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STATUTORY INSTRUMENTS

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**1997 No. 2949**

**The Portland Harbour Revision Order 1997**

**PART IV**

**Control of Works and Dredging in the Harbour**

**Restriction of works and dredging**

**31.**—(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 land below the level of high water in the 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, and no such person shall do so 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 33 of this Order or, as the case may require, article 34 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 from him the cost of so doing.

(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.