



Railways Clauses Consolidation Act 1845

1845 CHAPTER 20 8 and 9 Vict

Crossing of roads and construction of bridges

58 Company to repair roads used by them.

If in the course of making the railway the company shall use or interfere with any road, they shall from time to time make good all damage done by them to such road; and if any question shall arise as to the damage done to any such road by the company, or as to the repair thereof by them, such question shall be referred to the determination of two justices; and such justices may direct such repairs to be made in the state of such road, in respect of the damage done by the company, and within such period, as they think reasonable, and may impose on the company, for not carrying into effect such repairs, any penalty not exceeding five pounds per day as to such justices shall seem just; . . . ^{F1}

Provided always, that in determining any such question with regard to a turnpike road the said justices shall have regard to and shall make full allowance for any tolls that may have been paid by the company on such road in the course of the using thereof.

Textual Amendments

F1 Words repealed by [Justices of the Peace Act 1949 \(c. 101\)](#), [Sch. 7 Pt. III](#)

Modifications etc. (not altering text)

- C1** S. 58 incorporated (4.5.1991) by [S.I. 1991/1162](#), [art. 3\(1\)](#)
S. 58 incorporated in part (with modifications) (29.6.1995) by [S.I. 1995/2143](#), [arts. 3\(1\)\(3\)](#), [13\(7\)](#)
S. 58 incorporated in part (with modifications) (21.9.1995) by [S.I. 1995/2501](#), [arts. 3](#), [9\(9\)](#)
S. 58 incorporated in part (with modifications) (20.11.1995) by [S.I. 1995/2952](#), [art. 3](#)
S. 58 incorporated in part (with modifications) (4.4.1996) by [S.I. 1996/937](#), [art. 3\(1\)\(3\)](#)
S. 58 incorporated in part (with modifications) (4.5.1996) by [S.I. 1996/1267](#), [art. 3\(1\)\(2\)](#)
S. 58 incorporated in part (with modifications) (16.10.1996) by [S.I. 1996/2660](#), [art. 4\(1\)\(3\)](#)
S. 58 incorporated in part (with modifications) (11.11.1996) by [S.I. 1996/2714](#), [art. 3\(1\)\(2\)](#)
S. 58 incorporated (2.11.1996) by [S.I. 1996/2867](#), [art. 3\(1\)](#)
S. 58 incorporated in part (with modifications) (10.2.1997) by [S.I. 1997/264](#), [art. 3\(1\)\(3\)](#)

Status: Point in time view as at 21/04/2014. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Railways Clauses Consolidation Act 1845, Section 58. (See end of Document for details)

- S. 58 incorporated in part (with modifications) (21.5.1997) by S.I. 1997/1266, **art. 3(1)(2)**
- S. 58 incorporated in part (with modifications) (29.7.1997) by S.I. 1997/1688, **arts. 3(1)(2)**, 13(7)
- S. 58 incorporated in part (with modifications) (9.10.1997) by S.I. 1997/2534, **art. 3(1)(3)**
- S. 58 incorporated in part (with modifications) (27.8.1998) by S.I. 1998/1936, **art. 3(1)(2)**
- S. 58 incorporated in part (with modifications) (13.1.1999) by S.I. 1998/3269, **art. 3(1)(2)**
- S. 58 incorporated in part (with modifications) (30.4.1999) by S.I. 1999/1306, **art. 3(1)(2)**
- S. 58 incorporated in part (with modifications) (21.7.1999) by S.I. 1999/2129, **art. 3(1)(2)**
- S. 58 incorporated in part (with modifications) (20.8.1999) by S.I. 1999/2336, **art. 3(1)(2)**
- S. 58 incorporated in part (with modifications) (4.8.2000) by S.I. 2000/2585, **art. 3(1)(2)**
- S. 58 incorporated (with modifications) (29.3.2001) by S.I. 2001/1347, **art. 4(1)(2)(4)** (with arts. 15, 37, 38(2))
- S. 58 incorporated in part (with modifications) (18.7.2001) by S.I. 2001/2870, **art. 3(1)(2)**
- S. 58 incorporated in part (with modifications) (9.11.2001) by S.I. 2001/3682, **art. 3(1)(3)**
- S. 58 incorporated in part (with modifications) (12.2.2002) by S.I. 2002/366, **art. 3(1)** (with Sch. 2)
- S. 58 incorporated (with modifications) (30.4.2002) by S.I. 2002/1065, **art. 3(1)**
- C2** S. 58 incorporated in part (28.4.2003) by Network Rail (West Coast Main Line) Order 2003 (S.I. 2003/1075), arts. 1, **3(1)** (with art. 40)
- C3** S. 58 incorporated (12.1.2004) by The Alconbury Airfield (Rail Facilities and Connection to East Coast Main Line) Order 2003 (S.I. 2003/3364), arts. 1, **3(1)**
- C4** S. 58 incorporated (with modifications) (4.3.2004) by The Network Rail (West Coast Main Line) Order 2004 (S.I. 2004/389), arts. 1, **3(1)(2)** (with art. 38)
- C5** S. 58 incorporated (with modifications) (4.5.2005) by The Telford Railfreight Terminal (Donnington) Order 2005 (S.I. 2005/1163), arts. 1, **3(1)**
- C6** S. 58 incorporated in part (with modifications) (3.7.2006) by Port of Blyth (Battleship Wharf Railway) Order 2006 (S.I. 2006/1518), arts. 1, **3(1)(3)**
- C7** S. 58 incorporated (with modifications) (13.12.2006) by The Network Rail (Thameslink 2000) Order 2006 (S.I. 2006/3117), arts. 1, **3(1)(2)** (with arts. 34, 35(2))
- C8** S. 58 incorporated in part (with modifications) (28.9.2007) by London Gateway Logistics and Commercial Centre Order 2007 (S.I. 2007/2657), arts. 1, **4(1)(2)** (with arts. 19, 28, Sch. 3 para. 13(2))
- C9** S. 58 incorporated (with modifications) (16.5.2008) by London Gateway Port Harbour Empowerment Order 2008 (S.I. 2008/1261), arts. 1, **7(1)(4)** (with arts. 41(1), 45, 54(2), 55, 56, 57, 58(6))
- C10** S. 58 incorporated in part (with modifications) (14.10.2008) by Felixstowe Branch Line and Ipswich Yard Improvement Order 2008 (S.I. 2008/2512), arts. 1, **3(1)(3)** (with art. 36(3))
- C11** S. 58 incorporated in part (with modifications) (E.W.) (20.7.2010) by The Network Rail (Nuneaton North Chord) Order 2010 (S.I. 2010/1721), arts. 1, **3(1)(3)**
- C12** S. 58 incorporated in part (with modifications) (E.W.) (21.4.2011) by The Network Rail (Hitchin (Cambridge Junction)) Order 2011 (S.I. 2011/1072), arts. 1, **3**
- C13** S. 58 incorporated (E.W.) (26.9.2012) by The Network Rail (Ipswich Chord) Order 2012 (S.I. 2012/2284), arts. 1, **3(1)** (with art. 26(2))
- C14** S. 58 incorporated in part (with modifications) (E.W.) (6.11.2012) by The Network Rail (North Doncaster Chord) Order 2012 (S.I. 2012/2635), arts. 1, **3(1)(3)** (with art. 35(2))
- C15** S. 58 incorporated in part (with modifications) (E.W.) (13.11.2012) by The Chiltern Railways (Bicester to Oxford Improvements) Order 2012 (S.I. 2012/2679), arts. 1, **3(1)(3)** (with art. 42(2))
- C16** S. 58 incorporated (E.W.) (21.8.2013) by The Croxley Rail Link Order 2013 (S.I. 2013/1967), arts. 1, **3(1)** (with art. 3(3))
- C17** S. 58 incorporated in part (with modifications) (E.W.) (21.11.2013) by The Network Rail (Redditch Branch Enhancement) Order 2013 (S.I. 2013/2809), arts. 1, **3(1)(3)** (with arts. 27(2), 39, Sch. 10 para. 4)
- C18** S. 58 incorporated (with modifications) (E.W.) (21.4.2014) by The Network Rail (Norton Bridge Area Improvements) Order 2014 (S.I. 2014/909), arts. 1, **3(1)(3)** (with art. 34(2))

Status:

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Changes to legislation:

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