

## SCHEDULE 8

### PROTECTIVE PROVISIONS

#### PART 1

#### FOR PROTECTION OF SPECIFIED UNDERTAKERS

##### *Apparatus in stopped up road*

**8.—**(1) If Waverley Steps is stopped up under article 8 (permanent stopping up of road), any specified undertaker whose apparatus is in Waverley Steps shall have the same powers and rights in respect of that apparatus, subject to the provisions of this Part of this Schedule, as it enjoyed immediately before the stopping up, and Network Rail shall grant to the specified undertaker servitudes reasonably satisfactory to the specified undertaker in respect of the apparatus and access to it, but nothing in this paragraph shall affect any right of Network Rail or of the specified undertaker to require the removal of the apparatus under paragraph 4(2) or 6(4) or the power of Network Rail to carry out works under paragraphs 4 and 6.

(2) Network Rail shall give to any specified undertaker whose apparatus is in Waverley Steps not less than 28 days' notice of its intention to stop up Waverley Steps under article 8.