
STATUTORY INSTRUMENTS

2005 No. 2786

**TRANSPORT AND WORKS, ENGLAND
CANALS AND INLAND WATERWAYS, ENGLAND**

The Leicestershire County Council (Ashby
de la Zouch Canal Extension) Order 2005

Made - - - - 7th October 2005

Coming into force in accordance with article 1

**THE LEICESTERSHIRE COUNTY COUNCIL (ASHBY
DE LA ZOUCHE CANAL EXTENSION) ORDER 2005**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART 2

WORKS PROVISION

3. Power to construct works
4. Power to deviate
5. Power to execute street works
6. Stopping up of streets
7. Temporary stopping up of streets
8. Access to works
9. Application of the 1991 Act
10. Maintenance of new or altered streets
11. Construction of bridges and aqueducts
12. Agreements with street authorities
13. Discharge of water
14. Power to abstract groundwater
15. Power to survey and investigate land

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART 3

ACQUISITION AND POSSESSION OF LAND

16. Power to acquire land
17. Application of Part 1 of the Compulsory Purchase Act 1965
18. Powers to acquire new rights
19. Temporary use of land for construction of works
20. Disregard of certain interests and improvements
21. Acquisition of part of certain properties
22. Extinction or suspension of private rights of way
23. Time limit for exercise of powers of acquisition

PART 4

REGULATION AND MANAGEMENT OF THE CANAL

24. Power to make byelaws
25. Operational powers
26. Limit of jurisdiction
27. Application of existing enactments
28. Agreements with British Waterways
29. Transfer of the Canal

PART 5

MISCELLANEOUS AND GENERAL

30. Disclosure of confidential information
31. Statutory undertakers, etc.
32. Protection of the Environment Agency
33. Certification of plans, etc.
34. Service of notices
35. Exclusion of double recovery
36. Arbitration
37. Consent and approvals
Signature

SCHEDULE 1 — SCHEDULED WORKS

SCHEDULE 2 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS ETC

1. (1) Subject to the following provisions of this paragraph—
2. (1) Except as provided by this paragraph, where a street...

SCHEDULE 3 — LAND ON WHICH WORKS OUTSIDE THE LIMITS OF DEVIATION MAY BE CARRIED OUT

SCHEDULE 4 — STREETS SUBJECT TO STREET WORKS

SCHEDULE 5 — STREETS TO BE PERMANENTLY STOPPED UP

SCHEDULE 6 — STREETS TO BE TEMPORARILY STOPPED UP

SCHEDULE 7 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW EASEMENTS AND RIGHTS

1. The enactments for the time being in force with respect...
2. (1) For the purposes of this Order, the Land Compensation...
3. (1) Subject to the following provisions of this Schedule, the...
4. (1) For section 8 of the 1965 Act (provisions as...
5. Section 11 (powers of entry), section 12 (unauthorised entry) and...

SCHEDULE 8 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 9 — TRANSFER OF CANAL TO BRITISH WATERWAYS BOARD

1. In this Schedule— “the Board’s legislation”, in relation to any...
2. In so far as anything done, or begun, under the...

SCHEDULE 10 — PROVISIONS FOR THE PROTECTION OF THE ENVIRONMENT AGENCY

1. The following provisions shall apply unless otherwise agreed in writing...
2. In this Schedule— “damage” includes scouring, erosion and environmental damage...
3. Before beginning to construct any specified work, the undertaker shall...
4. Any such specified work shall not be constructed except in...
5. Any approval of the Environment Agency required under paragraph 4—...
6. Where any approval required under paragraph 4 is refused, it...
7. The requirements which the Environment Agency may make as a...
8. Any specified work, and any protective works required by the...
9. The undertaker shall give to the Environment Agency not less...
10. If any part of the works comprising a structure in,...
11. Subject to paragraph 12, if within a reasonable period, being...
12. In the event of any dispute as to whether the...
13. The undertaker shall from the commencement of the construction of...
14. If any such work which the undertaker is liable to...
15. If, within a reasonable period, being not less than 28...
16. In the event of any dispute as to the reasonableness...
17. If, by reason of the construction of any specified work...
18. The undertaker shall take all such measures as may be...
19. If by reason of— (a) the construction of any specified...
20. If, within such time as may be reasonable for that...
21. In any case where immediate action by the Environment Agency...
22. The undertaker shall indemnify the Environmental Agency in respect of...
23. Without prejudice to the other provisions of this Schedule, the...
24. The Environment Agency shall give to the undertaker reasonable notice...
25. The fact that any work or thing has been executed...
26. Any dispute arising between the undertaker and the Environment Agency...

Explanatory Note