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WELSH STATUTORY INSTRUMENTS

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**2004 No. 3054**

The Scarweather Sands Offshore Wind Farm Order 2004

**PART II**  
**WORKS**

*Protection of navigation and air traffic and control of noise*

**Tidal works not to be executed without approval of the Secretary of State**

**8.**—(1) A tidal work must not be constructed or altered, except in accordance with plans and sections approved by the Secretary of State before the work is begun.

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

- (a) the Secretary of State may by notice in writing require the undertaker at its own expense to remove the tidal work or any part of it and restore the site to its former condition; and
- (b) if it appears to the Secretary of State urgently necessary so to do, the Secretary of State may remove the tidal work or part of it and restore the site to its former condition;

and any expenditure incurred by the Secretary of State in so doing will be recoverable from the undertaker.