Medway Ports Authority Act 1973

1973 CHAPTER xxi

PART II

DUTIES AND GENERAL POWERS OF THE AUTHORITY

37 Licensing of works

(1) The Authority may upon such terms and conditions as they think fit grant to any person a licence to construct, alter, renew, extend or maintain any works on, under or over tidal waters or tidal lands below the level of high water in the port notwithstanding interference with public rights of navigation and other public rights by such works as constructed, altered, renewed, extended or maintained.

(2) Application for a works licence shall be made in writing to the Authority and shall be accompanied by plans, sections and particulars of the works to which the application relates and shall specify whether the applicant holds such rights in, under or over land as are necessary to enable him to enjoy the benefit of the licence and, if not, the action taken to enable him to obtain such rights if the licence is granted, and in granting any such licence the Authority may require modifications in the plans, sections and particulars so submitted.

(3) If within three months from the date of the making of an application under subsection (2) of this section the Authority do not grant a works licence in accordance with the application, they shall be deemed to have refused the application.

(4) For the purposes of section 7 of the Telegraph Act, 1878, any work proposed to be done under a works licence shall be deemed to be work proposed to be done in the execution of an undertaking authorised by an Act of Parliament.

(5) In the exercise of the powers conferred by a works licence, the holder of the licence shall not damage or injuriously affect any electricity work, gas work or sewerage work or, without the consent of the electricity undertakers, the gas undertakers or the sewerage board, as the case may be, interfere with or adversely affect the operation of any such work.