
STATUTORY INSTRUMENTS

2008 No. 969

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

PART 1

PRELIMINARY

Citation and commencement

1.—(1) This Order may be cited as the River Humber (Upper Burcom Tidal Stream Generator) Order 2008.

(2) This Order comes into force on the date on which the notice required by section 14(1)(b) of the Transport and Works Act 1992(1) is first published.

Interpretation

2.—(1) In this Order—

“A. B. Ports” means Associated British Ports;

“authorised works” means the scheduled works, the works and facilities described in article 3(3) and any other works authorised by the Order;

“the level of high water” means the level of mean high water springs;

“the limits of deviation”, in relation to a work, means the limits of deviation related to that work which are shown on the works plans;

“maintain” includes inspect, maintain, repair, adjust, alter, remove, reconstruct and replace; and “maintenance” shall be construed accordingly;

“reference point” means Ordnance Survey National Grid reference point;

“river” means the river Humber;

“the scheduled works” means the works specified in Schedule 1 to this Order or any part of them;

“the sections” means the sections certified by the Secretary of State in accordance with article 19, unless the context otherwise requires;

“tidal stream generator” means the tidal stream generator described in paragraph 1 of Schedule 1 to this Order;

“tidal work” means so much of any authorised work as is on, under or over tidal waters or tidal lands below the level of high water;

“the undertaker” means Pulse Tidal Limited or any person to whom the powers conferred by this Order are transferred in an agreement pursuant to article 20;

(1) [1992 c.42](#); section 14 was amended by regulation 2 of the Transport and Works (Assessment of Environmental Effects) Regulations 2006 ([S.I. 2006/958](#)).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“vessel” means a ship, boat, raft or water craft of any description and includes a non-displacement craft, a seaplane, any other thing constructed or adapted for floating on or being submersed in water (whether permanently or temporarily) and any other amphibious vehicle;

“the works plans” means the plans certified by the Secretary of State in accordance with article 19, unless the context otherwise requires.

(2) All directions, distances, lengths and points stated in any description of works or powers shall be construed as if the words “or thereabouts” were inserted after each such direction, distance, length and point.

(3) Any reference in this Order to a work identified by the number of the work shall be construed as a reference to the work of that number authorised by this Order.