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## SCHEDULES

### SCHEDULE 1

Section 5(1).

#### THE AUTHORISED WORKS

#### PART I

##### DESCRIPTION OF WORKS SPECIFICALLY AUTHORISED

In the city of Leeds and partly in the parish of Great and Little Preston—

Work No. 1 A new cut being a diversion of the river 3,886 metres in length commencing at reference point SE 4381 4285 and terminating at reference point SE 4410 4280 including a new weir or drop structure, a barge turning area and flood defences;

In the city of Leeds—

Work No. 2 A new cut being a diversion of the navigation 830 metres in length commencing at reference point SE 4380 4283 and terminating at reference point SE 4385 4276 by a junction with Work No. 1 including a new lock at reference point SE 4382 4279;

Work No. 3 A new road being a diversion of part of Fleet Lane commencing at reference point SE 4380 4282 and terminating at reference point SE 4382 4278;

Work No. 4 A new bridge over Work No. 1;

Work No. 5 A new bridge to the west of Shan House over Work No. 1;

Work No. 6 A new bridge to the west of Pit Lane over Work No. 1;

Work No. 7 A new wharf at reference point SE 4401 4278 including a coal loading point at Caroline Staithe;

In the city of Leeds and partly in the parish of Great and Little Preston—

Work No. 8 A flood defence being an extension of existing flood bunds at the Lowther washlands commencing at reference point SE 4400 4279 and terminating at reference point SE 4400 4281;

Work No. 9 A flood defence being a re-arrangement of existing flood bunds at the Lowther washlands commencing at reference point SE 4400 4279 and terminating at reference point 4405 4279;

In the city of Leeds—

Work No. 10 A new road being a diversion of part of Methley North Station Road commencing at reference point SE 4389 4273 and terminating at reference point SE 4392 4273;

Work No. 11 A new sewer being a diversion of the Mickletown to Lemonroyd sewer commencing at reference point SE 4379 4281 and terminating at reference point SE 4392 4273;

Work No. 12 An off-channel mooring facility commencing at reference point SE 4381 4281 and terminating at reference point SE 4380 4280;

Work No. 12A A bridge over the entrance to Work No. 12;

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Work No. 13 A new road being a diversion of part of Pit Lane commencing at reference point SE 4399 4277 and terminating at reference point SE 4399 4278.

## PART II

### DESCRIPTION OF FURTHER WORKS AND POWERS

In the city of Leeds—

- (a) A bridleway from point VV on Fleet Lane passing over Work No. 4 to point EEE;
- (b) A bridleway on the northern side of Work No. 1 between point FFF and point L;
- (c) A bridleway on the southern side of the new navigation from point GGG on Fleet Lane (Work No. 3), partly along the route of Work No. 10, to point HHH;
- (d) A bridleway and access track between point OO off Mickletown Road and point PP at a junction with the intended bridleway between points GGG and HHH;
- (e) A footpath between point MM off Hicks Lane and point DDD at a junction with the intended bridleway between points GGG and HHH;
- (f) A bridleway between point SS on Pit Lane and point III on the intended bridleway between points GGG and HHH;
- (g) A footpath over Work No. 5;
- (h) A bridleway over Work No. 6;
- (i) A new means of vehicular access to Fleet Lane at point VV for the purpose of the construction of the works;
- (j) Metalled access ways to the intended new lock forming part of Work No. 1 for use by maintenance vehicles, plant and emergency services, between points G and RRR and points PPP and QQQ;
- (k) A lock control cabin at point SSS;
- (l) Two lock houses at point TTT;
- (m) A sanitary station at point UUU.

## SCHEDULE 2

Section 11(1).

### STOPPING UP AND DIVERSION OF HIGHWAYS, ETC.

Highways, etc., to be stopped up (1)	New or diverted highways to be substituted (2)
(1) Fleet Lane, incorporating part of a footpath numbered 65 on the definitive map and following the course of the towpath for part of its length, between point A and point B.	Work No. 3.
(2) A byway between point C on Fleet Lane and point D on the southern towpath of the navigation.	Work No. 3.

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Highways, etc., to be stopped up (1)	New or diverted highways to be substituted (2)
(3) A footpath between point CC on Fleet Lane and point DD adjacent to a tunnel under the railway.	Work No. 3.
(4) A footpath between point DD and point EE on Fleet Lane.	Work No. 3.
(5) A footpath between point B on Fleet Lane and point DD.	Work No. 3.
(6) A footpath between point E on Fleet Lane and point F at Lemonroyd Lock.	The bridleway between points VV and EEE.
(7) A footpath following the course of the towpath for part of its length between point G on Fleet Lane and point H at Lemonroyd Lock.	The bridleway between points FFF and L.
(8) A footpath between point I north-east of Shan House and point J at Kippax Lock incorporating part of an un-numbered footpath on the definitive map.	The bridleway between points FFF and L.
(9) A footpath incorporating part of an un-numbered footpath on the definitive map between point K at the bridge over the river Aire along the northern bank of the river Aire and point L.	The bridleway between points FFF and L.
(10) A byway between point M and point N.	The bridleway between points FFF and L.
(11) A byway from point M passing along the northern side of the navigation, thence along the southern side of the former Astley Staithe Basin to point O.	The bridleway between points FFF and L.
(12) A footpath between point D on Fleet Lane and point CCC to the east of Pit Lane following the course of the towpath for part of its length and parts of the footpaths numbered 65 and 76 and an un-numbered footpath on the definitive map.	The bridleway between points GGG and HHH.
(13) A footpath between point P on Fleet Lane and point Q at Lemonroyd Lock.	The bridleway between points GGG and HHH.
(14) A footpath between point ZZ and point R on the southern towpath of the navigation.	The bridleway between points GGG and HHH.
(15) A footpath between point S and point T north-east of Shan House.	The bridleway between points GGG and HHH.
(16) A footpath between point U adjacent to the railway and point V.	The bridleway between points GGG and HHH.
(17) A footpath un-numbered on the definitive map between point W near Shan	The bridleway between points GGG and HHH.

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Highways, etc., to be stopped up (1)	New or diverted highways to be substituted (2)
House and point S on the southern towpath of the navigation.	
(18) A byway between point X on the southern towpath of the navigation and point Y on the northern side of the river Aire.	The bridleway between points GGG and HHH.
(19) A byway between point Z south of Caroline Bridge and point AA.	The bridleway between points GGG and HHH.
(20) A footpath between point V and point RR at Caroline Bridge.	The bridleway between points GGG and HHH.
(21) A byway between point AAA on the southern towpath of the navigation and point BBB.	The bridleway between points GGG and HHH.
(22) A byway and footpath (unnumbered) shown on the definitive map between point BB near Methley North Station and point FF on the southern towpath of the navigation.	The bridleway between points GGG and HHH.
(23) A footpath between point JJJ adjacent to the railway and point KKK on the southern towpath of the navigation.	The bridleway between points GGG and HHH.
(24) A footpath around the large basin between point LLL and point MMM.	The bridleway between points GGG and HHH.
(25) Part of Methley North Station Road and a bridleway numbered 48 on the definitive map and byway from point HH near Shan House passing points W and T to point II.	Work No. 10.
(26) A footpath and byway between point JJ near Victoria Place and point KK on the southern towpath of the navigation.	The bridleway between points OO and PP.
(27) A byway between point LL to the west of Mickletown Road and point M on the northern end of Caroline Bridge.	The bridleway between points OO and PP.
(28) A byway between point MM near Hicks Lane and point NN on the colliery spoil heap.	The footpath between points MM and DDD.
(29) A footpath between point QQ and point RR at the southern side of Caroline Bridge.	The footpath between points MM and DDD.
(30) Part of Pit Lane and a byway between point SS and point RR.	Work No. 13.
(31) A byway between point TT and point UU.	Work No. 13.
(32) An un-numbered footpath shown on the definitive map between point RR and point XX.	The bridleway between points SS and III.

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### SCHEDULE 3

Section 21(4).

#### MODIFICATION OF PART I OF COMPULSORY PURCHASE ACT 1965 IN RELATION TO PURCHASE OF NEW RIGHTS

- 1 In the Compulsory Purchase Act 1965 (hereafter in this Schedule referred to as “the Act”) for section 7 (which relates to compensation) there shall be substituted the following:—
- “7 (1) In assessing the compensation to be paid by the Corporation under this Act regard shall be had not only to the extent, if any, to which the value of the land over which the right is purchased is depreciated by the purchase but also to the damage, if any, to be sustained by the owner of the land by reason of injurious affection of other land of the owner by the exercise of the right.
- (2) The modifications subject to which subsection (1) of section 44 of the Land Compensation Act 1973 is to have effect, as applied by subsection (2) of that section to compensation for injurious affection under this section, are that for the words “land is acquired or taken” there shall be substituted the words “a right over land is purchased” and for the words “acquired or taken from him” there shall be substituted the words “over which the right is exercisable”.”
- 2 For section 8 of the Act (which relates to cases in which a vendor cannot be required to sell part only of a building or garden) there shall be substituted the following:—
- “8 (1) Where in consequence of the service on a person in pursuance of section 5 of this Act of a notice to treat in respect of a right over land consisting of a house, building or manufactory or of a park or garden belonging to a house (hereinafter in this subsection referred to as “the relevant land”)—
- (a) a question of disputed compensation in respect of the purchase of the right would apart from this section fall to be determined by the Lands Tribunal (hereafter in this section referred to as “the Tribunal”); and
- (b) before the Tribunal has determined that question the person satisfies the Tribunal that he has an interest which he is able and willing to sell in the whole of the relevant land and—
- (i) where that land consists of a house, building or manufactory, that the right cannot be purchased without material detriment to that land; or
- (ii) where that land consists of such a park or garden, that the right cannot be purchased without seriously affecting the amenity or convenience of the house to which that land belongs;
- the Aire and Calder Navigation Act 1992 shall, in relation to that person, cease to authorise the purchase of the right and be deemed to authorise the purchase of that person’s interest in the whole of the relevant land including, where the land consists of such a park or garden, the house to which it belongs and the notice shall be deemed to have been served in respect of that interest on such date as the Tribunal directs.
- (2) Any question as to the extent of the land in which the Aire and Calder Navigation Act 1992 is deemed to authorise the purchase of an interest by virtue of the preceding subsection shall be determined by the Tribunal.

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- (3) Where, in consequence of a determination of the Tribunal that it is satisfied as mentioned in subsection (1) of this section, the Aire and Calder Navigation Act 1992 is deemed by virtue of that subsection to authorise the purchase of an interest in land, the Corporation may, at any time within the period of six weeks beginning with the date of the determination, withdraw the notice to treat in consequence of which the determination was made; but nothing in this subsection prejudices any other power of the Corporation to withdraw the notice.
- (4) The modifications subject to which subsection (1) of section 58 of the Land Compensation Act 1973 is to have effect, as applied by subsection (2) of that section to the duty of the Tribunal in determining whether it is satisfied as mentioned in subsection (1) of this section, are that at the beginning of paragraphs (a) and (b) there shall be inserted the words “a right over”, for the word “severance” there shall be substituted the words “right on the whole of the house, building or manufactory or of the house and the park or garden” and for the words “part proposed” and “part is” there shall be substituted respectively the words “right proposed” and “right is”.
- 3 The following provisions of the Act which state the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land, namely:—
- section 9 (4) (failure of owners to convey);
  - paragraph 10 (3) of Schedule 1 (owners under incapacity);
  - paragraphs 2 (3) of Schedule 2 (absent and untraced owners); and
  - paragraphs 2 (3) and 7 (2) of Schedule 4 (common land);
- shall be so modified as to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be purchased compulsorily is vested absolutely in the Corporation.
- 4 Section 11 of the Act (powers of entry) shall be so modified as to secure that, as from the date on which the Corporation have served notice to treat in respect of any right, they have power, exercisable in the like circumstances and subject to the like conditions, to enter for the purpose of exercising that right (which shall be deemed for this purpose to have been created on the date of service of the notice); and sections 12 (penalty for unauthorised entry) and 13 (entry on sheriff’s warrant in the event of obstruction) of the Act shall be modified correspondingly.
- 5 Section 20 of the Act (compensation for short term tenants) shall apply with the modifications necessary to secure that persons with such interests as are mentioned in that section are compensated in a manner corresponding to that in which they would be compensated on a compulsory acquisition of the interests but taking into account only the extent (if any) of such interference with such interests as is actually caused, or likely to be caused, by the exercise of the right in question.
- 6 Section 22 of the Act (protection of acquiring authority’s possession of land where by inadvertence an interest in the land has not been purchased) shall be so modified as to enable the Corporation in circumstances corresponding to those referred to in that section, to continue to be entitled to exercise the right in question, subject to compliance with that section as respects compensation.