

---

STATUTORY INSTRUMENTS

---

**2008 No. 969**

**The River Humber (Upper Burcom  
Tidal Stream Generator) Order 2008**

**PART 2**

**WORKS**

Principal powers

**Power to construct and maintain works**

3.—(1) The undertaker may construct and maintain the scheduled works.

(2) Subject to article 4, the scheduled works shall be constructed and maintained in the lines or situations shown on the works plans and in accordance with the levels shown on the sections.

(3) The undertaker may, within the limits of deviation for the scheduled works, carry out, provide and maintain such of the following works and facilities as may be necessary or expedient for the purposes of, in connection with, or in consequence of, the construction or maintenance of the scheduled works, namely—

- (a) temporary or permanent landing places, jetties, or moorings or other means of accommodating vessels in the construction or maintenance of the scheduled works;
- (b) buoys, beacons, fenders and other navigational warning or ship impact protection works;
- (c) works to alter the position of apparatus, including cables;
- (d) landscaping and other works to mitigate any adverse affects of the construction, maintenance or operation of the scheduled works;
- (e) works for the benefit or protection of land affected by the scheduled works;
- (f) such other works and apparatus, plant and machinery of whatever nature as may be necessary or expedient.

**Power to deviate**

4. In constructing or maintaining any scheduled works, the undertaker may deviate—

- (a) laterally from the lines or situations shown on the works plans to any extent within the limits of deviation; and
- (b) vertically from the levels shown on the sections to any extent not exceeding 2 metres upwards and to any extent downwards.