

ELIZABETH II



1988 CHAPTER xxi

An Act to modify the works authorised by the Eastbourne Harbour Act 1980; and for related purposes. [29th July 1988]

WHEREAS Eastbourne Harbour Company Limited (hereinafter referred to as "the Company") are a company within the meaning of the Companies Act 1985 and are a company limited by shares:

1985 c. 6.

And whereas all the shares in the Company are owned by the Trustees of the Chatsworth Settlement (hereinafter referred to as "the Trustees"):

And whereas the Trustees own an area of land in the borough of Eastbourne known as the Crumbles which they intend should be developed for residential, commercial and recreational purposes:

And whereas outline planning permission for the said development has been granted by the local planning authority:

And whereas it would be of public and local advantage to provide in conjunction with the said development, facilities for yachts and small boats:

And whereas for this purpose the Company were authorised to construct certain harbour works by the Eastbourne Harbour Act 1980:

1980 c. xxxix.

And whereas it is expedient to modify in certain respects the harbour works authorised by the said Act of 1980:

And whereas it is expedient that the other provisions of this Act be enacted:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

And whereas plans and sections showing the lines and levels of the works by this Act authorised and the lands which may be used for the purposes thereof, and a book of reference to the said plans containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of those lands and describing the same, were deposited in the month of November 1987, in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the proper officer of the East Sussex County Council:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows, that is to say:—

Citation.

1.—(1) This Act may be cited as the Eastbourne Harbour Act 1988.

(2) The Eastbourne Harbour Act 1980 and this Act may be cited together as the Eastbourne Harbour Acts 1980 and 1988.

Interpretation.
1980 c. xxxix.

2.—(1) In this Act—

“the Act of 1980” means the Eastbourne Harbour Act 1980;

“the Company” means Eastbourne Harbour Company Limited.

(2) This Act shall be read as if the words “or thereabouts” were inserted after each distance and area mentioned in section 3 (Modification of works authorised by Act of 1980) of this Act.

Modification of
works authorised
by Act of 1980.

3.—(1) The Company shall abandon the construction of the works authorised by section 4 (Power to construct works) of the Act of 1980, namely—

(a) the western sea wall or embankment and the eastern sea wall or embankment called respectively Work No. 1 and Work No. 2;

(b) the lock or locks called Work No. 3;

(c) the locked basin called Work No. 4;

(d) the south-western breakwater and the north-eastern breakwater called respectively Work No. 5 and Work No. 6;

(e) the inner tidal basin and the outer tidal basin and entrance channel called respectively Work No. 7 and Work No. 8.

(2) In lieu of the works mentioned in subsection (1) above the Company may upon the lands and in the lines and situations and according to the levels shown on the plans and sections deposited in connection with the Bill for this Act make and maintain the following works in the borough of Eastbourne and on the bed of the sea, that is to say:—

Work No. 1 A western sea wall or embankment commencing at reference point TQ 6442 0177, extending in a north-west by west direction for a distance of 150 metres, thence in a south-south-west, southerly, south-easterly and easterly direction for a distance of 780 metres to reference point TQ 6440 0127:

Work No. 2 An eastern sea wall or embankment commencing at reference point TQ 6442 0177, extending in a south-south-west direction for a distance of 320 metres and thence in a south-easterly direction for a distance of 90 metres, thence in a north-north-east direction for a distance of 150 metres to reference point TQ 6440 0158:

Work No. 3 A lock or locks between the locked basin and the tidal harbour:

Work No. 4 A locked basin having an area not exceeding 40 hectares:

Work No. 5 A south-western breakwater commencing at reference point TQ 6440 0127 and extending seaward in a north-easterly direction for a distance of 240 metres and there terminating:

Work No. 6 A north-eastern breakwater commencing at reference point TQ 6440 0158 and extending seaward in a south-easterly direction in a shallow arc for a distance of 210 metres and there terminating:

Work No. 7 An inner tidal basin bounded by Works Nos. 1, 2 and 3 authorised by this subsection:

Work No. 8 An outer tidal basin and entrance channel bounded on the south-western side by Work No. 5 authorised by this subsection and on the north-eastern side by Work No. 6 so authorised.

(3) The provisions of the Act of 1980 so far as they relate to Works Nos. 1 to 8 authorised by that Act shall apply and have effect with reference to the works authorised by subsection (2) above as if the last-mentioned works were respectively substituted for Works Nos. 1 to 8 in section 4 of the Act of 1980 and for that purpose references in the Act of 1980 to the deposited plans or the deposited sections shall be construed as references to the plans and sections deposited in connection with the Bill for this Act.

4.—(1) Section 39 (Planning) of the Act of 1980 shall have effect as if for the reference to the passing of that Act there were substituted a reference to the passing of this Act.

Amendment
and repeal.

(2) The provisions of the Act of 1980 specified in column (1) of the Schedule to this Act are hereby repealed to the extent specified in column (2) of that Schedule.

5. The costs, charges and expenses preliminary to, and of and incidental to, the applying for and the preparing, obtaining and passing of this Act shall be paid by the Company.

Costs of Act.

SCHEDULE

PROVISIONS OF THE ACT OF 1980 REPEALED

Section 4.

Provision (1)	Extent of repeal (2)
Section 4 (Power to construct works).	In subsection (2), the words "extend, enlarge,".
Section 11 (Tidal works not to be executed without approval of Secretary of State).	In subsection (1) and in subsection (2), the words "extended, enlarged,".
Section 16 (Lights on tidal works during construction).	In subsection (1), the words "extension, enlargement,".

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Controller and Chief Executive of Her Majesty's Stationery Office and
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Citation

Interpretation
1988 c. 44

Amendment
and repeal

Modification
of Schedule 1
of Act of 1980

Cases of Act

Section 4

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