
STATUTORY INSTRUMENTS

2022 No. 853

The Sizewell C (Nuclear Generating Station) Order 2022

PART 3

STREETS

Temporary closure of streets and private means of access

19.—(1) The undertaker, during and for the purposes of carrying out or operating the authorised development, may temporarily close, alter or divert any street or private means of access and may for any reasonable time—

- (a) divert the traffic from the street and prevent access via the private means of access; and
- (b) subject to paragraph (3), prevent all persons from passing along the street.

(2) Without limiting the scope of paragraph (1), the undertaker may use as a temporary working site any street or private means of access which has been temporarily closed, altered or diverted under the powers conferred by this article.

(3) The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street affected by the temporary closure, alteration or diversion of a street under this article if there would otherwise be no such access.

(4) Without prejudice to the generality of paragraph (1), the undertaker may temporarily close, alter or divert the streets specified in column (2) Part 1 of Schedule 13 (Streets and private means of access to be temporarily closed) to the extent specified, by reference to the letters and numbers shown on the Rights of Way Plans, in column (3) of that Schedule, and may provide a temporary diversion.

(5) The undertaker must not temporarily close, alter or divert—

- (a) any street specified as mentioned in paragraph (4) without first consulting the street authority; and
- (b) any other street without the consent of the street authority, which may attach reasonable conditions to any consent, but such consent must not be unreasonably withheld.

(6) No street or private means of access specified in column (2) of Part 2 of Schedule 13 (Streets and private means of access to be temporarily closed) may be wholly or partly closed under this article unless—

- (a) the new temporary street or temporary private means of access to be substituted for it, which is specified in column (4) of that Part of that Schedule, is open for use, and in the case of a street, has been completed to the reasonable satisfaction of the street authority; or
- (b) an alternative temporary route for the passage of such traffic as could have used the street or private means of access to be temporarily closed between the commencement and termination points for the temporary closure of the street or private means of access is first provided and, in the case of a street, is subsequently maintained by the undertaker to the reasonable satisfaction of the street authority until the opening of the new temporary street in accordance with sub-paragraph (a) or the re-opening of the street temporarily closed.

(7) Where the undertaker provides a temporary diversion under paragraph (4), the new or temporary alternative route is not required to be of a higher standard than the temporarily closed street or private means of access in column (2) of Part 1 or Part 2 of Schedule 13.

(8) Prior to the reopening of any street or private means of access temporarily closed under paragraphs (4) or (6), the undertaker must remove all temporary works and restore the street or private means of access to its previous condition.

(9) Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in the case of dispute, under Part 1 of the 1961 Act.

(10) If a street authority that receives an application for consent under paragraph (5)(b) fails to notify the undertaker of its decision within 56 days of receiving the application, that street authority will be deemed to have granted consent.