



# Middle Level Act 2018

## 2018 CHAPTER ii

### PART 2

#### REGULATION OF NAVIGATION

#### **7 Temporary closure of waterways**

- (1) Without prejudice to the provisions of section 8 the Commissioners may temporarily prohibit, restrict or regulate the use of a waterway for any of the following purposes—
  - (a) the construction, improvement, maintenance or alteration of any waterway or water control structure or other work in, on, under, over or adjoining the waterway;
  - (b) subject to subsection (2), to facilitate the holding of functions in connection with the use of the waterway as a place of recreation and for leisure pursuits;
  - (c) subject to subsection (3), in the case of the waterway known as Well Creek, for the purposes of allowing ice to form and remain for the purposes of facilitating ice skating on any part of that waterway.
- (2) The Commissioners may not prohibit, restrict or regulate the use of a waterway under subsection (1)(b) for more than one half-hour in any period of one hour or for more than eight periods each of one half-hour in any period of twenty-four hours.
- (3) The Commissioners may only prohibit the use of Well Creek under subsection (1)(c) in the periods—
  - (a) starting on 1 December and finishing on 24 December;
  - (b) starting on 25 December and finishing on 1 January, but only if ice which, in the Commissioners' opinion, is of sufficient thickness to allow ice skating to take place, has already formed on the waterway; and
  - (c) starting on 2 January and finishing on 1 March.
- (4) Before exercising their powers under subsection (1) the Commissioners must, except in an emergency, publish a notice in one or more local newspapers circulating in the Middle Level.

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*Status: This is the original version (as it was originally enacted).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 notice must—
- (a) be published not less than 28 days (or, in the case of subsection (1)(c), 7 days) before the powers are to be exercised; and
  - (b) state the extent to which, the period during which, and the purpose for which, the use of the waterway is to be prohibited, restricted or regulated.
- (6) A copy of the notice must be conspicuously displayed—
- (a) in one or more places on or adjacent to the waterway to which it relates; and
  - (b) in such other place or places as the Commissioners consider appropriate for bringing its contents to the notice of persons using the waterway.