



Avon Weir Act 1992

1992 CHAPTER v

PART V

THE IMPOUNDED RIVER

42 Restriction on construction of works

- (1) No person other than the Corporation shall construct, alter, renew or extend any works in or on the impounded river or involving the cutting of any of the banks of the impounded river (other than moorings laid down for vessels) unless he is licensed so to do by a works licence and except upon the terms and conditions (if any) upon which the licence is granted and in accordance with the plans, sections and particulars prescribed by the licence; but this subsection shall not apply to—
 - (a) the construction, alteration, renewal or extension of any works specifically authorised by any enactment or of any works executed by a highway authority under any enactment;
 - (b) the renewal of any work in existence at the date of the coming into operation of this Part.
- (2) Any person who knowingly contravenes this section or who knowingly contravenes or fails to comply with any term or condition upon which a works licence is granted by the Corporation shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) The Corporation may by notice require a person who contravenes this section to remove or abate within a reasonable time specified in the notice any works to which the contravention relates and to restore the site thereof to its former condition and, if the person to whom the notice is given fails to comply with the notice, the Corporation may carry out the work required by the notice and recover the cost of so doing from that person.
- (4) A works licence shall not be required under this section for the construction, alteration, renewal or extension of any work by either the rivers authority or the water company in the exercise of any of their functions.