
Changes to legislation: There are currently no known outstanding effects for the Channel Tunnel Rail Link Act 1996, Cross Heading: Temporary interference with waterways. (See end of Document for details)

SCHEDULES

SCHEDULE 2

WORKS: FURTHER AND SUPPLEMENTARY PROVISIONS

Temporary interference with waterways

- 11 (1) The powers conferred by this paragraph shall be exercisable for the purpose of, or in connection with, the exercise of the powers conferred by this Part of this Act in relation to Work No. 1A, 1AA, 1B, 1BB, 1C, 1CC, 1D, 1DD, 1EE, 1FF, 1HH, 1K, 2, 2A, 2AA, 2B, 2BB, 3, 3B, 3C, 5D(1), 6, 6G, 10, 10A, 10R(2), 13 or 22J.
- (2) The nominated undertaker may—
- (a) temporarily interfere with the relevant waterway, at any point within the limits of deviation for the scheduled works or within the limits of land to be acquired or used, by constructing or maintaining such temporary works, or by carrying out such dredging works, as it considers necessary or expedient,
 - (b) temporarily moor or anchor barges or other vessels or craft in the relevant waterway, or
 - (c) temporarily close the relevant waterway, or a part of it, to navigation.
- (3) The power conferred by sub-paragraph (2)(c) above shall be exercised in a way which secures—
- (a) that no more of the waterway is closed to navigation at any time than is necessary in the circumstances, and
 - (b) that, if complete closure of the waterway to navigation becomes necessary, all reasonable steps are taken to secure that the minimum obstruction, delay or interference is caused to vessels or craft which may be using or intending to use it.
- (4) The nominated undertaker shall not be liable for any loss suffered, or costs or expenses incurred, by any person as a direct or indirect result of any closure of a waterway in accordance with this paragraph.
- (5) In this paragraph, “relevant waterway” means—
- (a) in relation to Works Nos. 1A, 1AA, 1B, 1BB, 1C, 1CC, 1D, 1DD, 1EE, 1FF, 1HH, 1K, 2, 2A, 2AA, 2B, 2BB, 3, 3B, 3C and 5D(1), the Regent’s Canal,
 - (b) in relation to Works Nos. 6 and 6G, the River Lea,
 - (c) in relation to Works Nos. 10, 10A, 10R(2) and 22J, the River Thames, and
 - (d) in relation to Work No. 13, the River Medway.

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