



# Severn Bridges Act 1992

## 1992 CHAPTER 3

### PART III

#### MISCELLANEOUS AND GENERAL

##### *Interference with river Severn*

#### **29 Works affecting river Severn**

- (1) For the purpose of, or in connection with, the construction, maintenance or improvement of the new bridge, the Secretary of State may—
  - (a) temporarily interfere with the river Severn and, at any point in the river within the limits of land to be acquired, construct and maintain such temporary structures, and do such works, as he may consider necessary or expedient,
  - (b) temporarily moor or anchor barges or other vessels or craft in the river, or
  - (c) temporarily close the river, or a part of it, to navigation.
- (2) The power conferred by subsection (1) above shall not be exercised in relation to any part of the river which is—
  - (a) outside the limits within which the Gloucester Harbour Trustees have authority at the passing of this Act, or
  - (b) upstream of the relevant inward limit.
- (3) The Gloucester Harbour Trustees shall be consulted before the power conferred by subsection (1) above is exercised.
- (4) The power conferred by subsection (1)(c) above shall be exercised in a way which secures—
  - (a) that no more of the river is closed to navigation at any time than is at that time necessary in the circumstances, and
  - (b) that, if complete closure of the river to navigation becomes necessary, all reasonable steps are taken to secure that the minimum obstruction, delay or

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interference is caused to vessels or craft which may be using or intending to use the river.

- (5) No liability in respect of any loss suffered, or costs or expenses sustained, as a direct or indirect result of the exercise of the power conferred by subsection (1) above shall be incurred by the person by whom the power is exercised.

### **30 Dredging etc**

- (1) For the purpose of the construction, maintenance or improvement of the new bridge, the Secretary of State may deepen, widen, dredge, scour, cleanse, alter or improve the bed of the river Severn or blast any rock in it.
- (2) The power conferred by subsection (1) above shall not be exercised in relation to any part of the river which is—
- (a) outside the limits within which the Gloucester Harbour Trustees have authority at the passing of this Act, or
  - (b) upstream of the relevant inward limit.
- (3) The Secretary of State shall not exercise the power conferred by subsection (1) above—
- (a) within the area bounded by planes passing vertically along the length of lines drawn forty metres laterally distant from the longitudinal centre line of the Severn Tunnel, or
  - (b) by blasting within the area bounded by planes passing vertically along the length of lines drawn one hundred metres laterally distant from that centre line,
- without the consent of the British Railways Board; and where the Secretary of State requests the consent of the Board for the purposes of this subsection it shall not be unreasonably withheld or delayed.
- (4) The Secretary of State may use, appropriate or sell or otherwise dispose of anything removed in exercise of the power conferred by subsection (1) above.

### **31 Protection of new bridge**

- (1) The Secretary of State may make regulations for the purpose of protecting the new bridge (both during construction and once it is completed) from damage which may be caused to it by vessels or craft using the river Severn.
- (2) Regulations under this section shall not be made so as to apply to the use of any part of the river which is—
- (a) outside the limits within which the Gloucester Harbour Trustees have authority at the passing of this Act, or
  - (b) upstream of the relevant inward limit.
- (3) Before making regulations under this section the Secretary of State shall consult the Gloucester Harbour Trustees.
- (4) Without prejudice to the generality of the power conferred by subsection (1) above, regulations under this section may—
- (a) prohibit vessels or craft of descriptions prescribed by the regulations from passing under the new bridge,

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- (b) prohibit vessels or craft of other descriptions so prescribed from passing under the new bridge without the consent of the Secretary of State, and
  - (c) provide for the granting of such consent subject to conditions which appear to the Secretary of State to be appropriate.
- (5) A person who contravenes or fails to comply with a provision of regulations under this section, or a condition imposed under such a provision, shall be guilty of an offence and liable—
- (a) on conviction on indictment, to a fine, or
  - (b) on summary conviction, to a fine not exceeding the statutory maximum.