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STATUTORY INSTRUMENTS

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**2017 No. 433**

**The Keuper Underground Gas Storage Facility Order 2017**

**PART 3**

**STREETS**

**Temporary prohibition or restriction of use of streets**

**13.**—(1) The undertaker, during and for the purposes of carrying out the authorised development, may temporarily alter, divert, prohibit the use of or restrict any street or any other right of way and may for any reasonable time—

- (a) divert the traffic from the street or right of way; and
- (b) subject to paragraph (3), prevent all persons from passing along the street or right of way.

(2) Without prejudice to paragraph (1), the undertaker may temporarily alter or divert the streets specified in columns (1) and (2) of Schedule 5 (streets and rights of way to be temporarily stopped up) to the extent specified, by reference to the numbers shown on the street works and access plan, and in column (3) of that Schedule.

(3) 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.

(4) The undertaker must restore to the reasonable satisfaction of the street authority any street that has been temporarily stopped up, altered or diverted under this article.

(5) The undertaker may not temporarily prohibit the use of, alter or divert—

- (a) any street or right of way specified in paragraph (2) without first consulting the street authority; and
- (b) any other street without the consent of the street authority which may attach reasonable conditions to any consent.

(6) The undertaker, during and for the purposes of carrying out the authorised development, may for any reasonable time temporarily prohibit the use of, alter or divert the section of the public right of way (being a restricted byway) shown between points 1 and 2 on the street works and access plan and specified in Schedule 5 (streets and rights of way to be temporarily stopped up).

(7) Without prejudice to paragraph (6), the undertaker may not temporarily alter or divert a public right of way without first consulting the local highway authority, whose consent may be subject to conditions and must not be unreasonably withheld.

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