
STATUTORY INSTRUMENTS

1992 No. 1349

TRANSPORT, ENGLAND AND WALES

**The Neath Canal (Cnel Bach) (Repeal
of Local Enactments) Order 1992**

<i>Made</i>	- - - -	<i>5th June 1992</i>
<i>Laid before Parliament</i>		<i>15th June 1992</i>
<i>Coming into force</i>	- -	<i>6th July 1992</i>

The Secretary of State for the Environment, in exercise of powers conferred by section 112 of the Transport Act 1968⁽¹⁾ and now vested in him⁽²⁾ and of all other powers enabling him in that behalf, and after complying with the relevant requirements of Schedule 13 to that Act, hereby makes the following order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Neath Canal (Cnel Bach) (Repeal of Local Enactments) Order 1992 and shall come into force on 6th July 1992.

(2) In this Order—

“the 1791 Act” means the Act entitled “An Act for making and maintaining a Canal or Navigable Communication from or near a certain place called Abernant, in the County of Glamorgan, to and through a certain place called the Brickfield near Melincrythan Pill, in to the River Neath, near the town of Neath, in the said County”⁽³⁾, as amended by the Act entitled “An Act for extending the Neath Canal and for amending an Act, passed in the Thirty-First Year of the Reign of His present Majesty, for making the said Canal”⁽⁴⁾; and

“the Cnel Bach stretch” means the part of the Neath Canal described in the Schedule to this Order.

Extinguishment of public and private rights of navigation over the Cnel Bach stretch

2. Sections L and LXXIII of the 1791 Act (which provide for navigation to be free upon payment of rates, and for owners and occupiers of adjoining lands to use pleasure and husbandry boats free

(1) 1968 c. 73; s.112 has been amended by Schedule 25 to the Water Act 1989 (c. 15) and Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c. 11).

(2) S.I.1970/1681.

(3) 1791 c. 85.

(4) 1798 c.xxx.

Status: This is the original version (as it was originally made).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

of rates), and so much of section LV of that Act (which provides for cuts to be made to communicate with the Neath Canal) as confers any public or private right of navigation, shall cease to have effect in relation to the Cnel Bach stretch.

Payment of compensation

3. Any compensation which falls to be paid under section 112(4) of the Transport Act 1968 by virtue of this Order shall be paid by the Secretary of State for Wales.

5th June 1992

Michael Howard
Secretary of State for the Environment

SCHEDULE

Article 1

The length known as Cnel Bach at Ynysyrallor which extends from its junction with the Neath Canal eastwards for a length of approximately 35 metres, in the district of Neath, in the county of West Glamorgan, as delineated and cross-hatched on the plan prepared in triplicate and marked “Plan referred to in the Neath Canal (Cnel Bach) (Repeal of Local Enactments) Order 1992”, copies of which are deposited and available for inspection at:

- (i) the offices of the West Glamorgan County Council, County Hall, Swansea;
- (ii) the offices of the Secretary of State for Wales, Ty Glas Rd, Llanishen, Cardiff CF4 5PL; and
- (iii) the offices of the Secretary of State for the Environment, 2 Marsham St, London SW1P 3EB.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extinguishes navigation rights over the Cnel Bach stretch of the Neath Canal.