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STATUTORY INSTRUMENTS

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**2012 No. 2284**

**INFRASTRUCTURE PLANNING**

**The Network Rail (Ipswich Chord) Order 2012**

*Made - - - - 5th September 2012*

*Coming into force 26th September 2012*

**THE NETWORK RAIL (IPSWICH CHORD) ORDER 2012**

PART 1

1. Citation and Commencement
2. Interpretation
3. Incorporation of the Railways Clauses Acts
4. Disapplication of legislative provisions

PART 2

5. Development consent etc. granted by the Order
6. Maintenance of authorised project
7. Limits of deviation
8. Benefit of Order

PART 3

9. Street works
10. Application of the 1991 Act
11. Temporary stopping up of streets
12. Traffic signs

PART 4

13. Discharge of water
14. Protective work to buildings
15. Authority to survey and investigate the land

PART 5

16. Compulsory acquisition of land

*Status: This is the original version (as it was originally made).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

17. Time limit for exercise of authority to acquire land compulsorily
18. Compulsory acquisition of rights
19. Private rights
20. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
21. Acquisition of subsoil or airspace only
22. Acquisition of part of certain properties
23. Temporary use of land for carrying out the authorised project
24. Statutory undertakers
25. Recovery of costs of new connections

#### PART 6

26. Operation and use of railway
27. Felling or lopping of trees

#### PART 7

28. Operational land for purposes of the 1990 Act
29. Defence to proceedings in respect of statutory nuisance
30. Protections of interests
31. Application of the Land Compensation Act 1973
32. Certification of plans etc.
33. Service of notices
34. Arbitration
35. Procedure in relation to approvals etc. under requirements  
Signature

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### SCHEDULES

#### SCHEDULE 1 — AUTHORISED DEVELOPMENT AND REQUIREMENTS

##### PART 1 — AUTHORISED DEVELOPMENT

##### PART 2 — REQUIREMENTS

1. Interpretation
2. Stages of authorised development
3. In accordance with approved details
4. Landscaping
5. Implementation and maintenance of landscaping
6. Highway access
7. Archaeology
8. Contract Requirements-Environment
9. Restriction on access
10. Noise mitigation Railway Cottages
11. Contaminated land
12. Ecological Management Plan
13. Pedestrian/cycle access to River Gipping
14. Finishes of bridges and graffiti
15. Alteration, reconstruction or replacement of buildings
16. Amendments to approved details
17. Street Lighting at Bridge 404
18. Temporary cantilever footpath and cycleway
19. Ramps
20. Requirement for written approval

SCHEDULE 2 — STREETS SUBJECT TO STREET WORKS

SCHEDULE 3 — STREETS TO BE TEMPORARILY STOPPED UP

SCHEDULE 4 — LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

SCHEDULE 5 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

*Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...

*Application of the 1965 Act*

3. (1) The 1965 Act has effect with the modifications necessary...
4. For section 7 of the 1965 Act (measure of compensation...
5. For section 8 of the 1965 Act (other provisions as...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) is...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (interests omitted from purchase)...

SCHEDULE 6 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 7 — PROTECTIVE PROVISIONS

PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

1. For the protection of the undertakers referred to in this...
2. In this Part of this Schedule— “alternative apparatus” means alternative...
3. This Part of this Schedule does not apply to apparatus...
4. Regardless of any provision in this Order or anything shown...
5. (1) If, in the exercise of the powers conferred by...
6. (1) Where, in accordance with the provisions of this Part...
7. (1) Not less than 28 days before starting the execution...
8. (1) Subject to the following provisions of this paragraph, Network...
9. (1) Subject to sub-paragraphs (2) and (3), if by reason...
10. Nothing in this Part of this Schedule affects the provisions...

PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

11. (1) For the protection of any operator, the following provisions,...
12. The exercise of the powers conferred by article 24 (statutory...
13. (1) Subject to sub-paragraphs (2) to (4), if as the...
14. This Part of this Schedule does not apply to—
15. Nothing in this Part of this Schedule affects the provisions...

PART 3 — FOR THE PROTECTION OF THE ENVIRONMENT AGENCY

16. (1) The following provisions apply for the protection of the...
17. (1) Before beginning to construct any specified work, Network Rail...
18. Without limitation on the scope of paragraph 17, but subject...
19. (1) Subject to sub-paragraph (2), any specified work, and all...
20. (1) Subject to sub-paragraph (6) Network Rail must from the...

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21. Subject to paragraph 23, if by reason of the construction...
22. (1) Network Rail must take all such measures as may...
23. (1) Nothing in paragraphs 19(5), 20(3), 21, 22(3) and (4)...
24. Network Rail must indemnify the Agency in respect of all...
25. (1) Without affecting the other provisions of this Part of...
26. The fact that any work or thing has been executed...
27. Any dispute arising between Network Rail and the Agency under...  
PART 4 — FOR THE PROTECTION OF HUTCHISON PORTS (UK)  
LIMITED AND THE FELIXSTOWE DOCK AND RAILWAY  
COMPANY
28. (1) The following provisions apply for the protection of the...
29. At the same time as Network Rail consults persons with...
30. At the same time as Network Rail consults persons with...
31. As part of the consultation under paragraph 29 Network Rail...
32. As part of the consultation under paragraph 30 Network Rail...
33. Each consultation with the Felixstowe operator under paragraph 29 or...
34. Network Rail must have regard to any response to the...
35. For the purposes of this Part of this Schedule any...  
PART 5 — FOR THE PROTECTION OF NATIONAL HEALTH SERVICE  
BLOOD AND TRANSPLANT
36. (1) The following provisions apply for the protection of NHSBT,...

Explanatory Note