
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 233

**The Comhairle nan Eilean Siar
(Ardveinish) Harbour Revision Order 2000**

PART IV

CONTROL OF WORKS, DREDGING, ETC.

Licensing of works

41.—(1) The Comhairle may upon such terms and conditions as they think fit grant to any person a licence to maintain, alter or renew works within the harbour on, under or over tidal waters or tidal land below the level of high water, notwithstanding any interference with public rights of navigation or other public rights by such works as maintained, altered or renewed.

(2) Application for a works licence shall be made in writing to the Comhairle and shall—

- (a) be accompanied by plans, sections and particulars of the works to which the application relates; and
- (b) specify whether the applicant holds such rights in, under or over land as are necessary to enable him to enjoy the benefits of the licence and, if not, the action taken or to be taken to enable him to obtain such rights if the licence is granted.

(3) In granting a licence the Comhairle may require modifications in the plans, sections and particulars submitted to them by the applicant.

(4) If the Comhairle decide to grant a works licence they shall give notice of their decision to the applicant.

(5) If within 3 months from the date of the making of an application under paragraph (2) the Comhairle do not notify to the applicant their decision whether to grant a works licence, they shall be deemed to have refused the application.

(6) The Comhairle may charge a reasonable fee for the grant of a licence under this article.

(7) The grant of a licence under this article has effect for the purposes of article 40 above and confers no other authority for the carrying out of the operations covered by the licence.

(8) In the execution of any works to which a works licence relates, the licensee shall not damage or injuriously affect any electrical plant or electric line (as respectively defined in section 64 of the Electricity Act 1989⁽¹⁾) belonging to, or used or maintained by Scottish and Southern Energy plc or, without consent of that company, interfere with or adversely affect the operation of any such line or work.

(1) 1989 c. 29; section 64 was repealed in part by Article 24 of S.I. 1999/506.