

SCHEDULES

SCHEDULE 13

FOR PROTECTION OF BRITISH WATERWAYS BOARD

Survey of waterway

7.—(1) Before the commencement of the initial construction of any part of the specified works and again following completion of the specified works the promoter shall bear the reasonable cost of the carrying out by a qualified engineer (“the surveyor”), to be approved by the Board and the promoter, of surveys (“the surveys”) of so much of any waterway and of any land and existing works of the promoter as may provide support for the waterway as will or may be affected by the specified works.

(2) For the purposes of the surveys the promoter shall—

- (a) on being given reasonable notice (except in case of emergency, when immediate access shall be afforded) afford reasonable facilities to the surveyor for access to the site of the specified works and to any land and existing works of the promoter which may provide support for the waterway as will or may be affected by the specified works; and
- (b) supply the surveyor as soon as reasonably practicable with all such information as the surveyor may reasonably require with regard to such existing works of the promoter and to the specified works or the method of their construction.

(3) The reasonable costs of any survey under this paragraph shall include the costs of any dewatering or reduction of the water level of any part of the relevant waterway (where reasonably required) which may be effected to facilitate the carrying out of the survey; and the provisions of this Schedule shall apply with all necessary modifications to any such dewatering or reduction in the water level as though the same were specified works.

(4) Copies of the surveys shall be provided to both the Board and the promoter.

Commencement Information

II Sch. 13 para. 7 in force at 9.6.2009, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Nottingham Express Transit System Order 2009, Cross Heading: Survey of waterway.