
STATUTORY INSTRUMENTS

2001 No. 2870

TRANSPORT AND WORKS, ENGLAND
TRANSPORT, ENGLAND

The Railtrack (Shortlands Junction) Order 2001

Made - - - - *27th June 2001*

Coming into force *18th July 2001*

THE RAILTRACK (SHORTLANDS JUNCTION) ORDER 2001

PART I

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Incorporation of the Railways Clauses Consolidation Act 1845

PART II

WORKS

Principal powers

4. Power to construct and maintain scheduled works
5. Power to construct and maintain ancillary works
6. Power to deviate
7. Discharge of water
8. Safeguarding works to buildings
9. Power to survey and investigate land
10. Temporary stopping up of streets
11. Temporary widening of carriageways
12. Traffic restrictions

PART III

ACQUISITION AND POSSESSION OF LAND

Power of acquisition

13. Power to acquire land
14. Application of Part I of the Compulsory Purchase Act 1965

Status: This is the original version (as it was originally made).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

15. Power to acquire new rights

Temporary possession of land

16. Temporary use of land for construction of works

Compensation

17. Disregard of certain interests and improvements

Supplementary

18. Acquisition of part only of certain properties
19. Extinction or suspension of private rights of way
20. Time limit for exercise of power of acquisition

PART IV

MISCELLANEOUS AND GENERAL

Noise

21. Control of construction sites: appeals
22. Defence to proceedings in respect of statutory nuisance

Miscellaneous

23. Planning permission: supplementary matters
24. Saving for regulated rights etc.
25. Statutory undertakers etc.
26. Protective provisions
27. Certification of plans etc.
28. Maintenance of approved works etc.
29. Service of notices
30. No double recovery
31. Arbitration
Signature

SCHEDULES

SCHEDULE 1 — THE SCHEDULED WORKS

SCHEDULE 2 — 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 prejudice to the generality of paragraph 1 above,...

Adaptation of the 1965 Act

3. (1) The 1965 Act shall have effect with the modifications...
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (which relates to...
6. The following provisions of the 1965 Act (which state the...

7. Section 11 of the 1965 Act (powers of entry) shall...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 3 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 4 — STATUTORY UNDERTAKERS ETC.

Apparatus of statutory undertakers etc. on land acquired

1. Sections 271 to 274 of the 1990 Act (power to...
2. In the provisions of the 1990 Act, as applied by...
3. Where any apparatus of public utility undertakers or of a...
4. Paragraph 3 above shall not apply in the case of...
5. The provisions of the 1990 Act mentioned in paragraph 1...
6. In this Schedule— “the 1990 Act” means the Town and...

SCHEDULE 5 — PROTECTIVE PROVISIONS

Part I — Protection for electricity, gas and water undertakers

1. (1) For the protection of the undertakers referred to in...
2. Notwithstanding the temporary stopping up or diversion of any highway...
3. Notwithstanding anything in this Order or shown on the deposited...
4. (1) If, in the exercise of the powers of this...
5. (1) Where, in accordance with the provisions of this Part...
6. (1) Not less than 28 days before commencing the execution...
7. (1) Subject to the following provisions of this paragraph, Railtrack...
8. (1) Subject to sub-paragraphs (2) and (3) below, if by...
9. Nothing in this Part of this Schedule shall affect the...

Part II — Protection for telecommunications operators

1. (1) For the protection of telecommunications operators the following provisions...
2. The temporary stopping up or diversion of any highway under...

Part III — Protection for sewerage undertakers

1. (1) For the protection of sewerage undertakers the following provisions...
2. (1) Before commencing the construction or renewal of any specified...
3. (1) The specified work shall be constructed, and in the...
4. (1) Subject to the following provisions of this Part of...
5. (1) An officer of the undertaker duly appointed for the...
6. Notwithstanding the temporary stopping up or diversion of any highway...
7. As soon as reasonably practicable after the completion of the...

Explanatory Note