



Dartford-Thurrock Crossing Act 1988

1988 CHAPTER 20

PART III **E+W**

OPERATION OF THE CROSSING

Miscellaneous and supplementary

30 **Planning permission.** **E+W**

If any works for or in connection with the exercise of any functions under this Part of this Act or the maintenance or improvement of any part of the crossing are carried out on any land otherwise than by or on behalf of the Secretary of State, they shall not be taken for the purposes of [^{F1}the Town and Country Planning Act 1990] to involve development of the land.

Textual Amendments

F1 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 77](#)

31 **Pollution controls, etc.** **E+W**

- (1) If any operation for or in connection with the maintenance or improvement of any part of the crossing is carried out otherwise than by or on behalf of the Secretary of State, a prohibition or restriction to which this section applies shall not have effect in relation to the operation if it would not have effect in relation to the operation if the operation were carried out by the Secretary of State.
- (2) This section applies to—
 - (a) any prohibition on the carrying out of operations or on carrying them out without the consent of any person;

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Dartford-Thurrock Crossing Act 1988, Cross Heading: Miscellaneous and supplementary. (See end of Document for details)

- (b) any restriction on the level of noise which may be emitted in the course of carrying out operations;
- (c) any prohibition or restriction on the times when or the period of time for which operations may be carried out; and
- (d) any prohibition or restriction on depositing materials in or discharging materials into any waters;

imposed by or under any enactment other than this Act, other than any prohibition or restriction imposed by or under the relevant statutory provisions (within the meaning of Part I of the ^{M1}Health and Safety at Work etc. Act 1974).

(3) In this section “operation” means any works or action.

Marginal Citations

M1 1974 c. 37.

32 Recovery of tolls and charges. **E+W**

Where any tolls or any charges payable under regulations made under section 25 or 26 of this Act remain unpaid after they have become due for payment the crossing operator may recover from the person liable to pay them the amount of the tolls or charges together with a reasonable sum to cover administrative expenses.

33 Accounts of person appointed under section 11. **E+W**

- (1) Copies of any accounts of the person appointed to levy tolls under section 11 of this Act which are provided to the Secretary of State in pursuance of—
- (a) the contract under which that person was appointed; or
 - (b) any contract relating to the levy of tolls by that person during any toll extension period under paragraph 4 of Schedule 6 to this Act;
- shall be laid before Parliament by the Secretary of State.

[^{F2}(2) In relation to a company “accounts” in subsection (1) means the company’s annual accounts for a financial year, together with the relevant directors’ report and the auditors’ report on those accounts.

Expressions used in this subsection have the same meaning as in Part VII of the Companies Act 1985.]

Textual Amendments

F2 S. 33(2) substituted by Companies Act 1989 (c. 40, SIF 27), s. 23, Sch. 10 para. 39 (subject to savings in S.I. 1990/355, art. 8, Sch. 3 para. 1)

34 Accounts of Secretary of State. **E+W**

- (1) Where section 11(6) of this Act applies, the Secretary of State shall prepare a statement of accounts under this section in respect of each financial year falling wholly or partly within the period allowed under section 16 of this Act for the levy of tolls by him.

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- (2) Any statement of accounts prepared under this section shall be in such form and contain such particulars, compiled in such manner, as the Treasury may from time to time direct.
- (3) Any such statement shall be sent by the Secretary of State to the Comptroller and Auditor General not later than the end of the month of November following the end of the financial year to which the statement relates.
- (4) The Comptroller and Auditor General shall examine and certify any statement sent to him under this section and shall lay copies of it, together with his report on it, before Parliament.

35 Offences by bodies corporate. **E+W**

- (1) Where a body corporate is guilty of an offence under this Part of this Act and the offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

36 Application of Part III to Crown. **E+W**

- (1) Subject to the preceding provisions of this Part of this Act and to subsection (2) below, this Part of this Act and any regulations made under it shall have effect in relation to persons in the public service of the Crown, vehicles belonging to, or used for the purposes of, a Minister of the Crown or Government department and things done, or omitted to be done, in connection with such vehicles by such persons as they have effect in relation to other persons or vehicles.
- (2) Regulations made under section 25 or 26 of this Act may provide that, in their application in relation to—
 - (a) vehicles belonging to the Crown and used for naval, military or air force purposes; and
 - (b) vehicles used for the purposes of any such body, contingent or detachment of the forces of any country as is a visiting force for the purposes of any of the provisions of the ^{M2}Visiting Forces Act 1952, or used for the purposes of any headquarters or organisation designated by an Order in Council under section 1 of the ^{M3}International Headquarters and Defence Organisations Act 1964;

the regulations shall have effect subject to such modifications as may be prescribed.

Marginal Citations

M2 1952 c. 67.

M3 1964 c. 5.

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