
STATUTORY INSTRUMENTS

2022 No. 299

The Bridgwater Tidal Barrier Order 2022

PART 3

PROVISIONS RELATING TO TIDAL WORKS

Tidal works not to be executed without approval of Secretary of State

25.—(1) A tidal work must not be constructed, altered, replaced or re-laid except in accordance with plans and sections approved by the Secretary of State and subject to any conditions and restrictions imposed by the Secretary of State before the work is begun.

(2) Paragraph (1) does not apply to the construction of a tidal work which has commenced within 5 years of the coming into force of this order.

(3) If a tidal work is constructed, altered, replaced or re-laid in contravention of paragraph (1) or of any condition or restriction imposed under that paragraph—

(a) the Secretary of State may by notice in writing require the Agency at its own expense to remove the tidal work or any part of it and restore the site to its former condition; and if, on the expiration of a period of 30 days from the date on which the notice is served, it has failed to comply with the requirements of the notice, the Secretary of State may execute the works specified in the notice, or

(b) if it appears to the Secretary of State urgently necessary so to do, the Secretary of State may remove the tidal work, or part of it, and restore the site to its former condition,

and any expenditure reasonably incurred by the Secretary of State in so doing is recoverable from the Agency.