



Tamar Bridge Act 1998

1998 CHAPTER iv

PART III

WORKS

22 Discharge of water

(1) In this section—

“public sewer or drain” means a sewer or drain which belongs to a relevant authority;

“relevant authority” means a sewerage undertaker, a local authority or the Environment Agency; and

“watercourse” includes all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain.

(2) The Authorities may use any watercourse or any public sewer or drain for the drainage of water as may be found necessary or expedient for the purposes of, in connection with or in consequence of the works and for that purpose may lay down, take up and alter pipes and may, on any land within the limits of deviation shown on the deposited plan, make openings into, and connections with, the watercourse, sewer or drain.

(3) The Authorities shall not—

(a) directly or indirectly discharge any water into any watercourse, sewer or drain vested in or under the control of a relevant authority except with the consent of the relevant authority which consent shall not be unreasonably withheld and subject to such terms and conditions as the relevant authority may reasonably impose; or

(b) make any opening into any such sewer or drain save in accordance with plans approved by, and under the superintendence (if given) of, the relevant authority in whom the sewer or drain is vested, but approval of those plans by the relevant authority shall not be unreasonably withheld.

Status: This is the original version (as it was originally enacted).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

- (4) (a) Section 85 of the Water Resources Act 1991 shall apply to, or to the consequence of, a discharge under the powers of this section into any controlled waters within the meaning given by section 104 of that Act as if—
- (i) this section were excluded from the reference to any local statutory provision mentioned in section 88(1)(f) of that Act; and
 - (ii) no matter so discharged were trade or sewage effluent.
- (b) In the exercise of their powers under this section the Authorities shall not damage or interfere with the bed of any watercourse forming part of the main river or the banks thereof, within the meaning of section 113 of the Water Resources Act 1991.
- (5) The Authorities shall take all such steps as are reasonably practicable to secure that any water discharged by them under this section is as free as may be reasonably practicable from any gravel, soil or other solid substance or oil or matter in suspension.
- (6) Any difference arising between the Authorities and a relevant authority under this section shall be determined by arbitration.