
WELSH STATUTORY INSTRUMENTS

2004 No. 3054

The Scarweather Sands Offshore Wind Farm Order 2004

PART II
WORKS

Protection of navigation and air traffic and control of noise

Survey of tidal works

11.—(1) The Secretary of State may at any time, if the Secretary of State deems it expedient, order a survey and examination of a tidal work or of the site upon which it is proposed to construct the work; and any expenditure incurred by the Secretary of State in any such survey and examination will be recoverable from the undertaker.

(2) Subject to paragraph (3), such surveys must not be ordered more frequently than once a year; and before ordering such a survey—

- (a) the Secretary of State must consult the undertaker in order to establish what relevant survey information is already available; and
 - (b) give the undertaker an opportunity to carry out the survey itself.
- (3) Paragraph (2) does not apply in an emergency.