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SCHEDULE 3

Regulation 4(1)

FORM 1 NOTICE OF MAKING OF RAIL CROSSING

[EXTINGUISHMENT] [DIVERSION] ORDER

⁽¹⁾ IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

HIGHWAYS ACT 1980, SECTION [118A] [119A]

[NAME OF AUTHORITY]

[TITLE OF ORDER]

⁽¹⁾ To: _____
of: _____]

The above order was made on _____ 19____, under section [118A] [119A] of the Highways Act 1980 (as amended by the Transport and Works Act 1992). The order will ⁽²⁾ [extinguish] [divert] the public [footpath] [bridleway] at [describe the effect of the order].

A copy of the order and the order map have been placed and may be seen free of charge at _____ from a.m. to p.m. on _____. Copies of the order and map may be bought there at the price of ⁽²⁾ [_____].

⁽¹⁾ [Compensation for depreciation of the value of an interest in land or for disturbance in the enjoyment of land arising in consequence of the coming into force of the order is payable under section 28 as applied by section 121(2) of the Highways Act 1980 (as amended by the Transport and Works Act 1992); copies of these sections as amended are ⁽²⁾ [appended] [attached].]

Any representations about or objections to the order may be sent in writing to the ⁽²⁾ [title of appropriate officer and name and address of authority] not later than _____ 19____. Please state the grounds on which they are made.

If no such representations or objections are duly made, or if any so made are withdrawn, the ⁽²⁾ [name of authority] may confirm the order as an unopposed order. If the order is sent to the Secretary of State for [the Environment] [Wales] for confirmation any representations or objections which have not been withdrawn will be sent with the order.

Dated _____ 19____.

NOTES: ⁽¹⁾ Insert only in personal notices.
⁽²⁾ Insert or omit words, as appropriate.
Insert words in blank spaces as appropriate.

FORM 2 NOTICE OF CONFIRMATION OF RAIL CROSSING

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[EXTINGUISHMENT] [DIVERSION] ORDER

(1) IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY
HIGHWAYS ACT 1980, SECTION [118A] [119A]

[NAME OF AUTHORITY]

[TITLE OF ORDER]

(1) [To:
of:]

On 19 , (2) [the Secretary of State] [for the Environment] [for Wales] [name of authority] confirmed (2) [with modifications] this order, made under section (2) [118A] [119A] of the Highways Act 1980 (as amended by the Transport and Works Act 1992).

The effect of the order as confirmed is to (2) [extinguish] [divert] the public (2) [footpath] [bridleway] at [describe the effect of the order].

A copy of the order as confirmed and the map contained in it has been placed and may be seen free of charge at from a.m. to p.m. on . Copies of the order and map may be bought there at the price of (2) [] .

(1) [Any person who wishes to claim compensation under section 28 as applied by section 121(2) of the 1980 Act (as amended by the Transport and Works Act 1992) for depreciation of the value of an interest in land or for disturbance in the enjoyment of land in consequence of the coming into operation of the order must make his or her claim in writing addressed to (2) [title of appropriate officer and name and address of authority], and serve it by delivering it at, or sending it by prepaid post to the above address not later than 19 . Copies of these sections are (2) [appended] [attached].]

The order comes into force as from 19 , but if any person aggrieved by the order desires to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Highways Act 1980 as amended, or on the ground that any requirement of the Act as amended, or of any regulation made under it has not been complied with in relation to the order, he or she may under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within six weeks from (2) [date on which notice is first published], make an application to the High Court.

Dated 19 .

NOTES: (1) Insert words in brackets only in personal notices.
(2) Insert or omit words in brackets and blank spaces as appropriate.