

ANGUS COUNCIL**ROADS COMMITTEE****28 AUGUST 1997****ARBROATH HARBOUR BYELAWS****JOINT REPORT BY THE DIRECTOR OF LAW AND ADMINISTRATION
AND THE DIRECTOR OF ROADS****ABSTRACT**

This Report advises the Committee of the present position relative to the preparation and completion of new byelaws for Arbroath Harbour.

1. RECOMMENDATIONS

It is recommended that the Committee note the content of this Report, and recommend to the Council the making of the draft byelaws.

2. INTRODUCTION

Reference is made to Joint Report No 448/96 dated 31 May 1996 and Report No 580/97 dated 23 May 1997 to the Arbroath Harbour Joint Consultative Committee which explained and outlined a proposed review of the Harbour byelaws, instructed informal consultation relative thereto with the Secretary of State for Scotland and intimated a response from the Scottish Office which required scrutiny.

3. DETAILS**3.1 Harbour Byelaws**

The Scottish Office provided a number of useful remarks and suggestions proposing various modifications to the draft byelaws. These have been thoroughly examined and have by and large been accepted and incorporated into the draft byelaws as now annexed to this Report.

It is our view that the draft byelaws in their present form are now ready to be formally made by the Council, after which notice of the Council's intention to apply to the Secretary of State for confirmation of the byelaws should be published in the local press for the Arbroath area. The notice must provide for a period of one month for the lodging of any objections to the Secretary of State. The Secretary of State may then confirm or refuse to confirm the byelaws either with or without modification.

4. FINANCIAL IMPLICATIONS

There are no financial implications arising from the terms of the Report.

5. CONSULTATION

The Chief Executive and the Director of Finance have been consulted in the preparation of this Report.

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Director of Law and Administration

Dr Bob McLellan
Director of Roads

NOTE: No background papers as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.