



Heathrow Express Railway Act 1991

1991 CHAPTER vii

PART II

WORKS, ETC.

18 Use of sewers, etc., for removing water

- (1) In this section “relevant authority” means any sewerage undertakers within the meaning of the Water Act 1989 or a local authority.
- (2) The appropriate authority may use for the discharge of any water pumped or found by them during the construction of the works any available stream or watercourse, or any sewer or drain of a relevant authority, and for that purpose may lay down, take up and alter conduits, pipes and other works and may make any convenient connections with any such stream, watercourse, sewer or drain within the limits of deviation but—
 - (a) the appropriate authority shall not discharge any water into any 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; and
 - (b) the appropriate authority shall not 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 shall be vested but approval of those plans by the relevant authority shall not be unreasonably withheld.
- (3)
 - (a) Section 107 of the Water Act 1989 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 103 of that Act as if this section were excluded from the reference to any local statutory provision mentioned in section 108 (1) (d) of that Act.
 - (b) In the exercise of their powers under this section the appropriate authority shall not damage or interfere with the bed of any watercourse forming part of the main river of the National Rivers Authority or the banks thereof within

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the meaning of section 116 of the Land Drainage Act 1976 or forming part of a metropolitan watercourse within the meaning of paragraph 1 of Schedule 5 to that Act.

- (4) The appropriate authority shall take all such steps as may reasonably be required to secure that any water discharged by them under this section shall be as free as may be reasonably practicable from any gravel, soil or other solid substance or matter in suspension.
- (5) Any difference arising between the appropriate authority and a relevant authority under this section shall be referred to and settled by arbitration.