

---

STATUTORY INSTRUMENTS

---

**2022 No. 299**

**TRANSPORT AND WORKS, ENGLAND**

**The Bridgwater Tidal Barrier Order 2022**

*Made* - - - - - *4th March 2022*

*Coming into force* *25th March 2022*

**THE BRIDGWATER TIDAL BARRIER ORDER 2022**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Application of streets and traffic regulation

PART 2

WORKS PROVISIONS

*Principal powers*

4. Power to construct and maintain works
5. Power to deviate

*Works and operations in the river*

6. Works and dredging etc. in the river
7. River not to be a reservoir

*Streets and rights of way*

8. Power to execute street works
9. Power to keep apparatus in streets
10. Power to alter layout, etc., of streets
11. Temporary stopping up and diversion of streets
12. Permanent stopping up and diversion of streets
13. Access to works
14. Agreements with street authorities
15. Use of private roads for construction

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

*Supplementary powers and provisions*

16. Agreements with owners of land and others for construction of works
17. Temporary closing of river in connection with works
18. Diversion of flow of water
19. Power to take, pump, impound and discharge water
20. Water abstraction and impounding
21. Protective works
22. Planning permission
23. Power to survey and investigate land, etc.
24. Felling or lopping of trees

PART 3

PROVISIONS RELATING TO TIDAL WORKS

25. Tidal works not to be executed without approval of Secretary of State
26. Lights on tidal works during construction
27. Provisions against danger to navigation
28. Abatement of works abandoned or decayed
29. Survey of tidal works
30. Permanent lights on tidal works

PART 4

ACQUISITION AND POSSESSION OF LAND

*Powers of acquisition*

31. Power to acquire rights in land
32. Power to acquire land
33. Application of Part 1 of the 1965 Act
34. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
35. Power to acquire subsoil or air-space
36. Rights under or over streets

*Temporary possession of land*

37. Temporary possession of land for construction purposes
38. Temporary possession of land for maintenance of works

*Compensation*

39. Disregard of certain interests and improvements
40. Set-off for enhancement in value of retained land

*Supplementary*

41. Extinction or suspension of private rights of way etc. over land
42. Time limit for exercise of powers of acquisition

PART 5

OPERATION OF SCHEDULED WORKS

43. Power to operate scheduled works
44. Misuse of scheduled works, etc.

*Navigation*

- 45. Navigation etc. in vicinity of barrier

*Obstruction etc.*

- 46. Removal of vessels
- 47. Arbitration in respect of removal of vessels
- 48. Removal of obstructions other than vessels
- 49. Arbitration in respect of removal of obstructions other than vessels
- 50. Emergency powers and consents

*Byelaws*

- 51. Byelaws

PART 6

PROTECTIVE PROVISIONS

- 52. Statutory undertakers, etc.
- 53. Protective Provisions
- 54. Saving for Trinity House
- 55. Crown rights
- 56. Minerals

PART 7

MISCELLANEOUS AND GENERAL

- 57. Temporary traffic regulation
- 58. Power of disposal, agreements for operation, etc.
- 59. Obstructing execution of Order
- 60. Defence of due diligence
- 61. Application of landlord and tenant law
- 62. Defence to proceedings in respect of statutory nuisance
- 63. Disclosure of confidential information
- 64. Disapplication of legislation
- 65. Local legislation
- 66. Application of Water Resources Act 1991
- 67. Certification of plans etc.
- 68. Arbitration
- 69. No double recovery
- 70. Service of notices
- Signature

---

SCHEDULES

SCHEDULE 1 — SCHEDULED WORKS

SCHEDULE 2 — STREETS TO BE TEMPORARILY STOPPED UP

SCHEDULE 3 — STREETS TO BE PERMANENTLY STOPPED UP

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 4 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

*Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without limitation on the scope of paragraph 1, the...

*Application of the 1965 Act*

4. (1) The 1965 Act has effect with the modifications necessary...
5. For section 7 of the 1965 Act (measure of compensation...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) is...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (interests omitted from purchase)...
10. For Schedule 2A of the 1965 Act substitute— SCHEDULE2A COUNTER-NOTICE...

SCHEDULE 5 — LAND WHICH MAY BE COMPULSORILY ACQUIRED

SCHEDULE 6 — LAND OF WHICH TEMPORARY POSSESSION ONLY MAY BE TAKEN

SCHEDULE 7 — BRIDGWATER TIDAL BARRIER BYELAWS  
PART 1 — PRELIMINARY

*Citation and Commencement*

1. (1) These byelaws may be cited as the Bridgwater Tidal...

*Interpretation*

2. (1) In these byelaws unless the context otherwise requires— “the...  
PART 2 — CONDUCT AND BEHAVIOUR

*Unacceptable behaviour*

3. A person must not— (a) climb upon, remove or damage...  
PART 3 — EQUIPMENT AND SAFETY

*General safety*

4. (1) A person must not operate, obstruct, interfere with or...  
PART 4 — ACTIVITIES IN THE VICINITY OF THE BARRIER

*Fishing*

5. A person must not fish by rod and line or...

*Swimming*

6. A person may not swim in the vicinity of the...  
PART 5 — ACCESSING THE BARRIER

*Unauthorised access and loitering*

7. (1) A person must not without reasonable excuse loiter on...  
PART 6 — ENFORCEMENT, ETC.

*Name and address*

8. (1) A person reasonably suspected by an authorised person of...

*Compliance with instructions and notices, etc.*

9. (1) A person in the vicinity of the barrier must...

*Identification of authorised persons*

10. (1) An authorised person who is exercising any power conferred...

*Offence and level of fines*

11. Any person who contravenes or attempts to contravene a byelaw...

*Contraventions by authorised persons*

12. An authorised person acting in the course of the duties...

SCHEDULE 8 — STATUTORY UNDERTAKERS, ETC.

*Apparatus of statutory undertakers etc. on land acquired*

1. (1) Sections 271 to 274 of the 1990 Act (extinguishment...

SCHEDULE 9 — PROTECTION FOR ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

*Application and Interpretation*

1. This Schedule has effect unless otherwise agreed in writing between...

*On-street apparatus*

2. This Schedule does not apply to anything done or proposed...
3. The provisions of Schedule 8 (statutory undertakers, etc.), in so...
4. (1) In this Schedule— “alternative apparatus” means alternative apparatus adequate...

*Acquisition of land*

5. (1) Regardless of any provision in this Order or anything...

*Removal of apparatus*

6. (1) If, for the purpose of executing any works in,...

*Facilities and rights for alternative apparatus*

7. (1) Where, in accordance with this Schedule, the Agency affords...

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

*Retained apparatus: protection and plan approval*

8. (1) Not less than 28 days before starting the execution...

*Expenses*

9. (1) Subject to the following provisions of this paragraph, the...

*Indemnity*

10. (1) Subject to sub-paragraphs (2) and (3), if by reason...

*Access*

11. If in consequence of the exercise of the powers conferred...

*Cooperation*

12. Where in consequence of the proposed construction of any of...

*Exercise of safeguarding and survey powers*

13. (1) The Agency must, so far as is reasonably practicable,...

*Arbitration*

14. (1) Any difference arising between the Agency and a specified...

SCHEDULE 10 — PROTECTION OF PORT OF BRIDGWATER

1. This Schedule has effect unless otherwise agreed in writing between...
2. In this Schedule— “accumulation” means any accumulation of silt or...
3. (1) Before beginning any operations for the construction of any...
4. The Agency must give to the Harbour Authority—
5. The Agency must carry out all operations for the construction...
6. (1) After the purpose of any temporary works has been...
7. (1) If— (a) during the construction of a tidal work...
8. The Agency must pay to the Harbour Authority the reasonable...
9. Without affecting the other provisions of this Schedule, the Agency...
10. (1) The Agency must indemnify the Harbour Authority from all...
11. (1) Nothing in paragraph 10 imposes any liability on the...
12. Save to the extent expressly provided for nothing in this...

SCHEDULE 11 — TEMPORARY TRAFFIC REGULATION

SCHEDULE 12 — OF LOCAL LEGISLATION

PART 1 — LOCAL ENACTMENTS

PART 2 — BYELAWS

Explanatory Note