

IN THE COUNTY COURT AT BIRMINGHAM

CLAIM NO. E01BM220

BEFORE HHJ MCKENNA

Date: 2 August 2018

BETWEEN:

CANAL & RIVER TRUST



Claimant

-and-

MR JAMES LEEMING

Defendant

ORDER

PENAL NOTICE

IF YOU THE DEFENDANT 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

UPON the Claimant's claim by Part 8 claim form dated 2 July 2018

AND UPON reading the witness statement of Ms Elizabeth Sollars dated 3 May 2018

AND UPON hearing Counsel for the Claimant, Mr Oliver Jones, and the Defendant not being present or represented

AND UPON Ms Elizabeth Sollars on behalf of the Claimant undertaking to file with the court before 12 o'clock on 6 August 2018 certificates of service of the Claim, and the relief set out in this order being conditional upon the said undertaking being complied with

THIS COURT DECLARES that:

1. The Claimant is entitled, after 4pm on 16 August 2018, to remove the Defendant's boat "Rumpus", index number 67564 (the "Boat") from the canals and inland waterways under the Claimant's control shown coloured blue on the plan and listed

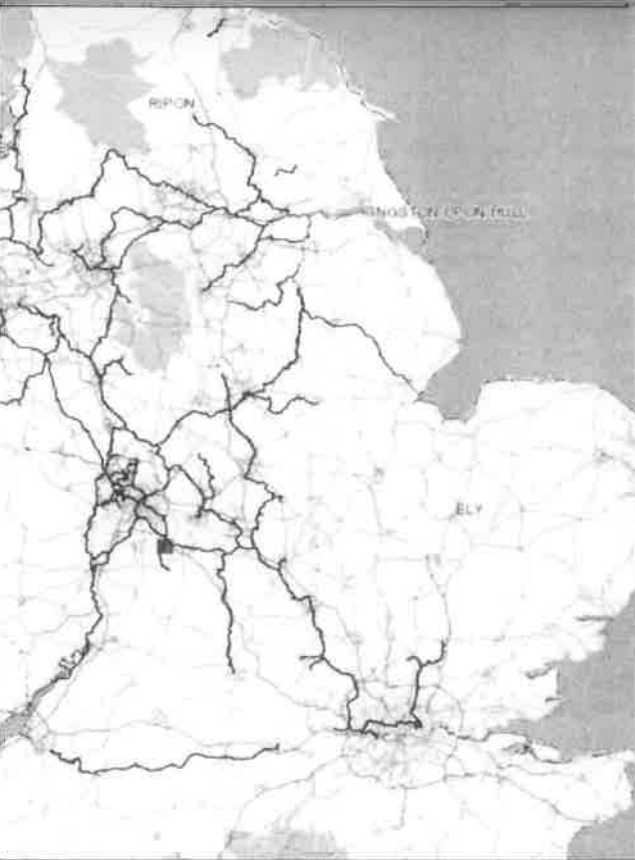
in the Schedule, both annexed hereto, pursuant to its statutory powers under section 8 British Waterways Act 1983 and section 13 British Waterways Act 1971.

AND IT IS ORDERED that:

2. The Defendant is forbidden, after 4pm on 16 August 2018, whether by himself or by instructing, causing or encouraging any other person, without a licence first being issued for the Boat by the Claimant:
 - a) from navigating, mooring and/or securing the Boat on or to any part of the [REDACTED] and
 - b) from navigating, mooring and/or securing the Boat on or to 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 16 August 2018, remove the Boat from the property controlled by the Claimant as defined at paragraph 1 above.
4. The Defendant shall pay the Claimant's costs in this action, summarily assessed in the sum of £2,684.40 inclusive of VAT, such sum to be payable within 14 days of the date of this Order.
5. The Claimant shall serve a sealed copy of this Order on the Defendant by post and by hand.

Service of the Order

The Court shall provide a sealed copy of this Order to the serving party, the Canal & River Trust, FAO Lucy Barry and Catherine Ness, First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB



RUMPUS - 67564

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Abrey
Date:
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List of canals and inland waterways under the Claimant's control

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
Fosdyke 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
Lee 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 & Liverpool Canal)
 Rufford Branch (Leeds & Liverpool Canal)
 St Helens Canal
 Manchester Bolton & Bury Canal
 Bolton Arm (Manchester 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 Stern 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
Oozells 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
Titford Canal
Tat Bank Branch (Titford Canal)
Causeway Green Branch (Titford Canal)
Jim Crow Arm (Titford Canal)
Portway Branch (Titford Canal)
Titford Pools (Titford 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 (Birmingham & 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)
Halifax Branch (Calder & Hebble Nav))
Dearne 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