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STATUTORY INSTRUMENTS

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**2022 No. 1067**

The Network Rail (Huddersfield to Westtown  
(Dewsbury) Improvements) Order 2022

PART 1

PRELIMINARY

**Disapplication of legislative provisions**

**5.—(1)** The following provisions do not apply in relation to any works executed under the powers conferred by this Order—

- (a) regulation 12(1)(a) (requirement for environmental permit) of the 2016 Regulations in relation to the carrying out of a relevant flood risk activity for the purposes of the works;
- (b) section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1991<sup>(1)</sup>;
- (c) paragraph 5 (effect of designation) of Schedule 1 (risk management: designation of features) to the Flood and Water Management Act 2010<sup>(2)</sup>;
- (d) paragraph 7 (requirement for approval) of Schedule 3 (sustainable drainage) to the Flood and Water Management Act 2010; and
- (e) the provision of any byelaws made under, or having effect as if made under, section 66 (powers to make byelaws) of the Land Drainage Act 1991, which require consent or approval for the carrying out of the works.

(2) In paragraph (1) “relevant flood risk activity” means an activity described in paragraph 3(1) (a), (b) or (c) of Schedule 25 (flood risk activities and excluded flood risk activities) to the 2016 Regulations.

(3) Sections 80(2)(b), 81 and 82 of the Building Act 1984<sup>(3)</sup> do not apply to the demolition of the whole or part of a building carried out in exercise of the powers under this Order and to which section 80 of the Building Act 1984 otherwise applies.

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(1) 1991 c. 59.  
(2) 2010 c. 29.  
(3) 1984 c. 55.