

SCHEDULES

SCHEDULE 13

PROTECTIVE PROVISIONS

PART 4

FOR THE PROTECTION OF THE PORT OF LONDON AUTHORITY

Removal of temporary works

42.—(1) On completion of the construction of the whole or any part of a permanent specified work, TfL must—

- (a) as soon as reasonably practicable after such completion seek approval under paragraph 34 for the removal required by sub-paragraph (b); and
- (b) as soon as reasonably practicable after the grant of that approval under paragraph 34 remove—
 - (i) in the case of completion of part, any temporary tidal work (other than a residual structure) carried out only for the purposes of that part of the permanent specified work;
 - (ii) on completion of all the specified works, any remaining temporary tidal work (other than a residual structure); and
 - (iii) in either case, any materials, plant and equipment used for such construction,

and make good the site to the reasonable satisfaction of the PLA.

(2) For the purposes of TfL making good the site in accordance with sub-paragraph (1)(b), the PLA may require that—

- (a) any residual structure is cut off by TfL at such level below the bed of the river Thames as the PLA may reasonably direct; and
- (b) TfL takes such other steps to make the residual structure safe as the PLA may reasonably direct.

(3) As soon as reasonably practicable after TfL has complied with the PLA's requirements under sub-paragraphs (1) and (2) in relation to any residual structure, the PLA will grant TfL a works licence for that structure under section 66 (licensing of works) of the 1968 Act, and the terms of the licence are to reflect such requirements.

(4) For the avoidance of doubt, article 3(1)(h) (disapplication of legislation, etc.) will not apply to a residual structure which will, accordingly, be subject to sections 66 to 75 (lands above mean high water level) of the 1968 Act.

(5) In this paragraph—

“residual structure” means any part of a temporary tidal work that the PLA agrees cannot reasonably be removed by TfL on completion of the construction of the permanent specified works; and

Status: *This is the original version (as it was originally made).*

“tidal work” means any specified work any part of which is, or may be, or, in, under or over the surface of land below mean high water level forming part of the river Thames.