
STATUTORY INSTRUMENTS

2010 No. 1721

The Network Rail (Nuneaton North Chord) Order 2010

PART 2

WORKS PROVISIONS

Streets

Stopping up of street and extinguishment and creation of rights

8.—(1) Subject to the provisions of this article, Network Rail may, in connection with the construction of the authorised works, stop up the street specified in columns (1) and (3) of Schedule 2 (street to be stopped up) to the extent specified, by reference to the letters and numbers shown on the Order plans, in column (4) of that Schedule.

(2) Network Rail shall not exercise the powers conferred by paragraph (1) until either—

- (a) Work No. 4 has been completed to the reasonable satisfaction of the street authority and is open for use; or
- (b) a temporary alternative route for the passage of such traffic as could have used the street to be stopped up is first provided and subsequently maintained by Network Rail, to the reasonable satisfaction of the street authority, between the commencement and termination points until the completion and opening of Work No. 4 in accordance with sub-paragraph (a).

(3) When Stoney Road has been stopped up under this article—

- (a) all rights of way over or along so much of Stoney Road as has been so stopped up shall be extinguished; and
- (b) Work No. 4 shall be subject to rights of way equivalent to such rights of way as are extinguished by sub-paragraph (a).

(4) Any person who suffers loss by the extinguishment or creation of any private right of way under this article shall be entitled to compensation to be determined in case of dispute, under Part 1 of the 1961 Act.

(5) This article is subject to paragraph 2 of Schedule 8 (statutory undertakers, etc.).