



# Greater Nottingham Light Rapid Transit Act 1994

## 1994 CHAPTER xv

### PART VI

#### MISCELLANEOUS AND GENERAL

##### *Other provisions*

#### **78 Level crossings at Basford Vernon**

(1) In this section—

“the additional David Lane crossing” means the level crossing authorised to be provided by the undertakers adjoining the existing David Lane crossing pursuant to section 9 of this Act, whereby Work No. 7 will be carried over David Lane, Basford Vernon;

“the board’s new level crossing” means the new level crossing authorised to be provided by the railways board at Basford Vernon pursuant to the relevant section;

“the existing David Lane crossing” means the existing David Lane level crossing as defined in the relevant section;

“the new road” means the new road referred to in the relevant section;

“the northern crossings” means the board’s new level crossing and the undertakers’ new level crossing;

“the relevant section” means section 21 of the British Railways Act 1990;

“the southern crossings” means the additional David Lane crossing and the existing David Lane crossing;

“the undertakers’ new level crossing” means the new level crossing authorised to be provided by the undertakers adjoining the board’s new level crossing pursuant to section 9 of this Act, whereby Work No. 7 will be carried over the new road.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (2) (a) This subsection shall apply if, at the date when the undertakers are ready to carry Work No. 7 over David Lane by the additional David Lane crossing, the board's new level crossing has not been completed and opened for public use.
- (b) If this subsection applies, then, notwithstanding anything in the relevant section, the extinguishment of all rights of way over the existing David Lane crossing pursuant to the relevant section shall not take effect until—
- (i) both the board's new level crossing and the undertakers' new level crossing have been completed and opened for public use; and
  - (ii) the County Council determine that the existing David Lane crossing and the additional David Lane crossing shall be closed.
- (c) Upon the extinguishment, as from the completion and opening for public use of the board's new level crossing, of all rights of way over the existing David Lane crossing pursuant to subsection (4) of the relevant section (as that section has effect subject to paragraph (b) above) all rights of way over the additional David Lane crossing shall also be extinguished.
- (3) (a) This subsection shall apply if—
- (i) before the date when the undertakers are ready to carry WorkNo. 7 over David Lane, the board's new level crossing has been completed and opened for public use; and
  - (ii) the County Council and the railways board have not entered into an agreement pursuant to subsection (4) below whereby both the northern crossings and the southern crossings shall be kept open for public use.
- (b) If this subsection applies—
- (i) the undertakers shall not be required to provide the additional David Lane crossing; and
  - (ii) all rights of way over so much of David Lane as is required for Work No. 7 shall be extinguished as from the completion and opening for public use of the board's new level crossing.
- (4) Notwithstanding anything in the foregoing provision of this section or in the relevant sections the County Council and the railways board may enter into and carry into effect agreements whereby both the northern crossings and the southern crossings shall be kept open for public use.