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STATUTORY INSTRUMENTS

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**2020 No. 1099**

**The Southampton to London Pipeline  
Development Consent Order 2020**

**PART 3**

**STREETS**

**Temporary closure, alteration, diversion or restriction of streets and public rights of way**

**13.**—(1) During and for the purposes of carrying out the authorised development, the undertaker may temporarily close, alter, divert or restrict any street or public right of way shown on the access & rights of way plan or within the Order limits and may for any reasonable time—

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

(2) Without limitation on the scope of paragraph (1), the undertaker may use as a temporary working site any street or public right of way which has been temporarily closed, altered, diverted or restricted under the powers conferred by this article.

(3) The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street or public right of way affected by the temporary closure, alteration, diversion or restriction under this article if there would otherwise be no reasonable access.

(4) Without limitation on the scope of paragraph (1), the undertaker may temporarily close, alter, divert or restrict the streets or public rights of way specified in column (1) of Parts 1 and 2 of Schedule 5 (streets or public rights of way to be temporarily closed, altered, diverted or restricted) to the extent specified in column (2) of that Schedule, and, if it does so in respect of a street or public right of way specified in Part 1 of Schedule 5, must provide the temporary diversion as specified in column (3) of that Part.

(5) The undertaker must not temporarily close, alter, divert or restrict any street or public right of way as mentioned in paragraph (1) without the consent of the street authority, which may attach reasonable conditions to any consent, but such consent must not be unreasonably withheld or delayed.

(6) Where the undertaker provides a temporary diversion under paragraph (4), the temporary alternative route is not required to be of a higher standard than the temporarily closed street or public right of way in column (1) of Part 1 of Schedule 5.

(7) 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.

(8) If a street authority which receives an application for consent under paragraph (5) fails to notify the undertaker of its decision before the end of the period of 42 days beginning with the date on which the application was made, it is deemed to have granted consent.

(9) References to the temporary stopping up of any street or highway in Schedule 9 (protective provisions) and any agreement referred to in paragraph 1 of Part 1 (for the protection of electricity,

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gas, water and sewerage undertakers) of that Schedule are to be construed as a reference to the closure of that street or highway under this article.