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STATUTORY INSTRUMENTS

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**1991 No. 1258**

**The Sealink (Transfer of Heysham  
Harbour) Harbour Revision Order 1991**

**PART III**

**NEW PROVISIONS RELATING TO THE  
COMPANY AT THE TRANSFERRED HARBOUR**

**Restriction of works and dredging**

**18.**—(1) Subject to paragraph (3) below, no person other than the Company shall—

- (a) construct, alter, renew or extend any works; or
- (b) dredge;

on, under or over tidal waters or tidal land below the level of highwater in the transferred harbour unless he is licensed so to do, in the case of works by a works licence and in the case of dredging by a dredging licence, nor except upon the terms and conditions, if any, upon which the licence is granted and in accordance with plans, sections and particulars approved in pursuance of article 20 or, as the case may require, article 21, of this Order.

(2) The Company may by notice require a person who contravenes this article to remove, abate or rectify, within a reasonable time specified in the notice, any work, operation or omission to which the contravention relates, and to restore the site thereof to its former condition; and if he fails to comply with the notice the Company may carry out the works so required and may recover the reasonable cost of so doing from that person.

(3) Nothing in this article shall apply to—

- (a) any operations or works specifically authorised by any enactment; or
- (b) any operations or works of a statutory undertaker.

(4) Any person who without reasonable excuse contravenes this article shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.