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STATUTORY INSTRUMENTS

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**2018 No. 923**

**The Network Rail (Werrington Grade Separation) Order 2018**

**PART 2**

**WORKS PROVISIONS**

*Principal powers*

**Power to construct and maintain works**

6.—(1) Network Rail may construct and maintain the scheduled works.

(2) Subject to article 7 (power to deviate) the scheduled works may only be constructed in the lines or situations shown on the deposited plans and in accordance with the levels shown on the sections.

(3) Subject to paragraph (5), Network Rail may carry out and maintain such of the following works as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the scheduled works, namely—

- (a) electrical equipment and signalling works;
- (b) ramps, means of access and footpaths, bridleways and cycle tracks;
- (c) embankments, aprons, abutments, retaining walls, wing walls and culverts;
- (d) works to install or alter the position of apparatus, including mains, sewers, drains and cables;
- (e) demolition of—
  - (i) Monkams, Hurn Road, Werrington, PE6 7HU;
  - (ii) 1549 Lincoln Road, Werrington, PE6 7HH; and
  - (iii) 1551 Lincoln Road, Werrington, PE6 7HH;
- (f) partial demolition of the boundary wall running parallel with Brook Drain to the rear of properties at Coningsby Road; and
- (g) a retention pond to the southwest of the East Coast Mainline railway corridor.

(4) Subject to paragraph (5), Network Rail may carry out such other works (of whatever nature) as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the authorised works.

(5) Paragraphs (3) and (4) only authorise the carrying out or maintenance of works outside the limits of deviation if such works are carried out on—

- (a) land specified in columns (1) and (2) of Schedule 2 (acquisition of land for ancillary works) for the purpose specified in column (3) of that Schedule;
- (b) land specified in column (1) of Schedule 8 (land in which only new rights etc. may be acquired) for the purposes specified in column (2) of that Schedule; or

- (c) land specified in columns (1) and (2) of Schedule 10 (land of which temporary possession may be taken) for the purposes specified in column (3) of that Schedule and in relation to the authorised works specified in column (4) of that Schedule.
- (6) Network Rail may, within the Order limits—
  - (a) carry out and maintain landscaping and other works to mitigate any adverse effects of the construction, maintenance and operation of the authorised works (other than works authorised by this paragraph); and
  - (b) carry out and maintain works for the benefit or protection of land affected by the authorised works (other than works authorised by this paragraph).

**Power to deviate**

- 7. In constructing or maintaining any of the scheduled works, Network Rail may—
  - (a) deviate laterally from the lines or situations shown on the deposited plans to the extent of the limits of deviation for that work; and
  - (b) deviate vertically from the levels shown on the sections—
    - (i) to any extent upwards not exceeding 3 metres; or
    - (ii) to any extent downwards as may be found to be necessary or convenient.