

IN THE COUNTY COURT AT LANCASTER

CLAIM NO: B00LA125

DISTRICT JUDGE FORRESTER

22 DECEMBER 2015

**BETWEEN:**

**CANAL & RIVER TRUST**

**Claimant**

**and**

**THOMAS WHITELEY**



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**ORDER**

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<p><b>To THOMAS WHITELEY</b> <b>If you do not obey paragraphs 2 and 3 of this Order then you may be held in contempt of court and imprisoned or fined, or your assets may be seized</b></p>
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**Before District Judge Forrester sitting at Mitre House, Church Street, Lancaster on 22<sup>nd</sup> December 2015**

**UPON** hearing the Claimant's Part 8 Claim

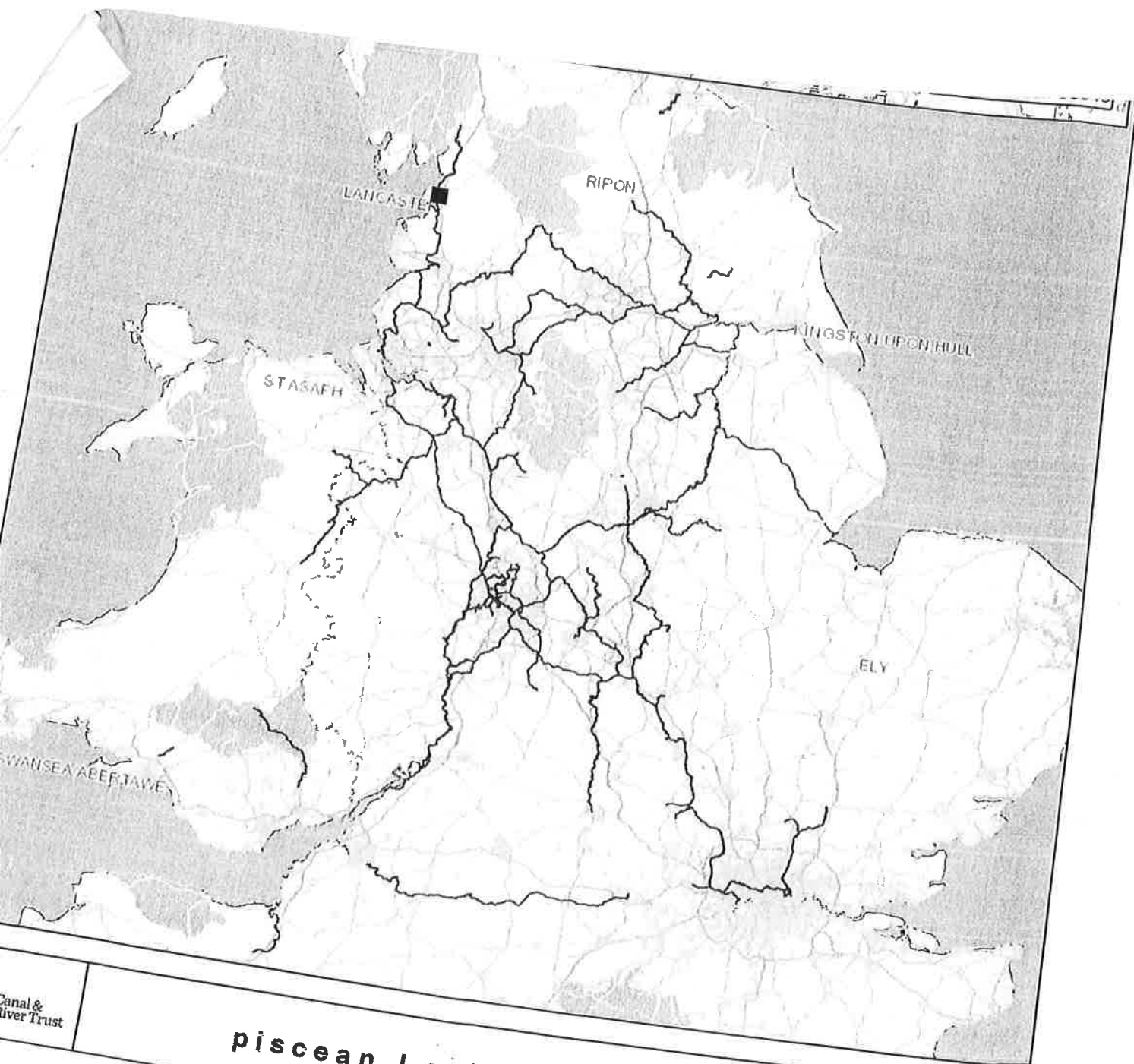
**AND UPON** hearing Counsel for the Claimant and the Defendant in person (with Mr Wilkinson as "McKenzie Friend")

**IT IS ORDERED THAT:**

1. It is hereby declared that the Claimant is entitled, after 4pm on 26 January 2016, to remove the Defendants boat "Piscean Lady", index number: 53945 from the canals and inland waterways under the Claimant's control shown coloured blue on the plan and listed in the Schedule, both annexed hereto pursuant to its statutory powers under section 8 of the British Waterways Act 1983 and section 13 of the British Waterways Act 1971.

2. The Defendant is forbidden, after 4pm on 26 January 2016 (whether by himself or by instructing or encouraging any other person) without the prior written consent of the Claimant:
  - (a) From navigating, mooring and/or securing the boat "Piscean Lady", index number: 53945 on or to any part of the Lancaster Canal;
  - (b) From navigating, mooring and/or securing the boat "Piscean Lady", index number: 53945 on any part of any of the canals and inland waterways controlled by the Claimant as defined at paragraph 1 above.
3. The Defendant shall, by no later than 4pm on 26 January 2016 remove the boat "Piscean Lady", index number: 53945 from the property controlled by the Claimant as defined at paragraph 1 above;
4. The Defendant shall pay the Claimant's costs of this claim, summarily assessed in the sum of £8,113.60, by 4pm on 20 January 2016 but less £1305.60 for VAT unless the Claimant files and serves by 4pm on 11 January 2016 a certificate from its Chief Financial Officer confirming that it is unable to recover VAT on its legal costs from HMRC.

**Dated:** 22 December 2015



Canal &  
River Trust

**piscean Lady - 53945**

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Produced By:  
Mfletcher  
Date:  
21/05/2015



# Schedule

Ashby Canal  
Birmingham & Fazeley Canal  
Coventry Canal  
Saltisford Arm (Grand Union Canal)  
Oxford Canal  
Kingswood Arm (North Stratford Canal)  
North Stratford Canal  
South Stratford Canal  
Staffordshire & Worcestershire Canal  
Trent & Mersey Canal  
Wyrley & Essington Canal (Coventry Canal)  
Chesterfield Canal  
Cromford Canal  
Erewash Canal  
Fossdyke Canal  
Leicester Line (Grand Union Canal)  
Grantham Canal  
River Trent  
River Soar  
Nottingham & Beeston Canal  
Nottingham canal  
Upper Trent  
River Witham  
Caledonian Canal  
Crinan Canal  
Abbey Creek  
Bow Creek  
City Mill River  
Channelsea River  
Slough Arm (Grand Union Canal)  
Paddington Arm (Grand Union Canal)  
Hertford Union Canal  
Limehouse Basin  
Limehouse Cut  
Lea Navigation  
Old River Lea  
Prescott Channel  
Pudding Mill River  
Regent's Canal  
River Stort  
Three Mills River  
St Thomas Creek  
Waterworks River  
Forth & Clyde Canal  
Glasgow Branch (Forth & Clyde Canal)  
Monkland Canal  
Union Canal  
Ashton Canal  
Lancaster Canal

Leigh Branch (Leeds & Liverpool Canal)  
Glasson Branch (Lancaster Canal)  
Leeds & Liverpool Canal  
Walton Summit Arm (Leeds & L'pool Canal)  
Rufford Branch (Leeds & Liverpool Canal)  
St Helens Canal  
Manchester Bolton & Bury Canal  
Bolton Arm (Man'r Bolton & Bury Canal)  
Bugsworth Arm (Peak Forest Canal)  
Peak Forest Canal  
Rochdale Canal  
Ribble Link  
Aylesbury Arm (Grand Union Canal)  
Stratford Arm (Grand Union Canal)  
Welford Arm (Leicester Line)  
Market Harborough Arm (Grand Union Canal)  
Buckingham Arm (Grand Union Canal)  
Northampton Arm (Grand Union Canal)  
Wendover Arm (Grand Union Canal)  
Brownsover Arm (Oxford Canal)  
Dukes Cut (Oxford Canal)  
Engine Arm (Oxford Canal)  
Clifton Arm (Oxford Canal)  
Hythe Bridge Street Arm (Oxford Canal)  
Brinklow Arm (Oxford Canal)  
Rugby Arm (Oxford Canal)  
Stretton Arm (Oxford Canal)  
Newbold Arm (Oxford Canal)  
Bridgwater & Taunton Canal  
Gloucester & Sharpness Canal  
Kennet & Avon Canal  
Sharpness Old Arm  
River Severn Navigation  
Stroudwater Canal  
Leek Branch (Caldon Canal)  
Caldon Canal  
Llangollen Canal  
Prees Branch (Llangollen Canal)  
Macclesfield Canal  
Monmouthshire & Brecon Canal  
Guilsfield Arm (Montgomery Canal)  
Montgomery Canal  
Swansea Canal  
Middlewich Branch (Shrop Union Canal)  
Weston Canal  
Weaver Navigation  
Witton Brook (Weaver Navigation)  
Anglesey Branch (Wyrley & Ess'n Canal)  
New Mainline  
Bradley Branch (Walsall Canal)

Netherton Tunnel Branch (New Main Line)  
Gower Branch (New Main Line)  
Icknield Port Loop  
Ridgeacre Branch (Wednesbury Old Canal)  
Dudley No 2 Canal  
Boshboil Arm (Dudley No 2 Canal)  
Spon Lane Locks  
Ozells Street Loop (New Main Line)  
Dudley No 1 Canal  
Wednesbury Old Canal  
Soho Loop  
Hockley Port Branch (Soho Loop)  
Bumble Hole Arm (Dudley No 2 Canal)  
Cape Arm (New Main Line)  
Daw End Canal  
Fens Branch (Stourbridge Canal)  
Birmingham & Warwick Junction Canal  
Gospel Oak Branch (Walsall Canal)  
Grand Union Canal  
Grazebrook Arm (Dudley No 1 Canal)  
Haines Branch Canal  
Hatherton Canal  
Ladywood Arm (New Main Line)  
Rushall Canal  
Stourbridge Extension Canal  
Stourbridge Town Arm (Stourbridge Canal)  
Shrewsbury & Newport Canal  
Stourbridge Canal  
Shropshire Union Canal  
Tilford Canal  
Tat Bank Branch (Tilford Canal)  
Causeway Green Branch (Tilford Canal)  
Jim Crow Arm (Tilford Canal)  
Portway Branch (Tilford Canal)  
Tilford Pools (Tilford Canal)  
Tame Valley Canal  
Anson Branch (Walsall Canal)  
Worcester & Birmingham Canal  
Wyrley & Essington Canal  
Engine Arm  
Walsall Town Arm (Walsall Canal)  
Willenhall Branch (Walsall Canal)  
Ocker Hill Tunnel Branch (Walsall Canal)  
Dudley Tunnel Branch  
Walsall Canal  
Old Main Line  
Bradley Arm (Old Main Line)  
Cannock Extension Canal  
Digbeth Branch (Birm'm & Fazeley Canal)  
Chemical Arm (Old Main Line)

Bank Dole Cut  
River Aire  
Aire & Calder Navigation Main Line  
Wakefield Branch (Aire & Calder Nav)  
Calder & Hebble Navigation  
Dewsbury Arm (Calder & Hebble Nav)  
Hallifax Branch (Calder & Hebble Nav)  
Deame and Dove Canal  
Stainforth & Keadby Canal  
Sheffield & Tinsley Canal  
Huddersfield Broad Canal  
Huddersfield Narrow Canal  
Springs Branch (Leeds' & Liverpool Canal)  
New Junction Canal  
Pocklington Canal  
Ripon Canal  
River Ouse  
Ure Navigation  
Selby Canal  
Sheffield & South Yorkshire Navigation  
Tees Navigation