
STATUTORY INSTRUMENTS

1999 No. 1664

The Gateshead (Baltic Millennium Bridge) Order 1999

PART IV

PROVISIONS RELATING TO TIDAL WORKS

Abatement of works abandoned or decayed

14.—(1) Where a tidal work is abandoned, or suffered to fall into decay, the Secretary of State or the Authority may by notice in writing require the undertaker at its own expense either to repair and restore the work or any part thereof, or to remove the work and restore the site thereof to its former condition, to such an extent and within such limits as the Secretary of State and the Authority shall agree or, failing agreement between them, as the Secretary of State thinks fit.

(2) Where—

- (a) a work 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
- (b) that part of the work on or over land above the level of high water is in such a 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 or the Authority may include that part of the work, or any portion thereof, in any notice under paragraph (1) above.

(3) If, at the expiration of a period of 30 days starting with the date on which a notice under this article is served, the undertaker has failed to comply with the requirements of the notice, the Secretary of State or the Authority may execute the work specified in the notice and any expenditure incurred by either of them in so doing shall be recoverable from the undertaker.