
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 54

The Wick Harbour Revision Order 2017

PART 2

THE WORKS

Tidal works not to be executed without approval of the Scottish Ministers

8.—(1) Tidal work shall not be demolished, constructed, renewed, reconstructed or altered except in accordance with plans and sections approved by the Ministers and subject to any conditions and restrictions imposed by the Ministers before the work is begun or while work is still in progress.

(2) If a tidal work is demolished, constructed, renewed, reconstructed or altered in contravention of this article or of any condition or restriction imposed under this article—

- (a) the Ministers may by notice in writing require the Authority at their own expense to remove, alter or reconstruct the tidal work, or any part of it, or otherwise restore the site of the tidal work to its former condition; and if on the expiry of one month beginning with the date the notice was served upon the Authority they have failed to comply with the requirements of the notice, the Ministers may execute the works specified in the notice; or
- (b) if it appears to the Ministers urgently necessary to do so, they may themselves remove, alter or reconstruct the tidal work, or any part of it, or otherwise restore the site to its former condition.

(3) Any expenditure incurred by the Ministers under paragraph (2) shall be recoverable from the Authority.

(4) Paragraph (1) shall not apply to any work authorised by article 3 (power to construct works) and any related works authorised by article 5 (subsidiary works).