

---

STATUTORY INSTRUMENTS

---

**2017 No. 1074**

**The Network Rail (Closure of Abbots  
Ripton Level Crossing) Order 2017**

**PART 1**

**PRELIMINARY**

**Citation and commencement**

**1.** This Order may be cited as the Network Rail (Closure of Abbots Ripton Level Crossing) Order 2017 and comes into force on 8th December 2017.

**Interpretation**

**2.—(1)** In this Order—

“the 1961 Act” means the Land Compensation Act 1961<sup>(1)</sup>;

“the 1965 Act” means the Compulsory Purchase Act 1965<sup>(2)</sup>;

“the 1980 Act” means the Highways Act 1980<sup>(3)</sup>;

“the 1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981<sup>(4)</sup>;

“the 1991 Act” means the New Roads and Street Works Act 1991<sup>(5)</sup>;

“the Abbots Ripton Level Crossing” is the crossing of the East Coast Main Line railway on the level south west of the village of Abbots Ripton in the district of Huntingdonshire, in the County of Cambridgeshire, which has the status of a bridleway;

“address” includes any number or address used for the purposes of electronic transmission;

“the authorised works” means the works authorised by this Order in accordance with article 4 (power to construct and maintain works);

“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;

“bridleway” has the same meaning as in the 1980 Act;

“building” includes any structure or erection or any part of a building, structure or erection;

“the deposited plan” means the plan certified by the Secretary of State as the deposited plans for the purposes of this Order;

“electronic transmission” means a communication transmitted—

(a) by means of an electronic communications network; or

---

(1) 1961 c. 33.  
(2) 1965 c. 56  
(3) 1980 c. 66.  
(4) 1981 c. 66  
(5) 1991 c. 22.

(b) by other means but while in electronic form;

“highway authority” has the same meaning as in the 1980 Act;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and maintenance is to be construed accordingly;

“Network Rail” means Network Rail Infrastructure Limited (company No. 02904587) whose registered office is at 1 Eversholt Street, London NW1 2DN;

“new public right of way” means the new bridleway between points C, D, E, F, G and H shown on the deposited plan;

“the Order limits” means the limits of land to be acquired or used shown on the deposited plan;

“owner”, in relation to land, has the same meaning as in section 7 (interpretation) of the Acquisition of Land Act 1981<sup>(6)</sup>;

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

“the undertaking” means the railway undertaking of Network Rail as existing from time to time.

(2) References in this Order to points identified by letters and numbers are construed as references to a point so shown on the deposited plan.

### **Dis-application of legislative provisions**

**3.—**(1) Section 6 of the Great Northern Railway Act 1898<sup>(7)</sup> (power to cross certain roads on the level) is disapplied in relation to the public road in plots 22 and 24 in the parish of Abbots Ripton with Werrington as shown on the deposited plan for that Act.

(2) The following provisions do not apply in relation to any works executed under the powers conferred by this Order—

(a) section 23 (prohibition on obstacles etc. in watercourses) of the Land Drainage Act 1991<sup>(8)</sup>; and

(b) the provisions of any byelaws made under, or having effect as if made under, section 66 (powers to make byelaws) of that Act, which require consent or approval for the carrying out of the works.

---

<sup>(6)</sup> 1981 c.67.  
<sup>(7)</sup> 1898 c. clxv  
<sup>(8)</sup> 1991 c. 59.