
WELSH STATUTORY INSTRUMENTS

2004 No. 3054

The Scarweather Sands Offshore Wind Farm Order 2004

PART II

WORKS

Supplemental powers

Power to survey and investigate land

- 7.—(1) The undertaker may for the purposes of this Order —
- (a) survey or investigate any land which is both within the limits of deviation and is shown on the land plans and described in the book of reference;
 - (b) without prejudice to the generality of sub-paragraph (a), make trial holes in such positions as the undertaker thinks fit on the land to investigate the nature of the surface layer and subsoil and remove soil samples;
 - (c) place on, leave on and remove from the land apparatus for use in connection with the survey and investigation of land and making of trial holes; and
 - (d) enter on the land for the purpose of exercising the powers conferred by sub-paragraphs (a) to (c).
- (2) No land may be entered, or equipment placed or left on or removed from the land under paragraph (1), unless at least 7 days notice has been served on every owner and occupier of the land.
- (3) Any person entering land under this article on behalf of the undertaker—
- (a) must, if so required, before or after entering the land produce written evidence of that person's authority to do so; and
 - (b) may use such vehicles and equipment as are necessary to carry out the survey or investigation or to make the trial holes.
- (4) No trial holes are to be made under this article in a carriageway or footway without the consent of the street authority, but such consent must not be unreasonably withheld.
- (5) The undertaker must pay compensation for any damage occasioned, by the exercise of the powers conferred by this article, to the owners and occupiers of the land; such compensation to be determined, in case of dispute, under Part I of the 1961 Act.