
STATUTORY INSTRUMENTS

2006 No. 2310

TRANSPORT AND WORKS, ENGLAND
TRANSPORT, ENGLAND

The Borough of Poole (Poole Harbour
Opening Bridges) Order 2006

Made - - - - 24th August 2006

Coming into force 14th September 2006

**THE BOROUGH OF POOLE (POOLE
HARBOUR OPENING BRIDGES) ORDER 2006**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART 2

WORKS PROVISIONS

Principal powers

3. Power to construct etc. works
4. Power to deviate
5. Power to make subsidiary works
6. Power to dredge for purposes of authorised works, etc.

Streets

7. Power to execute street works
8. Stopping up of streets and extinguishment of rights
9. Temporary stopping up of streets
10. Access to works
11. Construction and maintenance of new or altered streets
12. Agreements with street authorities

Status: This is the original version (as it was originally made).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

Supplementary

13. Provisions relating to operation of bridges
14. Drainage of authorised works
15. Protective works to buildings
16. Power to survey and investigate land
17. Temporary closing of the Back Water Channel in connection with works

PART 3

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

18. Power to acquire land
19. Application of Part 1 of Compulsory Purchase Act 1965
20. Application of Compulsory Purchase (Vesting Declarations) Act 1981
21. Power to acquire new rights
22. Power to acquire subsoil only

Temporary possession of land

23. Temporary use of land for construction of works
24. Temporary use of land for maintenance of works

Compensation

25. Disregard of certain interests and improvements

Supplementary

26. Acquisition of part only of certain properties
27. Extinction or suspension of private rights of way
28. Use of subsoil
29. Time limit for exercise of powers of acquisition

PART 4

PROVISIONS RELATING TO TIDAL WORKS

30. Tidal works not to be executed without approval of Secretary of State
31. Lights on tidal works
32. Provision against danger to navigation
33. Abatement of works abandoned or decayed
34. Survey of tidal works
35. Permanent lights on tidal works
36. Obstruction of authorised works and misuse of new bridge
37. Removal of vessels
38. Removal of obstructions

PART 5

MISCELLANEOUS AND GENERAL

39. Power to make byelaws
40. Saving for Trinity House
41. Protection of Poole Harbour Commissioners

42. Further protection of Poole Harbour Commissioners and users of the Back Water Channel
43. For the protection of the Environment Agency
44. Statutory undertakers, etc.
45. Management arrangements
46. Repeals and revocations
47. Certification of plans, etc.
48. Service of notices
49. No double recovery
50. Arbitration
Signature

SCHEDULES

SCHEDULE 1 — SCHEDULED WORKS

SCHEDULE 2 — ACQUISITION OF CERTAIN LAND

SCHEDULE 3 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect...
2. (1) Without prejudice to the generality of paragraph 1, the...

Adaptation of the 1965 Act

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 (which relates 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 4 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 5 — PROTECTION OF POOLE HARBOUR COMMISSIONERS

1. For the protection of the Commissioners, the following provisions shall...
2. In this Schedule— “accumulation” means any accumulation of silt or...
3. Section 20(1) of the Poole Harbour Act 1914 (which requires...
4. The Council shall at all reasonable times during construction of...
5. After the purpose of any temporary works has been accomplished,...
6. If, during the construction of a tidal work or within...
7. Should any accumulation or erosion in consequence of such construction...
8. For the purpose of paragraphs 6 and 7—
9. In the event that surveys, inspections, tests and sampling carried...
10. For the purposes of paragraph 6 the date of completion...
11. The Council shall— (a) pay to the Commissioners the reasonable...
12. Without prejudice to the other provisions of this Schedule, the...
13. Without prejudice to the generality of paragraph 12, the Council...

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

14. Nothing in this Schedule shall impose any liability on the...
15. The Commissioners shall give to the Council notice of any...
16. The fact that any work or thing has been executed...
17. With the exception of any duty owed by the Commissioners...
18. Save as provided in paragraph 3, nothing in this Order...

SCHEDULE 6 — FURTHER PROTECTION OF POOLE HARBOUR
COMMISSIONERS AND USERS OF THE BACK WATER
CHANNEL

Scheme of arrangements for establishment of Poole Harbour Bridges Operating Board

1. The Council shall establish the Board in exercise of the...
2. The Council shall consult the Board on all matters affecting...
3. The Council shall take into consideration any matter, recommendation or...
4. (1) The Board shall consist of five persons.
5. Appointments to the Board shall be made in accordance with...
6. The Board may determine its own quorum and procedure and...
7. If at any meeting of the Board the Chairman is...
8. Every question at a meeting of the Board shall be...
9. If at any meeting of the Board there is an...
10. A member of the Board shall hold office for the...
11. A member of the Board may resign his office at...
12. If the Board is satisfied that a member—
13. The Council shall make such facilities available to the Board...

SCHEDULE 7 — PROTECTION OF THE ENVIRONMENT AGENCY

1. The following provisions shall, unless otherwise agreed in writing between...
2. In this Schedule— “accumulation” means any accumulation of silt or...
3. (1) Before beginning to construct any specified work, the Council...
4. The Council shall give to the Agency notice in writing...
5. (1) If any part of the works comprising a structure...
6. (1) If, during the construction of any specified work, or...
7. (1) Subject to sub-paragraph (2), the Council shall from the...
8. (1) The Council shall take all such measures as may...
9. (1) The Council shall indemnify the Agency in respect of...
10. The fact that any work or thing has been executed...
11. Nothing in paragraph 7(5) or 9(2) shall impose any liability...
12. Except as otherwise provided by this Schedule nothing in this...
13. (1) Unless the parties agree to arbitration any difference arising...

SCHEDULE 8 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS,
ETC.

Apparatus of statutory undertakers, etc., on land acquired

1. (1) Sections 271 to 274 of the 1990 Act (power...

Apparatus of statutory undertakers, etc., in stopped up streets

2. (1) Where a street is stopped up under article 8...

Navigation undertakings

3. (1) Subject to the following provisions of this paragraph, the...

SCHEDULE 9 — REPEALS AND REVOCATIONS

PART 1

PART 2

Explanatory Note