
STATUTORY INSTRUMENTS

2018 No. 571

**The Network Rail (Kings Mill No. 1 Level Crossing)
(Land Acquisition and Closure) Order 2018**

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Network Rail (Kings Mill No. 1 Level Crossing) (Land Acquisition and Closure) Order 2018 and comes into force on 4th June 2018.

Interpretation

2.—(1) In this Order—

“the 1961 Act” means the Land Compensation Act 1961⁽¹⁾;

“the 1965 Act” means the Compulsory Purchase Act 1965⁽²⁾;

“the 1980 Act” means the Highways Act 1980⁽³⁾;

“the 1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981⁽⁴⁾;

“the 1990 Act” means the Town and Country Planning Act 1990⁽⁵⁾;

“the 1991 Act” means the New Roads and Street Works Act 1991⁽⁶⁾;

“address” includes any number or address used for the purposes of electronic transmission;

“book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;

“bridleway” has the same meaning as in the 1980 Act;

“building” includes any structure or erection or any part of a building, structure or erection;

“definitive map” means the document published by Nottinghamshire County Council that records the existence of public rights of way in Nottinghamshire;

“deposited plan” means the land and rights of way plan certified by the Secretary of State as the deposited plan for the purposes of this Order;

“development” means the development authorised by a grant of planning permission under the 1990 Act, with the reference number V/2017/0606 dated 18th December 2017 from Ashfield District Council comprising a ramped bridleway bridge across the railway, and any variation or replacement of that planning permission;

(1) 1961 c. 33.
(2) 1965 c. 56.
(3) 1980 c. 66.
(4) 1981 c. 66.
(5) 1990 c. 8.
(6) 1991 c. 22.

“electronic transmission” means a communication transmitted—

- (a) by means of an electronic communications network; or
- (b) by other means but while in electronic form;

“existing bridleway” means the bridleway recorded on the definitive map and shown between points A and B on the deposited plan and the bridleway shown between points A to C to B on the deposited plan;

“highway authority” has the same meaning as in the 1980 Act;

“Kings Mill No. 1 level crossing” is the crossing of the Nottingham to Worksop railway, grid reference E:451993, N:359681, on the level at Mansfield in the county of Nottinghamshire, which has the status of a bridleway;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace, and maintenance is to be construed accordingly;

“Network Rail” means Network Rail Infrastructure Limited (Company No. 02904587) whose registered office is at 1 Eversholt Street, London, NW1 2DN;

“the new public right of way” means the new bridleway between points D, E, F, G and H shown on the deposited plan;

“the Order limits” means the limits of land to be acquired or used shown on the deposited plan;

“owner”, in relation to land, has the same meaning as in section 7 (interpretation) of the Acquisition of Land Act 1981⁽⁷⁾;

“statutory undertaker” means—

- (a) any person who is a statutory undertaker for the purposes of the 1990 Act; and
- (b) any public communications provider within the meaning of section 151(1) of the Communications Act 2003⁽⁸⁾;

“the tribunal” means the Lands Chamber of the Upper Tribunal; and

“the undertaking” means the railway undertaking of Network Rail as existing from time to time;

(2) References in this Order to points identified by letters are construed as references to a point so shown on the deposited plan.

(3) References in this Order to numbered plots are references to plot numbers shown on the deposited plan.

⁽⁷⁾ 1981 c. 67.

⁽⁸⁾ 2003 c. 21.