
STATUTORY INSTRUMENTS

2005 No. 2786

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

PART 2

WORKS PROVISION

Discharge of water

- 13.**—(1) Subject to the conditions set out in paragraphs (2), (4), (5) and (6), the undertaker may—
- (a) use any watercourse or any public sewer or drain for the drainage of water in connection with the construction, maintenance or operation of the authorised works;
 - (b) for the purposes of sub-paragraph (a), lay down, take up and alter pipes; and
 - (c) make openings into, and connections with, the watercourse, sewer or drain.
- (2) The undertaker shall not discharge any water into any watercourse, public sewer or drain except with the consent of the relevant authority.
- (3) The consent referred to in paragraph (2) may be given subject to such terms and conditions as the relevant authority may reasonably impose.
- (4) When making an opening into any public sewer or drain in accordance with paragraph (1) (c) of this article, the undertaker shall—
- (a) prepare plans for the approval of the relevant authority; and
 - (b) act in accordance with any such plans approved.
- (5) The undertaker shall not, in the exercise of the powers conferred by this article, damage or interfere with the bed or banks of any watercourse forming part of a main river, except for the purposes of carrying out any of Works No. 2A to 2K or Work No. 4 in accordance with the requirements of section 109 of the Water Resources Act 1991⁽¹⁾.
- (6) The undertaker shall take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain under the powers conferred by this article is free from gravel, soil or other solid substance or oil or matter in suspension.
- (7) This article does not authorise the entry or discharge into controlled waters of any matter the entry or discharge of which into controlled waters is prohibited by section 85(1), (2) or (3) of the Water Resources Act 1991.
- (8) In this article—
- “public sewer or drain” means a sewer or drain which belongs to or is administered by a sewerage undertaker, the Environment Agency, or a local authority;
 - “relevant authority” means the local authority, statutory undertaker, or other body responsible for the maintenance of the watercourse, public sewer or drain; and

(1) 1991 c. 57.

Status: This is the original version (as it was originally made).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

other expressions used both in this article and in the Water Resources Act 1991 have the same meaning as in that Act.