

SCHEDULES

SCHEDULE 9

FOR THE PROTECTION OF RAILWAY INTERESTS

4.—(1) The Authority must not exercise the powers conferred by article 19 (attachment of equipment to buildings), article 21 (works to safeguard buildings and the operation of the authorised tramway), article 22 (power to survey and investigate land), article 25 (power to construct temporary tramway), article 27 (power to acquire land), article 32 (rights under or over streets), article 30 (powers to acquire new rights), article 33 (temporary use of land for construction of works), article 34 (temporary use of land for maintenance of works), article 38 (extinction or suspension of private rights of way), or the powers conferred by section 11(3) of the 1965 Act or the Compulsory Purchase (Vesting Declarations) Act 1981 as applied by this Order in respect of any railway property unless the exercise of such powers is with the consent of Network Rail.

(2) The Authority must not in the exercise of the powers conferred by this Order prevent pedestrian or vehicular access to any railway property, unless preventing such access is with the consent of Network Rail.

(3) The Authority must not exercise the powers conferred by section 271 (extinguishment of rights of statutory undertakers: preliminary notices) or 272 (extinguishment of rights of telecommunications code system operators: preliminary notices) of the 1990 Act, as applied by Schedule 8 (provisions relating to statutory undertakers), in relation to any right of access of Network Rail to railway property, but such right of access may be diverted with the consent of Network Rail.

(4) The Authority must not under the powers conferred by this Order acquire or use, or acquire new rights over, any railway property except with the consent of Network Rail.

(5) The Authority must not exercise any powers under this Order to—

- (a) demolish all or any part of the existing station building including preparatory works for such demolition; or
- (b) demolish any part of the multi-storey car park,

unless such demolition is with the consent of Network Rail.

(6) Where Network Rail is asked to give its consent under this paragraph, that consent must not be unreasonably withheld but may be given subject to reasonable conditions.

(7) In this paragraph—

“the existing station building” means the station building at Wolverhampton railway station described in plots 41 and 42 of the book of reference and shown on the works and land plans; and

“the multi-storey car park” means the multi-storey car park to the south of the existing station building which is described in plot 43 of the book of reference and shown on the works and land plans.