

SCHEDULE 12

Protective provisions

PART 2

Protection of Network Rail Infrastructure Limited

4.—(1) The undertaker must not exercise the powers conferred by article 19 (authority to survey and investigate land) or the powers conferred by section 11(3) of the 1965 Act in respect of any railway property unless the exercise of such powers is with the consent of Network Rail.

(2) The undertaker must not in the exercise of the powers conferred by this Order prevent pedestrian or vehicular access to any railway property, unless preventing such access is with the consent of Network Rail.

(3) The undertaker must not in exercise of the powers conferred by this Order use or acquire new rights over any railway property except with the consent of Network Rail.

(4) Where Network Rail is asked to give its consent pursuant to this paragraph, such consent must not be unreasonably withheld but may be given subject to reasonable conditions.