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STATUTORY INSTRUMENTS

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**2013 No. 2809**

**The Network Rail (Redditch Branch Enhancement) Order 2013**

**PART 2**

**Principal powers**

**Development consent etc. granted by the Order**

4.—(1) Subject to the provisions of this Order and to the requirements in Part 2 (requirements) of Schedule 1 (authorised development and requirements) Network Rail is granted development consent for the authorised development to be carried out within the Order limits.

(2) Subject to article 6 (limits of deviation) the authorised development comprising the numbered works in Schedule 1 may only be constructed in the lines and situations shown on the works plan and the levels shown on the section drawings.

**Maintenance of authorised development**

5. Network Rail may at any time maintain the authorised development, except to the extent that this Order or an agreement made under this Order provides otherwise.

**Limits of deviation**

6. In carrying out the authorised development comprising the works numbered in Schedule 1 (authorised development and requirements), Network Rail may—

- (a) deviate laterally from the lines or situations of the authorised development shown on the works plan to the extent of the limits of deviation shown on that plan; and
- (b) deviate vertically from the levels of the authorised development shown on the section drawings—
  - (i) to any extent not exceeding 1 metre upwards; or
  - (ii) to any extent downwards as may be found to be necessary or convenient.

**Benefit of Order**

7.—(1) The provisions of this Order conferring powers on Network Rail have effect solely for the benefit of Network Rail.

(2) Paragraph (1)—

- (a) is subject to paragraph (5) of article 17 (compulsory acquisition of rights) of this Order; and
- (b) does not apply to the benefit of the consent granted by this Order for works for the benefit of owners and occupiers of land, statutory undertakers and other persons affected by the authorised development.