

British Waterways Act 1974

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ELIZABETH II



1974 CHAPTER xxiii

An Act to empower the British Waterways Board to construct works and to acquire lands; to confer further powers on the Board; and for other purposes.

[31st July 1974]

WHEREAS—

(1) By the Transport Act 1962 the British Waterways Board 1962 c. 46. (in this Act referred to as “ the Board ”) were established:

(2) It is the duty of the Board under the Transport Act 1962 and the Transport Act 1968 (inter alia) to provide to such extent 1968 c. 73. as they may think expedient services and facilities on the inland waterways owned or managed by them and to maintain the commercial waterways (as defined in the said Act of 1968) in a suitable condition for use by commercial freight-carrying vessels:

(3) The Board own or manage the commercial waterway known as the Sheffield and South Yorkshire Navigation and it is expedient to improve it so that larger vessels may be taken up to Rotherham and for that purpose it is expedient that the Board should be empowered to construct the works authorised by this Act and to acquire the lands referred to in this Act:

(4) It is expedient that the other powers in this Act contained should be conferred upon the Board and that the other provisions in this Act contained should be enacted:

(5) Plans and sections showing the lines or situations and levels of the works to be constructed under the powers of this Act, and plans of the lands authorised to be acquired or used by this Act, and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands have been deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the clerk of the county council of the county and the town clerks of the county boroughs (now the proper officers of the county and districts) within which the said works will be constructed or the said lands are situated, which plans, sections and book of reference are respectively referred to in this Act as the deposited plans, the deposited sections and the deposited book of reference:

(6) The purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

PRELIMINARY

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|-----------------------------|---|
| Short title. | 1. This Act may be cited as the British Waterways Act 1974. |
| Division of Act into Parts. | 2. This Act is divided into Parts as follows:—
Part I.—Preliminary.
Part II.—Works.
Part III.—Lands.
Part IV.—Protective provisions.
Part V.—Miscellaneous and general. |
| Interpretation. | 3.—(1) In this Act, unless there be something in the subject or context repugnant to such construction, the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have in relation to the relative subject-matter the same respective meanings and— |
| 1950 c. 39. | “ the Act of 1950 ” means the Public Utilities Street Works Act 1950; |
| 1961 c. 33. | “ the Act of 1961 ” means the Land Compensation Act 1961; |
| 1965 c. 56. | “ the Act of 1965 ” means the Compulsory Purchase Act 1965; |
| 1968 c. 73. | “ the Act of 1968 ” means the Transport Act 1968; |
| 1971 c. xviii. | “ the Act of 1971 ” means the British Waterways Act 1971; |

- “ the Board ” means the British Waterways Board;
- “ enactment ” means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;
- “ the limits of deviation ” means the limits of deviation shown on the deposited plans;
- “ the navigation ” means that part of the Sheffield and South Yorkshire Navigation which is composed partly of navigable lengths of the river Don and partly of artificial cuts between its junction with the New Junction Canal at Bramwith and Ickles Lock in Rotherham;
- “ telegraphic line ” has the same meaning as in the Telegraph Act 1878;
- “ the tribunal ” means the Lands Tribunal;
- “ the undertaking ” means the undertaking of the Board as authorised from time to time; and
- “ the works ” means the works authorised by Part II (Works) of this Act.

1878 c. 76.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment, including this Act.

(3) References in this Act to reference points shall be construed as references to ordnance survey National Grid reference points.

(4) All distances and lengths stated in any description of works, powers or lands shall be construed as if the words “ or thereabouts ” were inserted after each such distance and length and distances between points on a waterway shall be taken to be measured along the centre line of the channel of the waterway.

(5) Unless the context otherwise requires, any reference in this Act to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Act.

4.—(1) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof are, so far as the same are applicable for the purposes and are not inconsistent with or varied by the provisions of this Act, incorporated with and form part of this Act.

Incorporation
of Railways
Clauses Con-
solidation
Act 1845.
1845 c. 20.

(2) For the purposes of the said provisions as so incorporated, “ the special Act ” means this Act, “ the railway ” means the works, “ the centre of the railway ” means the centre lines of the works and “ the company ” means the Board.

PART I
—cont.

Application
of Part I of
Compulsory
Purchase
Act 1965.
1946 c. 49.

5.—(1) Part I of the Act of 1965 (except sections 4, 24 (5) and 27 thereof and paragraph 3 (3) of Schedule 3 thereto), in so far as it is applicable for the purposes of this Act and is not inconsistent with the provisions thereof, shall apply to the compulsory acquisition of land under this Act as it applies to a compulsory purchase to which Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946 applies and as if this Act were a compulsory purchase order under the said Act of 1946.

(2) In section 11 (1) of the Act of 1965 (which empowers the acquiring authority to enter on and take possession of land the subject of a notice to treat after giving not less than fourteen days' notice) as so applied, for the words "fourteen days" there shall be substituted the words "three months".

1845 c. 18.

(3) The Lands Clauses Consolidation Act 1845 shall not apply to the acquisition of land under this Act.

PART II

WORKS

Power to
make works.

6.—(1) Subject to the provisions of this Act, the Board may, in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections, make and maintain the works hereinafter described with all necessary works and conveniences connected therewith:—

In the metropolitan county of South Yorkshire—

In the district of Rotherham—

(formerly in the county borough of Rotherham)—

Work No. 1 A new lock and approaches and a realignment and deepening of the navigation 225 metres in length commencing at reference point SK42644 : 92719 and terminating at reference point SK42569 : 92922:

Work No. 2 A new lock and approaches and a diversion of the navigation and of the river Don 464 metres in length commencing at reference point SK44017 : 94283 and terminating at reference point SK44472 : 94239:

(formerly partly in the county borough of Rotherham and partly in the parish of Dalton in the rural district of Rotherham in the West Riding of the county of York)—

Work No. 3 A new lock and approaches and a diversion of the navigation 432 metres in length commencing at reference point SK44997 : 94326 and terminating at reference point SK45333 : 94512:

(formerly partly in the county borough of Rotherham, partly in the parish of Thrybergh in the said rural district of Rotherham and partly in the urban district of Rawmarsh in the said county)—

Work No. 4 A new cut being a diversion of the navigation and of the river Don 880 metres in length commencing at reference point SK45485 : 95149 and terminating at reference point SK45702 : 95938:

(formerly partly in the said parish of Thrybergh and partly in the said urban district of Rawmarsh)—

Work No. 5 A widening and realignment of the navigation and of the river Don 592 metres in length commencing at reference point SK45734 : 96110 and terminating at reference point SK46111 : 96474:

Work No. 6 A new lock and approaches and turning basin and diversion of the navigation 245 metres in length commencing at reference point SK46144 : 96502 and terminating at reference point SK46252 : 96701:

(formerly partly in the said urban district of Rawmarsh and partly in the urban district of Swinton in the said county)—

Work No. 7 A widening, deepening and realignment of the navigation 2,210 metres in length commencing at reference point SK46252 : 96701 and terminating at reference point SK46378 : 98866:

(formerly in the said urban district of Swinton)—

Work No. 8 A new lock and approaches and realignment of the navigation 138 metres in length commencing at reference point SK46378 : 98866 and terminating at reference point SK46415 : 99000:

Work No. 9 A widening, deepening and realignment of the navigation 692 metres in length commencing at reference point SK46415 : 99000 and terminating at reference point SK46771 : 99591.

In the district of Doncaster—

(formerly in the urban district of Mexborough in the said county)—

Work No. 10 A widening, deepening and realignment of the navigation 1,176 metres in length commencing at reference point SK46910 : 99719 and terminating at reference point SK48084 : 99659:

PART II
—cont.

Work No. 11 A new lock and approaches and re-alignment of the navigation 145 metres in length commencing at reference point SK48084 : 99659 and terminating at reference point SK48227 : 99650:

(formerly partly in the said urban district of Mexborough and partly in the parish of Denaby in the rural district of Doncaster in the said county)—

Work No. 12 A widening, deepening and realignment of the navigation 504 metres in length commencing at reference point SK48227 : 99650 and terminating at reference point SK48688 : 99834:

(formerly in the said urban district of Mexborough)—

Work No. 13 A widening and deepening of the navigation 325 metres in length commencing at reference point SK48779 : 99923 and terminating at reference point SE49031 : 00123:

(formerly partly in the said urban district of Mexborough and partly in the urban district of Conisbrough in the said county)—

Work No. 14 A new lock and approaches and a re-alignment and diversion of the navigation and of the river Don 251 metres in length commencing at reference point SE50040 : 00133 and terminating at reference point SE50269 : 00028:

(formerly partly in the said urban district of Mexborough, partly in the urban district of Conisbrough and partly in the parish of Cadeby in the said rural district of Doncaster)—

Work No. 15 A new cut being a diversion of the navigation and of the river Don 636 metres in length commencing at reference point SK50394 : 99901 and terminating at reference point SK50938 : 99575:

(formerly partly in the parish of Sprotbrough in the said rural district of Doncaster and partly in the parish of Warmsworth in the said rural district)—

Work No. 16 A new lock and approaches and diversion of the navigation 332 metres in length commencing at reference point SE53828 : 01552 and terminating at reference point SE54091 : 01753:

(formerly partly in the said parish of Sprotbrough and partly in the county borough of Doncaster)—

Work No. 17 A new cut being a diversion of the navigation and of the river Don 286 metres in length commencing at reference point SE55637 : 02426 and terminating at reference point SE55628 : 02686:

(formerly in the county borough of Doncaster)—

PART II
—*cont.*

Work No. 18 A lengthening and realignment of the existing lock and realignment of its approaches 213 metres in length commencing at reference point SE56976 : 03527 and terminating at reference point SE57152 : 03641:

Work No. 19 A widening, deepening and realignment of the navigation 1,090 metres in length commencing at reference point SE57435 : 03768 and terminating at reference point SE57924 : 04731:

Work No. 20 A new cut being a diversion of the navigation 614 metres in length commencing at reference point SE57936 : 04756 and terminating at reference point SE58235 : 05264:

Work No. 21 A widening, deepening and realignment of the navigation 450 metres in length commencing at reference point SE59046 : 05754 and terminating at reference point SE59358 : 06012:

Work No. 22 A widening and realignment of the navigation 286 metres in length commencing at reference point SE59781 : 06397 and terminating at reference point SE60056 : 06472:

(formerly partly in the county borough of Doncaster, partly in the urban district of Bentley-with-Arksey and partly in the parish of Barnby Dun-with-Kirk Sandall in the said rural district of Doncaster)—

Work No. 23 A widening, deepening and realignment of the navigation 1,493 metres in length commencing at reference point SE60290 : 06828 and terminating at reference point SE60874 : 08150:

(formerly in the said parish of Barnby Dun-with-Kirk Sandall)—

Work No. 24 A widening, deepening and realignment of the navigation 146 metres in length commencing at reference point SE60874 : 08150 and terminating at reference point SE60951 : 08274:

Work No. 25 A widening, deepening and realignment of the navigation 1,395 metres in length commencing at reference point SE60951 : 08274 and terminating at reference point SE61328 : 09521:

Work No. 26 A widening, deepening and realignment of the navigation 1,600 metres in length commencing at reference point SE61328 : 09521 and terminating at reference point SE61284 : 10834.

PART II
—cont.

In the district of Rotherham—

(formerly in the county borough of Rotherham)—

Work No. 27 A reconstruction of the bridge and raising of the road carrying Wash Lane over the part of the navigation comprised in Work No. 3 (SK45056 : 94360):

(formerly in the said urban district of Rawmarsh)—

Work No. 28 A widening and deepening of the navigation under and through the bridge carrying the railway between Rotherham and Doncaster over the part of the navigation comprised in Work No. 6 (SK46264 : 96676).

In the districts of Rotherham and Doncaster—

(formerly partly in the said urban district of Swinton and partly in the said urban district of Mexborough)—

Work No. 29 A widening and deepening of the navigation between Works Nos. 9 and 10 under and through the two bridges carrying the railway between Rotherham and Barnsley and the railway between Doncaster and Barnsley commencing at reference point SK46771 : 99591 and terminating at reference point SK46910 : 99719.

In the district of Doncaster—

(formerly in the said urban district of Mexborough)—

Work No. 30 A new road and bridge over the part of the navigation comprised in Work No. 13 and consisting of a diversion of part of the road from Rotherham to Doncaster (SE48936 : 00066):

(formerly in the said parish of Barnby Dun-with-Kirk Sandall)—

Work No. 31 A road diversion and swing or lift bridge over the navigation at the junction of Works Nos. 25 and 26 (SE61328 : 09521):

Work No. 32 A road diversion and swing or lift bridge over the part of the navigation comprised in Work No. 26 (SE60983 : 10316).

(2) Subject to the provisions of this Act, the Board may within the limits of deviation from time to time extend, enlarge, alter, replace or relay temporarily or permanently the works.

(3) (a) Notwithstanding the provisions of section XXII of the Act 12 Geo. 1 c. 38 and of section XV of the Act 7 Geo. 4 c. 97 or any other enactment the Board may abandon and remove the following accommodation bridges:—

(i) the bridge over the part of the navigation comprised in Work No. 9 and numbered on the deposited plans 39 in the urban district of Swinton;

- (ii) the bridge over the part of the navigation comprised in Work No. 10 and numbered on the deposited plans 12 in the urban district of Mexborough; and
- (iii) the bridge over the part of the navigation comprised in Work No. 24 and numbered on the deposited plans 14 in the parish of Barnby Dun-with-Kirk Sandall.

(b) The bridge referred to in sub-paragraph (i) of paragraph (a) of this subsection shall not, unless the highway authority and the General Electric Company Limited otherwise agree, be removed until a temporary bridge over the navigation in substitution therefor has been provided by the Board for the continuation of existing public rights of way and the exercise of accommodation rights in favour of those entitled thereto in accordance with the reasonable requirements of the highway authority and such temporary bridge shall, unless the highway authority and the General Electric Company Limited otherwise agree, be maintained by the Board until a new road bridge to be constructed by the highway authority over the navigation has been constructed and opened for public use.

7.—(1) Subject to the provisions of this Act, the Board may exercise the powers hereinafter mentioned—

In the metropolitan county of South Yorkshire—

Stopping up
and diversion
of roads and
footpaths, etc.

(a) In the district of Rotherham—

(formerly in the county borough of Rotherham)—

stop up and discontinue so much of the footpath leading from Aldwarke Lane to the village of Dalton as lies between the points marked “A” and “B” on the deposited plans and may substitute therefor a new footpath between those points in the position shown on the deposited plans:

(b) In the district of Rotherham—

(formerly in the urban district of Swinton in the county of the West Riding of York)—

(i) stop up and discontinue so much of the footpaths between the points marked “A” and “B” and between the points marked “C” and “D” on the deposited plans and may substitute therefor a new footpath between the points marked “A”, “D” and “B” in the position shown on the deposited plans;

(ii) stop up and discontinue so much of the road and footpath known as New Station Road leading from Swinton to Denaby as lies between the points marked “E” and “F” on the deposited plans:

PART II
—cont.

(c) In the district of Doncaster—

(formerly in the urban district of Mexborough in the county of the West Riding of York)—

(i) stop up and discontinue so much of the footpath leading from Market Street to Station Road as lies between the points marked “ A ” and “ B ” on the deposited plans and may substitute therefor a new footpath between the points marked “ C ”, “ D ”, “ E ” and “ B ” on the deposited plans ;

(ii) stop up and discontinue so much of the road leading from Rotherham to Doncaster as lies between the points marked “ D ” and “ C ” on the deposited plans:

(formerly in the parish of Barnby Dun-with-Kirk Sandall in the rural district of Doncaster)—

(iii) stop up and discontinue so much of the road and bridge over the navigation leading from Bentley to Barnby Dun as lies between the points marked “ A ”, “ B ” and “ D ” on the deposited plans and may substitute therefor a new road and bridge between the points marked “ A ”, “ C ” and “ D ” on the deposited plans.

(2) Where this section authorises—

- (a) the diversion of an existing road or footpath; or
- (b) the making of a new road or footpath and the stopping up of an existing road or footpath or portion thereof;

the stopping up of the existing road or footpath shall not in either case take place until the highway authority are satisfied that the new road or footpath has been completed in accordance with their reasonable requirements and is open for public use or, in case of any difference between the Board and the highway authority as to whether the said requirements have been complied with or as to their reasonableness, until the matter in dispute has been referred to and determined by the Secretary of State and he has certified that the new road or footpath has been completed in accordance with the determination.

(3) Before applying to the Secretary of State for his determination, the Board shall give to the highway authority seven days' notice in writing of their intention so to apply.

(4) As from the completion to the satisfaction of the highway authority of the new road or footpath, or as from the date of the said certificate (as the case may be), all rights of way over or along the existing road or footpath or portion thereof authorised to be diverted or stopped up shall be extinguished and the Board

may appropriate without making any payment therefor and use for the purposes of their undertaking the site of the road or footpath or portion thereof diverted or stopped up as far as the same is bounded on both sides by lands of the Board.

PART II
—cont.

(5) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Board compensation to be determined in case of dispute by the tribunal.

8.—(1) Subject to the provisions of this Act and within the limits of deviation or within the lines marked on the deposited plans “Limit of river to be filled in and appropriated and of lands to be acquired” or “Limit of lands to be filled in and to be acquired” the Board, in connection with the works and for the purposes thereof, may—

Subsidiary
powers.

- (a) make junctions and communications between any of the works and any rivers, streams and watercourses and any existing streets, roads, bridleways, ways, bridges, towing paths and footpaths;
- (b) make, provide and maintain all necessary and convenient walls, banks, embankments, piling, fences, culverts, drains, dykes, intakes, syphons, watercourses, weirs, sluices, wharves, mattresses, pitching, roads, bridges, towing paths and footpaths and all such mains, pipes, cables, wires, pumps, machinery, works and appliances as may be required;
- (c) strengthen, underpin, widen and deepen the piers, arches and other supports, and the foundations of the bridges over the navigation, without acquiring the said bridges or any interest therein;
- (d) carry out works to any towing path alongside the navigation including the removal of any towing path (not being a public footpath) through a bridgeway;
- (e) execute any works for the protection of any adjoining lands or buildings;
- (f) temporarily or permanently use, strengthen, widen, improve, alter or otherwise interfere with drains, sewers, intake or other channels, telegraphic, telephonic, water and other pipes, lines, wires, works and apparatus (all of which are hereinafter in this section referred to as “apparatus”) and streets and railways, providing where possible a proper substitute before interrupting the passage of sewage or water in or through any apparatus or the traffic on any such street;
- (g) raise, lower or otherwise alter the level of any land.

(2) In the exercise of the powers conferred by this section the Board shall cause as little detriment and inconvenience to any

PART II
—cont.

person as the circumstances permit and shall make reasonable compensation for any injury caused to any person by the exercise of such powers.

(3) Any question of disputed compensation payable under the provisions of this section shall be determined under and in accordance with Part I of the Act of 1961.

(4) In this section “street” has the same meaning as in the Act of 1950.

Power to deviate.

9. In the execution of any, or any part, of the works the Board may deviate from the lines or situations thereof shown on the deposited plans to the extent of the limits of deviation and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three metres upwards and three metres downwards, or to such further extent as may be found necessary or convenient and as may be sanctioned by the Secretary of State.

Diversion of flow of water in river Don, etc.

10. The Board may by means of the works divert, intercept, stop up or otherwise interfere with the waters of, or the flow of water in, the river Don or the navigation and of or in any other rivers, streams or watercourses which may be intercepted by the works.

Power to fill in, etc., waterways rendered unnecessary.

11. Upon the opening to traffic of any new or altered length of waterway comprised in any of the works—

- (a) such new or altered length of waterway shall for the purposes of sections 104 and 105 of the Act of 1968 be deemed to be a commercial waterway and the Board shall be under the same obligations as those imposed in respect of other parts of the navigation; and
- (b) all rights of navigation along, and all obligations of the Board to maintain for navigation (including the duty imposed by the said section 105), so much of the existing rivers or waterways now comprised in the undertaking as will be rendered unnecessary for navigation by such new or altered length of waterway shall be extinguished and the Board may thereupon (and so far as may be without interruption to navigation also during the construction of the works) fill in with spoil and other materials and appropriate the site of the existing rivers or waterways so rendered or to be rendered unnecessary and adjoining lands in so far as the same are situate within the limits of deviation or within the lines marked on the deposited plans “Limit of river to be filled in and appropriated and of lands to be acquired” or “Limit of lands to be filled in and to be acquired”.

12.—(1) Where, immediately before the commencement of any, or any part, of the works, any person, being the owner, lessee or occupier of, or otherwise interested in, any land, building or works adjoining or near that part of the navigation affected by those works or any part thereof, are entitled otherwise than under an agreement which the Board have power to terminate to abstract water from or to discharge water or effluent into any part of the navigation so affected, such entitlement shall notwithstanding anything in section 11 (Power to fill in, etc., waterways rendered unnecessary) of this Act continue until that part of the navigation is filled in and the Board or other the owner for the time being of that part of the navigation shall not (unless otherwise agreed with any such person) fill in the same until provision has been made to the reasonable satisfaction of any such person for the abstraction of such water from another source of supply or the conveyance of such water or effluent to an alternative channel instead of the said part of the navigation and the cost of providing such other source and alternative channel shall be borne by the Board or such owner for the time being as the case may be.

PART II
—cont.

As to abstraction of water from and discharge of water or effluent into the navigation.

(2) Any difference which may arise under this section between the Board or the owner for the time being of any part of the navigation and any such person as aforesaid (other than a difference as to the construction of this section) shall be settled by arbitration.

13.—(1) The Board may use for the discharge of any water pumped or found by them during the construction of the works any available stream or watercourse, or any sewer or drain of any local authority in or through whose area the works may be constructed or pass, and for that purpose may lay down, take up and alter conduits, pipes and other works and may make any convenient connections with any such stream, watercourse, sewer or drain within the limits of deviation:

Use of sewers, etc., for removing water.

Provided that—

- (a) the Board shall not discharge any water into any sewer or drain vested in or under the control of a local authority except with the consent of the local authority which consent shall not be unreasonably withheld and subject to such terms and conditions as the local authority may reasonably impose; and
- (b) the Board shall not make any opening into any such sewer or drain save in accordance with plans reasonably approved by, and under the superintendence (if given) of, the local authority in whom the sewer or drain shall be vested.

(2) (a) Notwithstanding anything in section 11 (7) of the Rivers (Prevention of Pollution) Act 1951 the discharge of any 1951 c. 64.

PART II
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water under the powers of this section into any stream as defined in that section shall be subject to the provisions of section 2 of that Act.

1930 c. 44.

(b) In the exercise of their powers under this section the Board shall not without the consent of the Yorkshire Water Authority whose consent shall not be unreasonably withheld damage or interfere with the bed of any watercourse forming part of a main river of the Yorkshire Water Authority or the banks thereof within the meaning of section 81 of the Land Drainage Act 1930.

(3) The Board shall take all such steps as may reasonably be required to secure that any water discharged by them under the powers of this section shall be as free as may be reasonably practicable from any gravel, soil or other solid substance or matter in suspension.

(4) Any difference arising between the Board and a local authority or the Yorkshire Water Authority (as the case may be) under this section shall be determined by arbitration.

(5) In this section the expression “local authority” means a county council, a district council or a water authority.

Under-
pinning of
buildings
near works.

14. The Board may at their own expense, subject as hereinafter provided, underpin or otherwise strengthen any house within 30 metres of any of the works and for this purpose the following provisions shall have effect:—

- (1) At least twenty-eight days' notice shall (except in case of emergency) be given to the owner, lessee and occupier of the house intended to be so underpinned or otherwise strengthened:
- (2) Each such notice shall be served in manner prescribed by section 30 of the Act of 1965, as applied by this Act:
- (3) If any owner, lessee or occupier of any such house shall, within twenty-one days after the giving of such notice, give a counter-notice in writing that he disputes the necessity of such underpinning or strengthening, the question of the necessity shall be settled by arbitration:
- (4) In any case in which any house shall have been underpinned or strengthened under the powers of this section the Board may, from time to time after the completion of such underpinning or strengthening, and during the execution of the work in connection with which such underpinning or strengthening was done, or within five years after the opening for traffic of that work, enter upon and survey such house and after complying

with the foregoing provisions of this section do such further underpinning or strengthening as they may deem necessary or expedient or, in case of dispute between the Board and the owner, lessee or occupier of the house, as shall be settled by arbitration:

- (5) The Board shall be liable to compensate the owner, lessee and occupier of every such house for any loss or damage which may result to them by reason of the exercise of the powers granted by this section, provided that the claim for compensation in respect of such loss or damage is made within three months from either the date upon which any such owner or occupier first discovers the loss or damage or the date by which he ought reasonably to have discovered it, whichever is the earlier:
- (6) Nothing in this section nor any dealing with any property in pursuance of this section shall relieve the Board from the liability to compensate under section 10 (2) of the Act of 1965, as applied by this Act, or under any other enactment in respect of loss or damage arising from the execution of any works other than works of underpinning or strengthening authorised by this section:
- (7) Every case of compensation to be ascertained under this section shall be ascertained according to the provisions of Part I of the Act of 1961:
- (8) In this section "house" includes any building or similar structure.

15.—(1) The Board may for the purpose of, and during the execution of, the works over or under any railway, erect, place or execute and maintain upon, over or under such railway all such temporary structures, erections, works, apparatus and appliances as may be necessary or convenient and as will not prevent the safe use of such railway or interfere to any greater extent than is reasonably necessary with the traffic thereon.

Power to execute temporary works on railways.

(2) Any question or dispute arising under this section shall be determined by arbitration.

16.—(1) The Board during and for the purpose of the execution of the works may temporarily stop up and interfere with or cause to be discontinued any river, waterway, navigation, road, footpath or towing path or any part of any river, waterway, navigation, road, footpath or towing path within the limits of deviation or within the lines marked on the deposited plans "Limit of river to be filled in and appropriated and of lands to be acquired" or "Limit of lands to be filled in and to be acquired" and may for any reasonable time divert the traffic therefrom and prevent all persons passing along or using the same:

Temporary stoppage of rivers, roads, etc.

PART II
—cont.

Provided that the Board shall not prevent persons bona fide going to or coming from any premises in any road or part of a road temporarily stopped up under the powers of this section from passing along and using the same and shall provide reasonable access for such persons bona fide going to or coming from any such premises.

(2) The Board shall not exercise the powers of this section in relation to any road or footpath without the consent of the highway authority, but such consent shall not be unreasonably withheld and any question as to whether such consent has been unreasonably withheld shall be determined by the Secretary of State.

(3) The Board shall not exercise the powers of this section with respect to any road upon which public service vehicles are authorised by a road service licence to operate unless the Board give not less than forty-eight hours' previous notice to the traffic commissioners and to the operators of the public service vehicles so licensed.

Inclination of
roads and
width of
roadways over
bridges, etc.

17.—(1) In carrying out under the powers of this Act alterations to any road the Board may not, except as may otherwise be shown on the deposited sections, make the inclination of such road any greater than that of the road as existing at the passing of this Act.

(2) In raising, widening, lengthening, altering or reconstructing under the powers of this Act any bridge by which any road is carried over any part of the works, the Board may make the roadway over the bridge of any width between the fences provided that such width is no less than the width between the fences as existing at the passing of this Act.

(3) The Board shall erect a good and sufficient fence on each side of each of the new or reconstructed bridges comprised in Works Nos. 27, 30, 31 and 32.

Vesting and
maintenance of
bridges, roads,
etc.

18.—(1) Any bridges, roads or footpaths constructed in substitution for existing bridges, roads or footpaths and any bridges raised, widened, lengthened, altered or reconstructed and any roads or footpaths or portion thereof diverted or altered under the powers of this Act shall, unless otherwise agreed, vest in and be maintained and repaired by the person in or by whom the existing bridges, roads or footpaths were immediately before the passing of this Act vested and maintained and repaired and the Board and any such person may enter into and carry into effect agreements or arrangements with respect to the construction, reconstruction, lengthening, widening, alteration, maintenance or

repair of such bridges, roads and footpaths and the making of contributions by such person towards the cost thereof and in reference to any other matters relating thereto.

PART II
—cont.

(2) Nothing in this Act or done thereunder shall impose on the Board any greater or other obligation or liability with reference to any bridge, road or footpath than that to which they were subject immediately before the passing of this Act.

(3) The purposes of this section shall be deemed to be purposes for which a local highway authority may incur expenditure and borrow money.

PART III

LANDS

19.—(1) Subject to the provisions of this Act, the Board may enter upon, take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of this Act, or in consequence of the exercise of the powers thereof, or for any purposes connected with or ancillary to the undertaking. ^{Power to acquire lands.}

(2) The powers of the Board for the compulsory acquisition of land under this section shall cease after the expiration of three years from 31st December, 1974:

Provided that the Secretary of State may by order extend the period for the exercise of the powers of the Board for the compulsory purchase of land under this section.

(3) An order under subsection (2) of this section shall be subject to special parliamentary procedure.

(4) Subject to the provisions of this Act, the Board may enter upon, use and appropriate so much of the subsoil and under-surface of any public street, road, footway or place delineated on the deposited plans and described in the deposited book of reference as shall be necessary for the purposes of the works without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

(5) The Board shall not under the powers of this section enter upon, take or use the lands delineated on the deposited plans and described in the deposited book of reference and therein numbered 24 in the district of Rotherham (formerly the urban district of Swinton in the West Riding of the county of York) and 32 in the district of Doncaster (formerly the county borough of Doncaster).

PART III
—cont.

Powers to
owners and
lessees to
give notice
as to purchase
of land.

20. If the Secretary of State by order made under section 19 (Power to acquire lands) of this Act extends the period for the exercise of the powers of the Board for the compulsory purchase of land, the following provisions shall apply after the coming into operation of that order:—

(1) In this section—

“the land” means any land which is for the time being authorised to be acquired compulsorily by this Act;

“lessee” means a lessee under a lease having a period of not less than twenty-one years to run at the date of his notice under paragraph (2) of this section:

(2) If any person, being the owner or lessee of the land, shall give notice in writing to the Board of his desire that his interest in any part of the land specified in the notice shall be acquired as soon as may be, the Board shall within a period of three months after the receipt of such notice—

(a) enter into a contract with such person for the acquisition of his interest in the land specified in the contract; or

(b) serve a notice to treat for the compulsory acquisition of the interest of such person in the land specified in his notice or in such part thereof as may be required by the Board; or

(c) serve on such person notice in writing of their intention not to proceed with the purchase of the interest of such person in the land specified in his notice:

(3) Where notice is given under the last foregoing paragraph by an owner or lessee of the land specified in the notice, then—

(a) if the Board—

(i) fail to comply with that paragraph; or

(ii) withdraw in pursuance of any statutory provision a notice to treat served on him in compliance with sub-paragraph (b) of that paragraph; or

(iii) serve notice on him in compliance with sub-paragraph (c) of that paragraph;

the powers conferred by this Act for the compulsory purchase of his interest in the land so specified shall cease;

(b) if his interest in part only of the land so specified is acquired in pursuance of such a notice to treat the powers conferred by this Act for the compulsory purchase of his interest in the remainder of the land so specified shall cease.

21. The Board may for the purposes of the works enter upon and use so much of the bed, shore, bank and embankment of any river, stream, brook and watercourse as is within the limits of deviation or within the lines marked on the deposited plans "Limit of river to be filled in and appropriated and of lands to be acquired" or "Limit of lands to be filled in and to be acquired" as may be required for those purposes and they may also, for the purposes of executing and placing temporary works and conveniences in connection with the works, occupy and use temporarily so much of such bed, shore, bank and embankment within the said limits or lines as may be required for the purposes of the works.

PART III
—cont.

Power to
use bed and
banks of
rivers.

22.—(1) If the deposited plans or the deposited book of reference are inaccurate in their description of any land, or in their statement or description of the ownership or occupation of any land, the Board, after giving not less than ten days' notice to the owner, lessee and occupier of the land in question, may apply to two justices having jurisdiction in the place where the land is situated for the correction thereof.

Correction
of errors in
deposited
plans and
book of
reference.

(2) If on any such application it appears to the justices that the misstatement or wrong description arose from mistake or inadvertence, they shall certify accordingly and shall in their certificate state in what respect any matter is misstated or wrongly described.

(3) The certificate shall be deposited in the office of the Clerk of the Parliaments, and a copy thereof in the Private Bill Office, House of Commons, and with every proper officer of a local authority and chairman of a parish council or parish meeting with whom a copy of the deposited plans, or of so much thereof as includes the land to which the certificate relates, has been deposited in accordance with the Standing Orders of the Houses of Parliament, or who has the custody of any such copy so deposited; and thereupon the deposited plans and the deposited book of reference shall be deemed to be corrected according to the certificate, and it shall be lawful for the Board to take the land and execute the works in accordance with the certificate.

(4) A person with whom a copy of a certificate is deposited under this section shall keep it with the other documents to which it relates.

23.—(1) Where a copy of this section is endorsed on, or annexed to, a notice to treat served under the Act of 1965 as applied by this Act, the following provisions of this section shall apply to the land subject to the notice instead of section 8 (1) of that Act.

Acquisition
of part only
of certain
properties.

(2) Where the land subject to the notice is part only of a house, building or factory, or part only of land consisting of a

PART III
—cont.

house together with any park or garden belonging thereto, then if the person on whom the notice is served, within twenty-one days after the day on which the notice is served on him, serves on the Board a counter-notice objecting to the sale of the part and stating that he is willing and able to sell the whole (hereinafter in this section referred to as “the land subject to the counter-notice”), the question whether he shall be required to sell the part shall, unless the Board agree to take the land subject to the counter-notice, be referred to the tribunal.

(3) If the said person does not serve such a counter-notice as aforesaid within twenty-one days after the day on which the notice to treat is served on him, or if on such a reference to the tribunal, the tribunal determines that the part subject to the notice to treat can be taken without material detriment to the remainder of the land subject to the counter-notice or, in the case of part of land consisting of a house together with a park or garden belonging thereto, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house, the said person shall be required to sell the part.

(4) If on such a reference to the tribunal the tribunal determines that part only of the land subject to the notice to treat can be taken without material detriment to the remainder of the land subject to the counter-notice or, as the case may be, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house, the notice to treat shall be deemed to be a notice to treat for that part.

(5) If on such a reference to the tribunal the tribunal determines that the land subject to the notice to treat cannot be taken without material detriment to the remainder of the land subject to the counter-notice but that the material detriment is confined to a part of the land subject to the counter-notice, the notice to treat shall be deemed to be a notice to treat for the land to which the material detriment is confined in addition to the land already subject to the notice, whether or not the additional land is land which the Board are authorised to acquire compulsorily under this Act.

(6) If the Board agree to take the land subject to the counter-notice, or if the tribunal determines that—

- (a) none of the land subject to the notice to treat can be taken without material detriment to the remainder of the land subject to the counter-notice or, as the case may be, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house; and

(b) the material detriment is not confined to a part of the land subject to the counter-notice;

PART III
—cont.

the notice to treat shall be deemed to be a notice to treat for the land subject to the counter-notice whether or not the whole of that land is land which the Board are authorised to acquire compulsorily under this Act.

(7) In any case where by virtue of a determination by the tribunal under subsection (4), (5) or (6) of this section a notice to treat is deemed to be a notice to treat for part of the land specified in the notice or for more land than is specified in the notice, the Board may, within six weeks after the tribunal makes its determination, withdraw the notice to treat, and if they do so shall pay to the said person compensation for any loss or expense occasioned to him by the giving and withdrawal of the notice, to be determined in default of agreement by the tribunal.

(8) Where a person is under this section required to sell part only of a house, building or factory, or of land consisting of a house together with any park or garden belonging thereto, the Board shall pay to him compensation for any loss sustained by him due to the severance of that part in addition to the value of his interest therein.

24. In determining a question with respect to compensation claimed in consequence of the compulsory acquisition of land under this Act, the tribunal shall not take into account any interest in land, or any enhancement of the value of any interest in land, by reason of any building erected, works executed or improvement or alteration made, whether on the land acquired or on any other land with which the claimant is, or was at the time of the erection, execution or making of the building, works, improvement or alteration, directly or indirectly concerned, if the tribunal is satisfied that the creation of the interest, the erection of the building, the execution of the works, or the making of the improvement or alteration, as the case may be, was not reasonably necessary and was undertaken with a view to obtaining compensation or increased compensation.

Disregard of recent improvements and interests.

25.—(1) All private rights of way over any land which may be acquired compulsorily under this Act shall be extinguished on the acquisition of the land whether compulsorily or by agreement or on the entry on the land in pursuance of section 11 (1) of the Act of 1965, as applied by this Act, whichever is sooner.

Extinction of private rights of way.

(2) Any person who suffers loss by the extinguishment of any right under this section shall be entitled to be paid by the Board compensation to be determined in case of dispute under and in accordance with Part I of the Act of 1961.

PART III
—cont.

Power to
acquire
easements
only in certain
cases.

26. Notwithstanding anything in this Act, the Board may acquire such easements or rights as they may require—

- (a) for the purpose of constructing, maintaining, renewing and using the works in, under or over any railway, watercourse, aqueduct, drain, dyke or sewer; and
- (b) for the purpose of placing and maintaining in, under or over any lands within the limits of deviation tie bars, anchorages and other works for the purpose of securing the stability of the banks, walls or piling bounding any part of the navigation;

without being obliged to acquire any greater interest in, under or over the same respectively and may give notice to treat in respect of such easements or rights describing the nature thereof and (subject to the foregoing provisions of this section and to the other provisions of this Act) the provisions of Part I of the Act of 1965, as applied by this Act, shall have effect in relation to the acquisition of such easements or rights as if they were lands within the meaning of those provisions.

Grant of
easements by
persons
under
disability.

27.—(1) Any person empowered by the Act of 1965, as applied by this Act, to sell and convey or release lands may, if he thinks fit, subject to the provisions of the Act of 1965, grant to the Board any easement or right required for the purposes of this Act over or in the lands, not being an easement or right of water in which some person other than the grantor has an interest.

(2) The provisions of the Act of 1965 with respect to lands and rentcharges, so far as they are applicable, shall extend and apply to any such grant and to any such easement or right as aforesaid.

PART IV

PROTECTIVE PROVISIONS

Crown rights.

28. Nothing in this Act shall affect prejudicially any estate, right, power, privilege or exemption of the Crown and, in particular, nothing herein contained shall authorise the Board to take, use or in any manner interfere with any portion of the shore or bed of any river, channel or creek, or any land, hereditaments, subjects or rights of whatsoever description belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners on behalf of Her Majesty first had and obtained for that purpose.

29. Where an interest in land is subject to a mortgage—

PART IV
—cont.

- (a) any compensation which is payable under this Act in respect of the depreciation in value of that interest shall be calculated as if the interest were not subject to the mortgage; Compensation in respect of depreciation in value of interest in land subject to mortgage.
- (b) a claim for the payment of any such compensation may be made by any mortgagee of the interest under a mortgage made before the happening of the event giving rise to the compensation, but without prejudice to the making of a claim by any other person;
- (c) a mortgagee shall not be entitled to claim any such compensation in respect of his interest as such; and
- (d) any such compensation payable in respect of the interest subject to the mortgage shall be paid to the mortgagee or, where there is more than one mortgagee, to the first mortgagee, and shall in either case be applied by him as if it were proceeds of sale.

30. For the protection of the several undertakers referred to in this section, the following provisions shall, unless otherwise agreed in writing between the Board and the undertakers concerned, apply and have effect:— For protection of gas, water and electricity undertakers.

(1) In this section—

“ the undertakers ” means any person authorised by any enactment to carry on an undertaking for the supply of gas, water or electricity within any area within which the Board are by this Act authorised to acquire lands or execute works;

“ apparatus ” means—

(a) in the case of electricity undertakers, electric lines or works (as respectively defined in the Electricity (Supply) Acts 1882 to 1936) belonging to or lawfully laid or erected by such undertakers; or

(b) in the case of gas or water undertakers, any apparatus (including, in the case of the Yorkshire Water Authority, sewers) belonging to such undertakers or for the maintenance of which they are responsible;

(not being in either case apparatus in respect of which the relations between the Board and the undertakers are regulated by the provisions of Part II of the Act of 1950) and includes any structure for the lodging therein of apparatus;

PART IV
—cont.

“adequate alternative apparatus” means alternative apparatus adequate to enable the undertakers to fulfil their statutory functions in a manner not less efficient than previously;

“in” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over or upon land:

- (2) Notwithstanding anything in this Act or shown on the deposited plans the Board shall not acquire any apparatus under the powers of this Act otherwise than by agreement:
- (3) If the Board in the exercise of the powers of this Act acquire any interest in any lands in which any apparatus is placed, that apparatus shall not be removed under this section and any right of the undertakers to maintain, repair, renew or inspect that apparatus in those lands shall not be extinguished until adequate alternative apparatus shall have been constructed and be in operation to the reasonable satisfaction of the undertakers:
- (4) If the Board, for the purpose of executing any works in, on or under any lands acquired, held, appropriated or used under this Act, require the removal of any apparatus placed in those lands, and shall give to the undertakers written notice of such requirement, together with a plan and section of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed so as to provide adequate alternative apparatus in lieu of the apparatus to be removed, or if, in consequence of the exercise of any of the powers of this Act, the undertakers shall reasonably require to remove any apparatus, the Board shall afford to the undertakers the necessary facilities and rights for the construction of such alternative apparatus in other lands of the Board and thereafter for the maintenance, repair, renewal and inspection of such apparatus:

Provided that if the alternative apparatus or any part thereof is to be constructed elsewhere than in other lands of the Board, and the Board are unable to afford such facilities and rights as aforesaid in the lands in which the alternative apparatus or such part thereof is to be constructed, the undertakers shall, on receipt of a written notice to that effect from the Board, forthwith use their best endeavours to obtain the necessary facilities and rights in such last-mentioned lands:

- (5) (a) Any alternative apparatus to be constructed in lands of the Board in pursuance of this section shall be constructed in such manner and in such line or situation as may be agreed between the undertakers and the Board or in default of agreement settled by arbitration;
- (b) The undertakers shall, after the alternative apparatus to be provided or constructed shall have been agreed or settled by arbitration as aforesaid and after the grant to the undertakers of any such facilities and rights as are referred to in the immediately preceding paragraph, proceed with all reasonable dispatch to construct and bring into operation the alternative apparatus and thereafter to remove any apparatus required by the Board to be removed under the provisions of this section:
- (6) Notwithstanding anything in the immediately preceding paragraph if the Board give notice in writing to the undertakers that they desire themselves to execute any part of so much of the work necessary in connection with the construction of the alternative apparatus, or the removal of the apparatus required to be removed, as will be situate in any lands of the Board, such work in lieu of being executed by the undertakers shall be executed by the Board with all reasonable dispatch under the superintendence (if given) and to the reasonable satisfaction of the undertakers:

Provided that nothing in this paragraph shall authorise the Board to execute the actual placing, installation, bedding, packing, removal, connection or disconnection of any apparatus or any filling around the apparatus extending (where the apparatus is laid in a trench) to not less than 300 millimetres above the apparatus:

- (7) Where, in accordance with the provisions of this section, the Board afford to the undertakers facilities and rights for the construction, maintenance, repair, renewal and inspection in lands of the Board of alternative apparatus in substitution for apparatus to be removed as aforesaid, those facilities and rights shall be granted upon such terms and conditions as may be agreed between the Board and the undertakers or in default of agreement determined by arbitration:

Provided that, in determining such terms and conditions as aforesaid in respect of alternative apparatus to be constructed across or along any waterway of the Board, the arbitrator shall—

- (a) give effect to all reasonable requirements of the Board for ensuring the safety and efficient operation of the waterway and for securing any subsequent

PART IV
—cont.

alterations or adaptations of the alternative apparatus which may be required to prevent interference with any proposed works of the Board or the traffic on the waterway; and

(b) so far as it may be reasonable and practicable to do so in the circumstances of the particular case give effect to the terms and conditions applicable to the apparatus (if any) constructed across or along the waterway for which the alternative apparatus is to be substituted:

Provided also that, if the facilities and rights to be afforded by the Board in respect of any alternative apparatus and the terms and conditions subject to which the same are to be granted are in the opinion of the arbitrator less favourable on the whole to the undertakers than the facilities and rights enjoyed by them in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator shall make such provision for the payment of compensation by the Board to the undertakers in respect thereof as shall appear to him to be reasonable having regard to all the circumstances of the particular case:

- (8) (a) Not less than twenty-eight days before commencing to execute any such works as are referred to in paragraph (4) of this section and are near to or will or may affect any apparatus the removal of which has not been required by the Board under the said paragraph (4), the Board shall submit to the undertakers a plan, section and description of the works to be executed;
- (b) Such works shall be executed only in accordance with the plan, section and description submitted as aforesaid and in accordance with such reasonable requirements as may be made by the undertakers for the alteration or otherwise for the protection of the apparatus or for securing access thereto and the undertakers shall be entitled by their officer to watch and inspect the execution of such works:

Provided that, if the undertakers within fourteen days after the submission to them of any such plan, section and description shall, in consequence of the works proposed by the Board, reasonably require the removal of any apparatus and give written notice to the Board of such requirement, the foregoing provisions of this section shall apply and have effect as if the removal of such apparatus had been required by the Board under paragraph (4) thereof:

Provided also that nothing in this sub-paragraph shall preclude the Board from submitting at any time or from time to time but in no case less than twenty-eight days before commencing the execution of any such works, a new plan, section and description thereof in lieu of the plan, section and description previously submitted, and thereupon the provisions of this paragraph shall apply to and in respect of such new plan, section and description;

- (c) The Board shall not be required to comply with sub-paragraph (a) of this paragraph in a case of emergency but in such a case they shall give to the undertakers notice as soon as reasonably practicable and a plan, section and description of the works as soon as reasonably practicable thereafter and shall comply with sub-paragraph (b) of this paragraph so far as reasonably practicable in the circumstances:
- (9) Where, in consequence of this Act, any part of any street, road or footpath in which any apparatus is situate ceases to be part of a street, road or footpath the undertakers may exercise the same rights of access to such apparatus as they enjoyed immediately before the passing of this Act, but nothing in this paragraph shall prejudice or affect any right of the Board or of the undertakers to require removal of such apparatus under this section or the power of the Board to execute works in accordance with paragraph (8) of this section:
- (10) The Board shall pay to the undertakers the costs, charges and expenses reasonably incurred by the undertakers in or in connection with the inspection, removal, alteration or protection of any apparatus or the construction of any new apparatus which may be required in consequence of the execution of any such works as are referred to in paragraph (4) of this section, less the value of any apparatus removed in pursuance of the provisions of this section (such value being calculated after removal) and shall also make compensation to the undertakers—
- (a) for any damage caused to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal in accordance with the provisions of this section); and
- (b) for any other expenses, loss, damages, penalty or costs incurred by the undertakers;
- by reason or in consequence of the execution, maintenance, user or failure of any such works or otherwise by reason or in consequence of the exercise by the Board of the powers of this Act:

PART IV
—cont.

- (11) Where, by reason or in consequence of the stopping up of any street, road or footpath under the powers of this Act, any apparatus belonging to the undertakers and laid or placed in such street, road or footpath or elsewhere is rendered derelict or unnecessary, the Board shall pay to the undertakers the then value of such apparatus (which shall thereupon become the property of the Board) and the reasonable cost of and incidental to the cutting off of such apparatus from any other apparatus, and of and incidental to the execution or doing of any works or things rendered necessary or expedient by reason or in consequence of such apparatus being so rendered derelict or unnecessary:

Provided that the Board shall not under the provisions of this paragraph be required to pay to the undertakers the value of any apparatus rendered derelict or unnecessary if, to the reasonable satisfaction of the undertakers, other apparatus shall at the expense of the Board have been provided and laid and made ready for use in substitution for the apparatus so rendered derelict or unnecessary:

- (12) The Board in the case of the powers conferred by section 14 (Underpinning of buildings near works) of this Act shall so far as is reasonably practicable so exercise those powers as not to obstruct or render less convenient the access to any apparatus and, if by reason or in consequence of the exercise of those powers any damage to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal or abandonment) or property of the undertakers or any interruption in the supply of electricity, gas or water, as the case may be, by the undertakers, or any interruption in the passage of sewage, shall be caused, the Board shall bear and pay the cost reasonably incurred by the undertakers in making good such damage or restoring the supply and shall—

(a) make reasonable compensation to the undertakers for any loss sustained by them; and

(b) indemnify the undertakers against all claims, demands, proceedings, costs, damages and expenses which may be made or taken against or recovered from or incurred by the undertakers;

by reason or in consequence of any such damage or interruption:

Provided that—

PART IV
—cont.

(i) nothing in this paragraph shall impose any liability on the Board with respect to any damage or interruption to the extent that such damage or interruption may be attributable to the act, neglect or default of the undertakers or their contractors or workmen;

(ii) the undertakers shall give to the Board reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior consent of the Board:

- (13) Notwithstanding the temporary stopping up or diversion of any road or footpath under the powers of section 16 (Temporary stoppage of rivers, roads, etc.) of this Act, the undertakers shall be at liberty at all times to execute and do all such works and things in, upon or under any such road or footpath as may be reasonably necessary or desirable to enable them to inspect, repair, maintain, renew, remove or use any apparatus which at the time of the stopping up or diversion was in that road or footpath:
- (14) Notwithstanding anything in section 13 (Use of sewers, etc., for removing water) of this Act, no use shall be made by the Board in the construction of the works authorised by this Act of pumping or other like modes of removing water except where reasonably necessary or in the case of emergency or unforeseen accident or for the purpose of removing rainwater or other small amounts of water, and the provisions of section 26 of the Act of 1950 shall apply to, and in relation to, the laying down, taking up or altering of conduits, pipes or other works under the said section 13 as if executed by the Board as operating undertakers within the meaning of the said section 26 for purposes other than the purposes of a railway undertaking:
- (15) Any difference arising between the Board and the undertakers under this section (other than a difference as to the meaning or construction of this section) shall be determined by arbitration:
- (16) Nothing in this section shall be deemed to prejudice or affect the provisions of any enactment, consent or agreement regulating the relations between the Board and the undertakers in respect of any apparatus laid or erected in land belonging to the Board at the date of the passing of this Act.

PART IV

—cont.

For protection
of Post Office.

31. For the protection of the Post Office the following provisions shall, unless otherwise agreed in writing between the Board and the Post Office, apply and have effect:—

(1) (a) As soon as practicable after the whole or part of a road or footpath has been permanently diverted or stopped up by the Board under the powers conferred by section 7 (Stopping up and diversion of roads and footpaths, etc.) of this Act, the Board shall send by post to the Post Office a notice informing it of such diversion or stopping up;

(b) Where in pursuance of the said section 7 the Board divert or stop up the whole or any part of a road or footpath the following provisions of this paragraph shall have effect in relation to so much of any telegraphic line belonging to or used by the Post Office as is under, in, upon, over, along or across the land which by reason of the diversion or stopping up ceases to be a road or footpath (in this paragraph referred to as “the affected line”), that is to say:—

(i) the power of the Post Office to remove the affected line shall be exercisable notwithstanding the diversion or stopping up so however that the said power shall not be exercisable as respects the whole or any part of the affected line after the expiration of a period of three months from the date of the sending of the notice referred to in sub-paragraph (a) of this paragraph unless before the expiration of that period the Post Office has given notice to the Board of its intention to remove the affected line or that part thereof, as the case may be, within such reasonable period as may be specified in the said notice given to the Board;

(ii) the Post Office may by notice in that behalf to the Board abandon the affected line or any part thereof and shall be deemed as respects the affected line or any part thereof to have abandoned it at the expiration of the said period of three months unless before the expiration of that period the Post Office has removed it or given notice of its intention to remove it;

(iii) the Post Office shall be entitled to recover from the Board the expense of providing in substitution for the affected line and any telegraphic line connected therewith which is rendered useless in consequence of the removal or abandonment of the affected line a telegraphic line in such other place as it may reasonably require;

(iv) where under sub-paragraph (ii) of this paragraph the Post Office has abandoned the whole or any part of the affected line it shall vest in the Board and the provisions of the Telegraph Acts 1863 to 1916 shall not apply in relation to it as respects anything done or omitted after the abandonment thereof:

(2) (a) Notwithstanding anything in section 8 (Subsidiary powers) of this Act the Board shall not—

(i) use any telegraphic line belonging to or used by the Post Office; or

(ii) alter or remove any such line except in accordance with and subject to the provisions of paragraphs (1) to (8) of section 7 of the Telegraph Act 1878;

1878 c. 76.

in this sub-paragraph “alter” has the same meaning as in the Telegraph Act 1878;

(b) Any electrical works or equipment constructed, erected, laid down, maintained, worked or used pursuant to the powers conferred by the said section 8 shall be so constructed, erected or laid down and so maintained, worked and used that any electricity generated or conveyed by or used in or in connection with any such works or equipment does not cause interference (whether by induction or otherwise) with any telegraphic line belonging to or used by the Post Office or with telecommunication by means of any such line:

(3) The Board shall, so far as is reasonably practicable, so exercise the powers conferred by section 14 (Underpinning of buildings near works) of this Act as not to obstruct or render less convenient the access to any telegraphic line belonging to or used by the Post Office:

(4) The exercise by the Board of the powers of section 16 (Temporary stoppage of rivers, roads, etc.) of this Act in relation to any road or footpath shall not prejudice or affect the right of the Post Office—

(a) to maintain, inspect, repair, renew or remove any telegraphic line belonging to or used by it which may for the time being be under, in, upon, over, along or across that road or footpath, or to place such further telegraphic lines as it may from time to time require; or

(b) for the purpose of such placing, maintenance, inspection, repair, renewal or removal to enter upon or break open that road or footpath:

PART IV
—cont.

1878 c. 76.

- (5) If any work executed by a person in pursuance of any agreement or arrangement made under the provisions of section 18 (Vesting and maintenance of bridges, roads, etc.) of this Act involves an alteration of a telegraphic line belonging to or used by the Post Office the enactments contained in section 7 of the Telegraph Act 1878 shall apply to such alteration as if the person were “undertakers” within the meaning of the said Act:
- (6) Any difference arising between the Board and the Post Office under this section (other than a difference as to the meaning or construction of this section) shall be determined by arbitration:
- (7) Nothing in this section shall be deemed to prejudice or affect the provisions of any enactment, consent or agreement regulating the relations between the Board and the Post Office in respect of any telegraphic line or apparatus laid or erected in land belonging to the Board at the date of the passing of this Act.

For protection
of British
Railways
Board.

32. For the protection of the British Railways Board (in this section referred to as “the railways board”) the following provisions shall, unless otherwise agreed in writing between the Board and the railways board, apply and have effect:—

- (1) In this section—

“the railway” means any railway of the railways board and any works connected therewith for the maintenance or operation of which the railways board are responsible and includes any lands held or used by the railways board for the purposes of such railway or works;

“the works” means so much of the Board’s works as may be situated upon, across, under or over or may in any way affect the railway and includes the construction of such works;

“construction” includes reconstruction and for the purposes of paragraphs (9), (12) and (14) of this section includes maintenance and repair of the works;

“the engineer” means an engineer to be appointed by the railways board;

“plans” includes sections, drawings and particulars:

- (2) The Board shall not under the powers of this Act acquire compulsorily any property of the railways board but

they may in accordance with the provisions of section 26 (Power to acquire easements only in certain cases) of this Act acquire such easements and rights as they may reasonably require for the purposes of the works in any such property delineated on the deposited plans:

- (3) The Board shall, before commencing the works (other than works of maintenance or repair), furnish to the railways board proper and sufficient plans thereof for the reasonable approval of the engineer and shall not commence the works until plans thereof have been approved in writing by the engineer or settled by arbitration:

Provided that, if within twenty-eight days after such plans have been furnished to the railways board the engineer shall not have intimated his disapproval thereof and the grounds of his disapproval, he shall be deemed to have approved the same:

- (4) If within twenty-eight days after such plans have been furnished to the railways board the railways board shall give notice to the Board that the railways board desire themselves to construct any part of the works which in the opinion of the engineer will or may affect the stability of railway property and the safe operation of the railways board's railway then if the Board desire such part of the works to be constructed the railways board shall construct it with all reasonable dispatch on behalf of and to the reasonable satisfaction of the chief engineer of the Board in accordance with plans approved or deemed to be approved or settled as aforesaid:

- (5) In the event of any of the works necessitating the alteration, widening or renewal of any bridge carrying a railway of the railways board over the navigation the railways board may if they so desire at the expense of the Board design such altered, widened or renewed bridge:

- (6) Upon signifying his approval or disapproval of the plans the engineer may specify any protective works whether temporary or permanent which in his opinion should be carried out before the commencement of the works to ensure the safety or stability of the railway and such protective works as may be reasonably necessary for those purposes shall be constructed by the railways board with all reasonable dispatch and the Board

PART IV
—cont.

shall not commence the construction of the works until the engineer shall have notified the Board that the protective works have been completed:

- (7) The Board shall give to the engineer twenty-eight days' notice of their intention to commence the construction of any of the works and also, except in emergency (when they shall give such notice as may be reasonably practicable), of their intention to carry out any works for the repair or maintenance of the works in so far as such works of repair or maintenance affect or interfere with the railway:
- (8) The works shall when commenced be carried out with all reasonable dispatch in accordance with the approved plans and under the supervision (if given) and to the reasonable satisfaction of the engineer and in such manner as to cause as little damage to the railway as may be and as little interference as may be with the conduct of traffic on the railways of the railways board and the use by passengers of the railway and if any damage to the railway or any such interference shall be caused by the carrying out of the works the Board shall, notwithstanding any such approval as aforesaid, make good such damage and shall on demand pay to the railways board all reasonable expenses to which they may be put and compensation for any loss which they may sustain by reason of any such damage or interference:
- Provided that nothing in this paragraph shall impose any liability on the Board with respect to any damage, costs, expenses or loss which is attributable to the act, neglect or default of the railways board or their servants, contractors or agents:
- (9) The Board shall at all times afford reasonable facilities to the engineer for access to the works during their construction and shall supply him with all such information as he may reasonably require with regard to the works or the method of construction thereof:
- (10) The railways board shall at all times afford reasonable facilities to the Board and their agents for access to any works carried out by the railways board under this section during their construction and shall supply the Board with such information as they may reasonably require with regard to such works or the method of construction thereof:

- (11) If any alterations or additions, either permanent or temporary, to the railway shall be reasonably necessary during the construction of the works or during a period of twelve months after the completion thereof in consequence of the construction of the works, such alterations and additions may be effected by the railways board after notice has been given to the Board and the Board shall pay to the railways board on demand the cost thereof as certified by the engineer including, in respect of permanent alterations and additions, a capitalised sum representing the increased or additional cost of maintaining, working and, when necessary, renewing any such alterations or additions:

Provided that if the cost of maintaining, working or renewing the railway is reduced in consequence of any such alterations or additions, a capitalised sum representing such saving may be set off against any sum payable by the Board to the railways board under this section:

- (12) The Board shall repay to the railways board all costs, charges and expenses reasonably incurred by the railways board—

(a) in constructing any protective works under the provisions of paragraph (6) of this section including, in respect of any permanent protective works, a capitalised sum representing the cost to the railways board of maintaining and renewing such works;

(b) in respect of the employment of any inspectors, signalmen, watchmen and other persons whom it shall be reasonably necessary to appoint for inspecting, watching, lighting and signalling the railway and for preventing, as far as may be reasonably practicable, interference, obstruction, danger or accident arising from the construction or failure of the works;

(c) in respect of any special traffic working resulting from any speed restrictions which may, in the opinion of the engineer, require to be imposed and which may be due to the construction or failure of the works or from the substitution or diversion of services which may be necessary for the same reason;

(d) in respect of any additional temporary lighting of the railway in the vicinity of the works, being lighting made reasonably necessary during and by reason of the construction or failure of the works;

PART IV
—cont.

(e) in respect of the supervision by the engineer of the works:

(13) Any additional expense which the railways board shall reasonably incur after giving twenty-eight days' notice to the Board in altering, reconstructing or maintaining the railway in pursuance of any powers existing at the passing of this Act by reason of the existence of the works shall be repaid by the Board to the railways board:

(14) The Board shall be responsible for and make good to the railways board all costs, charges, damages and expenses not otherwise provided for in this section which may be occasioned to or reasonably incurred by the railways board—

(a) by reason of the works or the failure thereof; or

(b) by reason of any act or omission of the Board or of any persons in their employ or of their contractors or others whilst engaged upon the construction of the works;

and the Board shall effectively indemnify and hold harmless the railways board from and against all claims and demands arising out of or in connection with the construction of the works or any such failure, act or omission as aforesaid and the fact that any act or thing may have been done by the railways board on behalf of the Board, or in accordance with plans approved by the engineer, or in accordance with any requirement of the engineer or under his supervision shall not (if it was done without negligence on the part of the railways board or of any person in their employ or of their contractors or agents whilst engaged upon the construction of the works) excuse the Board from any liability under the provisions of this section:

Provided that the railways board shall give to the Board reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior consent of the Board:

(15) Any difference arising between the Board and the railways board under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration.

33. For the further protection of the Central Electricity Generating Board (hereinafter in this section referred to as "the generating board") the following provisions of this section shall, unless otherwise agreed in writing between the Board and the generating board, apply and have effect:—

PART IV
—cont.

For further protection of Central Electricity Generating Board.

- (1) In constructing Work No. 18 the Board shall not by reason of the construction cause the level of water in the river Don upstream of Doncaster Lock to fall below 8.230 metres O.D. Newlyn:
- (2) During the construction of the new road comprised in Work No. 30, and any subsidiary works in connection therewith under the powers of section 8 (Subsidiary powers) of this Act, the Board shall take, or cause to be taken, all reasonable steps and so carry out the construction of the said road and works, or cause the construction to be so carried out, as to maintain at all times such means of vehicular access to the Mexborough Power Station and adjacent car park as is necessary for the purposes of the said power station:
- (3) Notwithstanding anything shown on the deposited plans, in constructing the new road comprised in Work No. 30 the Board shall provide, or make arrangements for the provision of, such permanent means of access to the site of the Mexborough Power Station and adjacent car park from Doncaster Road as is suitable for the vehicular traffic requiring to use such access.

34. For the protection of the Yorkshire Water Authority (in this section referred to as "the water authority") the following provisions shall, unless otherwise agreed in writing between the Board and the water authority, apply and have effect:—

For protection of Yorkshire Water Authority.

- (1) In this section—

"authorised work" means so much of the works (whether temporary or permanent) as may be situated upon, across, under or over or may in any way affect the river and includes the construction of such works;

"banks" has the meaning assigned to it in section 81 of the Land Drainage Act 1930;

1930 c. 44.

"construction" includes execution, placing and reconstruction and for the purposes of paragraphs (7) and (10) of this section includes maintenance and repair of an authorised work and "construct" and "constructed" have corresponding meanings;

PART IV
—cont.

“ the engineer ” means an engineer to be appointed by the water authority;

“ plans ” includes sections, specifications, drawings and particulars;

“ the river ” means any main river (which expression has the same meaning as in the Land Drainage Act 1930) vested in or controlled by the water authority and any banks thereof:

1930 c. 44.

- (2) The Board shall not under the powers of this Act acquire compulsorily any property of the water authority but they may in accordance with the provisions of section 26 (Power to acquire easements only in certain cases) of this Act acquire such easements and rights as they may reasonably require for the purposes of the works in any such property delineated on the deposited plans:
- (3) The Board shall, before commencing an authorised work, furnish to the water authority proper and sufficient plans thereof for the reasonable approval of the engineer and shall not commence the work until plans thereof have been approved in writing by the engineer or settled by arbitration:

Provided that, if within twenty-eight days after such plans have been furnished to the water authority the engineer shall not have intimated his disapproval thereof and the grounds of his disapproval, he shall be deemed to have approved the same:
- (4) Upon signifying his approval or disapproval of the plans the engineer may specify any protective works whether temporary or permanent which in his opinion should be carried out before the commencement of the authorised work to ensure the safety or stability of, or the prevention of percolation of water through, any bank, wall or embankment forming part of the river and such protective works as may be reasonably necessary for those purposes shall be constructed by the Board under the supervision (if given) of the engineer, or by the water authority, if the water authority so elect, with all reasonable dispatch, and the cost of constructing such protective works shall be paid by the Board. The Board shall not commence the construction of the authorised work until the engineer shall have notified the Board that the protective work has been completed to his satisfaction:
- (5) The Board shall give to the engineer twenty-eight days' notice of their intention to commence the construction

of any authorised work and also, except in emergency (when they shall give such notice as may be reasonably practicable), of their intention to carry out any works for the repair or maintenance of an authorised work in so far as such works of repair or maintenance affect or interfere with the river:

- (6) An authorised work shall when commenced be carried out with all reasonable dispatch in accordance with the approved plans and under the supervision (if given) and to the reasonable satisfaction of the engineer and in such manner as to cause as little damage to the river as may be and, if any damage to the river shall be caused by the carrying out of the work, the Board shall, notwithstanding any such approval as aforesaid, make good such damage and shall on demand pay to the water authority all reasonable expenses to which they may be put and compensation for any loss which they may sustain by reason of any such damage:

Provided that nothing in this paragraph shall impose any liability on the Board with respect to any damage, costs, expenses or loss which is attributable to the act, neglect or default of the water authority or their servants, contractors or agents:

- (7) The Board shall at all times afford reasonable facilities to the engineer for access to an authorised work during its construction and shall supply him with all such information as he may reasonably require with regard to the work or the method of construction thereof:
- (8) In the construction of Works Nos. 23, 24 and 26 the Board shall not interfere with any track or road on the eastern side of the river Don used by the water authority for the purposes of any of their functions until the Board have provided to the reasonable satisfaction of the engineer an alternative road on the said eastern side of the river Don not less than 5 metres wide throughout its length where the interference occurs in the construction of Work No. 23 or Work No. 24 and not less than 4 metres wide throughout its length where the interference occurs in the construction of Work No. 26:
- (9) (a) The bridge referred to in sub-paragraph (iii) of paragraph (a) of subsection (3) of section 6 (Power to make works) of this Act shall not be removed until the Board have provided to the reasonable satisfaction of the engineer for the use of the water authority and their

PART IV
—cont.

officers, servants, workmen, contractors and agents together with vehicles, plant and machinery a hard core road not less than 5 metres wide throughout its length on the west side of the widened navigation from the bridge in the district of Doncaster carrying the road leading from Bentley to Barnby Dun over the navigation or any bridge substituted therefor to the point where the first-mentioned bridge terminates on the eastern side of the river Don;

(b) A road provided by the Board under this paragraph shall be maintained by the Board to the reasonable satisfaction of the engineer:

(10) The Board shall be responsible for and make good to the water authority all costs, charges, damages and expenses not otherwise provided for in this section which may be occasioned to or reasonably incurred by the water authority—

(a) by reason of the construction of works or the failure thereof; or

(b) by reason of any act or omission of the Board or of any persons in their employ or of their contractors or others whilst engaged upon the construction of the works:

(11) Any difference arising between the Board and the water authority under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration.

For protection
of highway
authority.

35. For the protection of the highway authority, the following provisions shall, unless otherwise agreed between the Board and the highway authority, apply and have effect:—

(1) (a) In this paragraph “the works” means Work No. 30 or the swing or lift bridge (part of Work No. 31) and any work connected therewith;

(b) Not less than twenty-eight days before commencing to construct the works the Board shall submit to the highway authority for their reasonable approval plans, sections, specifications and particulars of the works showing the manner of the construction thereof;

(c) If the highway authority do not within twenty-eight days after the submission to them of any such plans, sections,

specifications and particulars intimate in writing to the Board any objection thereto or make any requirement with reference thereto they shall be deemed to have approved thereof;

PART IV
—cont.

- (d) The Board shall not construct the works otherwise than in accordance with such plans, sections, specifications and particulars as may be so approved or, if such approval be refused, as may be settled by arbitration and the works shall be constructed under the superintendence of the surveyor of the highway authority (if after reasonable notice from the Board he shall choose to attend) and to his reasonable satisfaction:
- (2) Any difference arising between the Board and the highway authority under this section (other than a difference as to the construction of this section) shall be settled by arbitration.

PART V

MISCELLANEOUS AND GENERAL

36.—(1) The enactment specified in the Schedule to this Act is hereby repealed to the extent mentioned in the third column of the Schedule.

Repeals and amendments of provisions of Act of 1971.

(2) The provisions of the Act of 1971 are hereby amended in the manner following:—

in section 3 (Interpretation) the definition of “prescribed charge” shall have effect as if in place of the words “ascertained in accordance with” there were substituted the words “payable under”;

section 4 (Extent of Part II) shall have effect as if there were included in Schedule 1 to the Act of 1971 the following additional paragraph:—

“The Trent Navigation from Shardlow to the tail of Meadow Lane Lock, Nottingham, by way of the Beeston Canal and part of the Nottingham Canal and including the branch to the river Soar and the length of the river Trent from its junction with the Nottingham Canal to Beeston Weir”;

subsection (3) of section 7 (Charges for registration of pleasure boats) shall have effect as if the word “or” where it secondly occurs were omitted and after the word “Board)” there were inserted the words “or the Lee Valley Regional Park Authority”;

PART V
—cont.

subsection (1) of section 17 (Duration of boat certificates) shall have effect as if in place of the words “on 31st December” there were substituted the words “not later than 31st December”.

(3) Notwithstanding anything in this section, the charge for registration of any pleasure boat under section 7 (Charges for registration of pleasure boats) of the Act of 1971 shall not from time to time be increased above that payable immediately before the passing of this Act—

- (a) by a proportion greater than any proportion by which the charge, which for the time being would be payable to the Board for the licensing of such pleasure boat on any inland waterway other than a river waterway, has likewise been so increased;
- (b) except after consultation with the Inland Waterways Amenity Advisory Council and consideration by a meeting of the Board of any representations which that Council see fit to make.

Saving for
town and
country
planning.
1971 c. 78.

37.—(1) Section 289 of the Town and Country Planning Act 1971 (which for the avoidance of doubt declares that the provisions of that Act and any restrictions or powers thereby imposed or conferred in relation to land apply to land notwithstanding that provision is made by any local Act passed before or during the Session 10 & 11 Geo. 6 for authorisation or regulation of development of land) shall apply to this Act as if it had been passed during that Session; and accordingly the Town and Country Planning Acts 1971 and 1972 and orders, regulations, rules, schemes and directions made or given thereunder shall apply to development authorised by this Act.

(2) In their application to development authorised by this Act, article 3 of, and Class XII in Schedule 1 to, the Town and Country Planning General Development Order 1973 (which permit development authorised by Private Act designating specifically both the nature of the development thereby authorised and the land on which it may be carried out) shall have effect as if the authority to develop given by this Act were limited to development begun within ten years after the passing of this Act.

(3) In this section any reference to article 3 of, and Class XII in Schedule 1 to, the Town and Country Planning General Development Order 1973 includes a reference to corresponding provisions of any general order superseding that Order made under section 24 of the Town and Country Planning Act 1971 or any corresponding provision of an Act repealing that section.

38. Where, under this Act, any difference (other than a difference to which the provisions of the Act of 1965 as applied by this Act apply) is to be referred to or determined by arbitration then, unless otherwise provided, such difference shall be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers.

PART V
—cont.

Arbitration.

39. All costs, charges and expenses of and incident to the preparing for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Board and may, in whole or in part, be defrayed out of revenue.

Costs of Act.

SCHEDULE

Section 36.

REPEALS

Chapter	Short title	Extent of repeal
1971 c. xviii	The British Waterways Act 1971	<p>In the definition of "prescribed charge" in section 3 (Interpretation) the words "section 8 (Short period registration of pleasure boats)";</p> <p>In subsection (1) of section 7 (Charges for registration of pleasure boats) the words "not exceeding the appropriate charge in that behalf specified in Part I of Schedule 3 to this Act";</p> <p>Section 8 (Short period registration of pleasure boats);</p> <p>In subsection (1) of section 17 (Duration of boat certificates) the words "and in section 8 (Short period registration of pleasure boats) of this Act";</p> <p>Schedule 3.</p>

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