

## SCHEDULES

### SCHEDULE 12

#### PROTECTION OF RAILWAY INTERESTS

5.—(1) The undertaker shall not exercise the powers of article 32 of this Order or the powers of section 11(3) of the 1965 Act in respect of any railway property except with the consent of Railtrack which consent, subject to compliance with railway operational procedures, shall not be unreasonably withheld but may be given subject to reasonable conditions.

(2) Except with the consent of Railtrack the undertaker shall not in the exercise of the powers of this Order prevent pedestrian or vehicular access to railway property.

(3) The undertaker shall not exercise the powers of sections 271 or 272 of the Town and Country Planning Act 1990, as applied by Schedule 11 to this Order, in relation to any right of access of Railtrack to railway property, but any such right of access may be diverted with the consent of Railtrack.

(4) The consent of Railtrack under sub-paragraphs (2) and (3) above shall not be unreasonably withheld but may be given subject to reasonable conditions.