
STATUTORY INSTRUMENTS

2023 No. 690

The Dee Estuary Conservancy
Harbour Revision (No. 2) Order 2023

PART 4

CONTROL OF WORKS AND DREDGING IN ESTUARY

Abatement of works abandoned or decayed

33.—(1) Where a tidal work is abandoned, or allowed to fall into decay, the Secretary of State may by notice in writing require the conservancy authority at its own expense either—

- (a) to repair and restore the work or any part of it, or
- (b) to remove the work and restore the site to its former condition,

in either case to such an extent and within such limits as the Secretary of State thinks proper.

(2) Where a work consisting—

- (a) partly of a tidal work, and
- (b) partly of works on or over land above the level of high water,

is abandoned or allowed to fall into decay and 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 may include that part of the work, or any portion of it, in any notice under paragraph (1).

(3) If, on the expiration of 30 days from the date when a notice under paragraph (1) is served upon the conservancy authority, it has failed to comply with the requirements of the notice, the Secretary of State may execute the work specified in the notice and any expenditure incurred by the Secretary of State in so doing is recoverable from the conservancy authority.