
STATUTORY INSTRUMENTS

2012 No. 1867

The Ipswich Barrier Order 2012

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Ipswich Barrier Order 2012 and comes into force on 7th August 2012.

Interpretation

2.—(1) In this Order—

“the 1961 Act” means the Land Compensation Act 1961(1);

“the 1965 Act” means the Compulsory Purchase Act 1965(2);

“the 1991 Act” means the New Roads and Street Works Act 1991(3);

“A.B. Ports” means Associated British Ports;

“the Agency” means the Environment Agency;

“the authorised works” means the scheduled works and any other works authorised by this Order;

“the barrier” means the barrier comprised in Work No.1;

“the book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;

“building” includes structure or any other erection or any part of a building, structure or erection;

“enactment” means any enactment, whether public, general or local and includes any order, byelaw, rule, regulation, direction, scheme or other instrument having effect by virtue of an enactment;

“highway” and “highway authority” have the same meanings as in the Highways Act 1980(4);

“the land plans” means the plans certified by the Secretary of State as the land plans for the purposes of this Order;

“the level of high water” means the level of mean high water springs;

“the limits of deviation” means the lateral limits of deviation for the scheduled works shown on the works plans and the land plans;

(1) 1961 c. 33.

(2) 1965 c. 56.

(3) 1991 c. 22.

(4) 1980 c. 66.

“the limits of land to be acquired or used” means the limits of land to be acquired or used shown on the works plans and the land plans;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and “maintenance” is construed accordingly;

“owner”, in relation to land, has the same meaning as in the Acquisition of Land Act 1981⁽⁵⁾;

“the planning Act” means the Town and Country Planning Act 1990⁽⁶⁾;

“the rights of way maps” means the maps certified by the Secretary of State as the rights of way maps for the purposes of this Order;

“the river” means the river Orwell including the New Cut;

“the scheduled works” means the works specified in Schedule 1 (description of the scheduled works) or any part of them;

“the sections” means the sections certified by the Secretary of State as the sections for the purposes of this Order;

“street” includes part of a street;

“tidal work” means so much of any work authorised by this Order as is in, on, under or over tidal waters or tidal lands below the level of high water;

“the tribunal” means the Upper Tribunal;

“Trinity House” means the Corporation of Trinity House of Deptford Strond;

“vessel” means every description of vessel with or without means of propulsion of any kind and includes anything constructed or used to carry persons, goods, plant or machinery, or to be propelled or moved, on or by water, a seaplane on or in the water and a hovercraft within the meaning of the Hovercraft Act 1968⁽⁷⁾;

“watercourse” includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain; and

“the works plans” means the plans certified by the Secretary of State as the works plans for the purpose of this Order.

(2) Any reference in this Order to a work identified by a number of the work is a reference to the work of that number referred to in Schedule 1.

(3) References in this Order to reference points are construed as references to Ordnance Survey National Grid Reference points.

(4) All directions, distances and reference points stated in any description of works, powers or lands are approximate.

(5) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the air-space over its surface and references to the subsoil of any land include references to any cellar, basement, vault, arch or other construction forming part of any such land.

(5) 1981 c. 67.

(6) 1990 c. 8.

(7) 1968 c. 59.