1990 No. 454

LAGANSIDE DEVELOPMENT

Lagan Weir and Footbridge Order (Northern Ireland) 1990

Made . . . . . *27th December 1990*

Coming into operation . . . . *1st March 1991*

WHEREAS the Laganside Corporation proposes to construct the weir and footbridge described in the Schedule across the River Lagan;

AND WHEREAS the Department of the Environment ("the Department") has taken into consideration the reasonable requirements of navigation on the river;

AND WHEREAS the Corporation has consulted with, and taken account of representations made by, the Belfast Harbour Commissioners and has received the consent of the Secretary of State concerned with navigation in accordance with paragraphs 2(1) and 3(1) of Schedule 2 to the Laganside Development (Northern Ireland) Order 1989(**a**);

NOW THEREFORE the Department, in exercise of the powers conferred on it by Articles 2(2) and 18(2) of the Laganside Development (Northern Ireland) Order 1989(**b**) and of every other power enabling it in that behalf, makes the following Order:

Citation and commencement

1. This Order may be cited as the Lagan Weir and Footbridge Order (Northern Ireland) 1990 and shall come into operation on 1st March 1991.

Authorisation to construct a weir and footbridge

2. The Corporation is authorised to construct a weir and footbridge in accordance with the provisions set out in the Schedule.

Management, etc.

3.—(1) The Corporation shall manage and operate the weir in accordance with any instructions which may be given to it by the Department.

(2) Subject to paragraph (1) the Corporation may enter into an agreement with a Northern Ireland Department (including the Department), or, with the

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(**a**) S.I. 1989/490 (N.I. 2)

(**b**) Art. 2(2) is cited because it contains a definition of "the Department"

Department's approval, with any other body, permitting that Department or body to act as its agent in managing and operating the weir.

Sealed with the Official Seal of the Department of the Environment on 27th December 1990.

(L.S.) *D. S. S. McAuley*
Assistant Secretary

Weir and footbridge to be constructed

1. In this Schedule—

"gate sill" means the horizontal surface at the base of the gate opening;

"the maps" means maps 1, 2 and 3 annexed to this Schedule;

"ordnance datum, Belfast" means the average value of mean sea level at Belfast for the period 1951-1956.

2.—(1) Subject to sub-paragraph (4) the weir shall—

(*a*) be constructed across the full width of the River Lagan from Donegall Quay to Queen's Quay;

(*b*) comprise a reinforced concrete structure rising from the bed of the river to a gate sill level of 1.3 metres below ordnance datum, Belfast, supporting 5 bottom hinged flap gates separated by piers from which the crest level of the gates can be adjusted;

(*c*) be constructed so as to provide 5 openings each 18.2 metres wide when the gates are lowered;

(*d*) include 8 low level sluices;

(*e*) include 2 fish passes;

(*f*) be constructed in accordance with the situation, lines, levels and dimensions indicated on the maps.

In this sub-paragraph—

"crest level" means the level at which water impounded behind the gate will overtop it;

"gate sill level" means the height relative to ordnance datum, Belfast, of the gate sill;

(2) The gates—

(*a*) shall be capable of independent operation;

(*b*) shall be positioned to maintain a minimum upstream water level of 0.3 metres above ordnance datum, Belfast, except—

(i) during periods of maintenance or repair of the weir;

(ii) where necessary during periods of dredging or other works to the river or its banks;

(iii) during periods when the Corporation considers it desirable to adjust the weir openings to reduce or eliminate pollution of the water in the river;

(iv) in an emergency arising from an exceptionally high tide;

(*c*) shall be capable of being lowered to 1.3 metres below ordnance datum, Belfast;

(*d*) shall be capable of being raised to 3.0 metres above ordnance datum, Belfast.

(3) Subject to sub-paragraph (4) the footbridge shall span the weir from Donegall Quay to Queen's Quay.

(4) In the execution of the works, the Corporation may deviate from the situation, lines, levels and dimensions shown on the maps horizontally or vertically to an extent not exceeding 1 metre except that—

(*a*) the level of gate sills may deviate vertically to an extent not exceeding 100 millimetres;

(*b*) the line of rock fill may deviate horizontally to an extent not exceeding 10 metres;

(*c*) the level of the underside of the footbridge may deviate vertically to an extent not exceeding 100 millimetres.