

---

STATUTORY INSTRUMENTS

---

**2011 No. 1072**

**TRANSPORT AND WORKS, ENGLAND**

TRANSPORT, ENGLAND

The Network Rail (Hitchin (Cambridge Junction)) Order 2011

*Made* - - - - - *31st March 2011*

*Coming into force* *21st April 2011*

THE NETWORK RAIL (HITCHIN  
(CAMBRIDGE JUNCTION)) ORDER 2011

PART 1

1. Citation and commencement
2. Interpretation
3. Incorporation of Railways Clauses Consolidation Act 1845
4. Application of the 1991 Act

PART 2

*Principal powers*

5. Power to construct and maintain works
6. Power to deviate

*Streets*

7. Power to alter layout, etc., of streets
8. Power to execute street works
9. Construction of new and stopping up of existing streets
10. Temporary stopping up and diversion of streets
11. Access to works
12. Construction and maintenance of new or altered streets
13. Agreements with street authorities

*Supplemental powers*

14. Discharge of water
15. Power to survey and investigate land

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

16. Obstruction of construction of authorised works

### PART 3

#### *Powers of acquisition*

17. Power to acquire land
18. Application of Part 1 of the Compulsory Purchase Act 1965
19. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
20. Power to acquire new rights
21. New rights, etc., only to be acquired in certain lands
22. Power to acquire subsoil only
23. Rights under or over streets

#### *Temporary possession of land*

24. Temporary use of land for construction of works
25. Temporary use of land for maintenance of works

#### *Compensation*

26. Disregard of certain interests and improvements
27. Set-off for enhancement in value of retained land

#### *Supplementary*

28. Acquisition of part of certain properties
29. Extinguishment or suspension of private rights of way
30. Open space
31. Time limit for exercise of powers of acquisition

### PART 4

32. Power to lop trees

### PART 5

33. Statutory undertakers, etc.
34. For protection of electricity, gas, water and sewerage undertakers
35. For protection of the Environment Agency

### PART 6

36. Planning permission: supplementary matters
37. Traffic regulation
38. Power to transfer undertaking
39. Application of landlord and tenant law
40. Disclosure of confidential information

#### *Noise*

41. Defence to proceedings in respect of statutory nuisance
42. Certification of plans, etc.
43. Service of notices
44. No double recovery

45. Arbitration  
Signature

---

SCHEDULES

SCHEDULE 1 — SCHEDULED WORKS

SCHEDULE 2 — STREET SUBJECT TO ALTERATION OF LAYOUT

SCHEDULE 3 — STREETS SUBJECT TO STREET WORKS

SCHEDULE 4 — STREETS TO BE STOPPED UP AND PROVISION OF  
SUBSTITUTES

SCHEDULE 5 — STREETS TO BE TEMPORARILY STOPPED UP

SCHEDULE 6 — ACCESS TO WORKS

SCHEDULE 7 — ACQUISITION OF CERTAIN LANDS

SCHEDULE 8 — MODIFICATION OF COMPENSATION AND COMPULSORY  
PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

*Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without limiting the scope of paragraph 1, the Land...

*Application of the 1965 Act*

3. (1) The 1965 Act shall have effect with the modifications...
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) shall...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 9 — LAND IN WHICH NEW RIGHTS, ETC., ONLY MAY BE  
ACQUIRED

SCHEDULE 10 — LAND OF WHICH TEMPORARY POSSESSION MAY BE  
TAKEN

SCHEDULE 11 — STATUTORY UNDERTAKERS, ETC.

*Apparatus of statutory undertakers, etc., on land acquired*

1. (1) Sections 271 to 274 of the 1990 Act (power...

*Apparatus of statutory undertakers, etc., in stopped up streets*

2. (1) Where a street is stopped up under article 9...
3. Nothing in this Schedule shall affect the provisions of any...

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE 12 — FOR PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

### *Interpretation*

1. (1) For the protection of the undertakers referred to in...
2. In this Schedule— “alternative apparatus” means alternative apparatus adequate to...
3. This Schedule does not apply to apparatus in respect of...
4. Regardless of any provision in this Order or anything shown...
5. (1) If, in the exercise of the powers conferred by...
6. (1) Where, in accordance with the provisions of this Schedule,...
7. (1) Not less than 28 days before starting the execution...
8. (1) Subject to the following provisions of this paragraph, Network...
9. (1) Subject to sub-paragraphs (2) and (3), if by reason...
10. Nothing in this Schedule shall affect the provisions of any...

## SCHEDULE 13 — FOR PROTECTION OF THE ENVIRONMENT AGENCY

1. (1) For the protection of the Environment Agency the following...

### *Consents or Approvals*

2. (1) Where under this Schedule the Agency is required to...

### *Works by the Agency*

3. Network Rail shall not in the exercise of the powers...

### *Ground Investigation Programme and Remediation Strategy*

4. (1) Network Rail shall before commencing the construction of any...

### *Piling Works*

5. Network Rail shall before commencing piling works in connection with...

### *Replacement public open space*

6. (1) Network Rail shall, before carrying out any works to...

### *Attenuation Basin*

7. Network Rail shall before commencing construction of Work No. 4...

### *Contaminated Land Management Plan*

8. Network Rail shall require its contractor to develop a contaminated...

### *Bioswales*

9. Network Rail shall before commencing construction of any bioswale supply...

### *Contamination not previously identified*

10. (1) If during the construction of the authorised works, any...

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

*Arbitration*

11. Any dispute arising between Network Rail and the Agency under...

SCHEDULE 14 — TRAFFIC REGULATION

Explanatory Note