
STATUTORY INSTRUMENTS

2020 No. 1148

The West Burton C (Gas Fired Generating Station) Order 2020

PART 4

Streets

Temporary prohibition or restriction of use of streets

9.—(1) The undertaker may, during and for the purposes of carrying out the authorised development, temporarily divert or prohibit or restrict the use of any street specified in column 2 of Schedule 4 (streets subject to temporary prohibition or restriction of use) 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 all persons from passing along the street.

(2) The undertaker must provide reasonable access for non-motorised users (including pedestrians) going to or from premises abutting a street affected by the temporary diversion, prohibition or restriction of a street under this article if there would otherwise be no such access.

(3) The undertaker must not temporarily divert or prohibit or restrict the use of—

- (a) any street referred to in paragraph (1) without first consulting the street authority; or
- (b) any other street without the prior written consent of the street authority which may attach reasonable conditions to any consent.

(4) If a street authority fails to notify the undertaker of its decision within 4 weeks of receiving an application for consent under paragraph (3)(b) (or such longer period as may be agreed with the undertaker in writing) that street authority is deemed to have granted consent.

(5) 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 (determination of questions of disputed compensation) of the 1961 Act.

Agreements with street authorities

10.—(1) A street authority and the undertaker may enter into agreements with respect to—

- (a) any diversion or prohibition or restriction of use of a street authorised by this Order; or
- (b) the temporary removal and reinstatement of street furniture.

(2) Such an agreement may, without prejudice to the generality of paragraph (1),—

- (a) make provision for the street authority to carry out any function under this Order which relates to the street in question;
- (b) include an agreement between the undertaker and street authority specifying a reasonable time for the completion of the works; and
- (c) contain such terms as to payment and otherwise as the parties consider appropriate.