
STATUTORY INSTRUMENTS

2007 No. 1554

The St Mary's (Isles of Scilly) Harbour Revision Order 2007

Abatement of works abandoned or decayed

13.—(1) Where a tidal work is abandoned or suffered to fall into decay the Secretary of State may by notice in writing to the authorised officer require—

- (a) the tidal work (or any part thereof) to be repaired and restored, or
- (b) the work to be removed and the site thereof to be restored to its former condition,

to such an extent and within such limits as the Secretary of State thinks proper.

(2) Where a work authorised by this Order and 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 that part of the work on or over land above the level of high water is in such 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 may include that part of the work or any portion thereof, in any notice under this article.

(3) If, on the expiration of 30 days from the date when a notice under this article is served upon the authorised officer the requirements of the notice have not been complied with, the Secretary of State may execute the works specified in the notice and any expenditure incurred by him in so doing shall be paid to the Secretary of State by the authorised officer.