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## SCHEDULES

### SCHEDULE 12 **U.K.**

#### THE A2 AND M2 IMPROVEMENT WORKS

#### PART II **U.K.**

##### INTERFERENCE WITH HIGHWAYS AND MEANS OF ACCESS

###### *Stopping up of highways*

- 3 (1) Subject to the provisions of this paragraph, the Secretary of State may, in connection with the construction of the A2 and M2 improvement works, stop up—
- (a) each of the highways or parts of highways specified, by reference to the letters and numbers shown on the deposited plans, in columns (1) and (2) of the following table, and
  - (b) any other bridleways or footpaths within the limits of deviation for the works authorised by this Part of this Act or within the limits of land to be acquired or used.
- (2) No highway or part of a highway, other than one specified in columns (1) and (2) of Part II of the following table, shall be stopped up under this paragraph unless the Secretary of State is in possession of all lands abutting on it, except so far as the owners and occupiers of those lands may otherwise agree.
- (3) No highway or part of a highway specified in columns (1) and (2) of Part II of the following table shall be stopped up under this paragraph until the Secretary of State is satisfied that the new highway specified in relation to it in column (3) of that Part of the table, by reference to the letters and numbers shown on the deposited plans or by reference to works authorised by this Part of this Act, has been completed and is open for public use.
- (4) On a highway or part of a highway being stopped up under this paragraph, all rights of way over or along it shall be extinguished.
- (5) The Secretary of State shall compensate any person who suffers loss by the extinguishment under this paragraph of a private right of way.
- (6) Any dispute as to a person's entitlement to compensation under sub-paragraph (5) above, or as to the amount of such compensation, shall be determined under and in accordance with Part I of the <sup>M1</sup>Land Compensation Act 1961.

*Note:* In the event that Work No. 38F is not carried out after Work No. 13C, references in column (3) of the table to Work No. 13C shall be construed as references to so much of it as lies between its junction with Work No. 38F and its termination.

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The Table

HIGHWAYS TO BE STOPPED UP

Part I

HIGHWAYS TO BE STOPPED UP WITHOUT PROVISION OF SUBSTITUTE

(1) Area	(2) Highway or part to be stopped up
<b>COUNTY OF KENT</b>	
Borough of Gravesham, Parish of Shorne	Footpath NS312 for a distance of 45 metres north-eastwards from its junction with Watling Street (A2)
Borough of Gravesham, Parish of Cobham	Old Watling Street (B395) between points K1 and K2
City of Rochester upon Medway, Parish of Cuxton	Footpath RS205 between points D1 and D2
	Footpath RR27 between points D2 and D3
Borough of Tonbridge and Malling, Parish of Aylesford	Access road to go-kart racing track between points S1 and S2
	Access road between points H1 and H2
	Victoria Close between points B3 and B4
	Footpath MR201 between points T1 and T3 and between points T3 and T4
	Footpath MR14 for a distance of 120 metres westwards from its junction with Maidstone Road (A229)

Part II

HIGHWAYS TO BE STOPPED UP ONLY ON PROVISION OF SUBSTITUTE

(1) Area	(2) Highway or part to be stopped up	(3) New highway to be substituted for it
<b>COUNTY OF KENT</b>		

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Borough of Gravesham, Parish of Cobham	A2 westbound entry slip road between points H3 and H2	Work No. 32C
	A2 westbound exit slip road between points H4 and H2	Work No. 32B
	Halfpence Lane (C492) between points H1 and H2	Works Nos. 32B and 32C
	Footpath NS182 between points N9, P3 and N8	New footpath between points N7 and N8
	Access road between points N1 and N2 and points N3 and N4	Works Nos. 35A and 35B
Borough of Gravesham, Parish of Shorne	A2 eastbound entry slip road between points J3 and J4	Work No. 32A
Borough of Gravesham, Parishes of Cobham and Higham	A2 westbound slip road between points P1 and P2	Work No. 35A
City of Rochester upon Medway, Parish of Cuxton	Work No. 13A(2)	Work No. 36C between its commencement and its junction with Work No. 13A(2)
	Work No. 13A(3)	Work No. 36D
City of Rochester upon Medway, Town of Rochester and Parish of Cuxton	Footpath RS203 between points B1 and B2	New footpath between points B1, B6, B5, B4 and B3
	Work No. 13A(4)	Work No. 36F between its junction with Work No. 13A(4) and its termination
City of Rochester upon Medway, Town of Rochester	Work No. 13A(1)	Works Nos. 36A and 36E
	A228 (Rochester Road) between points C1 and C2	Work No. 36F
	M2 eastbound exit slip road between points C9 and C4	Works Nos. 36A and 36E
	M2 westbound entry slip road between points C6 and C7	Works Nos. 36C and 36E

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	M2 eastbound entry slip road between points C9 and C5	Works Nos. 36B and 36E
	M2 westbound exit slip road between points C8 and C7	Works Nos. 36D and 36E
	Footpath RS205A between points C9 and C10	Work No. 36K
	Nashenden Farm Lane between points E1 and E2	Work No. 38C
	Bridleway RR16 between points E3, E2 and E4	Work No. 38C
	Bridleway RR18 between points C1 and A3	Works Nos. 38F and 13C
City of Rochester upon Medway, Town of Rochester and Borough of Tonbridge and Malling, Parish of Wouldham	Work No. 13C between its commencement and its junction with Work No. 38F	Work No. 38F
Borough of Tonbridge and Malling, Parish of Wouldham	Bridleway MR11 between points A3, A2 and A1	Works Nos. 38F and 13C
Borough of Tonbridge and Malling, Parish of Aylesford	A229 (Maidstone Road) between points F1 and F2d	Works Nos. 40A, 40B, 40C, 40D, 40E, 40F and 41A
	Rochester Road between points F3 and F4	Work No. 40G
	A229 slip road between points B1 and B2	Work No. 40J
	A229 slip road between points C1 and C2	Work No. 40L
	A229 slip road between points D1 and D2	Work No. 40M
	A229 slip road between points E1 and E2	Work No. 39H
	A229 slip road between points G1 and G2	Work No. 40K
	Walderslade Woods between points F5 and F6	Work No. 40H
	Walderslade Woods between points F7 and F8	Work No. 39G

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	M2 eastbound exit slip road between points K1 and K2	Work No. 39A
	M2 eastbound entry slip road between points J1 and J2	Work No. 39B
	M2 westbound exit slip road between points M1 and M2	Work No. 39D
	M2 westbound entry slip road between points L1 and L2	Work No. 39C
	Maidstone Road between points N1 and N2	Work No. 39J
	Access way between points A1, A2 and A3	Work No. 40P
	Access way between points P3 and P4	Works Nos. 40R and 40S
	Access road between points P1, P3 and P2	Work No. 40Q
	Access road to Crematorium between points V3 and V4	Work No. 41D
	Footpath MR440 between points Q3 and Q4	New footpath between points Q3 and Q5
	Footpath MR438A between points R1 and R2	New footpath between those points
Borough of Maidstone, Parish of Boxley	Footpath KH32 between points Q1 and Q2	Work No. 45
	Yelsted Lane between points E3 and E4	Work No. 43B
	Lidsing Road between points F1 and F2	Work No. 43C
	Footpath KH9 between points G1, G3 and G4	New footpath between points G1, G2 and G4
	Footpath KH634 between points H1 and H2	Work No. 43D
Borough of Maidstone, Parishes of Boxley and Bredhurst	Forge Lane between points H3 and H4	Work No. 43E
Borough of Gillingham, Town of Gillingham and Borough of Maidstone, Parish of Bredhurst	M2 westbound entry slip road between points A1 and A2	Work No. 44B

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M2 eastbound exit slip      Work No. 44A  
 road between points A3  
 and A4

**Marginal Citations**

**M1** 1961 c. 33.

*Stopping up of private access to premises*

- 4 (1) Subject to the provisions of this paragraph, the Secretary of State may, in connection with the construction of the A2 and M2 improvement works—
- (a) stop up any private means of access to premises adjoining or adjacent to any land—
    - (i) comprised in the route of any highway which becomes, by virtue of paragraph 6 below, a special road, or
    - (ii) forming part of the site of any works authorised by this Part of this Act,
  - and
  - (b) provide a new means of access to any such premises.
- (2) No means of access shall be stopped up under this paragraph unless the Secretary of State is satisfied—
- (a) that no access to the premises is reasonably required, or
  - (b) that another reasonably convenient means of access to the premises is available or will be provided under this paragraph or otherwise.
- (3) In determining for the purposes of sub-paragraph (2) above whether a means of access to any premises from a highway is or will be reasonably convenient, the Secretary of State shall have regard—
- (a) to the need, if any, for a means of access from the highway to different places on those premises, and
  - (b) to any roads, paths or other ways on those or other premises which are or will be capable of providing such a means.
- (4) The provision under this paragraph of a new means of access to any premises from a highway includes the provision of a road, path or other way on those or any other premises.

*Temporary interference with highways*

- 5 (1) The Secretary of State may, for the purpose of constructing the A2 and M2 improvement works, temporarily stop up, open, break up or interfere with, or alter or divert, the whole or any part of any highway within the limits of deviation for the works authorised by this Part of this Act or the limits of land to be acquired or used, and may carry out and do all necessary works and things for, or in connection with, the stopping up, opening, breaking up, interference, alteration or diversion and for keeping the highway open for traffic.

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- (2) The Secretary of State shall provide reasonable access for all persons, with or without vehicles, going to or returning from premises abutting on any highway affected by the exercise of the powers conferred by this paragraph.

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