



# Cardiff Bay Barrage Act 1993

## 1993 CHAPTER 42

### PART I

#### WORKS

#### **1 Construction of barrage etc. and other works**

- (1) The Cardiff Bay Development Corporation (referred to in this Act as “the Development Corporation”) may in the City of Cardiff and the Borough of the Vale of Glamorgan, in the County of South Glamorgan, execute the works specified in Schedule 1 to this Act, being the construction of—
  - (a) a barrage across the mouth of Cardiff Bay, with an outer harbour, and
  - (b) certain associated structures.
- (2) The Development Corporation may also—
  - (a) maintain, and
  - (b) (where appropriate) alter, replace or re-lay, anything constructed under subsection (1) above.
- (3) Subject to subsection (4) below, works authorised by subsection (1) or (2) above shall be executed in the lines or situations shown on the deposited plans and according to the levels shown on the deposited sections.
- (4) The Development Corporation may—
  - (a) deviate laterally from the lines or situations shown on the deposited plans to any extent within the limits of deviation, and
  - (b) deviate vertically from the levels shown on the deposited sections to any extent not exceeding three metres upwards and to any extent downwards.
- (5) The Development Corporation may, within the limits of deviation or elsewhere within the inland bay, execute any building or other construction works (including installing any apparatus and providing, or securing the provision of, any services) which may be necessary or expedient for the purposes of, in connection with or in consequence of the works authorised by subsections (1) and (2) above.

- (6) In this Act “the inland bay” means the area bounded—
- (a) by the seaward face of the barrage or, before the barrage is completed, by the line of construction of the seaward face of the barrage as planned at the commencement of its construction, and
  - (b) otherwise by the inner edge of the line shown coloured pink on the inland bay map;
- and in this subsection “the inland bay map” means the map marked “Inland Bay Map” which was deposited in November 1991 in connection with the Cardiff Bay Barrage Bill in the office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons.

## 2 Works: supplementary

- (1) The Development Corporation shall ensure that a lock is available for use and that sluices are operational before navigation of the rivers Taff and Ely is totally obstructed by the construction of the barrage.
- (2) Unless the National Rivers Authority otherwise agree, the barrage shall be so constructed that it is practicable between one high tide and the next to reduce the level of water immediately behind it to a level of one and a quarter metres below ordnance datum (Newlyn).
- (3) The Development Corporation shall construct any bridge forming part of the barrage so that it has on each side of it a fence which is adequate for securing the safety of any pedestrians or other traffic using the bridge.
- (4) The power conferred by section 1(5) above may in particular be exercised so as—
  - (a) to facilitate use of the inland bay and the outer harbour by pleasure craft or other vessels or for water sports or other open-air recreational activities, or
  - (b) to develop or conserve flora or fauna.
- (5) In executing any of the works authorised by section 1 above the Development Corporation shall have regard to the desirability of developing and conserving flora and fauna.
- (6) The Development Corporation shall consult the Countryside Council for Wales and the Royal Society for the Protection of Birds to seek their views as to—
  - (a) whether any works which the Development Corporation propose to execute so as to develop or conserve flora or fauna are appropriate for that purpose, and
  - (b) the measures which may be taken so as to develop and conserve flora and fauna in executing any of the other works authorised by section 1 above.
- (7) Schedule 2 to this Act, which contains supplementary provisions about the works authorised by section 1 above, shall have effect; and subsections (1), (2) and (5) of that section shall have effect subject to the provisions of this section and that Schedule.

## 3 Deemed impoundment licence

- (1) A licence under Chapter II of Part II of the Water Resources Act 1991 shall be treated as having been granted by the National Rivers Authority to authorise the obstruction of the flow of water by the construction, and any alteration or replacement, of the barrage.

- (2) Schedule 3 to this Act, which specifies requirements deemed to be imposed by the provisions of the licence, shall have effect.