
STATUTORY INSTRUMENTS

2014 No. 1821

TRANSPORT AND WORKS, ENGLAND
TRANSPORT, ENGLAND

The Felixstowe Branch Line (Land Acquisition) Order 2014

Made - - - - *8th July 2014*

Coming into force - - - *29th July 2014*

An application has been made to the Secretary of State in accordance with the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006(1) for an Order under sections 1 and 5 of the Transport and Works Act 1992(2) (“the 1992 Act”).

The objections to that application have been withdrawn.

The Secretary of State has determined to make an Order giving effect to the proposals comprised in the application with modifications which in the Secretary of State’s opinion do not make any substantial change in the proposals.

Notice of the Secretary of State’s determination was published in the London Gazette on 7th July 2014.

The Secretary of State, in exercise of the powers conferred by sections 1 and 5 of, and paragraphs 3 to 5, 7, 8, 11, and 16 of Schedule 1 to, the 1992 Act, makes the following Order—

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Felixstowe Branch Line (Land Acquisition) Order 2014 and comes into force on 29th July 2014.

Interpretation

2.—(1) In this Order—

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- (1) S. I. 2006/1466, amended by S.I. 2010/439, S.I. 2011/556, S.I. 2011/2085, S.I. 2012/147, S.I. 2012/1658, S.I. 2012/2590 and S.I. 2013/755.
(2) 1992 c. 42; section 1 was amended by the Planning Act 2008 (c. 29), Schedule 2, paragraphs 51 and 52; section 5 was amended by S.I. 2012/1659.

“the 1961 Act” means the Land Compensation Act 1961⁽³⁾;

“the 1965 Act” means the Compulsory Purchase Act 1965⁽⁴⁾;

“the 2008 Order” means the Felixstowe Branch Line and Ipswich Yard Improvement Order 2008⁽⁵⁾;

“authorised works” means Works Nos. 2 to 6 (or any part of them) authorised by the 2008 Order or any other works adjacent to or in the Parish of Westerfield in the Borough of Ipswich within the Order limits, or any other works in Suffolk Coastal District within the Order limits authorised by the 2008 Order;

“the book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;

“the land plans” means the plans certified by the Secretary of State as the land plans for the purpose of this Order;

“limits of deviation” means the limits of deviation for the authorised works shown on the land plans;

“the limits of land to be acquired or used” means the limits of land to be acquired or used shown on the land plans;

“the Order limits” means any limits of deviation and any limits of land to be acquired or used which are shown on the land plans;

“tribunal” means the Lands Chamber of the Upper Tribunal; and

“the undertaker” means The Felixstowe Dock and Railway Company being a company limited by shares and incorporated by The Felixstowe Railway and Pier Act 1875⁽⁶⁾.

(2) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the air-space over its surface.

(3) References in this Order to numbered works are references to the works as numbered in Schedule 1 (scheduled works) to the 2008 Order.

(4) All measurements stated in any description of lands in the book of reference are approximate.

PART 2

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

Power to acquire land

3.—(1) The undertaker may acquire compulsorily so much of the land shown on the land plans within the Order limits and described in the book of reference as may be required for the purposes of the authorised works and may use any land so acquired for those purposes or for any other purposes that are ancillary to its railway undertaking.

(2) This article is subject to article 8 (temporary use of land for construction of works).

(3) 1961 c. 33.
(4) 1965 c. 56.
(5) S.I. 2008/2512.
(6) 1875 c. cxlv.

Application of Part 1 of the 1965 Act

4.—(1) Part 1 of the 1965 Act, in so far as not modified by or inconsistent with the provisions of this Order, applies to the acquisition of land under this Order—

- (a) as it applies to a compulsory purchase to which the Acquisition of Land Act 1981(7) applies; and
- (b) as if this Order were a compulsory purchase order under that Act.

(2) Part 1 of the 1965 Act, as applied by paragraph (1), has effect as if section 4 (which provides a time limit for compulsory purchase of land) and paragraph 3(3) of Schedule 3 (which makes provision as to the giving of bonds) were omitted.

Application of the Compulsory Purchase (Vesting Declarations) Act 1981

5.—(1) The Compulsory Purchase (Vesting Declarations) Act 1981(8) applies as if this Order were a compulsory purchase order.

(2) The Compulsory Purchase (Vesting Declarations) Act 1981, as applied by paragraph (1), has effect with the following modifications.

(3) In section 3 (preliminary notices) for subsection (1) substitute—

“(1) Before making a declaration under section 4 with respect to any land which is subject to a compulsory purchase order the acquiring authority must include the particulars specified in subsection (3) in a notice which is—

- (a) given to every person with a relevant interest in the land with respect to which the declaration is to be made (other than a mortgagee who is not in possession); and
- (b) published in a local newspaper circulating in the area in which the land is situated.”.

(4) In that section, in subsection (2), for “(1)(b)” substitute “(1)”, and after “given” insert “and published”.

(5) In that section, for subsections (5) and (6) substitute—

“(5) For the purposes of this section, a person has a relevant interest in land if—

- (a) that person is for the time being entitled to dispose of the fee simple of the land, whether in possession or in reversion; or
- (b) that person holds, or is entitled to the rents and profits of, the land under a lease or agreement, the unexpired term of which exceeds one month.”.

(6) In section 5 (earliest date for execution of declaration)—

- (a) in subsection (1), after “publication” insert “in a local newspaper circulating in the area in which the land is situated”; and
- (b) omit subsection (2).

(7) In section 7 (constructive notice to treat) in subsection (1)(a), omit “(as modified by section 4 of the Acquisition of Land Act 1981)”.

(8) References to the 1965 Act are to be construed as references to that Act as applied to the acquisition of land under article 3 (power to acquire land).

(7) 1981 c. 67.

(8) 1981 c. 66.

Power to acquire new rights

6.—(1) The undertaker may acquire compulsorily such easements or other rights over any land referred to in paragraph (1) of article 3 (power to acquire land) as may be required for any purpose for which that land may be acquired under that provision, by creating them as well as by acquiring easements or other rights already in existence.

(2) Subject to section 8 of the 1965 Act (as substituted by paragraph 5 of Schedule 6 (modification of compensation and compulsory purchase enactments for creation of new rights) to the 2008 Order, as applied by article 15 (application of provisions of the 2008 Order)) where the undertaker acquires a right over land under paragraph (1) the undertaker is not required to acquire a greater interest in that land.

(3) Schedule 6 to the 2008 Order, as applied by article 15, has effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application in relation to the compulsory acquisition under this article of a right over land by the creation of a new right.

Rights under or over streets

7.—(1) The undertaker may enter upon and appropriate so much of the subsoil of, or air-space over, any street within the Order limits as may be required for the purposes of the authorised works and may use the subsoil or air-space for those purposes or any other purpose ancillary to its railway undertaking.

(2) Subject to paragraph (4), the power under paragraph (1) may be exercised in relation to a street without the undertaker being required to acquire any part of the street or any easement or right in the street.

(3) Subject to paragraph (5), any person who is an owner or occupier of land in respect of which the power of appropriation conferred by paragraph (1) is exercised without the undertaker acquiring any part of that person's interest in the land, and who suffers loss by the exercise of that power, is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(4) Paragraph (2) does not apply in relation to—

- (a) any subway or underground building; or
- (b) any cellar, vault, arch or other construction in, on or under a street which forms part of a building fronting onto the street.

(5) Compensation is not payable under paragraph (3) to any person who is an undertaker to whom section 85 (sharing of cost of necessary measures) of the New Roads and Street Works Act 1991⁽⁹⁾ applies in respect of measures of which the allowable costs are to be borne in accordance with that section.

Temporary possession of land

Temporary use of land for construction of works

8.—(1) The undertaker may, in connection with the carrying out of the authorised works—

- (a) enter upon and take temporary possession of the land specified in columns (1) and (2) of the Schedule (land of which temporary possession may be taken) for the purpose specified in relation to that land in column (3) of the Schedule relating to the authorised works specified in column (4) of the Schedule;
- (b) remove any buildings and vegetation from that land;

(9) 1991 c. 22.

- (c) construct temporary works (including the provision of means of access) and buildings on that land; and
 - (d) use the land for the purposes of a working site with access to the working site in connection with the authorised works.
- (2) Not less than 14 days before entering upon and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land.
- (3) The undertaker may not, without the agreement of the owners of the land, remain in possession of any land under this article after the end of the period of one year beginning with the date of completion of the work specified in relation to that land in column (4) of the Schedule.
- (4) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but the undertaker is not required to replace a building removed under this article.
- (5) The undertaker must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the powers conferred by this article.
- (6) Any dispute as to a person's entitlement to compensation under paragraph (5), or as to the amount of the compensation, is to be determined under Part 1 of the 1961 Act.
- (7) Without affecting article 51 (no double recovery) of the 2008 Order as applied by article 15 (application of provisions of the 2008 Order), nothing in this article affects any liability to pay compensation under section 10(2) (further provision as to compensation for injurious affection) of the 1965 Act⁽¹⁰⁾ or under any other enactment in respect of loss or damage arising from the execution of any works, other than loss or damage for which compensation is payable under paragraph (5).
- (8) The powers of compulsory acquisition of land conferred by this Order do not apply in relation to the land referred to in paragraph (1) except that the undertaker is not precluded from acquiring new rights over any part of that land under article 6 (power to acquire new rights).
- (9) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.
- (10) Section 13 (refusal to give possession to acquiring authority) of the 1965 Act⁽¹¹⁾ applies to the temporary use of land under this article to the same extent as it applies to the acquisition of land under this Order by virtue of article 4(1) (application of Part 1 of the 1965 Act).

Temporary use of land for maintenance of works

- 9.—(1) Subject to paragraph (2), at any time during the maintenance period relating to any of the authorised works, the undertaker may—
- (a) enter upon and take temporary possession of any land within the Order limits if such possession is reasonably required for the purpose of maintaining the work or any ancillary works connected with it; and
 - (b) construct such temporary works (including the provision of means of access) and buildings on the land as may be reasonably necessary for that purpose.
- (2) Paragraph (1) does not authorise the undertaker to take temporary possession of—
- (a) any house or garden belonging to a house; or

⁽¹⁰⁾ Section 10 was amended by section 4 of, and paragraph 13(2) of Schedule 2 to, the Planning (Consequential Provisions) Act 1990 (c. 11) and S.I. 2009/1307.

⁽¹¹⁾ Section 13 was amended by sections 62(3) and 139 of, and paragraph 27 and 28 of Schedule 13, and part 3 of Schedule 23, to, the Tribunals, Courts and Enforcement Act 2007 (c. 15).

(b) any building (other than a house) if it is for the time being occupied.

(3) Not less than 28 days before entering upon and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land.

(4) The undertaker may only remain in possession of land under this article for so long as may be reasonably necessary to carry out the maintenance of works for which possession of the land was taken.

(5) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land.

(6) The undertaker must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the powers conferred by this article.

(7) Any dispute as to a person's entitlement to compensation under paragraph (6), or as to the amount of the compensation, is to be determined under Part 1 of the 1961 Act.

(8) Without affecting article 51 (no double recovery) of the 2008 Order as applied by article 15 (application of provisions of the 2008 Order), nothing in this article affects any liability to pay compensation under section 10(2) of the 1965 Act or under any other enactment in respect of loss or damage arising from the execution of any works, other than loss or damage for which compensation is payable under paragraph (6).

(9) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.

(10) Section 13 of the 1965 Act applies to the temporary use of land pursuant to this article to the same extent as it applies to the acquisition of land under this Order by virtue of article 4(1) (application of Part 1 of the 1965 Act).

(11) In this article "the maintenance period", in relation to an authorised work, means the period of 5 years beginning with the date on which the work is opened for use.

Compensation

Disregard of certain interests and improvements

10.—(1) In assessing the compensation payable to any person on the acquisition from that person of any land under this Order, the tribunal must not take into account—

- (a) any interest in land; or
- (b) any enhancement of the value of any interest in land by reason of any building erected, works executed or improvement or alteration made on relevant land,

if the tribunal is satisfied that the creation of the interest, the erection of the building, the execution of the works or the making of the improvement or alteration was not reasonably necessary and was undertaken with a view to obtaining compensation or increased compensation.

(2) In paragraph (1) "relevant land" means the land acquired from the person concerned or any other land with which that person is, or was at the time when the building was erected, the works executed or the improvement or alteration made, directly or indirectly concerned.

Set-off for enhancement in value of retained land

11.—(1) In assessing the compensation payable to any person in respect of the acquisition from that person under this Order of any land (including the subsoil) the tribunal must set off against the value of the land so acquired any increase in value of any contiguous or adjacent land belonging

to that person in the same capacity which will accrue to that person by reason of the construction of the authorised works.

(2) In assessing the compensation payable to any person in respect of the acquisition from that person of any new rights over land (including the subsoil) under article 6 (power to acquire new rights), the tribunal must set off against the value of the rights so acquired—

- (a) any increase in the value of the land over which the new rights are required; and
- (b) any increase in value of any contiguous or adjacent land belonging to that person in the same capacity,

which will accrue to that person by reason of the construction of the authorised works.

(3) The 1961 Act has effect, subject to paragraphs (1) and (2), as if this Order were a local enactment for the purposes of that Act.

Supplementary

Acquisition of part of certain properties

12.—(1) This article applies instead of section 8(1) (other provisions as to divided land) of the 1965 Act(**12**) (as applied by article 4 (application of Part 1 of the 1965 Act)) in any case where—

- (a) a notice to treat is served on a person (“the owner”) under the 1965 Act (as applied) in respect of land forming only part of a house, building or manufactory or of land consisting of a house with a park or garden (“the land subject to the notice to treat”); and
- (b) a copy of this article is served on the owner with the notice to treat.

(2) In such a case, the owner may, within the period of 21 days beginning with the day on which the notice was served, serve on the undertaker a counter-notice objecting to the sale of the land subject to the notice to treat which states that the owner is willing and able to sell the whole (“the land subject to the counter-notice”).

(3) If no such counter-notice is served within that period, the owner is required to sell the land subject to the notice to treat.

(4) If such a counter-notice is served within that period, the question whether the owner is required to sell only the land subject to the notice to treat is, unless the undertaker agrees to take the land subject to the counter-notice, to be referred to the tribunal.

(5) If on such a reference the tribunal determine that the land subject to the notice to treat can be taken—

- (a) without material detriment to the remainder of the land subject to the counter-notice; or
- (b) in the case of part of land consisting of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house,

the owner is required to sell the land subject to the notice to treat.

(6) If on such a reference the tribunal determine that only part of the land subject to the notice to treat can be taken—

- (a) without material detriment to the remainder of the land subject to the counter-notice; or
- (b) in the case of part of land consisting of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house,

the notice to treat is deemed to be a notice to treat for that part.

(7) If on such a reference the tribunal determine that—

- (a) the land subject to the notice to treat cannot be taken without material detriment to the remainder of the land subject to the counter-notice; but
- (b) the material detriment is confined to a part of the land subject to the counter-notice,

the notice to treat is deemed to be a notice to treat for the land to which the material detriment is confined in addition to the land already subject to the notice, whether or not the additional land is land which the undertaker is authorised to acquire compulsorily under this Order.

(8) If the undertaker agrees to take the land subject to the counter-notice, or if the tribunal determine that—

- (a) none of the land subject to the notice to treat can be taken without material detriment to the remainder of the land subject to the counter-notice or, as the case may be, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house; and
- (b) the material detriment is not confined to a part of the land subject to the counter-notice,

the notice to treat is deemed to be a notice to treat for the land subject to the counter-notice whether or not the whole of that land is land which the undertaker is authorised to acquire compulsorily under this Order.

(9) In any case where by virtue of a determination by the tribunal under this article a notice to treat is deemed to be a notice to treat for less land or more land than that specified in the notice, the undertaker may, within the period of 6 weeks beginning with the day on which the determination is made, withdraw the notice to treat; and if the undertaker does so the undertaker must pay the owner compensation for any loss or expense occasioned to the owner by the giving and withdrawal of the notice, to be determined in case of dispute by the tribunal.

(10) Where the owner is required under this article to sell only part of a house, building or manufactory or of land consisting of a house with a park or garden, the undertaker must pay the owner compensation for any loss sustained by the owner due to the severance of that part in addition to the value of the interest acquired.

Extinction or suspension of private rights of way

13.—(1) All private rights of way over land subject to compulsory acquisition under this Order are extinguished—

- (a) as from the date of acquisition of the land by the undertaker, whether compulsorily or by agreement; or
- (b) on the date of entry on the land by the undertaker under section 11(1) (powers of entry) of the 1965 Act⁽¹³⁾,

whichever is the sooner.

(2) In respect of land owned by the undertaker and required for the purposes of this Order all private rights of way are extinguished on the appropriation of the land for any of those purposes by the undertaker.

(3) All private rights of way over land of which the undertaker takes temporary possession under this Order are suspended and unenforceable for as long as the undertaker remains in lawful possession of the land.

⁽¹³⁾ Section 11 was amended by section 34(1) of, and Schedule 4 to, the Acquisition of Land Act 1981 (c. 67), section 3 of, and part 1 of Schedule 1 to, the Housing (Consequential Provisions) Act 1985 (c. 71), section 14 of, and paragraph 12(1) of Schedule 5 to, the Church of England (Miscellaneous Provisions) Measure 2006 (2006 No 1) and S.I. 2009/1307.

(4) Any person who suffers loss by the extinguishment or 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.

(5) This article does not apply in relation to any right of way to which section 271 or 272 of the Town and Country Planning Act 1990(14) (extinguishment of rights of statutory undertakers, etc.) or paragraph 2 of Schedule 9 (provisions relating to statutory undertakers, etc.) to the 2008 Order, as applied by article 15 (application of provisions of the 2008 Order), applies.

Time limit for exercise of powers of acquisition

14.—(1) After the end of the period of 5 years beginning with the day on which this Order comes into force—

- (a) no notice to treat is to be served under Part 1 of the 1965 Act as applied to the acquisition of land by article 4 (application of Part 1 of the 1965 Act); and
- (b) no declaration is to be executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 as applied by article 5 (application of the Compulsory Purchase (Vesting Declarations) Act 1981).

(2) The powers conferred by article 8 (temporary use of land for construction of works) cease at the end of the period referred to in paragraph (1), but nothing in this paragraph prevents the undertaker remaining in possession of land after the end of that period, if the land was entered and possession of it was taken before the end of that period.

PART 3

MISCELLANEOUS AND GENERAL

Application of provisions of the 2008 Order

15. The following provisions of the 2008 Order have effect in relation to this Order as they have effect in relation to the 2008 Order—

- article 2 (interpretation) as far as it relates to the following provisions;
- article 45 (statutory undertakers, etc.);
- article 46 (protective provisions);
- article 50 (service of notices);
- article 51 (no double recovery);
- article 52 (arbitration);
- Schedule 6 (modification of compensation and compulsory purchase enactments for creation of new rights);
- Schedule 9 (provisions relating to statutory undertakers, etc.);
- Schedule 10 (protective provisions).

Certification of plans, etc.

16. The undertaker must, as soon as practicable after the making of this Order, submit copies of the book of reference and the land plans to the Secretary of State for certification that they are, respectively, true copies of the book of reference and land plans referred to in this Order; and a

(14) 1990 c. 8. Section 272 was amended by paragraph 103(1) and (2) of Schedule 17 to the Communications Act 2003 (c. 21).

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document so certified is admissible in any proceedings as evidence of the contents of the document of which it is a copy.

Signed by the authority of the Secretary of State for Transport

Martin Woods
Head of the Transport and Works Act Orders
Unit
Department for Transport

8th July 2014

SCHEDULE

Article 8

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

| <i>(1)</i> <i>Area</i> | <i>(2)</i> <i>Number of land shown on the land plans</i> | <i>(3)</i> <i>Purpose for which temporary possession may be taken</i> | <i>(4)</i> <i>Authorised work</i> |
|---|---|---|---|
| County of Suffolk Borough of Ipswich Suffolk Coastal District | 0101, 0102 | Provision of worksite | Ancillary works authorised by the 2008 Order at Westerfield |
| Parish of Westerfield | 0103, 0104, 0105, 0106, 0107, 0108, 0109 | Provision of worksite | Ancillary works authorised by the 2008 Order at Westerfield |
| Parish of Nacton | 0203 | Provision of worksite, vehicle turn around and construction area for fabrication of track turnouts | Work No. 2 |
| Parish of Levington | 0205, 0306 | Vehicle turnaround area, temporary stockpile spoil area, haul road, area for earth moving equipment turnback and parking, spoil storage, road lorry loading and parking, queueing and washdown area, site cabins, equipment storage, car parking and access | Work No. 2 |
| | 0206, 0207, 0208, 0209, 0301, 0302, 0303 | Improvements for temporary access temporary materials storage area | Work No. 2 |
| | 0307, 0308, 0309, 0312, 0313, 0314, 0315, 0316, 0318, 0401 | Temporary highway improvements | Work No. 2 |
| | 0319, 0404 | Haul road, vehicle manoeuvring area | Work No. 2 |
| | 0402, 0403 | Provision of access, highway improvements | Work No. 2 |
| | 0406, 0501 | Provision of access, haul road, area for earth moving equipment | Work No. 2 |

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| <i>(1)</i> <i>Area</i> | <i>(2)</i> <i>Number of land shown on the land plans</i> | <i>(3)</i> <i>Purpose for which temporary possession may be taken</i> | <i>(4)</i> <i>Authorised work</i> |
|---|---|--|--------------------------------------|
| | | turnback and parking, spoil storage, road lorry loading and parking, queuing and washdown area, site cabins, equipment storage and car parking | |
| Parish of Stratton Hall | 0504 | Haul road, vehicle turnaround and temporary soil stockpile area, area for earth moving equipment turnback and parking, spoil storage, road lorry loading and parking, queueing and washdown area, site cabins, equipment storage and car parking and provision of access | Work No. 2, Work No. 3 |
| | 0507, 0509, 0510, 0518 | Temporary highway improvements, road widening and reinforcement | Work No. 2, Work No. 3 |
| | 0503 | Provision of temporary footpath diversion | Work No. 2 |
| | 0514, 0515, 0601 | Haul road | Work No. 2 |
| Parish of Trimley St Martin and Parish of Stratton Hall | 0607 | Provision of access | Work No. 2 |
| Parish of Trimley St Martin | 0606, 0609, 0701 | Haul road, vehicle turnaround and temporary stockpile spoil area | Work No. 2 |
| | 0703 | Haul road, area for earth moving equipment turnback and parking, spoil storage, road lorry loading and parking, queuing and washdown area, site cabins, equipment storage and car parking and provision of access | Work No. 2, Work No. 4 |

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| <i>(1)</i> <i>Area</i> | <i>(2)</i> <i>Number of land shown on the land plans</i> | <i>(3)</i> <i>Purpose for which temporary possession may be taken</i> | <i>(4)</i> <i>Authorised work</i> |
|---------------------------|---|--|--------------------------------------|
| | 0706, 0707, 0708, 0709 | Temporary access improvements, road widening and reinforcement | Work No. 2, Work No. 4 |
| | 0711, 0803 | Haul road, area for earth moving equipment turnback and parking, spoil storage, road lorry loading and parking, queueing and washdown area, site cabins, equipment storage and car parking and provision of access | Work No. 2 |
| | 0805, 0903 | Haul road, vehicle turnaround and fabrication of track turnouts area and provision of access | Work No. 2, Work No. 5, Work No. 6 |
| | 0904, 0906 | Highway improvement | Work No. 5, Work No. 6 |
| | 1003 | Haul road, construction vehicle turnaround and temporary soil stockpile area | Work No. 2 |
| | 1004, 1005, 1006 | Provision of permanent replacement footpath | |
| | 1008, 1014, 1015, 1016, 1017, 1018, 1019, 1102, 1105 | Haul road and worksite | Work No. 2 |
| | 1009 | Area for earth moving equipment turnback and parking, spoil storage, road lorry loading and parking, queuing and washdown area, site cabins, equipment storage and car parking and provision of temporary footpath diversion | Work No. 2 |
| | 1101 | Provision of temporary footpath diversion | Work No. 2 |

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| <i>(1)</i> <i>Area</i> | <i>(2)</i> <i>Number of land shown on the land plans</i> | <i>(3)</i> <i>Purpose for which temporary possession may be taken</i> | <i>(4)</i> <i>Authorised work</i> |
|---|---|--|--------------------------------------|
| | 1103, 1104 | Provision of access, temporary highway improvements | Work No. 2 |
| Parish of Trimley St Mary and Parish of Trimley St Martin | 1201 | Area for earth moving equipment turnback and parking, spoil storage, road lorry loading and parking, queuing and washdown area, site cabins, equipment storage and car parking and provision of temporary footpath diversion | Work No. 2 |
| | 1208 | Haul road, environmental protection | Work No. 2 |
| | 1207 | Provision of temporary footpath diversion | Work No. 2 |
| Parish of Trimley St Mary | 1206, 1209 | Haul road, environmental protection | Work No. 2 |
| | 1205 | Provision of temporary footpath diversion | Work No. 2 |
| | 1213, 1301 | Haul road and all terrain construction vehicle turnaround and fabrication of track turnouts | Work No. 2 |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers powers on The Felixstowe Dock and Railway Company for the compulsory acquisition of land and interests in land in the Borough of Ipswich and Suffolk Coastal District, Suffolk. The powers are conferred for the purposes of constructing and operating an additional railway line adjacent to part of the existing Felixstowe branch railway line and improvements to certain level crossings on the existing Felixstowe branch railway line. Such works were authorised

by the Felixstowe Branch Line and Ipswich Yard Improvement Order 2008 (S.I. 2008/2512) (“the 2008 Order”). The compulsory acquisition powers conferred by the 2008 Order expired on 14th October 2013.

This Order does not authorise the construction of works.

A copy of the land plans and book of reference mentioned in this Order and certified in accordance with article 16 (certification of plans, etc.) of this Order may be inspected free of charge at the offices of The Felixstowe Dock and Railway Company, Port of Felixstowe, Tomline House, The Dock, Felixstowe, Suffolk, IP11 3SY.