



Railways Clauses Consolidation Act 1845

1845 CHAPTER 20 8 and 9 Vict

Works for protection and accommodation of lands

68 Gates, bridges, &c.

The company shall make and at all times thereafter maintain the following works for the accommodation of the owners and occupiers of lands adjoining the railway; (that is to say,)

Such and so many convenient gates, bridges, arches, culverts, and passages, over, under, or by the sides of or leading to or from the railway, as shall be necessary for the purpose of making good any interruptions caused by the railway to the use of the lands through which the railway shall be made; and such works shall be made forthwith after the part of the railway passing over such lands shall have been laid out or formed, or during the formation thereof;

Also sufficient posts, rails, hedges, ditches, mounds, or other fences, for separating the land taken for the use of the railway from the adjoining lands not taken, and protecting such lands from trespass, or the cattle of the owners or occupiers thereof from straying thereout, by reason of the railway, together with all necessary gates, made to open towards such adjoining lands, and not towards the railway, and all necessary stiles; and such posts, rails, and other fences shall be made forthwith after the taking of any such lands, if the owners thereof shall so require, and the said other works as soon as conveniently may be:

Also all necessary arches, tunnels, culverts, drains, or other passages, either over or under or by the sides of the railway, of such dimensions as will be sufficient at all times to convey the water as clearly from the lands lying near or affected by the railway as before the making of the railway, or as nearly so as may be; and such works shall be made from time to time as the railway works proceed:

Also proper watering places for cattle where by reason of the railway the cattle of any person occupying any lands lying near thereto shall be deprived of access to their former watering places; and such watering places shall be so made as to be at all times as sufficiently supplied with water as theretofore, and as if the railway had not

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been made, or as nearly so as may be; and the company shall make all necessary watercourses and drains for the purpose of conveying water to the said watering places:

Provided always, that the company shall not be required to make such accommodation works in such a manner as would prevent or obstruct the working or using of the railway, nor to make any accommodation works with respect to which the owners and occupiers of the lands shall have agreed to receive and shall have been paid compensation instead of the making them.

Modifications etc. (not altering text)

- C1** S. 68 excluded by [Transport Act 1968 \(c. 73\), s. 124\(2\)](#)
- C2** S. 68 incorporated (29.1.1991) by [S.I. 1991/134, art. 3\(1\)](#)
 S. 68 incorporated (25.4.1991) by [S.I. 1991/1111, art. 3\(1\)](#)
 S. 68 incorporated (4.5.1991) by [S.I. 1991/1162, art. 3\(1\)](#)
 S. 68 incorporated (31.8.1991) by [S.I. 1991/1965, art. 5\(1\)](#)
 S. 68 incorporated (28.9.1991) by [S.I. 1991/2210, art. 3\(1\)](#)
 S. 68 excluded (29.4.1992) by [S.I. 1992/1113, art.3](#)
 S. 68 incorporated (2.9.1993) by [S.I. 1993/2153, art. 3\(1\)](#)
 S. 68 excluded (27.7.1993) by [1993 c. xv, s. 7\(8\)](#)
 S. 68 excluded (21.7.1994) by [1994 c. xv, s. 7\(6\)](#)
 S. 68 incorporated (with modifications) (4.5.1995) by [S.I. 1995/1236, arts. 3\(1\)\(a\), 10\(7\), 11\(9\)](#)
 S. 68 incorporated (with modifications) (29.6.1995) by [S.I. 1995/2143, arts. 3\(1\)\(3\), 13\(7\)](#)
 S. 68 incorporated (with modifications) (21.9.1995) by [S.I. 1995/2501, arts. 3, 9\(9\)](#)
 S. 68 incorporated (with modifications) (4.4.1996) by [S.I. 1996/937, art. 3\(1\)\(3\)](#)
 S. 68 incorporated (with modifications) (4.5.1996) by [S.I. 1996/1267, art. 3\(1\)\(2\)](#)
 S. 68 incorporated (with modifications) (16.10.1996) by [S.I. 1996/2660, art. 4\(1\)\(3\)](#)
 S. 68 incorporated (with modifications) (11.11.1996) by [S.I. 1996/2714, art. 3\(1\)\(2\)\(4\)](#)
 S. 68 incorporated (2.11.1996) by [S.I. 1996/2867, art. 3\(1\)](#)
 S. 68 incorporated (with modifications) (22.1.1997) BY [S.I. 1997/102, arts. 3\(1\), 12\(10\)](#)
 S. 68 incorporated (with modifications) (10.2.1997) by [S.I. 1997/264, art. 3\(1\)\(3\)](#)
 S. 68 incorporated (with modifications) (21.5.1997) by [S.I. 1997/1266, art. 3\(1\)\(2\)\(4\)](#)
 S. 68 incorporated (with modifications) (29.7.1997) by [S.I. 1997/1688, arts. 3\(1\)\(2\), 13\(7\)](#)
 S. 68 incorporated (with modifications) (9.10.1997) by [S.I. 1997/2534, art. 3\(1\)\(3\)](#)
 S. 68 incorporated (with modifications) (27.8.1998) by [S.I. 1998/1936, art. 3\(1\)\(2\)\(4\)](#)
 S. 68 incorporated (with modifications) (13.1.1999) by [S.I. 1998/3269, art. 3\(1\)\(2\)](#)
 S. 68 incorporated (with modifications) (21.7.1999) by [S.I. 1999/2129, art. 3\(1\)\(2\)](#)
 S. 68 incorporated (with modifications) (20.8.1999) by [S.I. 1999/2336, art. 3\(1\)\(2\)](#)
 S. 68 incorporated (with modifications) (4.8.2000) by [S.I. 2000/2585, art. 3\(1\)\(2\)](#)
 S. 68 incorporated (with modifications) (29.3.2001) by [S.I. 2001/1347, art. 4\(1\)\(2\)](#) (with arts. 15, 37, [38\(2\)](#))
 S. 68 incorporated (with modifications) (18.7.2001) by [S.I. 2001/2870, art. 3\(1\)\(2\)](#)
 S. 68 incorporated (with modifications) (9.11.2001) by [S.I. 2001/3682, art. 3\(1\)\(3\)](#)
 S. 68 incorporated (with modifications) (12.2.2002) by [S.I. 2002/366, art. 3\(1\)](#) (with Sch. 2)
 S. 68 incorporated (with modifications) (30.4.2002) by [S.I. 2002/1065, art. 3\(1\)](#)
 S. 68 excluded (12.8.2002) by [S.I. 2002/1943, art. 3\(2\)](#)
- C3** S. 68 incorporated (28.4.2003) by [Network Rail \(West Coast Main Line\) Order 2003 \(S.I. 2003/1075\), arts. 1, 3\(1\)](#) (with art. 40)
- C4** S. 68 incorporated (12.1.2004) by [The Alconbury Airfield \(Rail Facilities and Connection to East Coast Main Line\) Order 2003 \(S.I. 2003/3364\), arts. 1, 3\(1\)](#)
- C5** S. 68 incorporated (with modifications) (4.3.2004) by [The Network Rail \(West Coast Main Line\) Order 2004 \(S.I. 2004/389\), arts. 1, 3\(1\)\(2\)](#) (with art. 38)

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- C6 S. 68 incorporated (with modifications) (22.3.2005) by Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005 (S.I. 2005/927), art. 4(1)(2)(6) (with art. 51)
- C7 S. 68 incorporated (4.5.2005) by The Telford Railfreight Terminal (Donnington) Order 2005 (S.I. 2005/1163), arts. 1, 3(1)
- C8 S. 68 incorporated (with modifications) (22.7.2005) by Midland Metro (Birmingham City Centre Extension, etc.) Order 2005 (S.I. 2005/1794), arts. 1, 4 (with art. 47)
- C9 S. 68 incorporated (with modifications) (25.11.2005) by Docklands Light Railway (Capacity Enhancement) Order 2005 (S.I. 2005/3105), arts. 1, art. 4(1)-(3) (with arts. 3(5), 15(3))
- C10 S. 68 incorporated (with modifications) (13.12.2006) by The Network Rail (Thameslink 2000) Order 2006 (S.I. 2006/3117), arts. 1, 3(1)(2) (with arts. 34, 35(2))
- C11 S. 68 incorporated (with modifications) (23.8.2007) by Docklands Light Railway (Capacity Enhancement and 2012 Games Preparation) Order 2007 (S.I. 2007/2297), arts. 1, 4(1) (with arts. 3(6), 12(3))
- C12 S. 68 incorporated (with modifications) (28.9.2007) by London Gateway Logistics and Commercial Centre Order 2007 (S.I. 2007/2657), arts. 1, 4(1), 4(2) (with arts. 19, 28, Sch. 3 para. 13(2))
- C13 S. 68 incorporated (16.5.2008) by London Gateway Port Harbour Empowerment Order 2008 (S.I. 2008/1261), arts. 1, 7(1) (with arts. 41(1), 45, 54(2), 55, 56, 57, 58(6))
- C14 S. 68 incorporated (with modifications) (14.10.2008) by Felixstowe Branch Line and Ipswich Yard Improvement Order 2008 (S.I. 2008/2512), arts. 1, 3(1)(3) (with art. 36(3))
- C15 S. 68 incorporated (with modifications) (30.12.2009) by South Devon Railway Order 2009 (S.I. 2009/3281), arts. 1, 3
- C16 S. 68 incorporated (with modifications) (E.W.) (20.7.2010) by The Network Rail (Nuneaton North Chord) Order 2010 (S.I. 2010/1721), arts. 1, 3(1)(3)
- C17 S. 68 incorporated (with modifications) (E.W.) (27.8.2010) by The Llangollen and Corwen Railway Order 2010 (S.I. 2010/2136), arts. 1(1), 3
- C18 S. 68 incorporated (with modifications) (E.W.) (21.4.2011) by The Network Rail (Hitchin (Cambridge Junction)) Order 2011 (S.I. 2011/1072), arts. 1, 3
- C19 S. 68 incorporated (E.W.) (26.9.2012) by The Network Rail (Ipswich Chord) Order 2012 (S.I. 2012/2284), arts. 1, 3(1) (with art. 26(2))
- C20 S. 68 incorporated (with modifications) (E.W.) (6.11.2012) by The Network Rail (North Doncaster Chord) Order 2012 (S.I. 2012/2635), arts. 1, 3(1)(3) (with art. 35(2))
- C21 S. 68 incorporated (with modifications) (E.W.) (13.11.2012) by The Chiltern Railways (Bicester to Oxford Improvements) Order 2012 (S.I. 2012/2679), arts. 1, 3(1)(3) (with art. 42(2))
- C22 S. 68 incorporated (E.W.) (21.8.2013) by The Croxley Rail Link Order 2013 (S.I. 2013/1967), arts. 1, 3(1) (with art. 3(3))
- C23 S. 68 incorporated (with modifications) (E.W.) (21.11.2013) by The Network Rail (Redditch Branch Enhancement) Order 2013 (S.I. 2013/2809), arts. 1, 3(1)(3) (with arts. 27(2), 39, Sch. 10 para. 4)
- C24 S. 68 incorporated (with modifications) (E.W.) (21.4.2014) by The Network Rail (Norton Bridge Area Improvements) Order 2014 (S.I. 2014/909), arts. 1, 3(1)(3) (with art. 34(2))
- C25 S. 68 incorporated (E.W.) (19.8.2014) by The Network Rail (Huyton) Order 2014 (S.I. 2014/2027), arts. 1, 3(1) (with art. 31(2))
- C26 S. 68 incorporated (with modifications) (E.W.) (21.4.2015) by The Network Rail (Ordsall Chord) Order 2015 (S.I. 2015/780), arts. 1, 3(1)(3) (with art. 36(2))
- C27 S. 68 incorporated (with modifications) (E.W.) (16.12.2015) by The Network Rail (Tinsley Chord) Order 2015 (S.I. 2015/1876), arts. 1, 3(1)(2)
- C28 S. 68 incorporated (with modifications) (E.W.) (12.1.2016) by The London Underground (Bank Station Capacity Upgrade) Order 2015 (S.I. 2015/2044), arts. 1, 3(1)(3)
- C29 Ss. 67-70 incorporated (with modifications) (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), s. 70(1), Sch. 29 para. 4
- C30 S. 68 excluded (E.W.) (15.11.2017) by The Network Rail (Summerway Overbridge) Order 2017 (S.I. 2017/1027), arts. 1, 3(1)
- C31 S. 68 incorporated (with modifications) (E.W.) (19.12.2017) by The Network Rail (Buxton Sidings Extension) Order 2017 (S.I. 2017/1150), arts. 1, 3(1)(3) (with art. 32(2))

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- C32** S. 68 incorporated (with modifications) (E.W.) (18.4.2018) by The Network Rail (Hope Valley Capacity) Order 2018 (S.I. 2018/446), arts. 1, **3(1)(3)** (with arts. 24(8), 33(2))
- C33** S. 68 incorporated (with modifications) (E.W.) (24.8.2018) by The Network Rail (Werrington Grade Separation) Order 2018 (S.I. 2018/923), arts. 1, **3(1)(3)** (with art. 31(2))
- C34** S. 68 restricted (E.W.) (26.9.2018) by The Network Rail (Felixstowe Branch Line Improvements – Level Crossings Closure) Order 2018 (S.I. 2018/937), arts. 1, **5(3)** (with art. 5(8))
- C35** S. 68 incorporated (E.W.) (13.3.2019) by The Port of Tilbury (Expansion) Order 2019 (S.I. 2019/359), arts. 1, **5(1)(2)** (with arts. 55, 56)
- C36** S. 68 incorporated (with modifications) (E.W.) (4.3.2020) by The Midland Metro (Birmingham Eastside Extension) Order 2020 (S.I. 2020/141), arts. 1, **3** (with arts. 47, 48, Sch. 10 para. 19)
- C37** Ss. 67-70 incorporated (with modifications) (11.2.2021) by High Speed Rail (West Midlands - Crewe) Act 2021 (c. 2), s. 64(1), **Sch. 28 para. 4**
- C38** S. 68 excluded (E.W.) (3.11.2022) by The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 2022 (S.I. 2022/1067), arts. 1, **21(1)** (with art. 46(2), Sch. 19 para. 61)
- C39** S. 68 incorporated (E.W.) (3.11.2022) by The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 2022 (S.I. 2022/1067), arts. 1, **3(1)** (with art. 46(2), Sch. 19 para. 61)
- C40** S. 68 incorporated (E.W.) (5.12.2022) by The Portishead Branch Line (MetroWest Phase 1) Order 2022 (S.I. 2022/1194), arts. 1, **3(1)(d)(3)** (with art. 51)
- C41** S. 68 incorporated (E.W.) (11.1.2023) by The Network Rail (Cambridge South Infrastructure Enhancements) Order 2022 (S.I. 2022/1406), arts. 1, **3(1)** (with art. 34(2), Sch. 12 paras. 5, 47, 79)
- C42** S. 68 incorporated (E.W.) (2.8.2023) by The Rother Valley Railway (Bodiam to Robertsbridge Junction) Order 2023 (S.I. 2023/815), arts. 1, **3(1)** (with art. 42)

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