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STATUTORY INSTRUMENTS

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**2007 No. 2980**

**WATER, ENGLAND AND WALES**

**The Flood Defence (Mimmshall Brook Works) Order 2007**

*Made* - - - - *12th October 2007*

*Coming into force* - - *1st November 2007*

The Secretary of State for Environment, Food and Rural Affairs, on the application of the Environment Agency and in exercise of powers conferred on him by section 168 of the Water Resources Act 1991(1), and of all other powers enabling him to do so, makes the following Order:—

**Citation and commencement**

1. This Order may be cited as the Flood Defence (Mimmshall Brook Works) Order 2007 and shall come into operation on 1st November 2007.

**Interpretation**

2.—(1) In this Order—

“the 1984 Act” means the Road Traffic Regulation Act 1984(2);

“the Agency” means the Environment Agency;

“the authorised works” means the works specified in article 5 of this Order;

“the deposited plans” means the plans of which copies have been certified by the Secretary of State for Environment, Food and Rural Affairs as the deposited plans for the purposes of this Order and of which one copy has been deposited at the offices of the Agency at King’s Meadow House, King’s Meadow Road, Reading, RG1 8DQ;

“Dixons Hill Road” means the public highway known as Dixons Hill Road shown on the deposited plans;

“the flood gates” means the flood gate or gates comprised in the authorised works;

“Hawkshead Lane” means the public highway known as Hawkshead Lane shown on the deposited plans;

“highway authority” has the same meaning as in the Highways Act 1980(3);

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(1) 1991 c. 57 as amended by section 120(1) of and Schedule 22, paragraph 128 to the Environment Act 1995 (c. 25).

(2) 1984 c. 27.

(3) 1980 c. 66.

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

“the road closure barriers” means the road closure barrier or barriers and other road closure apparatus comprised in the authorised works;

“Station Road” means the public highway known as Station Road shown on the deposited plans;

“Swanland Road” means the public highway known as Swanland Road shown on the deposited plans;

“traffic authority” has the same meaning as in the 1984 Act;

“Warrengate Road” means the public highway known as Warrengate Road shown on the deposited plans and includes the unnamed road to the west joining Swanland Road;

“Weight Restriction Order” means the District of Welwyn Hatfield (Various Roads, Welham Green) (Weight Restriction) Order 1980 as amended by the District of Welwyn Hatfield (Various Roads -Weight Restrictions)(Amendments and Consolidation) Order 1985; and

“Work No.” followed by a number means the works so described in article 5.

(2) All situations, points, directions, distances, lengths, dimensions, areas and other measurements stated in this Order shall be construed as if the words “or thereabouts” were inserted after each such situation, point, direction, distance, length, dimension, area or other measurement.

### **Power to acquire land**

3. The Agency may compulsorily the land described in the table at Part 1 of the Schedule and shown on the deposited plans, or interests in and rights over the land (whether by the acquisition of existing interests and rights or by the creation of new interests and rights), for the purpose of or in connection with the Works described in article 5.

### **Temporary use of land for construction of works**

4.—(1) The Agency may, in connection with the execution of the authorised works—

- (a) enter upon and take temporary possession of the land described in the table at Part 2 of the Schedule and shown on the deposited plans within the limits of land subject to temporary use for the purposes given in the second column of the table;
- (b) remove any structure or vegetation from that land; and
- (c) construct temporary works (including the provision of means of access) and structures on the land.

(2) Not less than 28 days before entering upon and taking temporary possession of land under this article the Agency shall serve notice of the intended entry on the owners and occupiers of the land.

(3) The Agency may not, without the agreement of the owners of the land, remain in possession of any land under this article after the end of the period of 2 years beginning with the date of completion of the operations specified in paragraph (1)(a).

(4) Before giving up possession of land of which temporary possession has been taken under this article, the Agency shall remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but the Agency shall not be required to replace a structure removed under this article, or remove a permanent structure authorised by this Order.

(5) The Agency shall pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the powers conferred by this article.

(6) Any dispute as to a person's entitlement to compensation under paragraph (5), or as to the amount of the compensation, shall be determined under Part I of the Land Compensation Act 1961(4).

(7) Without prejudice to article 10, nothing in this article shall affect any liability to pay compensation under section 10(2) of the Compulsory Purchase Act 1965(5) or under any other enactment in respect of loss or damage arising from the execution of any works, other than loss or damage for which compensation is payable under paragraph (5).

(8) Where the Agency takes possession of land under this article, it shall not be required to acquire the land or any interest in it.

(9) In this article "structure" includes any erection.

### **Execution of works**

**5.—**(1) The Agency may construct and maintain within the limits shown on the deposited plans the following works together with any necessary works or conveniences required in connection with them—

Work No.1 — A flood defence structure consisting of a sill in and flood gates that can be closed across Warrengate Road and associated structures.

Work No.2 — A raising of part of Warrengate Road between point TL231036 and TL231034 and the construction of a flood defence bund to the west of that part of Warrengate Road.

Work No.3 — A compensatory environmental area of 4643 square metres to the south of Work No.1.

Work No.4 — Road closure barriers on Warrengate Road and the unnamed road to the west of Hawkshead Lane and a turning head on Hawkshead Lane.

(2) Work No.1 includes altering the level of part of Warrengate Road but the Agency shall ensure that, when Warrengate Road is not closed under article 6, no part of the carriageway of Warrengate Road is obstructed by the work.

(3) Section 153 of the Public Health Act 1875(6) (power to require apparatus to be moved) applies for the purposes of paragraph (1) as it applies for the purposes of that Act except to the extent, if any, that the works are regulated by the provisions of Part III of the New Roads and Street Works Act 1991(7).

### **Temporary closure of Warrengate Road and Hawkshead Lane during execution of works**

**6.—**(1) The Agency shall, during and for the purposes of the execution or maintenance of the authorised works, temporarily close Warrengate Road and Hawkshead Lane and may at any time and for such period as it considers reasonably necessary to do so—

(a) divert the traffic from the above roads; and

(b) subject to paragraph (2), prevent all persons from passing along the above roads.

(2) The Agency shall provide at all times reasonable access for pedestrians going to or from premises abutting Warrengate Road and Hawkshead Lane insofar as they are affected by the exercise of the powers conferred by this article if there would otherwise be no such access.

(3) The Agency shall not exercise the powers of this article without first obtaining the consent of the highway authority, such consent not to be unreasonably withheld.

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(4) 1961 c. 33.

(5) 1965 c. 56.

(6) 1875 c. 55.

(7) 1991 c. 22.

### **Temporary closure of Warrengate Road and Hawkshead Lane and interference with flood water during operation of the flood gates**

7.—(1) The Agency shall, during and for the purposes set out in paragraph (2), temporarily close Warrengate Road and Hawkshead Lane and may at any time and for such period as it considers reasonably necessary to do so—

- (a) divert the traffic from the above roads; and
  - (b) subject to paragraph (4), obstruct the public right of way on Warrengate Road by closing the flood gates or road closure barriers, or on Hawkshead Lane by placing traffic cones or other similar moveable closure apparatus on the carriageway.
- (2) The purposes referred to in paragraph (1) are—
- (a) to test the operation of the flood gates or road closure barriers, carry out maintenance or to train any person in their operation; and
  - (b) to operate the flood gates or road closure barriers in the interests of flood defence.

(3) Without prejudice to the application of Chapter II of Part II of the Water Resources Act 1991 the Agency may by means of closing the flood gates intercept, divert or otherwise interfere with any flood water.

(4) The Agency shall provide at all times reasonable access for pedestrians going to or from premises abutting Warrengate Road and Hawkshead Lane insofar as they are affected by the exercise of the powers conferred by this article if there would otherwise be no such access.

- (5) The Agency—
- (a) shall not exercise the powers of article 7(2)(a) without first obtaining the consent of the highway authority, such consent not to be unreasonably withheld; and
  - (b) shall inform the highway authority as soon as reasonably practicable after exercising the powers of article 7(2)(b).
  - (c) In exercising its powers under this article, the Agency shall keep inconvenience and disruption to the public to the minimum possible consistent with the proper operation and maintenance of the flood gates in the interests of flood defence.

### **Weight restriction on Dixons Hill Road and Station Road**

8. Where traffic is diverted under articles 6(1)(a) and 7(1)(a), the environmental weight restrictions on Dixons Hill Road and Station Road specified in the Weight Restriction Order shall not apply.

### **Traffic signs**

9.—(1) The Agency may for the purposes mentioned in articles 6 and 7 place or maintain on Warrengate Road and any street which gives access to it, or any other street with the agreement of the traffic authority, traffic signs of a type prescribed by regulations made under section 64(1)(a) of the 1984 Act or of a character authorised by the Secretary of State.

- (2) The Agency—
- (a) shall consult with the traffic authority as to the placing of signs; and
  - (b) unless the traffic authority is unwilling or agrees not to do so and subject to any directions given under section 65 of the 1984 Act, shall enter into arrangements with the traffic authority for the signs to be placed and maintained by the traffic authority.
- (3) Any power conferred by section 65 of the 1984 Act to give directions to a traffic authority or local traffic authority as to traffic signs shall include a power to give directions to the Agency as

to traffic signs under this article; and, accordingly, the powers conferred by paragraph (1) shall be exercisable subject to and in conformity with any directions given under that section.

(4) Expressions used in this article and in the 1984 Act have the same meaning in this article as in that Act.

#### **No double recovery**

**10.** Compensation shall not be payable in respect of the same matter both under this Order and under any other enactment, any contract or any rule of law.

#### **Arbitration**

**11.** Unless otherwise agreed between the parties, any difference between the Agency and the highway authority under article 5(3) shall be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after notice in writing to the other) by the President for the time being of the Institute of Civil Engineers.

#### **For the protection of the highway authority**

**12.—(1)** If no arrangement is made under article 9(2)(b) then the Agency shall be responsible for the installation and maintenance of any traffic signs that are placed in exercise of the powers of article 9.

(2) The operation of this Order will have no permanent effect on any highways referred to in it nor will it change the status of any such highway.

12th October 2007

*David Richardson*  
A Senior Civil Servant, for and on behalf of the  
Secretary of State for Environment, Food and  
Rural Affairs

*Status: This is the original version (as it was originally made).*

SCHEDULE

Articles 3 and 4

PART 1

LAND TO BE PERMANENTLY ACQUIRED

| <i>Number on map</i> | <i>Extent, description and situation of land</i>   | <i>Owners or Reputed Owners</i>   | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>   |
|----------------------|--|---|-----------------------------------|--|
| 1                    | Approximately 4086 square metres of an agricultural field to the west of the Mimms Hall Brook and immediately south of the junction with Warrengate Road and Hawkshead Lane. Required by the acquiring Authority for compensatory environmental enhancement habitat. | Trustees of the Hon R E W Cecil's Estate, The Gascoyne Cecil Estates, The Estate Office, Hatfield Park, Hatfield AL9 5NQ<br><br>Gascoyne Holdings Limited, The Estate Office, Hatfield Park, Hatfield AL9 5NQ   |                                   | B W Field & Partners (FAO: Colin White), Warrengate Farm, Mutton Lane, Potters Bar EN6 3BL |
| 2                    | Approximately 350 square metres of field boundary and highway verge immediately south of the junction of Warrengate Road and Hawkshead Lane required by the acquiring Authority as compensatory environmental enhancement habitat.                                   | Trustees of the Hon R E W Cecil's Estate, The Gascoyne Cecil Estates, The Estate Office, Hatfield Park, Hatfield AL9 5NQ<br><br>Gascoyne Holdings Limited, The Estate Office, Hatfield Park, Hatfield AL9 5NQ<br><br>Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood WD6 1WA |                                   |  |

| <i>Number on map</i> | <i>Extent, description and situation of land</i>   | <i>Owners or Reputed Owners</i>   | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>   |
|----------------------|--|---|-----------------------------------|--|
|                      |  | Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE  |                                   |  |
| 3                    | Approximately 207 square metres of the Mimmshall Brook stream bed immediately south of the junction of Warrengate Road and Hawkshead Lane and immediately upstream of Hawkshead bridge. Required by the acquiring Authority as compensatory environmental enhancement habitat. | Trustees of the Hon R E W Cecil's Estate, The Gascoyne Cecil Estates, The Estate Office, Hatfield Park, Hatfield AL9 5NQ<br><br>Gascoyne Holdings Limited, The Estate Office, Hatfield Park, Hatfield AL9 5NQ |                                   | Presumption of occupation of highway verge: B W Field & Partners (FAI: Colin White), Warrengate Farm, Mutton Lane, Potters Bar EN6 3BL |
| 4                    | Approximately 85 square metres of land and river bed required for the construction of a spillway from the highway to the Mimmshall Brook and at present forming part of the highway verge and brook.   | Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE  |                                   | Unoccupied   |
| 5                    | Approximately 2081 square metres of land required for the construction of a flood defence wall and to remain in part as the highway verge. The land is at present the highway verge between Warrengate Road and the Mimmshall Brook.   | Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE  |                                   | Unoccupied   |
| 6                    | Approximately 23 square metres of the Mimmshall Brook bed required for the construction of a flood defence wall and to be incorporated into the road verge.  | Presumption of ownership: Hertfordshire County Council, County Hall, Hertford SG13 8DE  |                                   | Unoccupied   |

*Status: This is the original version (as it was originally made).*

| <i>Number on map</i> | <i>Extent, description and situation of land</i>   | <i>Owners or Reputed Owners</i>   | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>  |
|----------------------|--|---|-----------------------------------|---|
|                      |  | Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE  |                                   |   |
| 7                    | Approximately 434 square metres of river bank and river bed to be temporarily used as a construction access and for maintenance access for the flood defence.  | Presumption of ownership: Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE                  |                                   | Unoccupied  |
| 8                    | Approximately 1730 square metres of agricultural land to the west of Warrengate Road required for the construction of a raised flood defence bund and incorporating permanent access provisions for maintenance renewal and repairs, together with access facilities around the toe of the bund. This area may also be incorporated into the temporary contractors' construction compound. | The Hon John Trenchard, Lower Abbots Wootton, Wootton Fitzpaine, Bridport DT6 6NL<br><br>The Viscount Trenchard, Standon Lordship, Standon, Ware SG11 1PR                           |                                   | The Hon John Trenchard, Lower Abbots Wootton, Wootton Fitzpaine, Bridport DT6 6NL<br><br>The Viscount Trenchard, Standon Lordship, Standon, Ware SG11 1PR |
| 10                   | Approximately 300 square metres of highway verge and hedgerow to the west of Warrengate Road required for raising levels and creating a new gateway and vision splays for the access to Plots 8 and 9.   | Presumption of ownership: The Hon John Trenchard, Lower Abbots Wootton, Wootton Fitzpaine, Bridport DT6 6NL<br><br>The Viscount Trenchard, Standon Lordship, Standon, Ware SG11 1PR |                                   | None known (Public highway verge)   |



| <i>Number on map</i> | <i>Extent, description and situation of land</i>  | <i>Owners or Reputed Owners</i>  | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>                      |
|----------------------|---|--|-----------------------------------|---------------------------------------|
|                      |   | <p>Hertfordshire County Council, County Hall, Hertford SG13 8DE</p> <p>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE</p>  |                                   |                                       |
| 11                   | <p>Approximately 435 square metres of public highway forming part of Warrengate Road. The right of the acquiring Authority for enabling them to raise the levels of the highway to form part of the integral flood defence structure.</p>   | <p>Hertfordshire County Council, County Hall, Hertford SG13 8DE</p> <p>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE</p> <p>Presumption of ownership to the centre of the road:<br/>The Hon John Trenchard, Lower Abbots Wootton, Wootton Fitzpaine, Bridport DT6 6NL</p> <p>The Viscount Trenchard, Standon Lordship, Standon, Ware SG11 1PR</p> |                                   | None known (Public highway)           |
| 12                   | <p>Approximately 75 square metres of land required for the construction of flood defence wall and gates including altering the levels to accommodate the works and permanent access provisions for maintenance repairs and renewal and the rights to close the road and operate the flood gates in accordance</p> | <p>Hertfordshire County Council, County Hall, Hertford SG13 8DE</p> <p>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE</p> <p>Presumption of ownership of the verge and</p>   |                                   | None known (Public highway and verge) |

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| <i>Number on map</i> | <i>Extent, description and situation of land</i>   | <i>Owners or Reputed Owners</i>   | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>  |
|----------------------|--|---|-----------------------------------|---|
|                      | with approved Highway procedures. The land forms part of the highway and verge on Warrengate Road near the junction with Hawkshead Lane.   | to the centre of the carriageway:<br>Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY  |                                   |   |
| 13                   | Approximately 4 square metres of land forming part of the drive to No 84 Warrengate Road. The right of the acquiring Authority to temporarily occupy the land for construction maintenance and renewal of the adjacent flood defence works, raising of the driveway to match raised road levels on Plot 12, and as a permanent access route to this access corridor to acquired land forming Plots 16 and 17 within the garden curtilage of No 84 Warrengate Road. | Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE<br><br>Presumption of ownership: Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY |                                   | Highway verge and right of way: Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY |
| 14                   | Approximately 5 square metres of land forming part of the highway verge and entrance drive to No 84 Warrengate Road. Required by the acquiring Authority as a temporary construction access and working area for the works to be carried out on Plots 12 and 17. Raising of the drive levels to match raised road levels on Plot 12.   | Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE<br><br>Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY                           |                                   | Highway verge and right of way: Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY |
| 16                   | Approximately 81 square metres of the garden of No 84 Warrengate Road. The right of the acquiring Authority for the purpose of enabling  | Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY   |                                   | Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY                                 |

| <i>Number on map</i> | <i>Extent, description and situation of land</i>   | <i>Owners or Reputed Owners</i>   | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>   |
|----------------------|--|---|-----------------------------------|--|
|                      | them/it to construct the works on land adjoining and to acquire permanent rights of access over this land for the purpose of inspecting, maintaining, repairing or renewing the flood defence wall to be built on the adjoining Plot No 17.  |   |                                   |  |
| 17                   | Approximately 86 square metres of the garden of No 84 Warrengate Road permanently required by the acquiring Authority for the construction of a flood defence wall and footings and for subsequent inspection, maintenance, repairs and renewal.   | Mr F W Cox,<br>84 Warrengate Road,<br>North Mymms,<br>Hatfield AL9 7TY  |                                   | Mr F W Cox,<br>84 Warrengate Road,<br>North Mymms,<br>Hatfield AL9 7TY |
| 18                   | Approximately 41 square metres of highway verge outside No 84 Warrengate Road required by the acquiring Authority for the temporary construction area for the building of the flood defence wall and gates and also for permanent access to the wall for inspection, maintenance, repairs and renewal. | Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE<br><br>Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY |                                   | Public highway verge   |
| 19                   | Approximately 1 square metre of the highway and verge to the south of No 84 Warrengate Road required for the permanent installation of the footings for the adjoining flood defence wall to be built on Plot 17 and for the temporary working area required for  | Hertfordshire County Council, County Hall, Hertford G13 8DE<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE   |                                   | Public highway   |

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| <i>Number on map</i> | <i>Extent, description and situation of land</i>  | <i>Owners or Reputed Owners</i>   | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>  |
|----------------------|---|---|-----------------------------------|---|
|                      | the construction of the wall.   | Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY   |                                   |   |
| 20                   | Approximately 7 square metres of land forming part of the southern road frontage garden of No 1 Swanland Road, North Mymms, permanently required by the acquiring Authority for the construction and subsequent maintenance, repair and renewal of a flood defence wall.  | Mr L F & Mrs M M Pereira, No 1 Swanland Road, North Mymms, Hatfield AL9 7TG   |                                   | Mr L F & Mrs M M Pereira, No 1 Swanland Road, North Mymms, Hatfield AL9 7TG |
| 21                   | Approximately 14 square metres of land forming part of the southern road frontage garden of No 1 Swanland Road, North Mymms required by the acquiring Authority as a temporary working area for the construction of the flood defence wall and over which permanent access rights are required for future maintenance, repairs and renewal. | Mr L F & Mrs M M Pereira, No 1 Swanland Road, North Mymms, Hatfield AL9 7TG   |                                   | Mr L F & Mrs M M Pereira, No 1 Swanland Road, North Mymms, Hatfield AL9 7TG |
| 22                   | Approximately 2 square metres of land forming part of the road verge to the south of No 1 Swanland Road temporarily required by the acquiring Authority as a working area and access to the flood defence wall and permanently required for access for inspection, maintenance, repairs and renewal.  | Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE<br><br>Mr L F & Mrs M M Pereira, No 1 Swanland Road, North Mymms, Hatfield AL9 7TG |                                   | Public highway  |

| <i>Number on map</i> | <i>Extent, description and situation of land</i>  | <i>Owners or Reputed Owners</i>   | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>  |
|----------------------|---|---|-----------------------------------|---|
| 23                   | Approximately 23 square metres of land required for the construction of a flood defence wall and gates including altering the levels to accommodate the works and permanent access provisions for maintenance repairs and renewal and the rights to close the road and operate the flood gates in accordance with approved Highway procedures. The land forms part of the highway and verge on Warrengate Road near the junction with Hawkshead Lane. | Presumption of ownership to the centre of the road:<br>Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE   |                                   | Public highway & verge  |
| 24                   | Approximately 550 square metres of land to the west of Warrengate Road from Warrengate Road to the bund (Plot 8) required for a permanent right of access for the inspection, operation and maintenance of the bund.  | The Hon John Trenchard, Lower Abbots Wootton, Wootton Fitzpaine, Bridport DT6 6NL<br><br>The Viscount Trenchard, Standon Lordship, Standon, Ware SG11 1PR   |                                   | The Hon John Trenchard, Lower Abbots Wootton, Wootton Fitzpaine, Bridport DT6 6NL<br><br>The Viscount Trenchard, Standon Lordship, Standon, Ware SG11 1PR |
| 25                   | Approximately 16 square metres of land forming part of the public highway and verge known as Hawkshead Lane, North Mymms, and part of the entrance to the enclosure named Cherry Dell permanently required to form a vehicle turning area for use at such time as the road closures are in force.   | Presumption of ownership: Timothy James Gledstone, Brian Thistlewaite, Kurt Jurgen Fritzsich and James Alfred Lloyd Howgego c/o Reading Harris & Yalden, 45-47 High Street, Potters Bar EN6 5AW<br><br>Hertfordshire County Council, County Hall, Hertford SG13 8DE |                                   | Part public highway and verge   |

*Status: This is the original version (as it was originally made).*

| <i>Number on map</i> | <i>Extent, description and situation of land</i>  | <i>Owners or Reputed Owners</i>   | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>         |
|----------------------|---|---|-----------------------------------|--------------------------|
|                      |   | Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE  |                                   |                          |
| 26                   | (Number is shown on map but land is not being acquired)   |   |                                   |                          |
| 27                   | (Number is shown on map but land is not being acquired)   |   |                                   |                          |
| 28                   | Approximately 26 square metres of land forming the public highway and verge permanently required for the installation of road closure gates to be operated at such times as road closures are in force. | Presumption of ownership to the centre of the road: Trustees of the Hon R E W Cecil's Estate, The Gascoyne Cecil Estates, The Estate Office, Hatfield Park, Hatfield AL9 5NQ<br><br>Gascoyne Holdings Limited, The Estate Office, Hatfield Park, Hatfield AL9 5NQ<br><br>Hertfordshire County Council<br><br>County Hall<br><br>Hertford SG13 8DE<br><br>Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood WD6 1WA |                                   | Public highway and verge |
| 29                   | Approximately 17 square metres of land forming the public highway and verge permanently required for the installation of road   | Hertfordshire County Council, County Hall, Hertford SG13 8DE  |                                   | Public highway and verge |

| <i>Number on map</i> | <i>Extent, description and situation of land</i>  | <i>Owners or Reputed Owners</i>  | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>         |
|----------------------|---|--|-----------------------------------|--------------------------|
|                      | closure gates to be operated at such times as road closures are in force.   | Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood WD6 1WA   |                                   |                          |
| 30                   | Approximately 27 square metres of land forming the public highway and verge permanently required for the installation of road closure gates to be operated at such times as road closures are in force. | Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood WD6 1WA<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE   |                                   | Public highway and verge |
| 31                   | Approximately 31 square metres of land forming the public highway and verge permanently required for the installation of road closure gates to be operated at such times as road closures are in force. | Hertfordshire County Council, County Hall, Hertford SG13 8DE<br><br>Welwyn Hatfield Council, Council Offices, Welwyn Garden City AL8 6AE<br><br>Presumption of ownership to the centre of the road:<br>Mr L F & Mrs M M Pereira, No 1 Swanland Road, North Mimms, Hatfield AL9 7TG |                                   | Public highway and verge |
| 32                   | (Number is shown on map but land is not being acquired)   |  |                                   |                          |
| 33                   | (Number is shown on map but land is not being acquired)   |  |                                   |                          |

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| <i>Number on map</i> | <i>Extent, description and situation of land</i>  | <i>Owners or Reputed Owners</i>  | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i> |
|----------------------|---|--|-----------------------------------|------------------|
| 34                   | Approximately 57 square metres of land forming the entrance to the enclosure named Cherry Dell permanently required for construction, operation and maintenance of a vehicle turning area for use at such time as the road closures are in force. | Presumption of ownership: Timothy James Gledstone, Brian Thistlewaite, Kurt Jurgen Fritzsich and James Alfred Lloyd Howgego, c/o Reading Harris & Yalden, 45-47 High Street, Potters Bar EN6 5AW |                                   |                  |

## PART 2

### LAND TO BE TEMPORARILY OCCUPIED

| <i>Number on map</i> | <i>Extent, description and situation of land</i>  | <i>Owners or Reputed Owners</i>   | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i>  |
|----------------------|---|---|-----------------------------------|---|
| 9                    | Approximately 9700 square metres of agricultural land required as a temporary working area and contractors site compound to the west of Warrengate Road. The land is to be reinstated to its former condition/ use on completion of the scheme. | The Hon John Trenchard, Lower Abbots Wootton, Wootton Fitzpaine, Bridport DT6 6NL<br><br>The Viscount Trenchard, Standon Lordship, Standon, Ware SG11 1PR | None known                        | The Hon John Trenchard, Lower Abbots Wootton, Wootton Fitzpaine, Bridport DT6 6NL<br><br>The Viscount Trenchard, Standon Lordship, Standon, Ware SG11 1PR |
| 15                   | Approximately 141 square metres of the garden of No 84 Warrengate Road required by the acquiring Authority as a temporary construction area for the building of the flood defence wall on Plot 17.  | Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY   | None known                        | Mr F W Cox, 84 Warrengate Road, North Mymms, Hatfield AL9 7TY   |
| 35                   | Approximately 300 square metres of land forming part of the enclosure named Cherry Dell temporarily required for construction of  | Presumption of ownership: Timothy James Gledstone, Brian Thistlewaite, Kurt Jurgen Fritzsich and James Alfred   |                                   |   |



| <i>Number on map</i> | <i>Extent, description and situation of land</i>                    | <i>Owners or Reputed Owners</i>  | <i>Lessees or Reputed Lessees</i> | <i>Occupiers</i> |
|----------------------|---|--|-----------------------------------|------------------|
|                      | a vehicle turning area and compensatory environmental habitat area. | Lloyd Howgego, c/o Reading Harris & Yalden, 45-47 High Street, Potters Bar EN6 5AW |                                   |                  |

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### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order authorises the Agency to construct, maintain and operate a flood defence structure in Warrengate Road, North Mymms, Hertfordshire incorporating gates that can be closed so as to obstruct the highway. It incorporates powers for the compulsory acquisition and temporary possession of land and powers to install diversion routes affecting the highway.

Copies of the deposited plans are available for inspection free of charge during working hours at the Agency's offices at King's Meadow House, King's Meadow Road, Reading RG1 8DQ.