
STATUTORY INSTRUMENTS

2017 No. 1150

TRANSPORT AND WORKS, ENGLAND
TRANSPORT, ENGLAND

The Network Rail (Buxton Sidings Extension) Order 2017

Made - - - - 28th November 2017

Coming into force 19th December 2017

THE NETWORK RAIL (BUXTON
SIDINGS EXTENSION) ORDER 2017

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Incorporation of Railways Clauses Acts
4. Application of the 1991 Act
5. Disapplication of legislative provisions

PART 2

WORKS PROVISIONS

Principal powers

6. Power to construct and maintain works
7. Power to deviate

Streets

8. Power to execute street works
9. Stopping up of street
10. Temporary stopping up of streets
11. Access to works
12. Construction and maintenance of new or altered streets
13. Agreements with street authorities
14. Construction of bridges

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Supplemental powers

15. Discharge of water
16. Protective works to buildings
17. Power to survey and investigate land

PART 3

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

18. Power to acquire land
19. Application of Part 1 of the 1965 Act
20. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
21. Power to acquire new rights
22. Power to acquire subsoil or airspace only

Temporary possession of land

23. Temporary use of land for construction of works
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Compensation

25. Disregard of certain interests and improvements
26. Set-off for enhancement in value of retained land

Supplementary

27. Extinction or suspension of private rights of way
28. Time limit for exercise of powers of acquisition

PART 4

MISCELLANEOUS AND GENERAL

29. Defence to proceedings in respect of statutory nuisance
30. Planning permission
31. Power to lop trees overhanging the authorised works
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39. Certification of plans etc.
40. Service of notices
41. No double recovery
42. Arbitration
Signature

SCHEDULES

SCHEDULE 1 — SCHEDULED WORKS

SCHEDULE 2 — ACQUISITION OF CERTAIN LANDS FOR ANCILLARY WORKS

SCHEDULE 3 — STREETS SUBJECT TO STREET WORKS

SCHEDULE 4 — STREET TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 5 — STREETS TO BE TEMPORARILY STOPPED UP

SCHEDULE 6 — ACCESS TO WORKS

SCHEDULE 7 — 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...
3. (1) Without limitation on the scope of paragraph 1, the...

Application of Part 1 of the 1965 Act

4. Part 1 (compulsory purchase under Acquisition of Land Act 1946)...
5. (1) The modifications referred to in paragraph 4(a) are as...

SCHEDULE 8 — ACQUISITION OF NEW RIGHTS ONLY

SCHEDULE 9 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 10 — TEMPORARY TRAFFIC REGULATION

SCHEDULE 11 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS ETC.

Apparatus of statutory undertakers etc. on land acquired

1. (1) Sections 271 to 274 (extinguishment of rights of statutory...

Apparatus of statutory undertakers etc. in stopped up streets

2. (1) Where a street is stopped up under this Order...
3. Nothing in this Schedule affects the provisions of any enactment...

SCHEDULE 12 — PROTECTIVE PROVISIONS

PART 1 — FOR THE PROTECTION OF SPECIFIED UNDERTAKERS

1. (1) For the protection of the undertakers referred to in...
2. In this Part of this Schedule— “alternative apparatus” means alternative...
3. This Part of this Schedule does not apply to apparatus...
4. (1) Where any street is stopped up under article 9...
5. Without affecting any provision in this Order or anything shown...
6. (1) If, in the exercise of the powers conferred by...
7. (1) Where, in accordance with the provisions of this Part...
8. (1) Not less than 28 days before starting the execution...

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9. (1) If in consequence of the exercise of the powers...
10. (1) Subject to sub-paragraphs (2) and (3), if by reason...
11. Nothing in this Part of this Schedule affects the provision...
PART 2 — FOR THE PROTECTION OF LEAD LOCAL FLOOD
AUTHORITIES
12. (1) The following provisions of this Part of this Schedule...
13. (1) Before beginning to construct any specified work, Network Rail...
14. Without limitation on the scope of paragraph 13, the requirements...
15. (1) Subject to sub-paragraph (2), any specified work, and all...
16. (1) Subject to sub-paragraph (3) Network Rail must from the...
17. If by reason of the construction of any specified work...
18. (1) Network Rail must pay all costs, charges and expenses...
19. The fact that any work or thing has been executed...
20. Any dispute arising between Network Rail and the lead local...

Explanatory Note