the Harbours Act 1964, Schedule 2

Paragraph 3: "Varying or abolishing duties or powers imposed or conferred on the authority by a statutory provision of local application affecting the harbour, being duties or powers imposed or conferred for the purpose of—

(a)improving, maintaining or managing the harbour;

(b)marking or lighting the harbour, raising wrecks therein or otherwise making safe the navigation thereof; or

(c)regulating the carrying on by others of activities relating to the harbour or of activities on harbour land."

Paragraph 4: "Imposing or conferring on the authority, for the purpose aforesaid, duties or powers (including powers to make byelaws), either in addition to, or in substitution for, duties or powers imposed or conferred as mentioned in paragraph 3 above".

Paragraph 6: "Settling (either for all purposes or limited purposes) the limits within which the authority are to have jurisdiction or altering (either for all purposes or for limited purposes) such limits as previously settled".

Paragraph 9B: "Empowering the authority to delegate the performance of any functions of the authority except- (a) a duty imposed on the authority by or under any enactment; (b) the making of byelaws; (c) the levying of ships, passenger and goods dues; (d) the appointment of harbour, dock and pier masters; (e) the nomination of persons to act as constables; (f) functions relating to the laying down of buoys, the erection of lighthouses and the exhibition of lights, beacons and seamarks, so far as those functions are exercisable for the purposes of the safety of navigation."

Paragraph 11: "Empowering the authority to levy at the harbour charges other than ship, passenger and goods dues or varying or abolishing charges (other than aforesaid) levied by them at the harbour".

Paragraph 12: "Securing the efficient collection of charges levied by the authority at the harbour and specifying the times at which and the persons by whom such charges are to be paid."

Paragraph 13: "Regulating the application of moneys in the nature of revenue received by the authority and securing that the financial affairs of the authority are properly managed."

Paragraph 16A: "Imposing or conferring on the authority duties or powers (including powers to make byelaws) for the conservation of the natural beauty of all or any part

of the harbour or of any of the fauna, flora or geological or physiographical features in the harbour and all other natural features.”

Paragraph 17: “Any object which, though not falling within any of the foregoing paragraphs, appears to the appropriate Minister to be one the achievement of which will conduce to the efficient functioning of the harbour.”