

SCHEDULES

SCHEDULE 6

PROTECTIVE PROVISIONS

PART VII

PROTECTION FOR RAILWAY PATHS LIMITED AND SUSTRANS

Application of protocol

1. In this Part of this Schedule “the protocol” means the protocol dated 26th September 1997 agreed between the Council, Flintshire County Council, Chester City Council and Sustrans for the construction of a guided busway/cycleway/footway on the alignment of the disused Mickle Trafford to Shotton railway line.

2. The Council, Railway Paths Limited and Sustrans shall enter into and implement such agreements as are required to give effect to the objects of the protocol, including agreements providing—

- (a) for the transfer by Railway Paths Limited to the Council of so much of the Land in the City of Chester and the parish of Hoole comprising the corridor formerly used for the disused Mickle Trafford to Shotton Railway and shown on the land plans as plot no. 47 in the parish of Hoole and plot nos. 15, 17, 17A, 20A, 22 to 26, 31, 33 to 38, 38A, 39 to 42, 43, 43A, 44, 44A, 45, 46, and 54 to 58, in the City of Chester;
- (b) for the management by Sustrans of the cycleway and footway which has been or is to be constructed by the Council on land within the corridor referred to in sub-paragraph (a) and which is not so required; and
- (c) for transitional arrangements between the parties during the construction and commissioning of the guided busway.

Acquisition of land

3. The Council shall not under the powers of this Order acquire from Railway Paths Limited or Sustrans any part of, or any right in, the land specified in paragraph 2(a) except in accordance with the provisions of the above mentioned protocol and agreements, but nothing in this paragraph shall prevent the exercise of such powers against any other person or in respect of that land or rights in it.