
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 171

**The Highland Council (Inverie)
Harbour Empowerment Order 2004**

**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 the following works in the parish of Glenelg, 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:	An alignment and berthing structure of solid construction commencing at a point 176475,800175 and extending in a south-south-westerly direction for a distance of 95 metres to a point 176441,800086; thence in a north-westerly direction for a distance of 35 metres to terminate at a point 176414,800108.
Work No.2:	A slipway of solid construction 12 metres wide and associated access road commencing at a point 176482,800171 and extending in a south-south-westerly direction for a distance of 70 metres to a point at 176457,800105 and there terminating.
Work No.3:	The demolition of the existing pier commencing at a point 176667,800005 and extending in a west-south-westerly direction for a direction of 54 metres to a point 176620,799980; thence in a south-westerly direction for a distance of 17 metres to terminate at point 176628,799965.

(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 parish of Glenelg, 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, and shall in addition be liable to repay to the Council as a debt any expenses incurred by them in making good any damages resulting from such obstruction, damage, moving or removal.

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 2013, 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.