
STATUTORY INSTRUMENTS

2018 No. 937

**The Network Rail (Felixstowe Branch Line
Improvements – Level Crossings Closure) Order 2018**

PART 2

WORKS PROVISIONS

Streets

Level crossings and highways to be stopped up

5.—(1) Subject to the provisions of this article, the level crossings listed in column (2) of Parts 1 and 2 of Schedule 3 (level crossings and highways to be stopped up) are stopped up and discontinued.

(2) Upon the stopping up and discontinuance of the level crossings referred to in paragraph (1)—

- (a) all rights of way (whether public or private) over those crossings are extinguished; and
- (b) all public rights of way over the highways specified in column (3) of Parts 1 and 2 of Schedule 3 are extinguished to the extent specified by reference to the points identified by letters and numbers.

(3) Paragraph (2)(a) has effect regardless of anything in section 68 (accommodation works by company) of the Railways Clauses Consolidation Act 1845(1) as incorporated in the Felixstowe Railway and Pier Act 1875(2) or any other enactment or instrument.

(4) Upon the stopping up and discontinuance of Grimston Lane Level Crossing, section 15(5)(b) (further works and powers) of the British Transport Commission Act 1959(3) ceases to have effect.

(5) Upon the stopping up and discontinuance of Keeper's Lane Level Crossing, the Railtrack Keeper's Lane Level Crossing Order 1999(4) is revoked.

(6) In respect of the level crossings listed in Part 1 of Schedule 3, paragraphs (1) and (2) are not to have effect until the new highway or highways specified in column (4) in relation to that level crossing has or have been provided to the reasonable satisfaction of the highway authority in accordance with article 6 (creation and maintenance of new footpaths or bridleways) and is or are open for use.

(7) Any person who suffers loss by reason of the extinguishment 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.

(8) This article is subject to Schedule 4 (apparatus and rights of statutory undertakers etc. in stopped up highways).

(1) 1845 c. 20.

(2) 1875 c. cxiv.

(3) 1959 c. xliv.

(4) An order made by the Secretary of State under section 1 of the Level Crossings Act 1983 (c. 16) on 8th March 1999 and which came into force on 21st March 1999.

Status: This is the original version (as it was originally made).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