



# Killingholme Generating Stations (Ancillary Powers) Act 1991

## 1991 CHAPTER viii

### PART II

#### WORKS

#### 12 Temporary stoppage of highways, etc

- (1) The appropriate company during and for the purposes of the construction, maintenance, renewal, diversion or alteration of any of the National Power works or the PowerGen works, as the case may be, may temporarily stop up, alter, divert or otherwise interfere with any road, footpath or bridleway or any private right of way, and may for any reasonable time divert the traffic therefrom and prevent all persons other than those bona fide going to or from any land, house or building abutting on the road, footpath or bridleway or right of way from passing along and using the same.
- (2) The appropriate company shall provide reasonable access for foot-passengers, with or without animals, bona fide going to or from any such land, house or building.
- (3) The powers of subsection (1) above shall not be exercised in relation to any road without the consent of the highway authority having powers in relation thereto, which consent shall not be unreasonably withheld but may be given subject to such reasonable conditions (other than a monetary payment as the consideration for the grant of a consent) as the highway authority may require, and any question whether such consent is unreasonably withheld, or any conditions so imposed are unreasonable, shall be determined by arbitration.
- (4) The powers of this section shall not be exercised with respect to any road unless not less than 21 days' notice in writing is given to—
  - (a) the traffic commissioner in whose area the road is situate;
  - (b) the operator over that road of a local service as defined in the Transport Act 1985;
  - (c) the chief fire officer of the fire authority; and

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- (d) the chief officer of police;  
except in a case of emergency when such notice as is practicable shall be given.
- (5) In the exercise of the powers of this section the appropriate company shall, whenever possible, provide a proper temporary substitute way before interrupting the traffic on any road or highway.