



# Aire and Calder Navigation Act 1992

## 1992 CHAPTER iv

### PART II

#### WORKS

#### **8 Power to improve and regulate flow of watercourses**

- (1) (a) Without prejudice to the powers contained in section 7 (Subsidiary powers) of this Act but subject to the other provisions of this Act, the Corporation for the purposes of improving or regulating the flow of any of the watercourses which may require improvement or regulation consequent upon the operation or maintenance of any of the works may—
  - (i) widen, dredge, cleanse and scour the watercourse;
  - (ii) reduce or remove any shoals, shelves, banks or other accumulations therein;
  - (iii) alter or remove or cause to be altered or removed any weirs, sluices or other impediments or obstructions whatsoever therein or on the banks thereof;
  - (iv) alter or reconstruct any culvert or other structure therein or on the banks thereof.
- (b) Any spoil or other material dredged or removed in the exercise of the powers of this subsection may be deposited on the banks of the watercourse.
- (2) The Corporation shall pay compensation to all persons for any damage sustained by them or liability to which they may become subject by reason of the exercise by them of the powers of this section.
- (3) Any question of disputed compensation payable under the provisions of this section shall be determined by the tribunal.
- (4) The powers conferred on the Corporation by this section shall not be exercised in relation to a watercourse under the jurisdiction of the Rivers Authority except with the consent of the Rivers Authority and any such consent may be given subject to such reasonable terms and conditions (other than a monetary payment as the consideration

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for the grant of the consent) as the Rivers Authority may think fit but shall not be unreasonably withheld.