

SCHEDULE

BRITISH RAILWAYS (NO. 3)

PART II

WORKS, ETC.

General works provisions

Use of sewers, etc., for removing water

- 11 (1) The Board 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 vested in, or under the control of, the regional council, 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.
- (2) The Board shall not—
- (a) discharge any water into any such sewer or drain except with the consent of the regional council, whose consent shall not be unreasonably withheld, and subject to such terms and conditions (including the taking of steps to remove as far as may be reasonably practicable from water so discharged any gravel, soil or other solid substance or matter in suspension) as the regional council may reasonably impose; or
 - (b) make any opening into any such sewer or drain except in accordance with plans approved by, and under the superintendence (if given) of, the regional council but approval of those plans by the regional council shall not be unreasonably withheld.
- (3) Any difference arising between the Board and the regional council under this section shall be determined by arbitration.
- (4) Section 31 of the Control of Pollution Act 1974 shall apply to, or to the consequence of, a discharge under the powers of this section into any controlled waters within the meaning assigned to that expression by section 30A (1) of that Act as if this section were not a provision of a local Act or a statutory order for the purposes of section 31 (2) (b) (ii) of that Act.
- (5) Nothing in this section shall affect the operation of Part IV of the Act of 1991.