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STATUTORY INSTRUMENTS

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**2014 No. 2950**

**The Walney Extension Offshore Wind Farm Order 2014**

**Abatement of works abandoned or decayed**

**36.**—(1) Where Work No. 1 and Work No. 2 or one or both of them, or any part of them, is abandoned or allowed to fall into decay the Secretary of State may, following consultation with the undertaker, by notice in writing require the undertaker at its own expense either to repair and restore one or both of those Works, or any relevant part of them, or to remove them and, without prejudice to any notice served under section 105(2) of the 2004 Act restore the site to a safe and proper condition, to such an extent and within such limits as may be specified in the notice.

(2) If the undertaker fails to comply in any respect with a notice served under this article within the period of 30 days beginning with the date of service of the notice, the Secretary of State may take whatever steps the Secretary of State considers appropriate to achieve the result required by the notice; and any expenditure incurred by the Secretary of State in doing so shall be recoverable from the undertaker.