
STATUTORY INSTRUMENTS

2024 No. 526

TRANSPORT AND WORKS, ENGLAND
TRANSPORT, ENGLAND

The Network Rail (Church Fenton
Level Crossing Reduction) Order 2024

Made - - - - 4th April 2024

Coming into force 25th April 2024

THE NETWORK RAIL (CHURCH FENTON
LEVEL CROSSING REDUCTION) ORDER 2024

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Incorporation of the Railway Clauses Acts
4. Application of the 1991 Act
5. Disapplication of legislative provisions

PART 2

WORKS PROVISIONS

Principal powers

6. Power to construct and maintain works
7. Power to deviate

Level Crossings

8. Accommodation crossings
9. Power to execute street works
10. Power to alter layout etc. of streets
11. Temporary stopping up of streets
12. Access to works
13. Construction and maintenance of new or altered highways
14. Construction of bridges

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15. Agreements with street authorities

Supplemental powers

16. Discharge of water
17. Power to survey and investigate land

PART 3

ACQUISITION AND POSSESSION OF LAND

Powers of Acquisition

18. Power to acquire land
19. Application of Part 1 of the 1965 Act
20. Application of the 1981 Act
21. Power to acquire new rights
22. Rights under or over streets

Temporary possession of land

23. Temporary use of land for construction of works
24. Temporary use of land for maintenance of works

Compensation

25. Disregard of certain interests and improvements

Supplementary

26. Extinction or suspension of private rights of way
27. Time limit for exercise of powers of acquisition

PART 4

MISCELLANEOUS AND GENERAL

28. Defence to proceedings in respect of statutory nuisance
29. Planning Permission
30. Power to lop trees overhanging the authorised works
31. Obstruction of construction of authorised works
32. Traffic regulation
33. Traffic signs
34. Disclosure of confidential information
35. Statutory undertakers etc.
36. Protection of interests
37. Certification of plans etc.
38. Service of notices
39. No double recovery
40. Arbitration
Signature

SCHEDULES

SCHEDULE 1 — SCHEDULED WORKS

SCHEDULE 2 — ACQUISITION OF LAND FOR ANCILLARY AND ASSOCIATED WORKS

PART 1 — ANCILLARY WORKS

PART 2 — ASSOCIATED WORKS

SCHEDULE 3 — ACQUISITION OF NEW RIGHTS ONLY

SCHEDULE 4 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 5 — ACCOMMODATION CROSSINGS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 6 — STREETS SUBJECT TO STREET WORKS

SCHEDULE 7 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS ETC.

Apparatus of statutory undertakers etc. on land acquired

1. (1) Sections 271 to 274 (power to extinguish rights of...

SCHEDULE 8 — STREETS SUBJECT TO ALTERATION OF LAYOUT

SCHEDULE 9 — STREETS TO BE TEMPORARILY STOPPED UP

SCHEDULE 10 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without limitation on the scope of paragraph 1, the...

Application of Part 1 of the 1965 Act

4. Part 1 (compulsory purchase under Acquisition of Land Act 1946)...
5. (1) The modifications referred to in paragraph 4(a) are as...

SCHEDULE 11 — PROTECTIVE PROVISIONS

PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

1. For the protection of the undertakers referred to in this...
2. The provisions of paragraph 1 of Schedule 7 (provisions relating...
3. This Part of this Schedule does not apply to apparatus...
4. In this Part of this Schedule— “alternative apparatus” means alternative...
5. Without affecting any provision in this Order or anything shown...
6. (1) If, in the exercise of the powers conferred by...
7. (1) Where, in accordance with the provisions of this Part...
8. (1) Not less than 28 days before starting the execution...
9. If in consequence of the exercise of the powers conferred...
10. (1) Subject to the following provisions of this paragraph, Network...
11. (1) Subject to sub-paragraphs (2) and (3), if by reason...

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12. Nothing in this Part of this Schedule affects the provision...
PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS
13. (1) For the protection of any operator, the following provisions...
14. (1) Subject to sub-paragraphs (2) to (4), if as the...
15. This Part of this Schedule does not apply to—
16. Nothing in this Part of this Schedule affects the provisions...
PART 3 — FOR THE PROTECTION OF INTERNAL DRAINAGE BOARD
17. (1) The following provisions of this Part of this Schedule...
18. (1) Before beginning to construct any specified work, Network Rail...
19. Without limitation on the scope of paragraph 18, the requirements...
20. (1) Subject to sub-paragraph (2), any specified work, and all...
21. (1) Subject to sub-paragraph (3) Network Rail must from the...
22. If by reason of the construction of any specified work...
23. (1) Network Rail must pay all costs, charges and expenses...
24. The fact that any work or thing has been executed...
25. Any dispute arising between Network Rail and the drainage board...

Explanatory Note