
STATUTORY INSTRUMENTS

2012 No. 1867

The Ipswich Barrier Order 2012

PART 3

PROVISIONS RELATING TO TIDAL WORKS

Abatement of works abandoned or decayed

18.—(1) Where a tidal work is abandoned, or suffered to fall into decay, the Secretary of State or A.B. Ports may by notice in writing require the Agency at its own expense either to repair and restore the work or any part of it, or to remove the work and restore the site to its former condition, to such an extent and within such limits as the Secretary of State and A.B. Ports or (failing agreement between them) the Secretary of State, thinks fit.

(2) Where—

- (a) a work consisting partly of a tidal work and partly of works on or over land above the level of high water is abandoned or suffered to fall into decay; and
- (b) that part of the work on or over land above the level of high water is in such a condition as to interfere, or to cause reasonable apprehension that it may interfere, with the right of navigation or other public rights over the foreshore,

the Secretary of State or A.B. Ports may include that part of the work, or any portion of it, in any notice under paragraph (1).

(3) If, on the expiration of a period of 30 days from the date on which a notice under this article is served, the Agency has failed to comply with the requirements of the notice, the Secretary of State or A.B. Ports may execute the work specified in the notice and any expenditure incurred by the Secretary of State or A.B. Ports in so doing is recoverable from the Agency.

Commencement Information

II Art. 18 in force at 7.8.2012, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Ipswich Barrier Order 2012, Section 18.