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STATUTORY INSTRUMENTS

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**2012 No. 1867**

**The Ipswich Barrier Order 2012**

**PART 2**

**WORKS PROVISIONS**

*Streets and rights of way*

**Temporary stopping up of streets**

7.—(1) The Agency, during and for the purposes of the execution of the authorised works, may temporarily stop up, alter or divert any existing or alleged path or street and may for any reasonable time—

- (a) divert the traffic from the path or street;
- (b) subject to paragraph (2), prevent all persons from passing along the path or street; and
- (c) use the stopped up parts of the path or street as a temporary working site.

(2) The Agency must provide—

- (a) reasonable access for pedestrians going to or from premises abutting a street affected by the exercise of the powers conferred by this article if there would otherwise be no such access; and
- (b) such reasonable access for A.B. Ports as may be required for the purposes of its dock undertaking as may be agreed with the Agency, such agreement not to be unreasonably withheld.

(3) Without limitation on the scope of paragraph (1), the Agency may exercise the powers conferred by this article in relation to the existing or alleged paths or streets specified in columns (1) and (2) of Part 2 of Schedule 2 (diversion of possible rights of way) to the extent specified, by reference to the letters and numbers shown on the rights of way maps.

(4) The Agency must not exercise the powers conferred by this article—

- (a) in relation to byway 38 without providing for the duration of the temporary stopping up and to the reasonable satisfaction of the highway authority a 3 metre wide path between the point marked K on the rights of way maps and Bath Street;
- (b) in relation to any other path or street specified as mentioned in paragraph (3) without first consulting the highway authority and where a temporary diversion is specified in column (3) of Part 2 of Schedule 2, without the diversion being first completed to the reasonable satisfaction of the highway authority and opened for use; and
- (c) in relation to any other path or street without the consent of the street authority (within the meaning given in Part 3 of the 1991 Act) which may attach reasonable conditions to any consent, but such consent must not be unreasonably withheld.

(5) Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.