
STATUTORY INSTRUMENTS

1999 No. 2587

The Pur Fleet (King's Lynn) Order 1999

PART II

WORKS PROVISIONS

Principal Powers

Power to construct and maintain works

3.—(1) The Council may construct and maintain the scheduled works.

(2) Subject to article 4 below, the scheduled works shall be constructed in the lines or situations shown on the deposited plan and in accordance with the levels shown on the sections.

(3) Subject to paragraph (5) below, the Council may carry out and maintain such of the works specified in sub-paragraphs (a) to (d) below as may be necessary or expedient for the purposes of, in connection with or in consequence of, the construction of the scheduled works, namely—

- (a) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses,
- (b) landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the scheduled works,
- (c) works for the benefit or protection of premises affected by the scheduled works, and
- (d) works for the removal, alteration, diversion or stopping-up of any apparatus, including cables, mains, drains, sewers or watercourses, the Council providing a proper substitute before interrupting the flow in any such drain, sewer or watercourse and obtaining the consent (which shall not be unreasonably withheld) of the owner of any such apparatus before carrying out any such work (unless, if after reasonable enquiry the identity of the owner cannot be ascertained).

(4) Subject to paragraph (5) below, the Council may carry out such other works (of whatever nature) as may be necessary or expedient for the purposes of, in connection with or in consequence of, the construction of the scheduled works.

(5) Paragraphs (3) and (4) above shall not authorise the carrying out or maintenance of works to alter the course of, or otherwise interfere with, navigable rivers or watercourses.

Power to deviate

4. In constructing or maintaining any of the scheduled works, the Council may—

- (a) deviate laterally from the lines or situations shown on the deposited plan within the limits of deviation for that work shown on that plan, and
- (b) deviate vertically from the levels shown on the sections to any extent not exceeding 1 metre upwards and to any extent downwards.

Status: This is the original version (as it was originally made).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

Exclusion of section 25 of Water Resources Act 1991

5. Section 25 of the Water Resources Act 1991(1) shall not apply to the barrage.

Creek not to be a reservoir

6. Notwithstanding the provisions of subsection (2) of section 1 of the Reservoirs Act 1975(2), so much of the creek as is impounded by the barrage shall not, by virtue of the retention of water by means of the barrage, be taken to be a reservoir for the purposes of that Act or for the purposes of Schedule 2 of that Act.

(1) 1991 c. 57.
(2) 1975 c. 23.