
Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Paragraph 4. (See end of Document for details)

SCHEDULES

SCHEDULE 22

PROTECTION FOR PARTICULAR UNDERTAKINGS

Modifications etc. (not altering text)

C1 Sch. 22 applied (1.12.1991) by [Land Drainage Act 1991 \(c. 59, SIF 73:1\)](#), **ss. 67(2), 76(2)**

Protection for railways in connection with carrying out of flood defence functions

- 4 (1) Without prejudice to the preceding provisions of this Schedule, nothing in the flood defence provisions of this Act shall authorise any person, except with the consent of the railway company in question, to interfere with—
- (a) any railway bridge or any other work connected with a railway; or
 - (b) the structure, use or maintenance of a railway or the traffic on it.
- (2) A consent for the purposes of sub-paragraph (1) above may be given subject to reasonable conditions but shall not be unreasonably withheld.
- (3) Subject to the following provisions of this Schedule, any dispute—
- (a) as to whether anything interferes, or will interfere, as mentioned in sub-paragraph (1) above;
 - (b) as to whether any consent for the purposes of this paragraph is being unreasonably withheld; or
 - (c) as to whether any condition subject to which any such consent has been given was reasonable,
- shall be referred to the arbitration of a single arbitrator to be appointed by agreement between the parties to the dispute or, in default of agreement, by the President of the Institution of Civil Engineers.

Changes to legislation:

There are currently no known outstanding effects for the Water Resources Act 1991, Paragraph 4.