

2013 No. 1888

TRANSPORT AND WORKS, ENGLAND

CANALS AND INLAND WATERWAYS, ENGLAND

**The Environment Agency (Inland Waterways) (Amendment)
Order 2013**

Made - - - - *24th July 2013*

Coming into force - - *23rd August 2013*

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An application has been made to the Secretary of State in accordance with the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006^(a) (“the Rules”) made under sections 6, 6A, 7(3)(b) and (c) and (4) and 10 of the Transport and Works Act 1992^(b) (“the Act”) for an Order under sections 3 and 5 of the Act;

The Secretary of State, in accordance with rule 24 of the Rules, has directed that the written representations procedure applied to all objections that had not been withdrawn;

The Secretary of State, in accordance with section 10(2) of the Act, taking into consideration the objections made and not withdrawn and additional representations made during the written representations procedure, has under section 13(1) of the Act determined to make an Order giving effect to the proposals comprised in the application with modifications which in the Secretary of State’s opinion do not make any substantial change in the proposals;

The Secretary of State is of the opinion that the primary object of this Order cannot be achieved by means of an order under the Harbours Act 1964^(c);

In accordance with section 14(1) of the Act notice of the Secretary of State’s determination was given to the applicant and every person who made an objection and was published in the London Gazette on 15th May 2013;

^(a) S.I. 2006/1466.

^(b) 1992 c. 42. amended by S.I. 1995/1541, 1998/2226, 2000/3199 and 2006/958.

^(c) 1964 c.40.

Accordingly, the Secretary of State, in exercise of the powers conferred by sections 3 and 5 of, and paragraphs 1, 2, 4, 7, 8, 12, 13 and 16 of Schedule 1 to the Act, makes the following Order.

Citation and commencement

1. This order may be cited as the Environment Agency (Inland Waterways) (Amendment) Order 2013 and comes into force on 23rd August 2013.

Amendment of the 2010 Order

- 2.—(1) The Environment Agency (Inland Waterways) Order 2010 (a) is amended as follows.
(2) In article 3(2)(d), omit “paragraph (a) of the definition of “the Medway navigation” in”.

24th July 2013

de Mauley
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This order amends the Environment Agency (Inland Waterways) Order 2010 (“the Order”).

Article 2 deletes wording in the order to ensure that the definition of the River Medway in the Order refers to the whole of section 32 of the Southern Water Authority Act 1982 not just section 32(a) of the Southern Water Authority Act 1982. The effect is to allow the Environment Agency to regulate the safety of boats moored in marinas on the River Medway.

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