



Tamar Bridge Act 1998

1998 CHAPTER iv

PART VI

GENERAL

38 Local inquiries

- (1) The Secretary of State may cause such local inquiries to be held as he may consider necessary for the purpose of any of his functions under this Act.
- (2) Subsections (2) to (5) of section 250 of the Local Government Act 1972 shall apply in relation to any such inquiry.

39 Service of notices

Sections 231 (except subsection (2)) and 233 (except subsection (8)) of the Local Government Act 1972 (relating to service of notices on and by local authorities) shall, with necessary modifications, apply with respect to any notice or other document required, or authorised by this Act to be given to, or served on the Authorities or to be given to, or served on any person by or on behalf of the Authorities.

40 Planning permission

- (1) Subject to subsection (2) below, in its application to development authorised by this Act, the planning permission specified in subsection (2) below shall have effect as if the authority to develop given by this Act were limited to development begun within 10 years after the passing of this Act.
- (2) The planning permission referred to in subsection (1) above is that granted for development permitted by article 3 of, and Class A in Part 11 of Schedule 2 to, the Town and Country Planning (General Permitted Development) Order 1995 (which permits 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).

Status: This is the original version (as it was originally enacted).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

41 Crown rights

- (1) Nothing in this Act affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown including (without prejudice to the general law concerning the applicability of statutes to the Duchy of Cornwall) the Duchy of Cornwall and, in particular and without prejudice to the generality of the foregoing, nothing in this Act authorises the Authorities to take, use, enter upon or in any manner interfere with any land or hereditaments or any rights of whatsoever description—
- (a) 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; or
 - (b) belonging to the Duchy of Cornwall or enjoyed by the possessor for the time being of the Duchy of Cornwall, without the consent of the Duke of Cornwall testified in writing under the seal of the said Duchy or, as the case may be, the consent in writing of two or more of such of the regular officers of the said Duchy or of such other persons as may be authorised under section 39 of the Duchy of Cornwall Management Act 1863; or
 - (c) belonging to a government department, or held in trust for Her Majesty for the purposes of a government department, without the consent in writing of that government department.
- (2) A consent under this section may be given unconditionally or subject to conditions.

42 Arbitration

Where under any provision of this Act any question or difference (other than a difference as to the meaning or construction of any such provision) is to be determined by arbitration, then such question or 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.

43 Costs of Act

The costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act shall be deemed to be expenses of the undertaking, properly chargeable to revenue.