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SCHEDULE 2

Regulation 3(1)

FORM 1 RAIL CROSSING EXTINGUISHMENT ORDER HIGHWAYS ACT 1980, SECTION 118A

[NAME OF AUTHORITY]

[TITLE OF ORDER]

This Order is made by [name of authority] ("the authority") under section 118A of the Highways Act 1980 ("the 1980 Act").

The [footpath] [bridleway] in the authority's area described below crosses a railway otherwise than by a tunnel or bridge.

It appears to the authority that it is expedient in the interests of the safety of members of the public using, or likely to use, the said [footpath] [bridleway] that it should be stopped up.

[The name(s) of authority (ies) consulted] [and the Countryside Commission] has [have] been consulted as required by section 120(2) of the 1980 Act.

The authority has required the operator of the railway to enter into an agreement with it to [defray] [make contributions as specified in the agreement towards] any expenses which the authority may incur in connection with the erection or maintenance of barriers and signs.]

[The map attached to this order shows alternative highways available to the public [describe how shown].]

THIS ORDER EXTINGUISHES the public right of way over the land situate at [describe land] shown by a continuous bold line on the map attached to this order and described in the schedule after [] days from the date of confirmation of this order [but [name of statutory undertakers] shall have the following rights over the land affected by this order namely:-
.]

SCHEDULE

[Describe position, length and width of path or way in sections, e.g. A-B, B-C etc., as indicated on the map.]

NOTE: Insert or omit words or figures in square brackets and blank spaces as appropriate.

FORM 2 RAIL CROSSING DIVERSION ORDER HIGHWAYS ACT 1980, SECTION 119A

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[NAME OF AUTHORITY]

[TITLE OF ORDER]

This Order is made by [name of authority] ("the authority") under section 119A of the Highways Act 1980 ("the 1980 Act").

The [footpath] [bridleway] described in paragraph 1 of this order in the authority's area crosses a railway otherwise than by a tunnel or bridge.

It appears to the authority that it is expedient in the interests of the safety of members of the public using, or likely to use, the said [footpath] [bridleway] that it should be diverted [state whether on to land of the same or of another owner, lessee or occupier as described in the schedule].

The [name of authority] has required the operator of the railway to enter into an agreement to [contribute towards] [defray] [any compensation [which becomes payable in consequence of the coming into force of this order] any expenses [which are incurred in [the erection or maintenance of barriers and signs] [bringing the new site of the [footpath] [bridleway] into a fit condition for use by the public]] [which may be recovered from the authority by the highway authority.]

[Name of [authority] [authorities] consulted] [and the Countryside Commission] have been consulted and [name of consenting authority or authorities] have consented to the making of the order as required by section 120(2) of the 1980 Act.]

[The map attached to this order shows alternative highways available to the public [describe how shown].]

BY THIS ORDER:

1. The public right of way over the land situate at [] shown by a bold continuous line on the map attached to this order and described in Part 1 of the Schedule hereto shall be extinguished after [] days from the date of confirmation of this order.

[2. Despite paragraph 1 of this order [name of statutory undertakers] shall have the following rights over the land referred to in paragraph 1 namely:— []]

3. There shall at the end of [] days from the date of confirmation of this order be a public [footpath] [bridleway] over the land situate at [] described in Part 2 of the Schedule and shown by a bold broken line on the map attached to this order.

[4. The operator of the railway crossed by the [footpath] [bridleway] described in paragraph 1 shall maintain [the part shown [] on the said map of] the [footpath] [bridleway] created by this order.]

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PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

[Describe position, length and width of existing path to be diverted in sections, e.g. A-B, B-C, etc. as indicated on the map.]

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

[Describe position, length and width of path in sections, e.g. A-B, B-C, etc. as indicated on map, and indicating whether a new right of way is created over the whole of the new site, or whether some part of it is already comprised in a [footpath] [bridleway] and where some part of the new site is already so comprised, defining that part, and giving details of owners, lessees or occupiers whose land is affected.]

NOTE: Insert or omit words or figures in square brackets and blank spaces as appropriate. Reletter or renumber paragraphs as appropriate.
