



# Medway Ports Authority Act 1973

## 1973 CHAPTER xxi

### PART VII

#### MISCELLANEOUS AND GENERAL

#### **85 For mutual protection of Authority and Port of London Authority**

- (1) In this section " the Act of 1968 " means the Port of London Act, 1968.
- (2) If any dispute or difference shall arise between the Authority and the Port of London Authority in connection with—
  - (a) a refusal by the Port of London Authority to grant to the Authority on reasonable terms a licence to dredge within the Medway approach area under section 73 (Licensing of dredging, etc.) of the Act of 1968;
  - (b) the exercise by the Port of London Authority of their powers with respect to vessels sunk, stranded or abandoned within the Medway approach area under section 120 (Power to raise and remove vessels sunk, etc.) of the Act of 1968; or
  - (c) the construction of works by the Port of London Authority in the Medway approach area or the exercise by the Port of London Authority in that area of their powers under section 60 (Dredging and improvement) of the Act of 1968 or the exercise by the Port of London Authority of their powers under section 111 (General directions to vessels in the Thames) of the Act of 1968 or the granting by the Port of London Authority to any other person of permission within the Medway approach area—
    - (i) to dredge or take up or remove material from the bed and banks of the river Thames under the said section 73; or
    - (ii) to carry out, construct, place, alter, renew, maintain or retain works under section 66 (Licensing of works) of the Act of 1968;
  - (d) the exercise by the Authority of the powers conferred upon them by section 20 (General directions to vessels in the port and the Medway approach area) or section 30 (Further powers within the Medway approach area) of this Act within the Medway approach area;

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*Status: This is the original version (as it was originally enacted).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

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- (e) the exercise by the harbour master of the powers conferred upon him by section 21 (Special directions to vessels in the port and the Medway approach area) of this Act within the Medway approach area;  
the dispute or difference may be referred by either party after notice in writing to the other of them—

(i) in the case of a dispute or difference arising in relation to the construction of works by the Port of London Authority in the Medway approach area, under the said sections 66, 111 and 120, under the said sections 20 and 21 or under subsections (1) or (3) of the said section 30 to the Secretary of State; and

(ii) in any other case, to the Secretary of State for the Environment;

and the decision of the Secretary of State or of the Secretary of State for the Environment, as the case may be, shall be final and binding on both parties:

Provided that where a dispute or difference in respect of any matter mentioned in subparagraph (ii) of paragraph (c) of this subsection is referred to the Secretary of State, the licensee or the applicant for a licence, as the case may be, under the said section 66 shall be given an opportunity of being heard and in such a case section 69 (Appeal to Board of Trade) of the Act of 1968 shall not apply.

- (3) Where the Port of London Authority propose to execute works in the Medway approach area in respect of which approval is required under section 76 (Works to be approved by Board of Trade) of the Act of 1968, they shall before making application for such approval give notice in writing to the Authority of their intention to do so and where the Port of London Authority propose to direct or give their licence, consent or permission to the execution by any other person of works in that area in respect of which approval is required under the said section 76, they shall before giving such direction, licence, consent or permission give the like notice to the Authority.