
STATUTORY INSTRUMENTS

2007 No. 608

TRANSPORT AND WORKS, ENGLAND

The Ouseburn Barrage Order 2007

Made - - - - 26th February 2007

Coming into force 19th March 2007

THE OUSEBURN BARRAGE ORDER 2007

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART 2

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3. Power to construct works and survey
4. Power to deviate

Streets

5. Power to execute street works
6. Stopping up of streets and extinguishment of rights
7. Temporary stopping up of streets
8. Application of the 1991 Act

Supplementary powers and provisions

9. Power to dredge etc.
10. Cables, pipes or wires under or over tidal water or tidal lands
11. Ouseburn not to be a reservoir
12. Agreements with owners of land and others for construction of works
13. Temporary closing of Ouseburn in connection with works
14. Diversion of flow of water
15. Power to take, pump, impound and discharge water
16. Deposits in Ouseburn

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PART 3

PROVISIONS RELATING TO TIDAL WORKS

17. Tidal works not to be executed without approval of Secretary of State
18. Lights on tidal works during construction
19. Provisions against danger to navigation
20. Abatement of works abandoned or decayed
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22. Permanent lights on tidal works

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23. Power to acquire land
24. Application of Part 1 of Compulsory Purchase Act 1965
25. Vesting declarations
26. Power to acquire new rights
27. Power to acquire subsoil only

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28. Temporary use of land for maintenance of works

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29. Disregard of certain interests and improvements

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36. Navigation etc. in vicinity of scheduled works
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38. Arbitration in respect of removal of vessels
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40. Arbitration in respect of removal of obstructions other than vessels
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44. Byelaws

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- 45. Protection of certain persons
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SCHEDULES

SCHEDULE 1 — DESCRIPTION OF THE SCHEDULED WORKS

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SCHEDULE 3 — STREET TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 4 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

- 1. The enactments for the time being in force with respect...
- 2. (1) Without prejudice to the generality of paragraph 1, the...
- 3. (1) The 1965 Act shall have effect with the modifications...
- 4. For section 7 of the 1965 Act (measure of compensation),...
- 5. For section 8 of the 1965 Act (provisions as to...
- 6. The following provisions of the 1965 Act (which state the...
- 7. Section 11 of the 1965 Act (powers of entry) shall...
- 8. Section 20 of the 1965 Act (protection for interests of...
- 9. Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 5 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS ETC.

Apparatus of statutory undertakers etc. on land acquired

- 1. (1) Sections 271 to 274 of the planning Act (power...

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Apparatus of statutory undertakers etc. in stopped up streets

2. (1) Where a street is stopped up under article 6...

SCHEDULE 6 — PROTECTION OF CERTAIN PERSONS
PART 1 — PROVISIONS FOR THE PROTECTION OF THE PORT
AUTHORITY

Interpretation

1. (1) For the protection of the Port Authority, the provisions...

Works in the upstream Ouseburn

2. (1) Not later than 28 days before—

Removal of temporary works

3. After the purpose of any temporary works has been accomplished,...

Facilities for navigation

4. (1) The Council shall pay to the Port Authority the...

Details to be submitted to Port Authority

5. On completion of the construction of the scheduled works the...

Survey of the bed of the Ouseburn

6. (1) Before the construction of the scheduled works is commenced,...

Remedy in case of accumulation or erosion

7. (1) If, during the construction of a tidal work or...

Further protection for the Port Authority

8. (1) Without prejudice to the other provisions of this Part,...

Liability of the Council

9. The fact that any work or thing has been executed...

PART 2 — PROVISIONS FOR THE PROTECTION OF THE
ENVIRONMENT AGENCY

Interpretation

10. (1) For the protection of the Environment Agency the provisions...

Approval of plans

11. (1) Before beginning to construct any specified work, the Council...

Conditions relating to works

12. (1) Without prejudice to the generality of sub-paragraph 11(4), the...

Accumulation and erosion

13. (1) If, during the construction of any specified work, or...

Repair of specified works

14. (1) Before commencing the construction of a specified work the...
15. If by reason of any specified work or by reason...

Protection of fishery

16. (1) Without prejudice to the other provisions of this Part,...

Indemnities

17. (1) The Council shall indemnify the Environment Agency in respect...

Deemed consents

18. For the purposes of Chapter 2 of Part 2 of...

Disputes

19. Any dispute arising between the Council and the Environment Agency...
PART 3 — PROVISIONS FOR THE PROTECTION OF NORTHUMBRIAN
WATER

Outfall surveys and remedial works

20. For the protection of Northumbrian Water the provisions of this...
21. (1) In this Part— “outfall survey” means a survey conducted...

Indemnity

22. (1) The Council shall be responsible for and make good...
PART 4 — PROVISIONS FOR THE PROTECTION OF THE PORT HEALTH
AUTHORITY
23. Nothing in this Order shall prejudice, alter, affect or interfere...
24. Not later than 28 days before— (a) starting to carry...
PART 5 — PROVISIONS FOR THE PROTECTION OF THOSE WITH AN
INTEREST IN NAVIGATION IN THE OUSEBURN OR THE
ENVIRONMENT AND AMENITIES OF THE OUSEBURN
25. The Council shall, prior to the commencement of the scheduled...
26. The consultative body may meet at such times as it...
27. The Council shall take into consideration any matter, recommendation or...
28. If the Council determines not to follow any advice or...
29. The consultative body established pursuant to this article shall consist...
30. Subject to paragraph 29, appointments to the consultative body
established...
31. The Council shall provide reasonable accommodation for the meetings of...
32. The consultative body may determine its own quorum and procedure...
33. An individual member of the consultative body may, on giving...
34. A member of the consultative body shall hold office for...
35. A member of the consultative body may resign his office...
36. This Part shall cease to have effect in the event...

Explanatory Note