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SCOTTISH STATUTORY INSTRUMENTS

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**1999 No. 203**

**The Highland Council (Muck)  
Harbour Empowerment Order 1999**

**PART II  
WORKS**

**Power to carry out works**

5.—(1) Subject to the provisions of this Order, the Council may, in the situations and lines and within the limits of deviation and according to the levels shown on the deposited plans and sections, carry out and maintain the following works in the island of Muck, Highland, and on the foreshore and bed of the sea adjacent thereto together with all necessary and proper works and conveniences connected therewith or incidental thereto:—

Work No. 1: A slipway of solid construction 15 metres wide and associated access road commencing at a point at NM 142417 779159 and extending in a south south-westerly direction for a distance of 62 metres to a point at NM 142392 779102 and there terminating;

Work No. 2: A breakwater of solid construction commencing at a point NM 142495 779113 extending in a south-westerly direction for a distance of 165 metres to a point at NM 142388 778987 and there terminating;

Work No. 3: Dredging of an area of seabed 110 metres wide commencing from the north west side of Work No. 1 at a point NM 142357 779163 and extending 259 metres in a south south-westerly direction to terminate at a point NM 142310 778908;

Work No. 4: An alignment structure commencing from the south east side of Work No. 1 at a point NM 142421 779144 and extending 86 metres in a south south-westerly direction to terminate at a point NM 142387 779064;

Work No. 5: Dredging of an area of seabed 30 metres wide commencing at a point NM 142559 778680 and extending 35 metres in a south-easterly direction to terminate at a point NM 142580 778651;

Work No. 6: Dredging of an area of seabed 70 metres wide commencing at a point NM 142700 778475 and extending 53 metres in a south-easterly direction to terminate at a point NM 142728 778430;

Work No. 7: Access road and embankment construction commencing at a point NM 142247 779330 and extending in a south-easterly direction to terminate at a point NM 142408 779174.

(2) The Council may, within the limits of deviation, maintain, renew, reconstruct and alter temporarily or permanently the works.

**Power to deviate**

6. Subject to the provisions of this Order, in carrying out the works the Council may deviate laterally from the lines or situations thereof as shown on the deposited plans to any extent not

exceeding the limits of deviation and may deviate vertically from the levels of the works as shown on the deposited sections to any extent not exceeding 3 metres upwards and to such extent downwards as may be found necessary or convenient.

#### **Subsidiary works**

7.—(1) Subject to the provisions of this Order, the Council may within the limits of deviation from time to time erect, construct, maintain and operate, whether temporarily or permanently, all such subsidiary or incidental works and conveniences as may be necessary or expedient for the purposes of or in connection with the construction, maintenance and use of the works.

(2) The works shall be deemed for all purposes to be within the island of Muck, Highland.

#### **Obstructing works**

8. Any person who intentionally obstructs any person acting under the authority of the Council in setting out the lines of or in constructing the works, or who moves or removes any pole, stake, station point or bench mark established for the purpose of such setting out shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

#### **Works to be deemed part of harbour undertaking**

9. The works shall be deemed for all purposes to be part of the harbour undertaking and all byelaws, rules and regulations of the Council for the time being in force relating to the harbour undertaking shall apply to the works and may be enforced by the Council accordingly.

#### **Period for completion of works**

10. If the works are not completed by 31st December 2009, the powers by this Order granted to the Council for constructing the works shall cease except as to so much thereof as is then substantially commenced.