ELIZABETH II



1967 CHAPTER xxxi

An Act to empower the British Transport Docks Board to construct works and to acquire lands; to confer further powers on the Board; and for other purposes.

[27th July 1967]

WHEREAS by the Transport Act, 1962, the British Transport Docks Board (in this Act referred to as "the Board") were established: 1962 c. 46.

And whereas it is the duty of the Board under the Transport Act, 1962, (inter alia) to provide, to such extent as they may think expedient, port facilities at the harbours owned or managed by the Board and to have due regard to efficiency, economy and safety of operation as respects the services and facilities provided by them and the Board are empowered to operate the harbours owned or managed by them:

And whereas it is expedient that the Board should be empowered to construct the works authorised by this Act and to acquire the lands referred to in this Act:

And whereas it is expedient that the other powers in this Act contained should be conferred upon the Board and that the other provisions in this Act contained should be enacted:

And whereas plans and sections showing the lines or situations and levels of the works to be constructed under the powers of

this Act, and plans of the lands authorised to be acquired or used by this Act, and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands have been deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the town clerks of the county boroughs within which the said works will be constructed or the said lands are situated, which plans, sections and book of reference are respectively referred to in this Act as the deposited plans, the deposited sections and the deposited book of reference:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the British Transport Docks Act 1967.

Division of Act into Parts.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Lands.

Part III.—Works, etc.

Part IV.—Closure of Hull Town Docks.

Part V.—Protective provisions.

Part VI.—General.

Interpretation.

3.—(1) In this Act, unless there be something in the subject or context repugnant to such construction, the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have in relation to the relative subject-matter the same respective meanings and—

" the Act of 1847 " means the Harbours, Docks and Piers Clauses Act, 1847;

1847 c. 27.

" the Act of 1964 " means the British Transport Docks Act, 1964;

1964 c. xxxviii.

" the Act of 1966 " means the British Transport Docks Act, 1966;

1966 c. xxxi.

" the Board " means the British Transport Docks Board;

PART I —*cont.*

" the Commissioners " means the Newport Harbour Commissioners;

" the conservancy board " means the Humber Conservancy Board;

" the corporation " means the lord mayor, aldermen and citizens of the city and county of Kingston upon Hull;

" the East Usk Lighthouse " means the East Usk Lighthouse existing at the passing of this Act;

" enactment " means any enactment, whether public, general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

" the Hull Town Docks Acts " means the Kingston upon Hull Dock Act, 1802, the Kingston upon Hull Dock Act, 1844, the Kingston upon Hull Dock Act, 1845, Hull Docks Act, 1861, and the Hull Docks Act, 1883, and each of those Acts is referred to in this Act as the Act of the year in which it was passed; 1802 c. xci. 1844 c. ciii. 1845 c. v. 1861 c. lxxix. 1883 c. xxvii.

" the Hull works " means Works Nos. 1 to 6 and any works constructed for the purposes of or in connection therewith and includes those works as extended, enlarged, altered, replaced or relaid under subsection (2) of section 11 (Power to make works) of this Act;

" land " includes any estate or interest in land and land covered by water;

" the level of high water " means the level of mean high-water springs;

" the limits of deviation " means the limits of deviation shown on the deposited plans;

" the Minister " means the Minister of Transport;

" the Newport Harbour Acts " means the Newport Harbour Acts, 1836 to 1919;

" the terminal basins " means Works Nos. 7 and 8 and any works constructed for the purposes of or in connection therewith and includes those works as extended, enlarged, altered, replaced or relaid under subsection (2) of section 11 (Power to make works) of this Act;

" the terminal basins' approach channel " means—

(i) any channel and approaches to the terminal basins;

(ii) the entrances to the terminal basins;

(iii) any turning area;

dredged by the Board under section 13 (Power to dredge at Uskmouth) of this Act and marked with buoys, beacons, guiding posts or signs under section 18 (Marking approaches to terminal basins) of this Act;

" the tribunal " means the Lands Tribunal;

PART I —*cont.*

"the Uskmouth works" means Works Nos. 7 to 12 and any works constructed for the purposes of or in connection therewith and includes those works as extended, enlarged, altered, replaced or relaid under subsection (2) of section 11 (Power to make works) of this Act;

"tidal work" means so much of any work authorised by this Act as is over, on or under tidal waters or tidal lands below the level of high water;

"Trinity House" means the corporation of Trinity House of Deptford Strond;

"the undertaking" means the undertaking of the Board as authorised from time to time;

"vessel" has the meaning assigned to it in section 3 (Interpretation) of the Act of 1966;

"the works" means the works authorised by Part III (Works, etc.) of this Act.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment, including this Act.

(3) All areas, bearings, directions, distances, lengths and widths stated in any description of works, powers or lands shall be construed as if the words "or thereabouts" were inserted after each such area, bearing, direction, distance, length and width.

(4) Unless the context otherwise requires, any reference in this Act to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Act.

Incorporation of Acts.

4.—(1) The following enactments, so far as the same are applicable to the purposes and are not inconsistent with the provisions of this Act, are hereby incorporated with this Act:—

1845 c. 20.

(*a*) the provisions of the Railways Clauses Consolidation Act, 1845, with respect to the temporary occupation of lands near the railway during the construction thereof and with respect to mines lying under or near the railway:

Provided that—

(i) for the purposes of the said incorporated provisions with respect to the temporary occupation of lands near the railway during the construction thereof the works shall be deemed to be the railway and the centre lines of those works as shown on the deposited plans shall be deemed to be the centre of the railway and for the words "the period by the special Act limited for the completion of the railway" there shall be substituted the words "the period of

PART I —*cont.*

twenty years from the commencement of the construction of any of the works authorised by the special Act";

(ii) for the purposes of the said incorporated provisions with respect to mines lying under or near the railway the works shall be deemed to be the railway and for the purposes of section 78 of the said Act of 1845 (as amended by the Mines (Working Facilities and Support) Act, 1923) in so far as it relates to the works the area of protection shall, as regards mines and minerals lying within 565 feet of the surface of the ground or the bed of the river Humber or of the rivers Usk and Severn (as the case may be), be 400 feet and, as regards mines and minerals lying at a greater depth than 565 feet below the said surface, the area of protection shall be increased by 60 feet for every 100 feet or part thereof by which the mines and minerals lie deeper below the said surface than 565 feet: 1923 c. 20.

(*b*) the provisions of the Act of 1847 (except sections 6 to 9, 11 to 13, 16 to 23, 25, 26, 49, 50, 79, 80, 84, 85 to 90, 94 and 95):

Provided that—

(i) the expression "the harbour dock or pier" where used in the said incorporated provisions means in relation to the Hull works, those works and in relation to the Uskmouth works, those works;

(ii) the expression "the harbour master" where used in the said incorporated provisions means, in relation to Works Nos. 1 to 5, the Board's dock master at Albert, William Wright and Town Docks at Kingston upon Hull, and, in relation to Work No. 6, the Board's dock master at Alexandra and Victoria Docks at Kingston upon Hull, and, in relation to the Uskmouth works, the Board's dock master at Alexandra Docks at Newport (Monmouthshire);

(iii) the meaning of the word "vessel" as defined in this Act shall be substituted for the meaning assigned to that word by section 3 of the Act of 1847;

(iv) section 33 of the Act of 1847 shall not apply to the Uskmouth works;

(v) section 52 of the Act of 1847 shall, in relation to the Uskmouth works, extend to empower the harbour master to give directions prohibiting the mooring of vessels in any particular part or parts of the Uskmouth works and in the terminal basins' approach channel;

PART I
—cont.

(vi) section 53 of the Act of 1847 shall not be construed as requiring the harbour master to serve a notice in writing of his directions upon the master of a vessel but such directions may be given orally or otherwise communicated to such master:

Provided that a notice which is not in writing shall not be deemed to be sufficient unless in the opinion of the court before whom any case may be heard it was not reasonably practicable to serve a written notice on the master of the vessel.

(2) In the construction of the enactments so incorporated with this Act the expression "special Act" shall be read as a reference to this Act, the expression "company" shall mean the Board and the expression "minerals" shall include sand and gravel.

Application of Part I of Compulsory Purchase Act, 1965.

5.—(1) Part I of the Compulsory Purchase Act, 1965 (except section 4, section 24 (5), section 27 and paragraph 3 (3) of Schedule 3 thereof), in so far as it is applicable for the purposes of this Act and is not inconsistent with the provisions thereof, shall apply to the compulsory acquisition of land under this Act as it applies to a compulsory purchase to which Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act, 1946, applies and as if this Act were a compulsory purchase order under the said Act of 1946.

1965 c. 56.

1946 c. 49.

(2) In section 11 (1) of the Compulsory Purchase Act, 1965 (which empowers the acquiring authority to enter on and take possession of land the subject of a notice to treat after giving not less than fourteen days' notice) as so applied, for the words "fourteen days" there shall be substituted the words "three months".

(3) The Lands Clauses Consolidation Act, 1845, shall not apply to the acquisition of land under this Act.

1845 c. 18.

PART II
LANDS

Power to acquire lands.

6.—(1) Subject to the provisions of this Act, the Board may enter upon, take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of the works or for any purpose connected with or ancillary to the undertaking and for the reclamation of land in accordance with the provisions of this Act.

(2) The powers of the Board for the compulsory acquisition of land under this section shall cease after the expiration of three years from 31st December, 1967:

Provided that the Minister may by order extend the period for the exercise of the powers of the Board for the compulsory purchase of land under this section.

PART II —*cont.*

(3) An order under subsection (2) of this section shall be subject to special parliamentary procedure.

(4) Subject to the provisions of this Act, the Board may enter upon, use and appropriate so much of the subsoil and under-surface of any public street, road, footway or place delineated on the deposited plans and described in the deposited book of reference as shall be necessary for the purposes of the works without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

Powers to owners and lessees to give notice as to purchase of land.

7. If the Minister by order made under subsection (2) of the last foregoing section extends the period for the exercise of the powers of the Board for the compulsory purchase of land, the following provisions shall apply after the coming into operation of that order:—

(1) In this section—

"the land" means any land which is for the time being authorised to be acquired compulsorily by this Act;

"lessee" means a lessee under a lease having a period of not less than twenty-one years to run at the date of his notice under paragraph (2) of this section:

(2) If any person being the owner or lessee of any of the land shall give notice in writing to the Board of his desire for the acquisition as soon as may be by the Board of his interest in any part of the land specified in the notice the Board shall within a period of three months after the receipt of such notice—

(*a*) enter into a contract with such person for the acquisition of his interest in the land or such part thereof as may be specified in the contract; or

(*b*) serve a notice to treat on such person for the compulsory acquisition of his interest in the land specified in his notice or in such part thereof as may be required by the Board; or

(*c*) serve on such person notice in writing of their intention not to proceed with the purchase of his interest in the land specified in his notice:

(3) Where notice is given under the last foregoing paragraph by an owner or lessee of land specified in the notice, then—

(*a*) if the Board—

(i) fail to comply with that paragraph; or

(ii) withdraw in pursuance of any statutory provision a notice to treat served on him in compliance with sub-paragraph (*b*) of that paragraph; or

(iii) serve notice on him in compliance with sub-paragraph (*c*) of that paragraph;

PART II —*cont.*

the powers conferred by this Act for the compulsory purchase of his interest in the land so specified shall cease; or

(*b*) if his interest in part only of the land so specified is acquired in pursuance of a contract or notice to treat under sub-paragraphs (*a*) or (*b*) of that paragraph the powers conferred by this Act for the compulsory purchase of his interest in the remainder of the land so specified shall cease.

Power to acquire easements only.

8.—(1) The Board may, instead of acquiring any land that they are authorised to acquire compulsorily under this Act, acquire compulsorily such easements and rights over or in the land as they may require for the purpose of constructing, using, maintaining, renewing or removing the works or for the purpose of obtaining access to the works or for the purpose of doing any other thing necessary in connection with the works.

(2) Accordingly the Board may give notice to treat in respect of any such easements or rights describing the nature thereof, and the provisions of Part I of the Compulsory Purchase Act, 1965, as applied by this Act, shall have effect in relation to the acquisition of such easements and rights as if they were lands within the meaning of those provisions.

1965 c. 56.

(3) Where the Board have acquired an easement or right only over or in any land under this section—

(*a*) they shall not be required, or (except by agreement or during the execution of the works) entitled, to fence off or sever that land from the adjoining land;

(*b*) the owner or occupier of the land for the time being shall, subject to the easement or right, have the same right to use the land as if this section had not been enacted.

(4) If in his particulars of claim the owner of any land in respect of which notice to treat for an easement or right is given under this section requires the Board to acquire the land, the Board shall not be entitled under this section to acquire the easement or right unless the tribunal determines that the easement or right can be granted without material detriment to the land and, if the tribunal does not so determine, the Board may acquire the land compulsorily notwithstanding that the period mentioned in section 6 (Power to acquire lands) of this Act has expired, but not later than one year after the determination of the tribunal.

(5) A notice to treat given under this section shall be endorsed with notice of the effect of subsection (4) of this section.

Use of lands at Kingston upon Hull for purposes of Board's undertaking.

9. The Board upon the lands numbered on the deposited plans 1, 1A, 2 and 3, 5, 5A and 6 to 9 in the city and county of Kingston upon Hull, may (when such lands or sufficient interests therein have been acquired by them and notwithstanding any

covenant, condition, restriction or easement imposed or created by any deed or agreement or otherwise howsoever subsisting in respect of such lands) from time to time construct and maintain works for the purposes of the undertaking. PART II —*cont.*

Incorporation of provisions of Act of 1964 relating to lands.

10. The following provisions of the Act of 1964 are incorporated with, and form part of this Part of, this Act:—

Section 6 (Correction of errors in deposited plans and book of reference);

Section 11 (Disregard of recent improvements and interests); and

Section 12 (Extinction of private rights of way):

Provided that the provisions of the said section 11 of the Act of 1964, as so incorporated, shall have effect as if for the reference therein to 5th December, 1963, there was substituted a reference to 5th December, 1966.

PART III

WORKS, ETC.

Power to make works.

11.—(1) Subject to the provisions of this Act, the Board may, in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections, make and maintain the works hereinafter described with all necessary works and conveniences connected therewith:—

In the city and county of Kingston upon Hull—

(Hull Town Docks Works)

Work No. 1 A quay across the entrance to Albert Channel from the river Humber to be formed by the construction of a quay wall (87 yards in length) across the said entrance between the wall on the western side and Island Wharf on the eastern side;

Work No. 2 A quay on the south side of Island Wharf to be formed by the construction of a quay wall commencing at the termination of the quay wall forming part of Work No. 1 hereinbefore described and extending in an easterly direction for a distance of 159 yards and there terminating on the western side of the entrance to Humber Dock Basin from the river Humber;

Work No. 3 A quay to be formed by the construction of a quay wall commencing at the termination of the quay wall forming part of Work No. 2 hereinbefore described and extending in an east-north-easterly direction for a distance of 118 yards to the south-eastern end of Minerva Pier, thence in a north-north-westerly direction for a distance of 33 yards and thence

PART III —*cont.*

in a north-easterly direction for a distance of 15 yards and there terminating at the landward end of Minerva Pier on its eastern side;

Work No. 4 A dam across the eastern end of Albert Channel;

Work No. 5 A dam across the entrance lock to Humber Dock to the south of the bridge carrying Wellington Street over the said lock;

(Hull Victoria Dock River Quay Works)

Work No. 6 A quay extending into the river Humber from the north bank of the said river for a distance of 42 yards between a point on the river wall 280 yards east of the intersection of the north bank of the said river with the east bank of the river Hull and the termination of the entrance jetty on the west side of the entrance channel from the river Humber to Victoria Dock.

(Newport/ Uskmouth Terminal)

In the county borough of Newport—

Work No. 7 (Terminal Basin No. 1) An impounded basin, enclosing an area of 100,000 square yards, bounded on the east by the western side of a jetty of solid construction, commencing at a point 80 yards west of the East Usk Lighthouse and extending in a south-south-westerly direction for a distance of 625 yards, on the west by a west wall extending from the existing sea wall parallel to and 185 yards from the said jetty, on the north by a north wall between the said jetty and west wall and on the south by a basin entrance wall, parallel to and 550 yards from the north wall, housing an entrance gate 50 yards in width and equidistant from the said jetty and west wall.

Work No. 8 (Terminal Basin No. 2) An impounded basin, immediately adjacent to and on the east side of the impounded basin, Work No. 7 (Terminal Basin No. 1), enclosing an area of 100,000 square yards, bounded on the west by the eastern side of a jetty of solid construction commencing at a point 80 yards west of the East Usk Lighthouse and extending in a south-south-westerly direction for a distance of 625 yards, on the east by an east wall extending from the existing sea wall parallel to and 185 yards from the said jetty, on the north by a north wall between the said jetty and east wall and on the south by a basin entrance wall, parallel to and 550 yards from the north wall, housing an entrance gate 50 yards in width and equidistant from the said jetty and east wall.

PART III —*cont.*

Work No. 9 (Lead-in Jetty No. 1) A jetty of open construction, commencing at the outer face of the basin entrance to Terminal Basin No. 1 on the west side of the entrance gate to that basin and extending in a south-westerly direction for a distance of 270 yards and there terminating.

Work No. 10 (Lead-in Jetty No. 2) A jetty of open construction, commencing at the outer face of the basin entrance to Terminal Basin No. 2 on the east side of the entrance gate to that basin and extending in a southerly direction for a distance of 270 yards and there terminating.

Work No. 11 (West Embankment) An embankment commencing at the outer face of the west wall of Terminal Basin No. 1 at a point 500 yards from the landward end of that wall and extending in a west-north-westerly direction for a distance of 70 yards and thence in a north-north-westerly direction for a distance of 1,070 yards to its termination at a point on the existing sea wall 1,150 yards west-north-west of the East Usk Lighthouse.

Work No. 12 (East Embankment) An embankment commencing at the outer face of the east wall of Terminal Basin No. 2 at a point 525 yards from the landward end of that wall and extending in an east-south-easterly direction for a distance of 630 yards, thence in an easterly direction for a distance of 425 yards, thence in a curve in a north-north-easterly direction for a distance of 405 yards to its termination at a point on the existing sea wall 1,300 yards east-south-east of the East Usk Lighthouse.

Work No. 13 (Access Road) A roadway commencing by a junction with the main road leading to Uskmouth Power Station at a point about 50 yards east of the junction of that main road with the road leading to West Nash farmhouse, and extending in a southerly direction for a distance of 50 yards, thence in a south-westerly direction for a distance of 750 yards and thence in a west-south-westerly direction for a distance of 250 yards to its termination at a point 80 yards west of the East Usk Lighthouse.

(2) Subject to the provisions of this Act, the Board may within the limits of deviation from time to time extend, enlarge, alter, replace or relay temporarily or permanently the works.

(3) The Board may fill in and reclaim from the foreshore and bed of the rivers Usk and Severn and may hold and use as part

PART III —*cont.*

of the undertaking so much of the foreshore and bed of the said rivers as is situated within the limits of deviation and is landward of the lines of Works Nos. 11 and 12.

Power to dredge in Humber.

12. The Board may, from time to time, for the purpose of affording uninterrupted means of access to the Hull works, deepen, dredge, scour, cleanse, alter and improve the bed, shores and channels of the river Humber adjoining or near the Hull works and may, as they think fit, use, appropriate or dispose of the materials taken up or collected by them from the river Humber in the course of any such operations:

Provided that no such materials shall be deposited below the level of high water except in such places and in accordance with such restrictions or regulations as may be approved or prescribed by the Board of Trade nor shall such materials be deposited in any place within the jurisdiction of the conservancy board without the consent of the conservancy board.

Power to dredge at Uskmouth.

13. The Board may, from time to time, for the purpose of affording uninterrupted means of access for vessels going to and from the terminal basins, deepen, dredge, scour, cleanse, alter and improve the foreshore and bed of the rivers Usk and Severn and the bed of the sea and blast any rock—

(*a*) within the limits of deviation;

(*b*) in the channel and approaches to the terminal basins outside the limits of deviation including (i) a turning area at the entrances to the terminal basins having a maximum bottom width of 2,000 feet and (ii) an approach channel thereto extending seawards in a generally south-south-westerly direction for a distance of four nautical miles from the entrances to the terminal basins and having a maximum bottom width of 900 feet;

and any marl, gravel, rock or other materials taken up or collected by means of such deepening, dredging, scouring or blasting shall be the property of the Board and they may sell or otherwise dispose of or remove or deposit the same as they think fit:

Provided that no such materials shall be deposited below the level of high water except in accordance with such restrictions or regulations as may be approved or prescribed by the Board of Trade nor shall such materials be deposited in any place within the jurisdiction of the Commissioners without the consent of the Commissioners.

Works to form part of undertaking, etc.

14. The works shall for all purposes form part of the undertaking.

PART III —*cont.*

As to East Usk Lighthouse.

15. For the protection of Trinity House the following provisions shall, unless otherwise agreed in writing between the Board and Trinity House, apply and have effect:—

(1) In the event of the Uskmouth works or any vessel in the vicinity thereof obscuring the light from the East Usk Lighthouse or in the event of the site of the said lighthouse being acquired by the Board, the Board shall remove the East Usk Lighthouse and shall erect a new lighthouse (which expression shall have the meaning assigned to it by section 742 of the Merchant Shipping Act, 1894) of such character and in such a manner and position on the property of the Board as will not unreasonably interfere with the operation of the Uskmouth works but otherwise as Trinity House shall direct and the cost of removing the East Usk Lighthouse and of erecting the new lighthouse shall be borne by the Board:

1894 c. 60.

Provided that such cost shall be limited to the cost of removing the East Usk Lighthouse and erecting a new lighthouse similar thereto:

(2) On completion of the erection of the new lighthouse in accordance with paragraph (1) of this section, the Board shall forthwith convey to Trinity House in fee simple without consideration the new lighthouse and the property upon which it is built together with all rights of access thereto.

Limits of Board's dock master's jurisdiction at Victoria Dock at Kingston upon Hull.

16. The limits within which the powers of the Board's dock master at Victoria Dock at Kingston upon Hull in relation to Work No. 6 may be exercised, under and subject to the provisions of the Act of 1847, shall extend to a distance of 100 yards measured riverward from the face of the said work, but the powers of the said dock master conferred by this section shall not be exercised so as to affect vessels navigating or at anchor in the channels of the river Humber unless such vessels shall obstruct the approach to the said work.

Limits of Board's dock master's jurisdiction at Newport (Monmouthshire).

17. The limits within which the powers of the Board's dock master at Alexandra Docks at Newport (Monmouthshire) in relation to the Uskmouth works may be exercised under and subject to the Act of 1847, as incorporated with this Act, shall extend to include the terminal basins' approach channel, but the powers of the said dock master conferred by this section shall not be exercised so as to affect vessels navigating in the terminal basins' approach channel unless such vessels shall obstruct, interfere with or impede the passage of vessels bound to or from the terminal basins.

PART III —*cont.*

Marking approaches to terminal basins.

18.—(1) The Board may provide, place and erect inside or outside the terminal basins and the terminal basins' approach channel, in such places as they deem proper, lightships, lighthouses, buoys, beacons, guiding posts or signs for the guidance of vessels bound to or from the terminal basins.

(2) The Board may maintain and repair any lightships, lighthouses, buoys, beacons, guiding posts or signs provided and erected by them under this section.

(3) The Board shall have the powers and be subject to the duties of a local lighthouse authority as set out in Part XI of the Merchant Shipping Act, 1894.

1894 c. 60.

Provision against danger to navigation.

19.—(1) In case of injury to or destruction or decay of a tidal work or any part thereof the Board shall forthwith notify the appropriate authority and shall lay down such buoys, exhibit such lights and take such other steps for preventing danger to navigation as the appropriate authority shall from time to time direct.

(2) If the Board fail to notify the appropriate authority as required by this section or to comply in any respect with a direction given under this section, they shall be liable on summary conviction to a fine not exceeding one hundred pounds and on conviction on indictment to a fine.

(3) In this section "the appropriate authority" means in relation to—

(i) the Hull works, the conservancy board; and

(ii) the Uskmouth works, the Commissioners.

Permanent lights on tidal works.

20.—(1) After the completion of a tidal work the Board shall at the outer extremity thereof exhibit every night from sunset to sunrise such lights, if any, and take such other steps for the prevention of danger to navigation as the appropriate authority shall from time to time direct.

(2) If the Board fail to comply in any respect with a direction given under this section, they shall be liable on summary conviction to a fine not exceeding one hundred pounds and on conviction on indictment to a fine.

(3) In this section "the appropriate authority" means in relation to—

(i) the Hull works, the conservancy board; and

(ii) the Uskmouth works, the Commissioners.

PART III —*cont.*

21. All byelaws, rules and regulations of the Board in force at Albert and Victoria Docks at Kingston upon Hull and at Alexandra Docks at Newport (Monmouthshire) immediately before the passing of this Act shall, unless the Board shall otherwise determine, in relation to the Hull works or the Uskmouth works (as the case may be) be deemed to apply to the Hull works and to the Uskmouth works respectively and may be enforced by the Board accordingly until such time as new byelaws, rules or regulations relating to the Hull works or the Uskmouth works (as the case may be) shall be made by the Board and come into operation.

As to byelaws.

22.—(1) The following provisions of the undermentioned Acts are incorporated with, and form part of this Part of, this Act:—

Incorporation of provisions of Acts of 1964 and 1966 relating to works.

The Act of 1964—

Section 20 (Temporary stoppage of roads and footpaths); and

Section 30 (Fine for obstructing works).

The Act of 1966—

Section 9 (Subsidiary works);

Section 10 (Power to deviate);

Section 21 (Tidal works not to be executed without approval of Board of Trade);

Section 23 (Abatement of works abandoned or decayed);

Section 24 (Survey of tidal works); and

Section 26 (Lights on tidal works during construction):

Provided that the provisions of the said section 9, as so incorporated, shall have effect as if in the proviso to subsection (1) the words after " those works " were omitted.

(2) Any reference in the said incorporated provisions to " the works " shall be construed as a reference to " the works " as defined in section 3 (Interpretation) of this Act.

PART IV

CLOSURE OF HULL TOWN DOCKS

Power to abandon and close Prince's Dock, Railway Dock, Humber Dock, Humber Dock Basin and Albert Channel at Kingston upon Hull, etc.

23.—(1) The Board may abandon, discontinue, close and fill in the docks and basin and works in connection therewith known as Prince's Dock, Railway Dock, Humber Dock and Humber Dock Basin at Kingston upon Hull authorised by the Hull Town Docks Acts and upon such closing all the duties and obligations imposed by the Hull Town Docks Acts upon the Board with respect to or in connection with the said docks, basin and works shall cease.

PART IV —*cont.*

(2) The Board may abandon, discontinue, close and fill in the channel known as Albert Channel leading from the river Humber into the basin known as the Humber Dock Basin at Kingston upon Hull authorised by section 32 (New Works authorised by Act) of the Act of 1861 and upon such closing all the duties and obligations imposed upon the Board with respect to or in connection with the said channel shall cease.

(3) Notwithstanding anything in any enactment or in any agreement with the corporation or their predecessors, upon the closing of any of the docks referred to in subsection (1) of this section, the corporation shall cease to be entitled to take water from or discharge water or other matter into such docks.

Repeals.

24. The following enactments are hereby repealed:—

1774 c. 56.

The Kingston upon Hull Dock Act, 1774—

Section XV (Company empowered within seven years to make basin);

Section XXII (Company to repair, etc., the premises).

The Act of 1802—

Section 1 (Requiring Company to construct additional Basin or Work);

Section 2 (Powers of former Act to extend to this Act);

Section 23 (For leaving Openings to communicate with the wharf);

Section 37 (Company to support and cleanse the new Dock and Wharf);

Section 58 (For making Third Dock);

Section 59 (For laying pipes into the Docks).

The Act of 1844—

Section I (Powers of recited Acts (except as altered) extended to this Act);

Section CLXVI (Company to construct docks) so far as it relates to the dock referred to as the Branch Dock (now known as Railway Dock).

The Act of 1845—

Section I (Powers of recited Acts extended to this Act);

Section IV (Company to enlarge Branch Dock, etc.).

PART IV —*cont.*

The Act of 1861—

Section 6 (Provisions of recited Acts (except as altered) to be in force in new Docks as well as old);

Section 37 (Company to provide Fish Landing Place in Basin).

The Act of 1883—

Section 4 (As to sheds on the quays of the inner sides of the Queen's, Prince's and Humber Docks).

North Eastern Railway (Hull Docks) Act, 1893— 1893 c. cxcviii.

Subsection (13) of section 30 (For benefit and protection of Corporation) so far as it relates to the docks referred to in subsection (1) of section 23 (Power to abandon and close Prince's Dock, Railway Dock, Humber Dock, Humber Dock Basin and Albert Channel at Kingston upon Hull, etc.) of this Act.

PART V

PROTECTIVE PROVISIONS

Incorporation of protective provisions of Acts of 1964 and 1966.

25. The following provisions of the undermentioned Acts are incorporated with, and form part of this Part of, this Act:—

The Act of 1964—

Section 41 (For protection of Postmaster General); and

Section 42 (For protection of Kingston upon Hull Corporation).

The Act of 1966—

Section 30 (Crown rights);

Section 32 (For further protection of Postmaster General); and

Section 37 (Saving for Humber Bridge Act, 1959): 1959 c. xlvi.

Provided that the provisions of the said section 41, as so incorporated, shall have effect as if in subsection (1) thereof for the words "section 15 (Subsidiary works at Port Talbot, Immingham and King's Lynn) of this Act" there were substituted "section 9 (Subsidiary works) of the British Transport Docks Act, 1966" and in subsection (2) thereof for the words "this Act" 1966 c. xxxi. there were substituted the words "the British Transport Docks Act, 1964": 1964 c. xxxviii.

Provided also that the provisions of the said section 42, as so incorporated, shall have effect as if in paragraph (2) thereof for the words "section 16 (Subsidiary works at Kingston upon Hull) of this Act" there were substituted the words "section 9 (Subsidiary works) of the British Transport Docks Act, 1966":

PART V —*cont.*

Provided further that the provisions of the said section 32, as so incorporated, shall have effect as if in subsection (1) thereof for the words "this Act" there were substituted the words "the British Transport Docks Act, 1966".

1966 c. xxxi.

For protection of Bristol Corporation.

26. For the protection of the corporation the following provisions shall, unless otherwise agreed in writing between the Board and the corporation, apply and have effect:—

(1) In this section—

"capital dredging" means such removal of dredged materials from the terminal basins' approach channel as may be required for the construction of the said channel or increases the depth or width of the said channel beyond its previously deepest and widest state;

"the corporation" means the lord mayor, aldermen and burgesses of the city and county of Bristol;

"dredged materials" means the marl, gravel, rock or other materials from time to time taken up or collected from the terminal basins' approach channel under section 13 (Power to dredge at Uskmouth) of this Act;

"the port" means the port and harbour of Bristol being the area described in Part II of the schedule to the Bristol Corporation Act, 1955:

1955 c. xx.

(2) Subject to the provisions of this section the Board shall keep correct records showing the quantity of dredged materials and shall, not later than one month after the end of each calendar year, send to the corporation a written statement indicating the quantity of dredged materials taken up or collected in that year:

(3) If in any calendar year the quantity of dredged materials exceeds six million cubic yards, the Board shall carry out such tests and surveys as the corporation may reasonably require for the purpose of ascertaining whether or not the approaches to the port or the navigable channels within the port have been adversely affected as a result of the exercise by the Board of their powers under the said section 13:

(4) If it shall be agreed between the Board and the corporation, or determined by arbitration, that such tests and surveys show that the depth or width of any of the approaches to the port or the navigable channels within the port has been reduced as a result of the exercise by the Board of their powers under the said section 13 so as to

PART V —*cont.*

affect prejudicially the navigation of vessels within the port or in the approaches thereto, the Board shall pay to the corporation the cost reasonably incurred by the corporation in carrying out such dredging as is necessary to restore such depth or width to a condition which will permit vessels capable in particular tidal conditions at the passing of this Act of navigating to or berthing at any place within the port to continue so to navigate to or berth at such place in the same tidal conditions:

(5) If, after the completion of any capital dredging, there shall be fifteen consecutive years during which no liability to the corporation by the Board shall have arisen under paragraph (4) of this section and no further capital dredging shall have been carried out, the provisions of this section shall cease to have effect unless and until further capital dredging shall be carried out, whereupon the provisions of this section, including this paragraph, shall revive:

(6) Any question arising between the Board and the corporation under the provisions of paragraphs (3) or (4) of this section shall be determined by arbitration.

For protection of Commissioners.

27. For the protection of the Commissioners the following provisions shall, unless otherwise agreed in writing between the Board and the Commissioners, apply and have effect:—

(1) In this section, unless the context otherwise requires—

"authorised works" means the Uskmouth works and any extension, enlargement, alteration, replacement or relaying thereof authorised by subsection (2) of section 11 (Power to make works) of this Act and any subsidiary work in connection therewith carried out below the level of high water under section 9 (Subsidiary works) of the Act of 1966 as incorporated with this Act:

(2) Before commencing the construction of any part of the authorised works which will be situate on the foreshore or bed of the river Usk, plans and sections showing the general mode of construction thereof shall be delivered by the Board to the Commissioners for their reasonable approval, and such works shall not be constructed otherwise than in accordance with such plans and sections as may be approved by the Commissioners, or as may be settled by arbitration, and all such works shall be executed to the reasonable satisfaction of the Commissioners:

PART V —*cont.*

(3) All temporary structures in the river Usk which may be necessary to enable the authorised works to be constructed shall be constructed to the reasonable satisfaction in all respects of the Commissioners in accordance with plans and sections to be previously submitted to and approved by the Commissioners or settled by arbitration and so as not to interfere more than may be necessary with the navigation of, or the traffic on, the river Usk, and after the purpose for which such temporary structures were constructed has been accomplished the Board shall, with all reasonable despatch, and in any event within fourteen days of the service of notice in writing from the Commissioners requiring them so to do, remove any such temporary structures or any materials for the same which may have been placed in the river Usk by the Board, and on their failing so to do the Commissioners may remove the same, charging the Board with the reasonable expense of so doing, and the Board shall repay to the Commissioners all such expense:

(4) In the event of the Commissioners omitting to express their disapproval of any plans or sections within two months after the same shall have been delivered to them in pursuance of this section, they shall be deemed to have approved the same:

(5) (*a*) If, during the construction of the authorised works on the foreshore or bed of the river Usk or of any temporary structures in connection therewith respectively or within five years after the completion of such works or after the removal of such temporary structures and in consequence of the construction or execution of such works or temporary structures, any accumulation of silt or other material shall be created in the river Usk in the vicinity of such works which shall cause an impediment to the free navigation of the river Usk, the Board, if so requested by the Commissioners within the period of five years after such completion, shall remove such accumulation of silt or other material, and if they refuse or fail to do so the Commissioners may themselves cause the work to be done and may recover from the Board the reasonable cost thereof;

(*b*) Should any such accumulation arise within the said period of five years and be removed in accordance with the provisions of sub-paragraph (*a*) of this paragraph, then any recurrence of such accumulation shall from time to time be removed as aforesaid during a period of ten years after the completion of the authorised works or the removal of such temporary structures, as the case may be:

PART V —*cont.*

(6) From and after the commencement of the construction of the authorised works, the Board shall afford to the Commissioners all such reasonable facilities as they may request to place and maintain at their expense on the authorised works any signals or other apparatus for the safety or benefit of navigation:

(7) In relation to the authorised works the provisions of section 23 (Abatement of works abandoned or decayed), section 24 (Survey of tidal works) and section 26 (Lights on tidal works during construction) of the Act of 1966, as incorporated with this Act, shall, with the necessary modifications, apply to the Commissioners as if the Commissioners were named therein in addition to the Board of Trade and any expenses incurred by the Commissioners in pursuance of any of the said sections shall be a debt due to them from the Board and may be recoverable summarily as a civil debt where the amount recoverable does not exceed twenty pounds, or in any civil court:

Provided that in the event of any inconsistency between any requirement, order or direction of the Board of Trade and of the Commissioners the Board shall be deemed to have complied with the provisions of those sections if it has complied with the requirement, order or direction of the Board of Trade:

(8) Except as in this Act otherwise expressly provided, nothing in this Act shall prejudice or alter or be deemed to prejudice or alter any of the provisions of the Newport Harbour Acts, or any of the rights, powers, privileges or authorities of the Commissioners:

(9) If there shall be any inconsistency between any plans or sections approved by the Commissioners or settled by arbitration under this section and the plans and sections approved by the Board of Trade under section 21(Tidal works not to be executed without approval of Board of Trade) of the Act of 1966, as incorporated with this Act, the authorised works shall be executed in accordance with the plans and sections so approved by the Board of Trade:

(10) Any difference arising between the Board and the Commissioners under this section (other than a difference as to the construction of this section) shall be settled by arbitration.

PART V —*cont.*

For protection of Usk River Authority.

28. For the protection of the Usk River Authority (in this section referred to as " the authority ") the following provisions shall, unless otherwise agreed in writing between the Board and the authority, apply and have effect:—

(1) In this section—

" authorised work " means all or any of the following:—

(*a*) any of Works Nos. 7 to 12 or any part of such works;

(*b*) any subsidiary work (including temporary works) carried out under the provisions of section 9 (Subsidiary works) of the Act of 1966 as incorporated with this Act which is on or in or will or may affect the bed or banks of the river or any sea defence work;

(*c*) any works carried out under the provisions of section 13 (Power to dredge at Uskmouth) of this Act;

(*d*) any such work as aforesaid as is or is proposed to be extended, altered, replaced or relaid under subsection (2) of section 11 (Power to make works) of this Act (whether permanently or temporarily); and

(*e*) any filling in of or reclamation from the foreshore or bed of the river under subsection (3) of the said section 11;

" construct " includes execute, place, alter, replace, enlarge and relay and " constructed " and " construction " have corresponding meanings;

" the north walls " means the north wall comprised in Work No. 7 and the north wall comprised in Work No. 8;

" plans " includes sections and specifications;

" protective works " means any temporary or permanent works or measures necessary, because of the construction of an authorised work, to ensure the stability of a sea defence work or to protect it from injury;

" the river " means the river Usk and so much of the river Severn as is under the jurisdiction of the authority for the purpose of its functions;

" sea defence works " means any works for the purpose of defence against sea water or tidal water under the control of the authority for the purposes of

PART V —*cont.*

the Land Drainage Act, 1930, the Land Drainage Act, 1961, and the Water Resources Act, 1963, and includes any outfalls comprised in those works:

1930 c. 44.
1961 c. 48.
1963 c. 38.

(2) The north walls shall be so constructed that throughout the length thereof the top of the walls will not be less than 29 feet above Ordnance Datum (Newlyn):

(3) So much of Work No. 13 as crosses a sea defence work shall be constructed at such a level that a tide reaching a level of 27 feet above Ordnance Datum (Newlyn) cannot flow over the same:

(4) (*a*) Before commencing to construct an authorised work the Board shall submit plans thereof to the authority for their reasonable approval;

(*b*) If within twenty-eight days after the submission to them of such plans the authority do not signify in writing their disapproval thereof and the grounds of their disapproval they shall be deemed to have approved thereof:

(5) Upon signifying their approval of the said plans the authority may specify any protective works which in their opinion should be carried out or undertaken by the Board during the construction of any of the authorised works and, where necessary for tidal, weather or other reasons, a period within which or time at which such protective works shall be carried out or undertaken and such of the works so specified as may be reasonably necessary shall be constructed by the Board within the period or at the time (if any) reasonably specified at their own expense and under the supervision (if given) and to the reasonable satisfaction of the authority:

(6) (*a*) Subject to the provisions of this section an authorised work shall not be constructed otherwise than in accordance with such plans as may be approved or deemed to be approved by the authority as aforesaid or settled by arbitration;

(*b*) The Board shall at all reasonable times afford to the engineer to the authority, or his duly authorised representative, access to an authorised work during the construction thereof for the purpose of inspection:

(7) If there shall be any inconsistency between any plans approved or deemed to be approved by the authority or settled by arbitration under the provisions of this section and the plans approved by the Board of Trade under section 21 (Tidal works not to be executed without

PART V —*cont.*

approval of Board of Trade) of the Act of 1966 as incorporated with this Act, the authorised work shall be constructed in accordance with the plans approved by the Board of Trade:

(8) Except in case of emergency, the Board shall give not less than twenty-eight days' notice in writing to the authority before commencing to construct an authorised work:

(9) The north walls, when constructed, shall be maintained by the Board to the reasonable satisfaction of the authority:

(10) Any additional expense which may be reasonably incurred by the authority in maintaining any protective works which become part of the sea defence works shall be repaid to the authority by the Board:

(11) If, by reason or in consequence of the construction of the authorised works, the authority incur any additional cost or expense in the improvement or maintenance of any sea defence work, the Board shall pay to the authority an amount equivalent to such additional cost or expense (including a proper proportion of the overhead expenses of the authority):

(12) If, by reason or in consequence of the construction of an authorised work or failure of such work, any sea defence work shall at any time be damaged, such damage shall be made good by the Board to the reasonable satisfaction of the authority, and if within such reasonable time as may be required after receiving notice thereof, the Board fail to make good such damage, the authority may make good the same and recover from the Board the costs and expenses reasonably incurred by them in so doing (including a proper proportion of the overhead expenses of the authority):

(13) The Board shall indemnify and hold harmless the authority from all claims, demands or expenses which may be made on or against them or which they may have to pay by reason or in consequence of any injury or damage to any sea defence work or by reason or in consequence of the impairment of the efficiency of the sea defence works which may be caused or result thereto by or in consequence of the construction or maintenance of an authorised work or of the failure or want of repair thereof or in consequence of any act or omission of the Board, their contractors, agents, workmen or servants whilst engaged upon an authorised work:

PART V —*cont.*

Provided that—

(*a*) nothing in this paragraph shall impose any liability on the Board with respect to any damage or injury which may be attributable to the act, neglect or default of the authority, their contractors, agents, workmen or servants;

(*b*) the authority shall give to the Board reasonable notice of any such claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior agreement of the Board:

(14) The fact that any work or thing has been executed or done in accordance with a plan approved, or deemed to be approved by the authority or to their satisfaction, or in accordance with any directions or award of an arbitrator shall not relieve the Board from any liability under the provisions of this section:

(15) Any difference arising between the Board and the authority under this section (other than a difference as to the construction of this section) shall be settled by arbitration.

Saving for byelaws of Usk River Authority.

29. Nothing in this Act shall exempt the Board from—

(*a*) any land drainage byelaws of the Usk River Authority; or

(*b*) any byelaws of the Usk River Authority relating to prevention of pollution;

which may for the time being be in force.

For protection of conservancy board.

30. For the protection of the conservancy board the following provisions shall, unless otherwise agreed in writing between the Board and the conservancy board, apply and have effect:—

(1) In this section unless the context otherwise requires, "authorised works" means the Hull works and any extension, enlargement, alteration, replacement or relaying thereof authorised by subsection (2) of section 11 (Power to make works) of this Act and any subsidiary work in connection therewith carried out below the level of high water under section 9 (Subsidiary works) of the Act of 1966 as incorporated with this Act:

(2) Before commencing the construction of any part of the authorised works which will be situate on the foreshore or bed of the river Humber, plans and sections showing the general mode of construction thereof shall be delivered by the Board to the conservancy board for their reasonable approval, and such works shall not be

PART V —*cont.*

constructed otherwise than in accordance with such plans and sections as may be approved by the conservancy board, or as may be settled by arbitration, and all such works shall be executed to the reasonable satisfaction of the conservancy board:

(3) All temporary structures in the river Humber which may be necessary to enable the authorised works to be constructed shall be constructed to the reasonable satisfaction in all respects of the conservancy board in accordance with plans and sections to be previously submitted to and approved by the conservancy board or settled by arbitration and so as not to interfere more than may be necessary with the navigation of, or the traffic on, the river Humber, and after the purpose for which such temporary structures were constructed has been accomplished the Board shall, with all reasonable despatch, and in any event within fourteen days of the service of notice in writing from the conservancy board requiring them so to do, remove any such temporary structures or any materials for the same which may have been placed in the river Humber by the Board, and on their failing so to do the conservancy board may remove the same, charging the Board with the reasonable expense of so doing, and the Board shall repay to the conservancy board all such expense:

(4) The Board shall, before commencing any dredging in the river Humber under the powers of this Act (other than maintenance dredging), deliver to the conservancy board for their reasonable approval plans and sections (on a scale of not less than 1/2500 and showing soundings reduced to Chart Datum, being 10.68 feet below Ordnance Datum (Newlyn)) defining the nature, extent and manner of such dredging and such dredging shall not be carried out otherwise than in accordance with such plans and sections and in such manner as may be approved by the conservancy board or as may be settled by arbitration:

(5) In the event of the conservancy board omitting to express their disapproval of any plans or sections within two months after the same shall have been delivered to them in pursuance of this section, they shall be deemed to have approved the same:

(6) (*a*) The Board shall, for a period of ten years after the completion of any dredging carried out by them in the river Humber under the powers of this Act, and for such further period as is hereinafter referred to in this paragraph, maintain the general level of the river bed over the

PART V —*cont.*

dredged area at a depth of not more than one fathom above the depth thereof at the time when such dredging is completed;

(*b*) The further period referred to in this paragraph is such period (if any) after the expiration of the said period of ten years during which it is agreed between the Board and the conservancy board (or in default of agreement determined by arbitration) that continued dredging to the minimum depth referred to in sub-paragraph (*a*) of this paragraph is reasonably necessary for the purpose of maintaining the stability of the navigable channel of, or the safety of navigation in, the river Humber:

(7) (*a*) If, during the construction of the authorised works on the foreshore or bed of the river Humber or of any temporary structures in connection therewith respectively or within five years after the completion of such works or after the removal of such temporary structures and in consequence of the construction or execution of such works or temporary structures, any accumulation of silt or other material shall be created in the river Humber in the vicinity of such works which shall cause an impediment to the free navigation of the river Humber, the Board, if so requested by the conservancy board within the period of five years after such completion, shall remove such accumulation of silt or other material, and if they refuse or fail to do so the conservancy board may themselves cause the work to be done and may recover from the Board the reasonable cost thereof;

(*b*) Should any such accumulation arise within the said period of five years and be removed in accordance with the provisions of sub-paragraph (*a*) of this paragraph, then any recurrence of such accumulation shall from time to time be removed as aforesaid during a period of ten years after the completion of the authorised works or the removal of such temporary structures, as the case may be:

(8) From and after the commencement of the construction of the authorised works, the Board shall afford to the conservancy board all such reasonable facilities as they may request to place and maintain at their expense on the authorised works any signals or other apparatus for the safety or benefit of navigation:

(9) During the continuance of any dredging operations in the river Humber which the Board may execute under the powers of this Act the Board shall, if required by the conservancy board, provide and maintain to their

PART V —*cont.*

reasonable satisfaction such lighted mooring or other buoys at any deposit ground in the river Humber which may be approved for the deposit of dredgings from the site of the works, and take all such other steps as may be necessary to prevent danger to navigation:

(10) In relation to the authorised works the provisions of section 23 (Abatement of works abandoned or decayed), section 24 (Survey of tidal works) and section 26 (Lights on tidal works during construction) of the Act of 1966, as incorporated with this Act, shall, with the necessary modifications, apply to the conservancy board as if the conservancy board were named therein in addition to the Board of Trade and any expenses incurred by the conservancy board in pursuance of any of the said sections shall be a debt due to them from the Board and may be recoverable summarily as a civil debt where the amount recoverable does not exceed twenty pounds, or in any civil court:

Provided that in the event of any inconsistency between any requirement, order or direction of the Board of Trade and of the conservancy board the Board shall be deemed to have complied with the provisions of those sections if it has complied with the requirement, order or direction of the Board of Trade:

(11) The Board shall allow at all reasonable times access both by water and by land to the conservancy board, their officers and servants, licensed pilots and vessels on, to and over any part of the Hull works without payment or hindrance whilst in the execution of their duties:

(12) Except as in this Act otherwise expressly provided, nothing in this Act shall prejudice or alter or be deemed to prejudice or alter any of the provisions of the Humber Conservancy Acts, 1852 to 1951, or any title of the conservancy board in, to or over any lands or foreshore held or acquired by them under the said Acts, or under any lease or agreement made under the powers thereof or confirmed thereby, or any other of the rights, powers, privileges or authorities of the conservancy board:

(13) If there shall be any inconsistency between any plans or sections approved by the conservancy board or settled by arbitration under this section and the plans and sections approved by the Board of Trade under section 21 (Tidal works not to be executed without approval of Board of Trade) of the Act of 1966, as incorporated with this Act, the authorised works shall be executed in accordance with the plans and sections so approved by the Board of Trade:

PART V —*cont.*

(14) Any difference arising between the Board and the conservancy board under this section (other than a difference as to the construction of this section) shall be settled by arbitration.

For protection of certain statutory undertakers.

31. For the protection of the undertakers the following provisions shall, unless otherwise agreed in writing between the Board and the undertakers concerned, apply and have effect:—

(1) In this section, unless the subject or context otherwise requires—

"alternative apparatus" means alternative apparatus adequate to enable the undertakers to fulfil their statutory functions in a manner not less efficient than previously;

"apparatus" means electric lines and works (as respectively defined in the Electric Lighting Act, 1882) belonging to or maintained by the undertakers and includes any works constructed for the lodging therein of apparatus; 1882 c. 56.

"authorised work" means any work carried out or thing done under the powers of section 11 (Power to make works) of this Act or of section 9 (Subsidiary works) of the Act of 1966 as incorporated with this Act and includes any work substituted for Work No. 13 or any diversion thereof pursuant to section 32 (For further protection of Central Electricity Generating Board) of this Act;

"in" in a context referring to apparatus includes under, over, across, along or upon;

"operational land" has the same meaning as in section 221 of the Town and Country Planning Act, 1962; 1962 c. 38.

"position" includes depth;

"the undertakers" means the Central Electricity Generating Board, the South Wales Electricity Board and the Yorkshire Electricity Board, or any of them, and in relation to any apparatus means the undertakers to whom the apparatus belongs or by whom the apparatus is maintained:

(2) Notwithstanding anything in this Act or shown on the deposited plans the Board shall not under the powers of this Act acquire any apparatus otherwise than by agreement:

(3) Notwithstanding anything in this Act no apparatus shall be removed from any land in which it is situated, nor shall

PART V —*cont.*

any right of the undertakers to use, maintain, repair, renew or inspect any apparatus in that land be extinguished, until any necessary alternative apparatus has been provided and is in operation to the reasonable satisfaction of the undertakers:

(4) (*a*) The Board for the purpose of the construction of any authorised work may require the undertakers to remove any apparatus. If the Board require the undertakers to remove such apparatus they shall give to the undertakers written notice of such requirement with a plan and section of the proposed work and of the proposed position of the alternative apparatus to be laid down or erected so as to provide adequate alternative apparatus in lieu of the apparatus to be removed;

(*b*) If the Board require the undertakers to remove any apparatus or if in consequence of the construction or carrying out of an authorised work the undertakers shall reasonably require to remove any apparatus, the Board shall, if practicable, afford to the undertakers the necessary facilities and rights for the laying down or erection of such alternative apparatus in other lands of the Board and thereafter for the maintenance, repair, renewal and inspection of such apparatus:

Provided that if the alternative apparatus or any part thereof is to be laid down or erected elsewhere than in other lands of the Board and the Board are unable to afford such facilities and rights as aforesaid in the lands in which the alternative apparatus or such part thereof is to be laid down or erected the undertakers shall on receipt of a written notice to that effect from the Board forthwith use their best endeavours to obtain the necessary facilities and rights in such last-mentioned lands:

(5) (*a*) Any alternative apparatus to be laid down or erected in lands of the Board in pursuance of paragraph (4) of this section shall be laid down or erected in such manner and in such line or situation as may be agreed between the undertakers and the Board or in default of agreement settled by arbitration;

(*b*) The undertakers shall, after the line or situation of any necessary alternative apparatus and manner in which the alternative apparatus shall be laid down or erected has been agreed or settled by arbitration as aforesaid and after the grant to the undertakers of any such facilities and rights as are referred to in paragraph (4) of this section, proceed with all reasonable dispatch to lay down

PART V —*cont.*

or erect and bring into operation the alternative apparatus and thereafter to remove any apparatus required by the Board to be removed under the provisions of this section and in default the Board may remove the apparatus:

(6) Notwithstanding anything in the immediately preceding paragraph, if the Board give notice in writing to the undertakers that they desire themselves to execute any part of the work necessary in connection with the laying down or erection of the alternative apparatus or the removal of the apparatus required to be removed as will be situate in any lands of the Board, such work, in lieu of being executed by the undertakers, shall be executed by the Board with all reasonable dispatch under the superintendence (if given) and to the reasonable satisfaction of the undertakers:

Provided that nothing in this paragraph shall authorise the Board to execute the actual placing, installation, bedding, packing, removal, connection or disconnection of any apparatus or any filling around the apparatus extending (where the apparatus is laid in a trench) within 12 inches above the apparatus:

(7) Where, in accordance with the provisions of this section, the Board afford to the undertakers facilities and rights for the laying down or erection, maintenance, repair, renewal and inspection in lands of the Board of alternative apparatus in substitution for apparatus to be removed as aforesaid those facilities and rights shall be granted upon such terms and conditions as may be agreed between the Board and the undertakers or in default of agreement determined by arbitration:

Provided that in determining such terms and conditions as aforesaid in respect of alternative apparatus to be laid down or erected across or through an authorised work the arbitrator shall—

(*a*) give effect to all reasonable requirements of the Board for ensuring the safety and effective use of the authorised work and for securing any subsequent alterations or adaptations of the alternative apparatus which may be required to prevent interference with any such work;

(*b*) give effect to all reasonable requirements of the undertakers for ensuring the safety and effective use of the alternative apparatus; and

(*c*) so far as it may be reasonable and practicable to do so in the circumstances of the particular case

PART V —*cont.*

give effect to the terms and conditions applicable to the apparatus laid down or erected through the lands of the Board for which the alternative apparatus is to be substituted:

Provided also that, if the facilities and rights to be afforded by the Board in respect of any alternative apparatus and the terms and conditions subject to which the same are to be granted are in the opinion of the arbitrator more or less favourable on the whole to the undertakers than the facilities, rights, terms and conditions applying to the apparatus to be removed, the arbitrator shall make such provision for the payment of compensation to or by the Board by or to the undertakers in respect thereof as shall appear to him to be reasonable having regard to all the circumstances of the particular case:

(8) (*a*) Not less than twenty-eight days before commencing to execute an authorised work which is near to or is likely to affect any apparatus the removal of which has not been required by the Board under paragraph (4) of this section, the Board shall submit to the undertakers a plan, section and description of the work to be executed;

(*b*) Such work shall be executed substantially in accordance with the plan, section and description submitted as aforesaid and in accordance with such reasonable requirements as may be made by the undertakers for the alteration or otherwise for the protection of the apparatus, or for securing access thereto, and the undertakers shall be entitled by their officer to watch and inspect the execution of such work:

Provided that, if the undertakers within fourteen days after the submission to them of any such plan, section and description shall in consequence of the work proposed by the Board reasonably require the removal of any apparatus and give written notice to the Board of such requirement, the foregoing provisions of this section shall apply and have effect as if the removal of such apparatus had been required by the Board under paragraph (4) thereof:

Provided also that nothing in this sub-paragraph shall preclude the Board from submitting at any time or from time to time but in no case less than twenty-eight days before commencing the execution of any such work a new plan, section and description in lieu of the plan,

PART V —*cont.*

section and description previously submitted and thereupon the provisions of this paragraph shall apply to and in respect of such new plan, section and description;

(*c*) The Board shall not be required to comply with sub-paragraph (*a*) of this paragraph in a case of emergency but in such a case they shall give to the undertakers notice as soon as reasonably practicable and a plan, section and description of the work as soon as reasonably practicable thereafter and shall comply with sub-paragraph (*b*) of this paragraph so far as reasonably practicable in the circumstances:

(9) The Board shall repay to the undertakers the reasonable expenses incurred by the undertakers in or in connection with—

(*a*) the removal and relaying or replacing of any apparatus and the provision, laying down, erection or placing of any new apparatus and the alteration or protection of any apparatus under the foregoing provisions of this section less the value of any apparatus removed in pursuance of the provisions of this section (such value being calculated after removal);

(*b*) the subsequent alteration or adaptation of apparatus required under the provisions of proviso (*a*) to paragraph (7) of this section;

(*c*) the cutting off of any apparatus from any other apparatus; and

(*d*) any other work or thing rendered reasonably necessary in consequence of any such operations as are referred to in this paragraph:

Provided that—

(i) if the undertakers provide, lay down, erect or place apparatus of better type or of greater capacity or at a greater depth than the existing apparatus and the provision of apparatus of that type or capacity or the placing of apparatus at that depth, as the case may be, had not been agreed or settled by arbitration under this section to be reasonably necessary by reason or in consequence of the exercise by the Board of any of their powers under this Act, the undertakers shall bear such proportion of the cost of such provision, laying down, erection or placing as represents the amount by which such cost exceeds the cost which would have been incurred if the type or capacity or depth of the apparatus so provided, laid down, erected or placed had been the same as that of the existing apparatus;

PART V —*cont.*

(ii) any amount payable by the Board to the undertakers under this paragraph in respect of the provision, laying down, erection or placing of new apparatus in substitution for apparatus provided, laid down, erected or placed more than seven and a half years earlier, shall be reduced by the amount of any financial benefit which may be derived by the undertakers from the deferment of the time for the renewal of the apparatus in the ordinary course:

(10) The Board shall make compensation to the undertakers for any damage caused to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal in accordance with the provisions of this section) by reason or in consequence of the exercise by the Board of the powers of this Act:

Provided that nothing in this paragraph shall impose any liability on the Board with respect to any damage to the extent that such damage may be attributable to the act, neglect or default of the undertakers, their contractors or workmen:

(11) The temporary stoppage or diversion of any road or footpath under the powers of section 20 of the Act of 1964, as incorporated by section 22 of this Act, shall not prevent the undertakers from obtaining access to any apparatus nor prejudice nor affect any right of the undertakers—

(*a*) to lay, erect, maintain, inspect, repair, renew or remove any apparatus in the road or footpath; or

(*b*) for the purpose of such laying, erection, maintenance, inspection, repair, renewal or removal to enter upon or break open that road or footpath:

(12) (*a*) In the exercise of the powers of deepening, dredging, scouring, cleansing, altering and improving under section 12 (Power to dredge in Humber) of this Act the Board shall not interfere with, damage or injuriously affect any apparatus;

(*b*) Before exercising the said powers within a distance of 50 yards of any submarine apparatus the Board shall give in writing to the undertakers as long notice as possible and in any case not less than twenty-eight days' notice of their intention so to do;

(*c*) Any material dredged up or removed in pursuance of the said powers shall not be laid down or deposited in such a place or manner as to cover any apparatus or in any way obstruct or impede any work of or connected with the inspection or repair of such apparatus:

PART V —*cont.*

(13) Where the construction or carrying out of any authorised work necessitates the removal of or is likely to affect any ash disposal pipes situated in any lands acquired or used under or pursuant to the powers of this Act, the provisions of this section shall apply and have effect as if for the several references to the word " apparatus " there were substituted the words " ash disposal pipes ":

(14) (*a*) Any difference which may arise between the Board and the undertakers under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration;

(*b*) In settling any difference under this section the arbitrator may, if he thinks fit, require the Board to execute any temporary or other works so as to avoid so far as may be reasonably possible interference with any purpose for which the apparatus is used.

For further protection of Central Electricity Generating Board.

32. For the further protection of the Central Electricity Generating Board (hereinafter in this section referred to as " the generating board ") the following provisions shall, unless otherwise agreed in writing between the Board and the generating board, apply and have effect:—

(1) In this section—

" the signed plan " means the plan signed in duplicate by Donald Graham McGarey on behalf of the Board and by Edward Jack Turner on behalf of the generating board one copy of which has been deposited at the respective offices of the secretary to the Board and the secretary to the generating board;

" reclaimed lands " means such lands as may be reclaimed by the Board under the powers of this Act:

(2) (*a*) Notwithstanding anything in this Act or shown on the deposited plans the Board shall acquire from the generating board—

(i) only so much of the area of the lands coloured blue and hatched black and coloured green and hatched black on the signed plan—

(A) as the Board may require for the construction and maintenance of Work No. 11 if it shall be agreed between the Board and the generating board or in default of agreement determined by arbitration that the construction of Work No. 11 in any position north or east of the position of such work as shown on the deposited plan is necessary for the protection

PART V —*cont.*

of the regime of the rivers Usk or Severn or the navigable channels thereof or the intake or outfall works of the Uskmouth generating stations or any associated works or the property of any other person or for the avoidance of undue siltation in the terminal basins' approach channel or for any good and sufficient engineering reason relating to the construction of the Uskmouth works;

(B) as shall be agreed between the Board and the generating board or in default of agreement determined by arbitration to be necessary for the construction and maintenance of Works Nos. 11 and 12 at the terminations thereof;

(ii) only so much of the lands in one or other of the two areas coloured green on the said plan as the Board may require for the construction of Works Nos. 7 to 10 or for the reclamation of land in accordance with the provisions of this Act provided that in the event of the Board acquiring any of the lands in one of the said areas coloured green the Board shall not acquire an equivalent area of the lands coloured red on the said plan contiguous with the boundary between such lands coloured red and the other area of such lands coloured green, such equivalent area to be of equal width throughout measured from the said boundary and to be bounded on the side opposite the said boundary by a line drawn parallel thereto such line being produced if necessary in either or both directions so as to ensure that the said line extends to the other two boundaries of the lands coloured red on the other two sides; and

(iii) the land coloured red and cross-hatched black on the signed plan only in the event of Work No. 13 being constructed by the Board;

(*b*) Notwithstanding anything in section 8 (Power to acquire easements only) of this Act the Board shall not acquire compulsorily any easements and rights over the lands coloured blue, the lands coloured green and the lands coloured red as shall not have been acquired by the Board but the generating board shall grant to the Board—

(i) such easements and rights for such period over or in the aforementioned lands as shall be agreed between the Board and the generating board, or in default of agreement determined by arbitration, to be necessary—

(A) during and for the purpose of the construction of Work No. 11 and Work No. 12; and

PART V —*cont.*

(B) for the purpose of depositing marl, gravel, rock or other materials;

(ii) such permanent easements and rights over or in the aforementioned lands as shall be agreed between the Board and the generating board or in default of agreement determined by arbitration to be necessary for the purpose of the maintenance of Work No. 11 and Work No. 12:

Provided that the lands coloured blue and hatched black and so much of the lands coloured green and hatched black and coloured red and hatched black on the signed plan landward of Work No. 11 or Work No. 12 as has not been acquired by the Board shall be reclaimed and filled in at the same time as and in a similar manner and with similar materials to the reclamation which will be carried out by the Board on any of the lands numbered 16 in the county borough of Newport on the deposited plans and left uncoloured on the signed plan:

(3) Notwithstanding anything in this Act or shown on the deposited plans, the Board shall not make and maintain Work No. 13 in the line and situation and upon the lands delineated on the deposited plans if the generating board grant or are willing to grant to the Board easements and rights in perpetuity over and in other lands of the generating board for the construction and use to an unlimited extent of an access road to and from the Uskmouth works and the reclaimed lands by the Board, their successors in title, the tenants and occupiers from time to time of the Uskmouth works and the reclaimed lands and their servants and agents and other persons authorised by them with or without vehicles of any class or description for all purposes connected with the user in any manner whatsoever of the Uskmouth works and the reclaimed lands. Such access road shall be in substitution for Work No. 13 and in such line and situation as shall be agreed by both parties or determined by arbitration to be suitable having regard to the needs of the Board as well as the generating board:

(4) (*a*) In the event of such easements and rights as are referred to in the foregoing paragraph not being granted by the generating board, the Board shall not, notwithstanding anything in this Act or shown on the deposited plans, acquire compulsorily the lands delineated on the deposited plans to be acquired for Work No. 13 but shall acquire such easements and rights only as are referred to in the foregoing paragraph over and in such lands;

PART V —*cont.*

(*b*) If for any of the purposes of any new generating station or other works or the extension or development of the Uskmouth generating stations or other works on their lands the generating board shall require Work No. 13 to be diverted over other lands of the generating board and the generating board grant to the Board such easements and rights as are referred to in the foregoing paragraph over and in such other lands in such line and situation as shall be agreed by both parties or determined by arbitration to be suitable having regard to the needs of the Board as well as the generating board, the Board shall divert Work No. 13 at the expense of the generating board:

(5) On the grant to the Board by the generating board of such easements and rights as are referred to in paragraph (3) of this section or on the completion and opening for use of any diversion of Work No. 13 pursuant to sub-paragraph (*b*) of paragraph (4) of this section, the powers of the Board to enter upon, take and use the lands coloured red and cross-hatched black on the signed plan and the lands delineated on the deposited plan to be acquired for the purpose of Work No. 13 only and to make and maintain Work No. 13 and any easements or rights in any such lands shall forthwith cease and determine:

(6) Notwithstanding anything in this Act or shown on the deposited plans Work No. 13 or any diversion thereof or any access road substituted therefor pursuant to this section shall be constructed at such level and in such manner and subject to such conditions, including conditions requiring the provision by the Board of accommodation for drains or pipes for the drainage of the generating board's land or the disposal of ash, and of means of access to such drains and pipes, as shall be agreed between the generating board and the Board or determined by arbitration to be suitable and necessary whether in relation to Work No. 13 or any diversion thereof or the access road substituted therefor or in relation to the use or protection of any adjoining land of the generating board:

(7) Notwithstanding anything in this Act or shown on the deposited plans the generating board, their successors in title, their officers, or servants, contractors or other agents, and any tenants or occupiers of any land of the generating board shall be at liberty at all times to pass and repass across and over Work No. 13 or any diversion thereof or any access road substituted therefor with or

PART V —*cont.*

without vehicles, plant, equipment or appliances or livestock to and from the lands situated on either side of Work No. 13 and at all reasonable times in common with the Board and all persons entitled so to do by virtue of any easements and rights granted under paragraphs (3) and (4) of this section and all persons authorised by the Board to pass along Work No. 13 or any diversion thereof or any access road substituted therefor:

Provided that the generating board shall pay to the Board the cost of making good any damage caused by the generating board, their officers, servants, contractors or other agents, tenants and occupiers of any of the lands of the generating board:

(8) (*a*) Notwithstanding the acquisition by the Board of any lands of the generating board under the powers of this Act, the generating board shall be entitled to continue to enjoy without interruption the right to drain over the surface or through the subsoil of any such lands into the rivers Usk and Severn;

(*b*) The Board shall not interfere with any such drainage without first providing adequate alternative means of drainage and in carrying out any works authorised by this Act or filling in and reclaiming any part of the foreshore and bed of the said rivers the Board shall provide, free of charge, the necessary drains or other facilities to enable the generating board to continue to enjoy such rights as aforesaid:

(9) (*a*) The Board shall, if so required by the generating board, afford to the generating board all necessary rights and facilities over or under any lands acquired, or reclaimed from the foreshore and bed of the rivers Usk and Severn, by the Board under this Act, or through or under Works Nos. 11 and 12, as the generating board reasonably require for the construction and maintenance of further works for the drainage of the generating board's land or of works for the taking or discharge of water from or into the said rivers:

Provided that the generating board shall bear the cost of the construction and maintenance of such further works and shall repay to the Board any additional cost, charges and expenses reasonably incurred by the Board in connection with such further works;

(*b*) Any such rights and facilities referred to in the foregoing paragraph shall be granted free of charge, but such rights and facilities shall not interfere with or adversely affect Works Nos. 7 to 10 inclusive and in the event of the

PART V —*cont.*

construction or maintenance by the generating board of such further works injuring or causing damage to any work or building erected on such lands acquired or reclaimed from the foreshore and bed of the rivers Usk and Severn the generating board shall pay compensation to the owners or occupiers of such works or building to the extent that such owners or occupiers suffer injury or damage as a result of the construction or maintenance by the generating board as aforesaid:

(10) The Board shall erect and maintain to the reasonable satisfaction of the generating board good and sufficient fences with such gates and other similar facilities as the generating board may reasonably require along the boundaries between any land acquired under this Act, Work No. 13 or any diversion thereof or any access road substituted therefor and any adjoining land of the generating board:

(11) If as a result of the construction of any works under the powers of this Act or any operations carried out by the Board under the powers of section 13 (Power to dredge at Uskmouth) of this Act any damage or injury to such of the Uskmouth generating stations or associated intake and outfall works as shall exist at the passing of this Act situated on the foreshore and bed of the river Usk, or any restriction of or interruption in the generation of electricity from the said stations shall be caused, or the generating board are put to additional expense in keeping those works free from obstruction, the generating board may recover from the Board the reasonable costs of making good such damage or injury and any additional expense incurred by the generating board in consequence of the restriction or interruption of the generation of electricity and from time to time incurred in keeping those works free from obstruction as aforesaid and the Board shall indemnify the generating board against all claims, demands, proceedings, costs, damages and expenses which may be made or taken against, recovered from or incurred by the generating board by reason or in consequence of such damage, injury, restriction or interruption:

Provided that—

(i) nothing in this paragraph shall impose any liability on the Board with respect to any damage or injury which may be attributable to the act, neglect or default of the generating board, their officers, servants, contractors or other agents;

PART V —*cont.*

(ii) the generating board shall give to the Board reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior consent of the Board:

(12) Any question or difference arising between the Board and the generating board under this section shall be settled by arbitration.

Saving for Trinity House.

33. Nothing in subsection (2) of section 11 (Power to make works), section 18 (Marking approaches to terminal basins), section 19 (Provision against danger to navigation) or section 20 (Permanent lights on tidal works) of this Act shall prejudice or derogate from any of the rights or privileges, or the jurisdiction or authority, of Trinity House.

Saving for town and country planning. 1962 c. 38.

34. The provisions of the Town and Country Planning Act, 1962, and any restrictions or powers thereby imposed or conferred in relation to land shall apply and may be exercised in relation to any land notwithstanding that the development thereof is, or may be, authorised or regulated by or under this Act.

PART VI

GENERAL

As to powers of Board of Trade.

35. Anything required or authorised by or under this Act to be done by, to or before the Board of Trade may be done by, to or before the President of the Board of Trade, any Minister of State with duties concerning the affairs of the Board of Trade, any secretary, under-secretary or assistant secretary of the Board of Trade or any person authorised in that behalf by the President.

Saving for Harbours Act, 1964. 1964 c. 40.

36. Nothing in this Act shall be taken as exempting the Board from the provisions of sections 9 and 10 of the Harbours Act, 1964, in relation to the works.

Saving for Wireless Telegraphy Act, 1949. 1949 c. 54.

37. Nothing in this Act shall entitle or oblige the Board to instal or use apparatus for wireless telegraphy as defined in the Wireless Telegraphy Act, 1949, in contravention of the provisions of that Act.

Saving for Merchant Shipping Act, 1894. 1894 c. 60.

38. Nothing in this Act shall be taken as exempting any person or body from the provisions of Part XI of the Merchant Shipping Act, 1894.

PART VI —*cont.*

Arbitration. 1965 c. 56.

39. Where under this Act any difference (other than a difference to which the provisions of the Compulsory Purchase Act, 1965, as applied by this Act, apply) is to be referred to or settled by arbitration, then, unless otherwise provided, such difference shall be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed, on the application of either party (after notice in writing to the other), by the President of the Institution of Civil Engineers.

Costs of Act.

40. All costs, charges and expenses of and incidental to the preparing for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Board and may in whole or in part be defrayed out of revenue.

PRINTED BY THE SOLICITORS' LAW STATIONERY SOCIETY, LTD., FOR
SIR PERCY FAULKNER, K.B.E., C.B.
Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

British Transport Docks Act 1967

CHAPTER xxxi

ARRANGEMENT OF SECTIONS

PART I
PRELIMINARY

Section

1. Short title.
2. Division of Act into Parts.
3. Interpretation.
4. Incorporation of Acts.
5. Application of Part I of Compulsory Purchase Act, 1965.

PART II
LANDS

6. Power to acquire lands.
7. Powers to owners and lessees to give notice as to purchase of land.
8. Power to acquire easements only.
9. Use of lands at Kingston upon Hull for purposes of Board's undertaking.
10. Incorporation of provisions of Act of 1964 relating to lands.

PART III
WORKS, ETC.

11. Power to make works.
12. Power to dredge in Humber.

Section

13. Power to dredge at Uskmouth.
14. Works to form part of undertaking, etc.
15. As to East Usk Lighthouse.
16. Limits of Board's dock master's jurisdiction at Victoria Dock at Kingston upon Hull.
17. Limits of Board's dock master's jurisdiction at Newport (Monmouthshire).
18. Marking approaches to terminal basins.
19. Provision against danger to navigation.
20. Permanent lights on tidal works.
21. As to byelaws.
22. Incorporation of provisions of Acts of 1964 and 1966 relating to works.

PART IV

CLOSURE OF HULL TOWN DOCKS

23. Power to abandon and close Prince's Dock, Railway Dock, Humber Dock, Humber Dock Basin and Albert Channel at Kingston upon Hull, etc.
24. Repeals.

PART V

PROTECTIVE PROVISIONS

25. Incorporation of protective provisions of Acts of 1964 and 1966.
26. For protection of Bristol Corporation.
27. For protection of Commissioners.
28. For protection of Usk River Authority.
29. Saving for byelaws of Usk River Authority.
30. For protection of conservancy board.
31. For protection of certain statutory undertakers.
32. For further protection of Central Electricity Generating Board.
33. Saving for Trinity House.
34. Saving for town and country planning.

PART VI

GENERAL

35. As to powers of Board of Trade.
36. Saving for Harbours Act, 1964.
37. Saving for Wireless Telegraphy Act, 1949.
38. Saving for Merchant Shipping Act, 1894.
39. Arbitration.
40. Costs of Act.