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STATUTORY INSTRUMENTS

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**2016 No. 880**

**The Triton Knoll Electrical System Order 2016**

**PART 3**

**Streets**

**Temporary stopping up of streets**

9.—(1) Subject to paragraph (4), the undertaker, during and for the purposes of carrying out the authorised project, may temporarily stop up, alter or divert any street within the Order limits and may for any reasonable time—

- (a) divert the traffic or a class of traffic from the street; and
- (b) subject to paragraph (2), prevent persons from passing along the street.

(2) The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street affected by the temporary stopping up, alteration or diversion of a street under this article if there would otherwise be no such access.

(3) Without limiting paragraph (1), the undertaker may—

- (a) temporarily stop up, alter or divert the streets specified in column (2) of Schedule 3 (streets to be temporarily stopped up); and
- (b) temporarily stop up, alter or divert—
  - (i) any footpath specified in column (2) of Schedule 3 to the extent of the diversion zone for that footpath shown on the public rights of way plans;
  - (ii) any diverted footpath to the extent of the diversion zone agreed with the highway authority.

(4) The undertaker must not temporarily stop up, alter or divert—

- (a) any street referred to in paragraph (3) without notifying the relevant planning authority and the highway authority;
- (b) any other street without the consent of the highway authority, which may attach reasonable conditions to any consent (such consent not to be unreasonably withheld or delayed).

(5) Except as agreed in advance by the relevant planning authority, any notification under paragraph (4)(a) must be made at least 14 days before the temporary stopping up, alteration or diversion takes place.

(6) Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

(7) In this article, “diverted footpath” means a footpath identified in column (2) of Schedule 3 that has been diverted by the highway authority before commencement of the onshore works.