



# Aire and Calder Navigation Act 1992

## 1992 CHAPTER iv

### PART II

#### WORKS

#### 18 Discharges for works purposes

- (1) In this section “relevant authority” means a sewerage undertaker, an internal drainage board, the Rivers Authority or the Leeds City Council.
- (2) The Corporation may use for the discharge of any water pumped or found by them during the construction of the works any available stream or watercourse, or any sewer or drain of a relevant authority, and for that purpose may lay down, take up and alter conduits, pipes and other works and may make any convenient connections with any such stream, watercourse, sewer or drain within the limits of deviation.
- (3) The Corporation shall not—
  - (a) directly or indirectly discharge any water into any sewer or drain vested in or under the control of a relevant authority except with the consent of the relevant authority which consent shall not be unreasonably withheld and subject to such terms and conditions as the relevant authority may reasonably impose; or
  - (b) make any opening into any such sewer or drain save in accordance with plans approved by, and under the superintendence (if given) of, the relevant authority in whom the sewer or drain is vested, but approval of those plans by the relevant authority shall not be unreasonably withheld.
- (4)
  - (a) Section 85 of the Act of 1991 shall apply to, or to the consequence of, a discharge under the powers of this section into any controlled waters within the meaning given by section 104 of that Act as if this section were not a local statutory provision for the purposes of section 88 (1) (f) of that Act.
  - (b) In the exercise of their powers under this section the Corporation shall not damage or interfere with the bed of any watercourse forming part of a main river or the banks thereof, within the meaning of section 113 of the Act of 1991.

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*Status: This is the original version (as it was originally enacted).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

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- (5) The Corporation shall take all such steps as may reasonably be required to secure that any water discharged by them under this section shall be as free as may be reasonably practicable from any gravel, soil or other solid substance or matter in suspension.
- (6) Any difference arising between the Corporation and a relevant authority under this section shall be determined by arbitration.
- (7) The powers of this section shall not be exercised so as to damage or injuriously affect the railway or works of the railways board or so as to interfere with or obstruct the free, uninterrupted and safe user of the railway or the traffic thereon and, if the railway or any works of the railways board is or are damaged or injuriously affected or any interference or obstruction shall be caused or take place, the Corporation shall pay to the railways board all expenses incurred by them and compensation for any loss which they may sustain by reason of that damage, injurious affection, interference or obstruction.