

## SCHEDULES

### SCHEDULE 1

Article 5

#### SCHEDULED WORKS

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Number of Work</i>	<i>(3)</i> <i>Description of work</i>
Borough of Fareham	Work No. 1	A street tramway 739 metres in length (single line) extending from the roundabout at the junction of Western Way and West Street along West Street to a point on the south side of West Street, opposite Westbury Road
	Work No. 2	A tramroad 141 metres in length (single line) extending from its junction with the termination of Work No. 1, through the car park and Fareham Bus Station on the north eastern side of Hartland's Road to a point at the southern end of the bus station
	Work No. 3	A street tramway 94 metres in length (single line) extending from its junction with the termination of Work No. 2, along Hartland's Road and Western Road to a point at the front of No. 4 Western Road
	Work No. 4	A street tramway 742 metres in length (single line including a short passing bay) extending from its junction with the termination of Work No. 3, along the northern side of Western Way to the roundabout at the junction of Western Way and West Street
	Work No. 4A	Extension of the existing pedestrian subway 8 metres in length under Western Way

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	Work No. 5	A street tramway 63 metres in length (single line) extending from its junction with the termination of Work No. 4, across the roundabout junction of Western Way and West Street to a point near to the eastern end of the access road to Fareham Railway Station
Borough of Fareham and the Borough of Gosport	Work No. 6	A tramroad 8525 metres in length (in part single line, in part double line with spurs) extending from its junction with the termination of Work No. 5 and the commencement of Work No. 1, along the eastern side of Fareham Railway Station, passing in a tunnel under the railway and back along the western side of the station, across a new bridge over The Avenue, along the disused railway, along the cycletrack/footpath (formerly a railway line), past the Sanderson Centre at the end of Carlyle Road and then across Forton Field to Forton Road
Borough of Fareham	Work No. 6A	A new access road 216 metres in length connecting the junction of the The Avenue and West Street to a revised car park on the east side of Fareham Railway Station
	Work No. 6B	A new access road 265 metres in length extending from The Avenue to a proposed car park on the west side of Fareham Railway Station
	Work No. 6C	A new cycletrack 95 metres in length connecting Redlands Lane to the proposed Redlands Lane Stop
Borough of Gosport	Work No. 6D	A new cycletrack 101 metres in length connecting the existing footpath at the end of Mountbatten Close and

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Borough of Gosport		Gregson Avenue footway to the proposed Gregson Avenue Stop
	Work No. 6E	A new cycletrack 29 metres in length connecting the existing footpath at the end of Montgomery Road and Gregson Avenue footway to Work No. 6D
	Work No. 6F	A new cycletrack 39 metres in length connecting the existing footpath at the end of Harwood Close and Gregson Avenue footway to Work No. 6D
	Work No. 6G	A new cycletrack 125 metres in length connecting the existing footway at the end of Keyes Close and Gregson Avenue footway to the proposed Gregson Avenue Stop
	Work No. 6H	A new cycletrack 34 metres in length connecting Montgomery Road to the proposed Gregson Avenue Stop
	Work No. 6J	A new cycletrack 130 metres in length connecting the proposed Gregson Avenue Stop to the existing ramp to the subway north east of Cameron Close
	Work No. 6K	A new cycletrack 46 metres in length connecting Work No. 6J to the footway leading to Cameron Close
	Work No. 6L	A new cycletrack 59 metres in length connecting Tichborne Way north east of the disused railway to the proposed Holbrook Stop
	Work No. 6M	A new cycletrack 70 metres in length connecting Tichborne Way south east of the disused railway to the proposed Holbrook Stop

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	Work No. 6N	A new cycletrack 82 metres in length connecting the footpath at the end of Orange Grove to the proposed Holbrook Stop
	Work No. 6P	A new footpath 24 metres in length connecting the existing footpath at the rear of 86 Turner Avenue to the existing cycletrack on the east of the disused railway
	Work No. 6Q	A new cycletrack 759 metres in length connecting the existing cycletrack at the rear of 84 Turner Avenue to Military Road incorporating a tunnel 29 metres in length under Rowner Road
	Work No. 6R	A new cycletrack 86 metres in length connecting the footway on the north side of Rowner Road to the east of the disused railway to its junction with Work No. 6Q
	Work No. 6S	A new pedestrian access 104 metres in length connecting the footway on the south side of Rowner Road east of the disused railway to its junction with Work No. 6Q
	Work No. 6T	A new pedestrian access 142 metres in length connecting the footway on the south side of Rowner Road west of the disused railway to the proposed Rowner Road Stop
	Work No. 6U	A new access road 103 metres in length connecting Grange Road with the proposed Depot (Work No. 6V)
	Work No. 6V	A new tramcar depot incorporating lines of rails connected to Work No. 6
	Work No. 6W	A new access road 43 metres in length connecting Military Road to the proposed electricity substation

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Borough of Gosport	Work No. 6X	A new cycletrack 353 metres in length connecting Station Road to Cambridge Road
	Work No. 6Y	A new cycletrack 913 metres in length connecting Cambridge Road to Lees Lane incorporating a tunnel 23 metres in length under Ann's Hill Road and a crossing and footpath to the rear of Nos. 2-34 Middlecroft Lane
	Work No. 6Z	A new cycletrack 466 metres in length connecting the proposed car park at the eastern end of Carlyle Road to the existing cycletrack adjacent to the children's playground at the rear of 34 Kings Road, including a spur 21 metres in length connecting to the existing cycletrack to the rear of 114 Kings Road
	Work No. 7	A street tramway 1480 metres in length (double line) extending from its junction with the termination of Work No. 6, along Forton Road, Mumby Road, North Cross Street, South Cross Street and South Street to a point south west of the bus station at The Esplanade
Borough of Gosport and the City of Portsmouth	Work No. 7A	A new highway 30 metres in length connecting South Street with Service Area 5
	Work No. 8	A tramroad, or a street tramway with a guided busway, with spurs, 1023 metres in length (double line), extending from its junction with the termination of Work No. 7 passing in a new tunnel (Work No. 8A) across Portsmouth Harbour to a point on The Hard
	Work No. 8A	A new immersed tube tunnel 778 metres in length extending

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		from a point on The Esplanade across Portsmouth Harbour to a point west of Station Approach
Borough of Gosport	Work No. 8B	A temporary site 59 metres in length for Gosport to Portsmouth Harbour Ferry Jetty
City of Portsmouth	Work No. 8C	A temporary site 229 metres in length for Gosport to Portsmouth Harbour Ferry Jetty
	Work No. 8D	A temporary site 232 metres in length for mooring immersed tube tunnel elements
	Work No. 9	A street tramway 1496 metres in length (double line) extending from its junction with the termination of Work No. 8 along The Hard, Queen Street, Edinburgh Road, Stanhope Road and Station Street terminating west of the junction of Station Street and Slindon Street

## SCHEDULE 2

Articles 5 and 35

## ACQUISITION OF CERTAIN LAND

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Number and description of land shown on land plan</i>	<i>(3)</i> <i>Purpose for which land may be acquired</i>
Borough of Fareham	1/4 to 1/13 inclusive: Land to rear of 1 and 7 Grove Road and 227 to 217 West Street	Upgrade existing rear access from Grove Road
	1/1, 1/2, 1/3: Land to the front of 227 to 229 West Street and 2 Grove Road	Street alterations
	1/35, 1/36: Land to the front of 181 and 183 West Street	Street alterations
	1/33, 1/34: Land to the front of 201 West Street	Street alterations

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	1/43 to 1/48 inclusive: Land to the front of 145b to 151 West Street and 155 West Street	Street alterations
	1/22 to 1/31 inclusive: Russell Place to rear of 201 to 175 West Street including part of rear access road serving 1–5 Meadow Terrace and land to rear of 183 to 187 West Street and from 1 Russell Place to Trinity Street including part of yard and buildings on north side of Russell Place and part of yard and buildings to the south and to the rear of 27 Trinity Street	Upgrade existing access road (Russell Place)
	1/37 to 1/42 inclusive & 1/49: Land to rear of 161 to 145 West Street, to the north of 2 Trinity Road and to the south of 2 Osborn Road South	Provide service link road and car parking
	1/50: Land to rear of 127 to 121 West Street at east end of Malthouse Lane	Revised access and car parking
	1/52 to 1/58 inclusive and 1/60 to 1/79 inclusive: Land between 160c and 192 West Street	Street alterations
	1/82: Part of Fareham Bus Station on north-east side of Hartland’s Road	Revise layout of Bus Station and provide taxi rank
	1/80: Land between Hartland’s Road and Portland Street south-east of Fareham Bus Station	Revised junction layout
	1/85: Part of car park to south of Homefayre House, Western Road	Revised access and car parking
Borough of Gosport	1/87: Land to rear of 1 to 4 Crescent Gardens and to rear of 4 to 27 Crescent Road	Provide revised rear access and landscaping
	1/94: Land to west and south of Delme Court, Maytree Road	Provide revised car parking

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Borough of Gosport	2/32: Land to the west of Fareham Station Footbridge	Provide extension to existing Railtrack footbridge
	2/28: Part of Black Brook on east side of The Avenue north-east of 9 Paxton Road	Modifications to existing culvert
	2/26, 2/27: Land to the north of The Avenue opposite Paxton Road	Street alterations
	2/9 (Part): Land on north-west side of Fareham Railway Station	Working area for construction of tunnel beneath railway
	2/1, 2/2, 2/3: Land on The Avenue, west of the West Street/Western Way roundabout	Street alterations
	2/30, 2/34: Part of land to the front of Croft House, Redlands Lane	Street alterations and kerb realignments to access
	3/4: Land to the rear of 5 to 8 and 14 to 17 Solent House, off Redlands Lane	Provision of footpath/ cycletrack
	4/4, 4/6, 4/9: Land on west and east side of Newgate Lane on both sides of disused railway line	Junction improvements at level crossing
	4/10: Land between 335 and 337 Gosport Road on the north-east side of the disused railway	Accommodation Land
	6/5: Area of land to the east of Cameron Close	Provision of ramp and steps
	6/6 (Part): Area of land to the south west of Gregson Avenue	Provision of substation
	8/5: Turner Avenue to the front of 30 to 48 Turner Avenue	Drainage works
	8/6 (Part): Land to the south of 30 Turner Avenue	Drainage works
	9/4, 9/5: Two areas of land on Grange Road opposite Nos 15 to 53 Grange Road	Street Alterations
	11/6: Footpath at eastern end of Carlyle Road	Drainage outfall



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Borough of Gosport	12/8 (Part): Forton Road, west of 103 Forton Road	Street alterations
	12/6, 12/7: Part of land to the front of 46a Forton Road	Street alterations
	12/5: Part of access to depot north of Spring Garden Lane	Street alterations
	12/9: Part of Spring Garden Lane	Street alterations
	13/1: Part of land on west side of junction of Mumby Road and North Cross Street	Street alterations
	13/5: Part of access to industrial units on north side of Mumby Road opposite 21–32 St Matthews Court, King Street	Street alterations
	13/9: Gosport Shopping Precinct	Provide alternative pedestrian route
	13/21 (Part): South Street to the west of South Cross Street	Street alterations
	13/10: Land to the front of Nelson House, Winchfield House and Rodney House	Street alterations
	13/12 (Part), 13/18 (Part): Car park off South Street	Car park alterations
City of Portsmouth	14/11: Land to the rear of 83 to 86 High Street	Street alterations
	15/9: Car park off Havant Street	Location for substation and contractors' work site
	16/2, 16/3, 16/4: Land to the front of 1–7 Queen Street	Street alterations
	16/14 (Part): Lion Terrace, Portsmouth	Street alterations and car parking
	16/5: Land fronting HMS Nelson	Street alterations
	16/6: Access to Bishops House	Kerb alterations
	16/7: Land on the corner of Edinburgh Road/ Stanhope Road	Street alterations
	16/8, 16/9, 16/10: Land to the south side of 108–106	Street alterations

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	Commercial Road and 9 Surrey Street	
	16/12, 16/13: Land to the south of Station Road	Street alterations
	16/1: Land on north side of Queen Street east of York Place and west of HMS Nelson	Location for substation and contractors' work site

SCHEDULE 3

Article 8

STREETS SUBJECT TO ALTERATION OF LAYOUT

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street subject to alteration of layout</i>	<i>(3)</i> <i>Description of alteration</i>
Borough of Fareham	West Street	Kerb line to be set forward between KF1 and KF2 along northern edge of West Street
	West Street	Bus stop lay-by to be provided between BS1 and BS2 along northern edge of West Street
	Maytree Road	Kerblines to be revised between KR1 and KR2 along western edge of Maytree Road to form new access
Borough of Fareham	Grove Road	Kerblines to be revised between KR3 and KR4 along east side of Grove Road to form revised access
	West Street	Kerb line to be set back between KB1 and KB2 along northern edge of West Street on east side of junction with Grove Road
	West Street	Sheltered loading bay to be provided between LB1 and LB2 along northern edge of West Street
	West Street	Sheltered disabled parking bay to be provided between PB1 and PB2 along northern edge of West Street

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	West Street	Sheltered parking (including Disabled parking) and loading bay to be provided between PB3 and PB4 along southern edge of West Street
	West Street	Kerb line to be set forward between KF3 and KF4 along northern edge of West Street in front of the proposed West Street Stop platform
	West Street	Kerb line to be set back between KB3 and KB4 along northern edge of West Street on west and east sides of junction with Trinity Street
	Trinity Street	Kerblines to be revised between KR5 and KR6 along west side of Trinity Street to form revised access
	Trinity Street	Kerblines to be revised between KR7 and KR8 along east side of Trinity Street to form new access
	Osborn Road South	Kerblines to be revised between KR9 and KR10 along west side of Osborn Road South to form new access
	Osborn Road South/Malthouse Lane	Kerblines to be revised between KR11 and KR12 along east side of Osborn Road South to form revised access
	West Street	Bus stop lay-by to be provided between BS3 and BS4 along northern edge of West Street
	West Street	Sheltered loading bay to be provided between LB3 and LB4 along northern edge of West Street
	West Street	Loading areas to be provided in footway between LA1 and LA2 on north side of West Street
	West Street	Disabled parking area to be provided in footway between

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		PB5 and PB6 along northern edge of West Street
Borough of Fareham	West Street	Kerb line to be set forward between KF5 and KF6 along northern edge of West Street on west and east sides of junction with Osborn Road South
	West Street	Kerb line to be set forward between KF7 and KF8 along southern edge of West Street
	West Street	Sheltered loading bay to be provided between LB5 and LB6 along southern edge of West Street
	West Street	Kerb line to be set back between KB5 and KB6 along southern edge of West Street
	West Street	Kerb line to be set forward between KF9 and KF10 along northern edge of West Street on east side of junction with Hartland's Road
	West Street	Sheltered loading bay to be provided between LB7 and LB8 along southern edge of West Street on east side of junction with Hartland's Road
	West Street	Sheltered disabled parking bay to be provided between PB7 and PB8 along southern edge of West Street on east side of junction with Hartland's Road
	Hartland's Road	Kerb line to be set forward between KF11 and KF12 along eastern edge of Hartland's Road
	Hartland's Road/Western Road	Realignment of junction and revision of kerblines shown generally as RJ2
	Hartland's Road	Kerb line to be set back between KB7 and KB8 along eastern edge of Hartland's

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		Road south of junction with Western Road
	Hartland's Road	Sheltered parking bay for wedding and funeral vehicles to be provided between PB9 and PB10 along eastern side of Hartland's Road south of junction with Western Road
	Western Road	Kerb line to be set forward between KF13 and KF14 along north-west edge of Western Road on south side of junction with Hartland's Road
	Western Road	Kerb line to be set forward between KF17 and KF18 along southern edge of Western Road
	Queen's Road	Kerb line to be set forward between KF15 and KF16 along north-east edge of Queen's Road at junction with Western Road
	Western Way/The Avenue/ West Street	Realignment of junction and revision of kerblines shown generally as RJ3
	The Avenue	Kerb line to be set back between KB9 and KB10 along southern edge of The Avenue on west side of junction with Western Way.
	The Avenue	Kerb line to be set back between KB11 and KB12 along northern edge of The Avenue on west side of junction with West Street
	The Avenue	Bus stop lay-by to be provided between BS5 and BS6 along southern edge of The Avenue on west side of junction with Western Way
	The Avenue/Paxton Road	Realignment of junction and revision of kerblines shown generally as RJ4

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Borough of Fareham	The Avenue/Gudge Heath Lane/Redlands Lane	Realignment of junction and revision of kerblines shown generally as RJ5
Borough of Gosport	Palmerston Drive	Kerbs to be set back between KB11A and KB12A and between KB11B and KB12B
	Grange Road	Kerb line to be revised between KR13 and KR14 along eastern edge of Grange Road to form junction with new Depot Access Road
	Station Road/Military Road	Kerb line to be set back between KB13 and KB14 along southern edge of junction of Station Road and Military Road
	Military Road	Kerb line to be revised between KR15 and KR16 along eastern edge of Military Road to provide new access
	Station Road/Military Road	Kerb line to be set forward between KF21 and KF22 along eastern edge of junction of Military Road Station Road
	Leesland Road	Kerb line to be set back between KB15 and KB16 along northern edge of Leesland Road on west side of junction with Lees Lane
	Leesland Road	Kerb line to be set forward between KF23 and KF24 along southern edge of Leesland Road on west side of junction with Whitworth Road
	Carlyle Road	Kerb line to be set forward between KF25 and KF26 along northern edge of Carlyle Road
	Carlyle Road	New kerb to be provided at eastern end of Carlyle Road to provide new carpark layout (NK1)
	Forton Road	Kerb line to be set forward between KF27 and KF28 along northern edge of Forton Road

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	Forton Road	Kerb line to be set forward between KF29 and KF30 along southern edge of Forton Road
	Forton Road	Sheltered parking bay to be provided between PB13 and PB14 along northern edge of Forton Road
	Forton Road	Bus stop lay-by to be provided between BS7 and BS8 along northern edge of Forton Road
	Forton Road	Sheltered parking bay to be provided between PB15 and PB16 along northern edge of Forton Road
	Forton Road	Sheltered parking bay to be provided between PB17 and PB18 along southern edge of Forton Road
	Forton Road	Bus stop lay-by to be provided between BS9 and BS10 along southern edge of Forton Road
	Forton Road	Sheltered parking bay to be provided between PB19 and PB20 along southern edge of Forton Road
	Forton Road	Kerb line to be altered between KR17 and KR18 along southern edge of Forton Road
	Forton Road	Bus stop lay-by to be provided between BS11 and BS12 along southern edge of Forton Road
	Forton Road	Kerb line to be set forward between KF31 and KF32 along northern edge of Forton Road
Borough of Gosport	Forton Road	Bus stop lay-by to be provided between BS13 and BS14 along northern edge of Forton Road
	Forton Road	Kerb line to be set back between KB19 and KB20 along northern edge of Forton Road

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	Forton Road	Kerb line to be set forward between KF33 and KF34 along northern edge of Forton Road
	Forton Road	Sheltered disabled parking bay to be provided between PB21 and PB22 along northern edge of Forton Road
	Forton Road	Sheltered parking bay to be provided between PB23 and PB24 along northern edge of Forton Road
	Forton Road	Kerb line to be realigned between KR35 and KR36 along southern edge of Forton Road
	Forton Road	Sheltered parking bay to be provided between PB27 and PB28 along southern edge of Forton Road
	Forton Road	Bus stop lay-by to be provided between BS15 and BS16 along southern edge of Forton Road
	Forton Road	Kerb line to be set forward between KF37 and KF38 along northern edge of Forton Road
	Forton Road	Kerb line to be set back between KB19A and KB20A along the northern edge of Forton Road
	Forton Road	Sheltered parking bay to be provided between PB24A and PB24B along the southern edge of Forton Road
	Forton Road	Loading bay to be provided between LB9 and LB10 along the southern edge of Forton Road
	Forton Road	Sheltered parking bay to be provided between PB24C and PB24D on the southern edge of Forton Road
	Forton Road	Loading bay to be provided between LB11 and LB12 on



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		the southern edge of Forton Road
	Spring Garden Lane	Kerb line to be set forward between KF39 and KF40 along eastern edge of Spring Garden Lane
	Spring Garden Lane	Kerb line to be set forward between KF41 and KF42 along southern edge of Spring Garden Lane
	Mumby Road	Kerb line to be set back between KB21 and KB22 along northern edge of Mumby Road
	Mumby Road	Kerb line to be set back between KB23 and KB24 along southern edge of Mumby Road
	Mumby Road	Kerb line to be set forward between KF43 and KF44 along southern edge of Mumby Road
	Mumby Road	Kerb line to be set back between KB25 and KB26 along southern edge of Mumby Road
	Mumby Road	Bus stop lay-by to be provided between BS17 and BS18 along northern edge of Mumby Road
	Mumby Road	Bus stop lay-by to be provided between BS19 and BS20 along southern edge of Mumby Road
	Mumby Road	Kerb line to be set back between KB27 and KB28 along southern edge of Mumby Road on west side of junction with Clarence Road
Borough of Gosport	Mumby Road	Kerb line to be set back between KB29 and KB30 along northern edge of Mumby Road on west side of car park entrance opposite Clarence Road

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	Mumby Road	Kerb line to be set forward between KF45 and KF46 along northern edge of Mumby Road
	Mumby Road	Kerb line to be set back between KB31 and KB32 along southern edge of Mumby Road on east side of junction with King Street
	Mumby Road	Sheltered parking bay to be provided between PB29 and PB30 along northern edge of Mumby Road
	Mumby Road	Kerb line to be set back between KB33 and KB34 along northern edge of Mumby Road on north and south sides of entrance to boat yard
	Mumby Road	Kerb line to be set back between KB35 and KB36 along eastern edge of Mumby Road on south side of junction with Harbour Road
	North Cross Street	Kerb line to be set back between KB37 and KB38 along western edge of North Cross Street at junction with Mumby Road
	North Cross Street	Kerb line to be set back between KB39 and KB40 along eastern edge of North Cross Street at junction with Mumby Road
	North Cross Street	Kerb line to be set forward between KF47 and KF48 along western edge of North Cross Street
	South Cross Street	Kerb line to be set back between KB41 and KB42 along eastern edge of South Cross Street on south side of junction with High Street in front of proposed South Cross Street Stop
	South Cross Street	Kerb line to be set forward between KF49 and KF50 along

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		eastern edge of South Cross Street opposite junction with The Precinct
	South Cross Street	Kerb line to be set back between KB43 and KB44 along western edge of South Cross Street between Thorngate Way and South Street
	South Cross Street/South Street	Kerb line to be set back between KB45 and KB46 along eastern edge of South Cross Street adjacent to The Precinct and along the northern edge of South Street
	South Cross Street	Kerb line to be set forward between KF51 and KF52 along western edge of South Cross Street at junction with South Street
	South Street	Kerb line to be set forward between KF53 and KF54 along southern edge of South Street
	South Street	Bus stop lay-by to be provided between BS21 and BS22 along southern edge of South Street
	South Street	Bus stop lay-by to be provided between BS23 and BS24 along northern edge of South Street
	South Street	Kerb line to be set back between KB49 and KB50 along southern edge of South Street
	South Street	Kerb line to be set back between KB47 and KB48 along northern edge of South Street
	Bus Station Access Road	Realignment of street between RS1 and RS2
Borough of Gosport	Trinity Green/The Esplanade	Kerb line to be revised between KR15 and KR16 between Trinity Green and The Esplanade

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street subject to alteration of layout</i>	<i>(3)</i> <i>Description of alteration</i>
City of Portsmouth	The Hard/Station Approach/ Clock Street	Realignment of junction shown generally as RJ6
	Queen Street	Kerb line to be set back between KB51 and KB52 along southern edge of Queen Street at junction with The Hard
	Queen Street	Kerb line to be set back between KB53 and KB54 along northern edge of Queen Street at junction with The Hard
	Queen Street	Kerb line to be set forward between KF55 and KF56 along northern edge of Queen Street
	Queen Street	Sheltered parking bay including disabled parking to be provided between PB31 and PB32 along northern edge of Queen Street
	Queen Street	Sheltered parking bay including disabled parking to be provided between PB32a and PB33 along northern edge of Queen Street
	Queen Street	Kerb line to be set back between KB55 and KB56 along southern edge of Queen Street
	Queen Street	Kerb line to be set back between KB57 and KB58 along southern edge of Queen Street
	Queen Street	Kerb line to be set forward between KF57 and KF58 along northern edge of Queen Street
	Queen Street	Sheltered disabled parking bay to be provided between PB34 and PB35 along northern edge of Queen Street
	Queen Street	Sheltered parking bay to be provided between PB35 and PB36 along northern edge of Queen Street

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<i>(1)</i> Area	<i>(2)</i> Street subject to alteration of layout	<i>(3)</i> Description of alteration
	Queen Street	Bus stop lay-by to be provided between BS25 and BS26 along northern edge of Queen Street
	Queen Street	Sheltered loading bay to be provided between LB9 and LB10 along northern edge of Queen Street
	Queen Street	Sheltered disabled parking bay to be provided between PB37 and PB38 along northern edge of Queen Street
	Queen Street	Parking bay to be provided between PB37 and PB39 along northern edge of Queen Street
	Queen Street	Bus stop lay-by to be provided between BS27 and BS28 along southern edge of Queen Street
	Queen Street	Kerb line to be set back between KB59 and KB60 along southern edge of Queen Street
	Queen Street	Kerb line to be set forward between KF59 and KF60 along northern edge of Queen Street
	Queen Street	Kerb line to be set back between KB61 and KB62 along northern edge of Queen Street
	Queen Street	Bus stop lay-by to be provided between BS29 and BS30 along southern edge of Queen Street on west side of junction with Lion Terrace
City of Portsmouth	Queen Street	Sheltered loading bay to be provided between LB11 and LB12 along southern edge of Queen Street
	Lion Terrace	Realignment of street between RS3 and RS4 including provision of parking bays, including disabled parking bays
	Queen Street	Kerb line to be set back between KB63 and KB64

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street subject to alteration of layout</i>	<i>(3)</i> <i>Description of alteration</i>
		along northern edge of Queen Street on west side of junction with Alfred Road
	Queen Street/Alfred Road/ Anglesea Road	Realignment of junction shown generally as RJ7
	Queen Street	Sheltered parking bay to be provided between P39A and PB39B on the southern edge of Queen Street
	Queen Street	Kerb line to be set forward between KF59 and KF60 on the northern edge of Queen Street
	Queen Street	Kerb line to be set back between KB60 and KB61 on northern edge of Queen Street
	Queen Street	Kerb line to be set forward between KF68 and KF69 on the southern edge of Queen Street
	Edinburgh Road	Kerb line to be set back between KB65 and KB66 along southern edge of Edinburgh Road on east side of junction with Anglesea Road
	Edinburgh Road	Kerb line to be set back between KB67 and KB68 along northern edge of Edinburgh Road on east side of junction with Alfred Road
	Edinburgh Road	Kerb line to be set forward between KF61 and KF62 along northern edge of Edinburgh Road
	Edinburgh Road	Sheltered parking bay for wedding and funeral vehicles to be provided between PB41 and PB42 along northern edge of Edinburgh Road
	Edinburgh Road	Sheltered parking bay to be provided between PB42 and PB43 along northern edge of Edinburgh Road

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street subject to alteration of layout</i>	<i>(3)</i> <i>Description of alteration</i>
	Edinburgh Road	Sheltered disabled parking bay to be provided between PB44 and PB45 along northern edge of Edinburgh Road
	Edinburgh Road	Sheltered parking bay to be provided between PB46 and PB47 along northern edge of Edinburgh Road
	Edinburgh Road	Sheltered parking bay to be provided between PB48 and PB49 along northern edge of Edinburgh Road
	Edinburgh Road	Kerb line to be set forward between KF63 and KF64 along southern edge of Edinburgh Road
	Edinburgh Road	Sheltered disabled parking bay to be provided between PB50 and PB51 along southern edge of Edinburgh Road
	Edinburgh Road	Sheltered parking bay to be provided between PB51 and PB52 along southern edge of Edinburgh Road
	Edinburgh Road	Sheltered disabled parking bay to be provided between PB52 and PB53 along southern edge of Edinburgh Road
City of Portsmouth	Stanhope Road	Kerb line to be set back between KB69 and KB70 along western edge of Stanhope Road on south west side of junction with Edinburgh Road
	Edinburgh Road/Unicorn Road/ Stanhope Road	Realignment of junction shown generally as RJ8
	Stanhope Road	Sheltered parking bay to be provided between PB54 and PB55 along western edge of Stanhope Road
	Stanhope Road	Sheltered disabled parking bay to be provided between PB55 and PB56 along western edge of Stanhope Road

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street subject to alteration of layout</i>	<i>(3)</i> <i>Description of alteration</i>
	Stanhope Road/Commercial Road/Station Road	Kerb line to be set forward between KF65 and KF66 along north-west edge of junction of Stanhope Road and Commercial Road
	Station Street	Kerb line to be set forward between KF67 and KF68 along northern edge of Station Street between junctions with Commercial Road and Slindon Street
	Station Street/Commercial Road	Kerb line to be set forward between KF69 and KF70 along south-east edge of junction of Station Street and Commercial Road
	Station Street	Kerb line to be set back between KB71 and KB72 along southern edge of Station Street

SCHEDULE 4

Article 11

STREETS TO BE STOPPED UP

PART I

STREETS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street Affected</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New street to be substituted</i>
Borough of Gosport	Footpath at rear of 84 and 86 Turner Avenue	Permanent stopping up street between PS1 and PS2 at entry to cycle track/footpath	Work No. 6P
	Cycle track between 84 Turner Avenue and Military Road level crossing including all side accesses	Permanent stopping up street between PS3 and PS4	Work No. 6Q



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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street Affected</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New street to be substituted</i>
Borough of Gosport	Cycle track between Station Road and Cambridge Road level crossing including all side accesses	Permanent stopping up street between PS5 and PS6	Work No. 6X
	Cycle track between Cambridge Road and Lees Lane level crossing including all side accesses	Permanent stopping up street between PS7 and PS8	Work No. 6Y
	Cycle track passing through allotment gardens at eastern end of Carlyle Road including all side accesses	Permanent stopping up street between PS11 and PS12	Part of car park at eastern end of Carlyle Road and Work No. 6Z
	Cycle track at rear of 114 to 34 Kings Road including all side accesses	Permanent stopping up street between PS13 and PS14	Work No. 6Z
	Access Road to Service Area 5	Permanent stopping up street between PS15 and PS16 at junction with South Street	Work No. 7A
	The Esplanade	Permanent stopping up street between PS17 and PS18 on the south side of Gosport Bus Station	Work No. 7B

## PART II

### STREETS FOR WHICH NO SUBSTITUTE WILL BE PROVIDED

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>
Borough of Gosport	Cycle track/footpath on north side of Carlyle Road	Permanent stopping up street between PS9 and PS10
Borough of Fareham	Access road to Delme Court	Permanent stopping up street between PS19 and PS20

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

## SCHEDULE 5

Article 12

## STREETS TO BE TEMPORARILY STOPPED UP

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be stopped</i>	<i>(3)</i> <i>Extent of temporary stopping up</i>
Borough of Fareham	West Street	Between TS1 and TS2 including all side roads forming junctions with West Street
	Hartland's Road	Between TS3 and TS4
	Western Road	Between TS5 and TS6 on south side of junction with Hartland's Road including all side roads forming junctions with Western Road
Borough of Fareham	Western Way	Between TS7 and TS8
	The Gillies	Over the length of Work No. 4A
	The Avenue	Between TS9 and TS10 including all side roads forming junctions with The Avenue
	Redlands Lane	Between TS11 and TS12 on approaches to bridge
	Mill Road	Between TS12a and TS12b on approach to Redlands Lane
	Palmerston Drive	Between TS13 and TS14 on approaches to bridge
Borough of Gosport	Newgate Lane	Between TS15 and TS16 on approaches to level crossing
	Wych Lane	Between TS17 and TS18 on approaches to bridge
	Gregson Avenue	Between TS19 and TS20 on approaches to bridge
	Brewers Lane	Between TS21 and TS22 on approaches to bridge
	Tichborne Way	Between TS23 and TS24 on approaches to bridge
	Rowner Road/Turner Avenue	Between TS25 and TS26 on approaches to bridge, and section of Turner Avenue Nos 23–30
	Military Road	Between TS27 and TS28

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be stopped</i>	<i>(3)</i> <i>Extent of temporary stopping up</i>
	Station Road	Between TS29 and TS30
	Cambridge Road	Between TS31 and TS32
	Ann’s Hill Road	Between TS33 and TS34 on approaches to bridge
	Leesland Road/Carlyle Road	Between TS35 and TS36
	Lees Lane/Whitworth Road	Between TS37 and TS38
	Forton Road	Between TS39 and TS40 including all side roads forming junction with Forton Road
	Mumby Road	Between TS40 and TS41 including all side roads forming junction with Mumby Road
	North Cross Street	Between TS42 and TS43 including all side roads forming junction with North Cross Street
	High Street	Between TS43 and TS44
Borough of Gosport	South Cross Street	Between TS44 and TS45 including all side roads forming junction with South Cross Street
	South Street	Between TS46 and TS47 including all side roads forming junction with South Street
City of Portsmouth	The Hard	Between TS48 and TS49 including all side roads forming junction with The Hard
	Queen Street	Between TS49 and TS50 including all side roads forming junction with Queen Street
	Edinburgh Road	Between TS50 and TS51 including all side roads forming junction with Edinburgh Road
City of Portsmouth	Stanhope Road	Between TS51 and TS52
	Station Road	Between TS52 and TS53

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

SCHEDULE 6

Article 18

LEVEL CROSSINGS

PART I

TRAMROAD LEVEL CROSSINGS

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Highway to be crossed on the level</i>
Borough of Fareham	Cycletracks between platforms and adjacent car parking at Fareham station  Cycletrack between platforms of Redlands Lane stop  Palmerston Drive
Borough of Gosport	Cycletrack between platforms of Wych Lane stop  Cycletrack between platforms of Gregson Avenue stop  Cycletrack between platforms of Holbrook stop  Cycletrack at rear of Nos 84 & 86 Turner Avenue  Cycletrack at rear of No 50 Turner Avenue  Cycletrack at rear of No 36 Turner Avenue  Cycletrack between platforms of Rowner Road stop  Military Road  Cycletrack between Harding Road and Marlborough Road  Cycletrack between Mortimore Road and Nightingale Close  Cambridge Road  Cycletrack between platforms of Cambridge Road stop  Cycletrack at front of No 11 Ford Road  Cycletrack between Claudia Court and Clyde Road  Cycletrack on east side of No 46 St Ann’s Crescent  Cycletrack on north side of garages at end of Norman Road

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<i>(1)</i> Area	<i>(2)</i> Highway to be crossed on the level
	Lees Lane/Leesland Road/Whitworth Road junction
	Cycletrack between platforms of Lees Lane stop
	Cycletrack passing through allotment gardens at end of Carlyle Road
	Footpaths at ends of Lear Road and Toronto Place
	Cycletrack between platforms of St Vincent College stop
	Cycletrack at eastern end of South Street associated with Gosport Esplanade stop
City of Portsmouth	Cycletrack between platforms of Dockyard stop

## PART II

### TRAMWAY LEVEL CROSSINGS

<i>(1)</i> Area	<i>(2)</i> Highway to be crossed on the level
Borough of Fareham	West Street/Western Way/The Avenue
	Hartlands Road
Borough of Gosport	High Street
City of Portsmouth	Commercial Road

## SCHEDULE 7

Article 26

### PROTECTION OF NAVIGATION

**1.** In this Schedule—

“construction” includes execution, placing, alteration and reconstruction and “constructed” has a corresponding meaning;

“plans” includes sections, drawings, particulars and schedules of construction;

“specified works and operations” means so much of the authorised works as may be situated upon, across, under or over the harbour and any operations carried out under article 21 and article 22 of the Order and “specified work” and “specified operation” shall be construed accordingly;

“tidal work” means so much of any work authorised by this Order as is on, over or under tidal waters or land below the level of mean high-water springs;

“Trinity House” means the Corporation of Trinity House of Deptford Strond.

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

### *Tidal Works*

2.—(1) A tidal work shall not be constructed, altered, replaced or re-laid except in accordance with plans approved by the Secretary of State and subject to any conditions and restrictions imposed by him before the work is begun.

(2) If a tidal work is constructed, altered, replaced or re-laid in contravention of this paragraph or of any condition or restriction imposed under this paragraph—

- (a) the Secretary of State may by notice in writing require the undertaker at its own expense to remove the tidal work or any part of it and to restore the site to its former condition or so near its former condition as is acceptable to him; or
- (b) where it appears to the Secretary of State urgently necessary so to do, he may himself remove the tidal work, or part of it, and so restore the site.

(3) If at the end of 28 days from the date when notice is served on the undertaker under subparagraph (2)(a) above it has failed to comply with the requirements of the notice, the Secretary of State may execute the works specified in the notice.

(4) The Secretary of State may, if he considers it expedient, order a survey and examination of any site on which it is proposed to execute a tidal work.

### *Lights etc. during tidal works*

3.—(1) The undertaker shall—

- (a) during the whole time of the construction, alteration, replacement or re-laying of a tidal work, exhibit every night from sunset to sunrise at or near the work any such lights, and
- (b) take such other steps for the prevention of danger to navigation from the construction, alteration, replacement or re-laying of a tidal work,

as Trinity House may direct.

(2) If the undertaker fails to comply in any respect with a direction given under this paragraph it shall be guilty of an offence.

### *Damage etc. to works*

4.—(1) In case of damage to or destruction or decay of a tidal work, or any part of a tidal work, the undertaker shall as soon as reasonably practicable—

- (a) give notice to Trinity House and the Queen's Harbour Master, and
- (b) lay down such bouys, exhibit such lights and take such other steps for preventing danger to navigation as Trinity House may direct.

(2) If the undertaker fails to notify Trinity House or the Queen's Harbour Master as required by this paragraph or to comply in any respect with a direction given under this paragraph it shall be guilty of an offence.

### *Abandonment etc. of structures*

5.—(1) Where a tidal work is abandoned, or allowed to fall into decay, the Secretary of State may by notice in writing require the undertaker at its own expense—

- (a) to repair and restore the work, or any part of it, or
- (b) to remove the work and restore the site to its former condition or so near its former condition as is acceptable to him.

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(2) Where—

- (a) a work erected under this Order part of which is a tidal work is abandoned or allowed to fall into decay, and
- (b) the part of the work on or over land above the level of mean high-water springs is in such a condition as to interfere, or cause reasonable apprehension that it may interfere, with the right of navigation or any public rights over the foreshore,

the Secretary of State may include that part of the work, or any portion of it, in any notice under sub-paragraph (1) above.

(3) If at the end of the period of 28 days from the date when notice is served on the undertaker under sub-paragraph (1) above it has failed to begin taking steps to comply with the requirements of the notice or, after beginning, has failed to make reasonably expeditious progress towards their implementation, the Secretary of State may execute the works specified in the notice.

*Surveys etc.*

6. The Secretary of State may, if he considers it expedient, order a survey and examination of any tidal work.

*Permanent lights etc.*

7.—(1) The undertaker shall—

- (a) exhibit at the outer extremity of a tidal work every night from sunset to sunrise such lights, and
- (b) take such other steps for the prevention of danger to navigation from a tidal work,

as Trinity House may direct.

(2) If the undertaker fails to comply in any respect with a direction given under this paragraph it shall be guilty of an offence.

*Offences*

8.—(1) Where the undertaker is guilty of an offence under paragraphs 3, 4, or 7 above it shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) In proceedings for any such offence it shall be a defence for the undertaker to show that it took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(3) If in any case the defence provided by sub-paragraph (2) above involves the allegation that the commission of the offence was due to the act or default of another person, the undertaker shall not, without the leave of the court, be entitled to rely on the defence unless, not later than 7 days before the hearing of the proceedings, it has served on the prosecution a notice in writing giving such information as was then in its possession identifying or assisting in the identification of the other person.

*Expenses*

9. The Secretary of State shall be entitled to recover from the undertaker any expenditure incurred by him under paragraphs 2(2)(b) or (3) or 5(3) above or on a survey and examination under paragraphs 2(4) or 6 above.

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*As to Queen's Harbour Master*

**10.**—(1) The undertaker shall, before commencing any specified work or operation, supply to the Queen's Harbour Master proper and sufficient plans of the works or operation for his reasonable approval and shall not commence the same until such plans have been approved in writing by the Queen's Harbour Master, or, in the event of dispute, settled pursuant to paragraph 15.

(2) In considering plans for approval under this paragraph, the Queen's Harbour Master shall have regard not only to the interests of navigation but also to the desirability of facilitating the construction of the specified works and operations notwithstanding that they interfere with navigation, taking into account for this purpose that those works and operations will enable the provision of a public project for which statutory authority has been given.

(3) The approval of the Queen's Harbour Master under this paragraph shall not be unreasonably withheld or delayed but may be given subject to reasonable conditions including conditions requiring the undertaker to vacate the tunnel area in whole or in part upon a direction being given to that effect by the Queen's Harbour Master in an emergency or otherwise for naval operational requirements where it is not reasonably practical for those requirements otherwise to be met.

(4) If, within 56 days after plans have been supplied to the Queen's Harbour Master under this paragraph, the Queen's Harbour Master has not intimated his approval or his disapproval thereof and the grounds of his disapproval, he shall be deemed to have disapproved them.

**11.** Without prejudice to any conditions attached to an approval by the Queen's Harbour Master under paragraph 10 above but subject to the provisions of article 22 any specified work or operation shall be so constructed or carried out as to ensure that traffic in the harbour is not interfered with more than is reasonably necessary and that at all times an unobstructed main navigation channel for the safe passage of vessels is maintained and kept dredged by the undertaker to such depth as the Queen's Harbour Master may reasonably require and to a width of not less than 120 metres.

**12.**—(1) Notwithstanding anything in this Order but subject to paragraph (2), the whole of the harbour shall remain subject to the powers of the Queen's Harbour Master.

(2) Anything done pursuant to an approval given under paragraph 10 shall be treated as complying with the provisions of the Dockyard Port of Portsmouth Order 1978(1) and in so far as it would otherwise require a licence or consent from the Queen's Harbour Master under that Order shall be deemed to have been duly licensed or consented to pursuant to that Order.

**13.** The Undertaker shall—

- (a) at all times afford reasonable facilities to the Queen's Harbour Master for access to the specified works and operations during their construction; and
- (b) supply the Queen's Harbour Master with all such information as he may reasonably require with regard to the specified works or the method of their execution.

**14.**—(1) The Queen's Harbour Master may recover from the undertaker any expenses (including a proper proportion of the overhead charges of the Queen's Harbour Master) which he may incur—

- (a) arising from the approval of plans and the inspection of the construction or carrying out of any specified work or operations;
- (b) by reason of any act or omission of the undertaker or of any person in their employ, or of their contractors or workmen whilst engaged upon any specified work or operation;
- (c) in dredging away any accumulation or silt consequent upon the execution or maintenance of any specified work or operation;

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(1) [S.I. 1978/1881](#).



and the undertaker shall indemnify the Queen's Harbour Master from and against all claims and demands arising out of such construction or carrying out, act or omission and the fact that any act or thing may have been done by the Queen's Harbour Master on behalf of the undertaker or in accordance with plans approved by the Queen's Harbour Master or in accordance with any requirement of the Queen's Harbour Master or under his supervision shall not (if it was done without negligence on the part of the Queen's Harbour Master or of any person in his employ or of his contractors or agents) excuse the undertaker from any liability under the provisions of this paragraph.

(2) The Queen's Harbour Master shall give to the undertaker reasonable notice for any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior consent of the undertaker.

**15.** Any difference arising between the undertaker and the Queen's Harbour Master under this paragraph (other than a difference as to its meaning or construction) shall be referred to and settled by the Secretary of State.

**16.** The provisions of paragraphs 10 to 15 shall have effect unless otherwise agreed in writing between the undertaker and the Queen's Harbour Master.

*Saving*

**17.** Nothing in this Schedule shall prejudice or derogate from the powers, rights and privileges of Trinity House.

SCHEDULE 8

Article 38

MODIFICATION OF COMPENSATION AND COMPULSORY  
PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

*Compensation enactments*

**1.** The enactments for the time being in force with respect to compensation for the compulsory purchase of land shall apply, with the necessary modifications as respects compensation, in the case of a compulsory acquisition under this Order of a right by the creation of a new right as they apply as respects compensation on the compulsory purchase of land and interests in land.

**2.—(1)** Without prejudice to the generality of paragraph 1 above, the Land Compensation Act 1973<sup>(2)</sup> shall have effect subject to the modifications set out in sub-paragraphs (2) and (3) below.

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 4 below—

- (a) for the words "land is acquired or taken" there shall be substituted the words "a right over land is purchased"; and
- (b) for the words "acquired or taken from him" there shall be substituted the words "over which the right is exercisable".

(3) In section 58(1) (determination of material detriment where part of house etc. proposed for compulsory acquisition), as it applies to determinations under section 8 of the 1965 Act as substituted by paragraph 5 below—

- (a) for the word "part" in paragraphs (a) and (b) there shall be substituted the words "a right over land consisting";

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(2) 1973 c. 26.

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- (b) for the word “severance” there shall be substituted the words “right over the whole of the house, building or manufactory or of the house and the park or garden”;
- (c) for the words “part proposed” there shall be substituted the words “right proposed”; and
- (d) for the words “part is” there shall be substituted the words “right is”.

#### *Adaptation of the 1965 Act*

**3.—**(1) The 1965 Act shall have effect with the modifications necessary to make it apply to the compulsory acquisition under this Order of a right by the creation of a new right as it applies to the compulsory acquisition under this Order of land, so that, in appropriate contexts, references in that Act to land are read (according to the requirements of the particular context) as referring to, or as including references to—

- (a) the right acquired or to be acquired; or
- (b) the land over which the right is or is to be exercisable.

(2) Without prejudice to the generality of sub-paragraph (1) above, Part I of the 1965 Act shall apply in relation to the compulsory acquisition under this Order of a right by the creation of a new right with the modifications specified in the following provisions of this Schedule.

**4.** For section 7 of the 1965 Act (measure of compensation) there shall be substituted the following section—

“7. In assessing the compensation to be paid by the acquiring authority under this Act, regard shall be had not only to the extent (if any) to which the value of the land over which the right is to be acquired is depreciated by the acquisition of the right but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of his, or injuriously affecting that other land by the exercise of the powers conferred by this or the special Act.”.

**5.** For section 8 of the 1965 Act (provisions as to divided land) there shall be substituted the following:—

(1) Where in consequence of the service on a person under section 5 of this Act of a notice to treat in respect of a right over land consisting of a house, building or manufactory or of a park or garden belonging to a house (“the relevant land”)—

- (a) a question of disputed compensation in respect of the purchase of the right would apart from this section fall to be determined by the Lands Tribunal (“the tribunal”); and
- (b) before the tribunal has determined that question the person satisfies the tribunal that he has an interest which he is able and willing to sell in the whole of the relevant land and—
  - (i) where that land consists of a house, building or manufactory, that the right cannot be purchased without material detriment to that land, or
  - (ii) where that land consists of such a park or garden, that the right cannot be purchased without seriously affecting the amenity or convenience of the house to which that land belongs,

the South Hampshire Rapid Transit Order 2001 (“the Order”) shall, in relation to that person cease to authorise the purchase of the right and be deemed to authorise the purchase of that person’s interest in the whole of the relevant land including, where the land consists of such a park or garden, the house to which it belongs,

and the notice shall be deemed to have been served in respect of that interest on such date as the tribunal directs.

(2) Any question as to the extent of the land in which the Order is deemed to authorise the purchase of an interest by virtue of subsection (1) of this section shall be determined by the tribunal.

(3) Where in consequence of a determination of the tribunal that it is satisfied as mentioned in subsection (1) of this section the Order is deemed by virtue of that subsection to authorise the purchase of an interest in land, the acquiring authority may, at any time within the period of 6 weeks beginning with the date of the determination, withdraw the notice to treat in consequence of which the determination was made; but nothing in this subsection prejudices any other power of the authority to withdraw the notice.”.

6. The following provisions of the 1965 Act (which state the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land), that is to say—

- (a) section 9(4) (failure by owners to convey),
- (b) paragraph 10(3) of Schedule 1 (owners under incapacity),
- (c) paragraph 2(3) of Schedule 2 (absent and untraced owners), and
- (d) paragraphs 2(3) and 7(2) of Schedule 4 (common land),

shall be so modified as to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be compulsorily acquired is vested absolutely in the acquiring authority.

7. Section 11 of the 1965 Act (powers of entry) shall be so modified as to secure that, as from the date on which the acquiring authority have served notice to treat in respect of any right, they have power, exercisable in the like circumstances and subject to the like conditions, to enter for the purpose of exercising that right (which shall be deemed for this purpose to have been created on the date of service of the notice); and sections 12 (penalty for unauthorised entry) and 13 (entry on warrant in the event of obstruction) of the 1965 Act shall be modified correspondingly.

8. Section 20 of the 1965 Act (protection for interests of tenants at will, etc.) shall apply with the modifications necessary to secure that persons with such interests in land as are mentioned in that section are compensated in a manner corresponding to that in which they would be compensated on a compulsory acquisition under this Order of that land, but taking into account only the extent (if any) of such interference with such an interest as is actually caused, or likely to be caused, by the exercise of the right in question.

9. Section 22 of the 1965 Act (protection of acquiring authority’s possession where by inadvertence an estate, right or interest has not been got in) shall be so modified as to enable the acquiring authority, in circumstances corresponding to those referred to in that section, to continue to be entitled to exercise the right acquired, subject to compliance with that section as respects compensation.

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## SCHEDULE 9

Article 41

## LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Number and description of land shown on land plan</i>	<i>(3)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(4)</i> <i>Authorised work</i>
Borough of Fareham	2/31: Area of highway land on The Avenue, west of West Street/Western Way/The Avenue Roundabout	Street alterations and tramroad bridgeworks	Work Nos. 5, 6, 6A and 6B
	3/5: Area of land on south-west side of Redlands Lane	Contractor's temporary works area	Work Nos. 6 and 6C
	3/7: Area of highway land to the east and west of Redlands Lane railway bridge	Tramroad bridgeworks	Work No. 6
	4/11: Area of highway land to the east and west of Palmerston Drive railway bridge and Newgate Lane level crossing	Tramroad bridgeworks and level crossing	Work No. 6
Borough of Gosport	5/12: Area of highway to the east and west of Wych Lane railway bridge	Tramroad bridgeworks	Work No. 6
	6/6: Area of highway land to the east and west of Gregson Avenue railway bridge	Tramroad bridgeworks and cycle track works	Work Nos. 6, 6D, 6E, 6F and 6G
	7/6: Area of land on south side of Tichborne Way	Contractor's temporary works compound	Work No. 6
	7/10: Area of land to the east and west of Tichborne Way	Tramroad bridgeworks and cycle track works	Work Nos. 6, 6L and 6M
	8/3: Area of land on north-east side of Rowner Road	Contractor's temporary works area	Work No. 6
	8/6: Area of highway land to east and west of Rowner Road railway bridge	Tramroad bridgeworks and cycle track work	Work Nos. 6, 6Q, 6R, 6S and 6T

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<i>(1) Area</i>	<i>(2) Number and description of land shown on land plan</i>	<i>(3) Purpose for which temporary possession may be taken</i>	<i>(4) Authorised work</i>
	9/10, 9/11: Area of highway land to the east and west of Military Road level crossing including Station Road	Street alterations	Work Nos. 6 and 6Q
	10/7, 10/8: Area of highway land to the east and west of Cambridge Road level crossing including Ford Road	Street alterations	Work Nos. 6, 6X and 6Y
Borough of Gosport	10/9, 10/10: Area of highway land to the north and south of Ann's Hill Road railway bridge	Tramroad bridgeworks	Work Nos. 6 and 6Y
	11/10, 11/11, 11/12: Area of highway land to the north and south of the level crossing at Leesland Road/ Carlyle Road/Lees Lane/Whitworth Road Junction	Street alterations	Work Nos. 6 and 6Y
	14/8 (Part): Area of the Gosport Esplanade	Access to contractor's works area	Work Nos. 8, 8A, 8B and 8C
City of Portsmouth	15/15 to 15/18 inclusive: Area of land south of HMS Warrior Jetty	Contractor's temporary works area	Work Nos. 8, 8A, 8B and 8C

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## SCHEDULE 10

Article 54

## TRAFFIC REGULATION

## PART I

## PROHIBITION AND RESTRICTION OF STOPPING AND WAITING

## (1) No Stopping At Any Time

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
<i>In the Borough of Fareham</i>				
01/02	Access Road to Fareham Railway Station, Fareham	South	From its junction with West Street westwards for a distance of 26 metres	To avoid congestion at traffic signals
01/02	Access Road to Fareham Railway Station, Fareham	North	From its junction with West Street westwards for a distance of 45 metres	To avoid congestion at traffic signals
01/02	West Street, Fareham	North	From its junction with The Avenue eastwards for a distance of 45 metres	To permit free movement of tramcars
01/01	West Street, Fareham	North	From a point 57 metres east of its junction with The Avenue eastwards to a point 131 metres east of its junction with Grove Road	To permit free movement of tramcars
01/01	West Street, Fareham	North	From a point 161 metres east of its junction with Grove Road eastwards to a point 67 metres west of its junction with Trinity Street	To permit free movement of tramcars
01/01	West Street, Fareham	North	From a point 30 metres west of its junction	To permit free movement of tramcars

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			with Trinity Street eastwards to a point 28 metres west of its junction with Osborn Road South	
01/01	West Street, Fareham	North	From a point 18 metres west of its junction with Osborn Road South eastwards to a point 34 metres east of its junction with Osborn Road South	To permit free movement of tramcars
01/01	West Street, Fareham	North	From a point 44 metres east of its junction with Osborn Road South eastwards for a distance of 30 metres	To permit free movement of tramcars
01/01	West Street, Fareham	North	From a point 84 metres east of its junction with Osborn Road South eastwards to its junction with Westbury Road	To permit free movement of tramcars
01/01	West Street, Fareham	South	From a point 51 metres east of its junction with Hartlands Road westwards for a distance of 20 metres	To permit free movement of tramcars
01/01	West Street, Fareham	South	From a point 9 metres east of its junction with Hartlands Road westwards to a point 39 metres west of that junction	To mitigate traffic congestion

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
<i>In the Borough of Fareham</i>				
01/01	West Street, Fareham	South	From a point 68 metres west of its junction with Hartlands Road westwards to a point 109 metres west of its junction with Kings Road	To mitigate traffic congestion
01/01	West Street, Fareham	South	From a point 129 metres west of its junction with Kings Road westwards for a distance of 11 metres	To mitigate traffic congestion
01/01	West Street, Fareham	South	From a point 22 metres east of its junction with Crescent Road westwards to its junction with Western Way	To mitigate traffic congestion
01/01	Hartlands Road (Northern section), Fareham	North	From a point 132 metres southeast of its junction with West Street southeast and eastwards for a distance of 59 metres	To mitigate traffic congestion
01/01	Hartlands Road (Northern section), Fareham	South	From a point 43 metres north west of its junction with Western Road eastwards for a distance of 64 metres	To mitigate traffic congestion
01/01	Hartlands Road (Southern section), Fareham	North East	From its junction with Western Road southeastwards for a distance of 3 metres	To mitigate traffic congestion



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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
01/01	Hartlands Road (Southern section), Fareham	South West	From its junction with Western Road southeastwards for a distance of 7 metres	To mitigate traffic congestion
01/01	Western Road, Fareham	North	From its junction with Hartlands Road (northern section) south and westwards for a distance of 78 metres	To permit free move of tramcars
01/01	Western Road, Fareham	South	From its junction with Hartlands Road (northern section) south and westwards for a distance of 142 metres	To permit free movement of tramcars
<i>In the Borough of Gosport</i>				
01/08	Rowner Road Gosport	North	From its junction with Grange Road Roundabout eastwards for a distance of 40 metres	To control parking associated with nearby tram stop
01/08	Rowner Road, Gosport	North	From a point 52 metres east of its junction with Grange Road Roundabout eastwards to its junction with A32, Fareham Road	To control parking associated with nearby tram stop
01/08	Rowner Road, Gosport	South	From its junction with Grange Road Roundabout eastwards to its junction with A32, Fareham Road	To control parking associated with nearby tram stop
01/10	Cambridge Road, Gosport	North	From its junction with Linnet Court eastwards to its	To control extraneous parking

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
			junction with Handley Road	
<i>In the Borough of Gosport</i>				
01/10	Cambridge Road, Gosport	South	From a point 18 metres east of its junction with Ford Road westwards to its junction with Grange Crescent	To control extraneous parking
01/10	Handley Road, Gosport	South West	From its junction with Cambridge Road northwestwards for a distance of 8 metres	To control extraneous parking
01/10	Ford Road, Gosport	North East	From its junction with Cambridge Road southeastwards for a distance of 15 metres	To control extraneous parking
01/10	Ford Road, Gosport	South West	From its junction with Cambridge Road southeastwards for a distance of 8 metres	To control extraneous parking
01/11	Whitworth Road, Gosport	West	From its junction with Leesland Road southwards for a distance of 18 metres	To control extraneous parking
01/11	Whitworth Road, Gosport	East	From its junction with Carlyle Road southwards for a distance of 16 metres	To control extraneous parking
01/11	Lees Lane, Gosport	West	From its junction with Leesland Road northwards to its junction with Chilworth Grove	To control extraneous parking

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
01/11	Lees Lane, Gosport	East	From the extended southwestern kerbline of Chilworth Grove southwards to its junction with Carlyle Road	To control extraneous parking
01/11	Leesland Road, Gosport	North	From its junction with Lees Lane westwards for a distance of 26 metres	To control extraneous parking
01/11	Leesland Road, Gosport	South	From its junction with Whitworth Road westwards for a distance of 12 metres	To control extraneous parking
01/11	Carlyle Road, Gosport	North	Entire length	To control extraneous parking
01/11	Carlyle Road, Gosport	South	From its junction with Whitworth Road eastwards for a distance of 30 metres	To control extraneous parking
01/12	Forton Road, Gosport	North	From its junction with Mill Lane eastwards for a distance of 34 metres	To control extraneous parking
01/12	Forton Road, Gosport	North	From a point 58 metres east of its junction with Mill Lane eastwards for a distance of 56 metres	To control extraneous parking
01/12	Forton Road, Gosport	North	From a point 145 metres east of its junction with Mill Lane eastwards to a point 87 metres east of its junction with Parham Road	To control extraneous parking & to permit free movement of trams

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
01/12	Forton Road, Gosport	North	From a point 155 metres east of its junction with Parham Road eastwards to its junction with Mumby Road	To permit free movement of tramcars
<i>In the Borough of Gosport</i>				
01/12	Forton Road, Gosport	South	From its junction with Mumby Road westwards to a point 103 metres east of its junction with George Street	To permit free movement of tramcars
01/12	Forton Road, Gosport	South	From a point 14 metres east of its junction with George Street westwards to a point 14 metres west of that junction	To permit free movement of tramcars
01/12	Forton Road, Gosport	South	From a point 16 metres east of its junction with Leonard Road westwards to a point 15 metres west of that junction	To permit free movement of tramcars
01/12	Forton Road, Gosport	South	From a point 14 metres east of its junction with Victoria Street westwards to a point 9 metres west of that junction	To permit free movement of tramcars
01/12	Forton Road, Gosport	South	From a point 5 metres east of its junction with Albert Street westwards from a point 102 metres west of that junction	To permit free movement of tramcars

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
01/12	Forton Road, Gosport	South	From a point 132 metres west of its junction with Albert Street westwards for a distance of 29 metres	To control extraneous parking
01/12 01/13	Mumby Road, Gosport	North	From its junction with Forton Road eastwards to a point 43 metres west of its junction with Weevil Lane	To permit free movement of tramcars
01/13	Mumby Road, Gosport	North	From a point 28 metres west of its junction with Weevil Lane eastwards to a point 142 metres east of that junction	To permit free movement of tramcars
01/13	Mumby Road, Gosport	North East	From a point 180 metres east of its junction with Weevil Lane southeastwards to a point 89 metres south of its junction with Harbour Road	To permit free movement of tramcars
01/13	Harbour Road, Gosport	Both	From its junction with Mumby Road eastwards for a distance of 20 metres	To control extraneous parking
01/13	Mumby Road, Gosport	South West & South	From a point 40 metres south east of its junction with North Cross Street northwest and westwards to a point 122 metres west of its junction with Clarence Road	To permit free movement of tramcars

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
01/13	King Street, Gosport	Both	From its junction with Mumby Road southwards for a distance of 13 metres	To control extraneous parking
01/13	Clarence Road, Gosport	Both	From its junction with Mumby Road southwards for a distance of 10 metres	To control extraneous parking
01/12 01/13	Mumby Road, Gosport	South	From a point 134 metres west of its junction with Clarence Road westwards to its junction with Forton Road	To permit free movement of tramcars
<i>In the Borough of Gosport</i>				
01/12	Spring Garden Lane Link Road, Gosport	Both	From its junction with Mumby Road westwards for a distance of 18 metres	To control extraneous parking
01/13	North Street (section adjacent to West Side of North Cross Street), Gosport	Both	Entire length	To control extraneous parking
01/13	North Cross Street, Gosport	West	From its junction with Mumby road southwards to its junction with South Cross Street	To permit free movement of tramcars
01/13	North Cross Street, Gosport	East	From its junction with Mumby Road southwards for a distance of 40 metres	To permit free movement of tramcars
01/13	North Cross Street, Gosport	East	From a point 82 metres south of its junction with Mumby Road southwards to its junction	To permit free movement of tramcars

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			with South Cross Street	
01/13	South Cross Street, Gosport	Both	Entire length	To permit free movement of tramcars
01/13	Thorngate Way, Gosport	Both	From its junction with South Cross Street westwards for a distance of 20 metres	To permit free movement of tramcars
01/13	Area 6 Service Road, Gosport	Both	From its junction with South Cross Street eastwards for a distance of 15 metres.	To mitigate traffic congestion
01/13	South Street, Gosport	North	From a point 34 metres east of its junction with Thorngate Way eastwards for a distance of 66 metres	To mitigate traffic congestion and to permit free movement of tramcars
01/13	South Street, Gosport	North	From a point 112 metres east of its junction with Thorngate Way eastwards to a point 60 metres east of the proposed access road to Area 5	To permit free movement of tramcars
01/13	South Street, Gosport	South	From a point 56 metres east of the extended eastern kerbline of the proposed access road to Area 5 westwards to a point 45 metres east of the extended eastern kerbline of Thorngate Way	To permit free movement of tramcars
01/13	Haslar Road, Gosport	Both	From its junction with South Street southwards for	To permit free movement of tramcars

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			a distance of 10 metres	
01/13	South Street, Gosport	South	From a point 33 metres east of the extended eastern kerbline of Thorngate Way westwards for a distance of 25 metres	To mitigate traffic congestion
<i>In the City of Portsmouth</i>				
01/15	The Hard, Portsmouth	West	From a point 18 metres south of its junction with the exit road from The Hard Interchange northwards to its junction with Queen Street	To mitigate traffic congestion & to permit free movement of tramcars
<i>In the City of Portsmouth</i>				
01/15	Exit Road from The Hard, Interchange, Portsmouth	Both	From its junction with The Hard south westwards for a distance of 8 metres	To mitigate traffic congestion
01/15	The Hard, Portsmouth	East	From its junction with Queen Street southwards for a distance of 10 metres	To mitigate traffic congestion
01/15	Queen Street, Portsmouth	North West	From its junction with The Hard northeastwards to a point 22 metres southwest of the extended western kerbline of Wickham Street	To permit free movement of tramcars
01/15	Queen Street, Portsmouth	North West	From the extended western kerbline of Wickham Street northeastwards	To regulate parking at pedestrian crossing point & to permit free



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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			for a distance of 7 metres	movement of tramcars
01/15	Queen Street, Portsmouth	North	From a point 39 metres west of its junction with Admiralty Road eastwards to a point 40 metres east of that junction	To permit free movement of tramcars
01/15 01/16	Queen Street, Portsmouth	North	From a point 32 metres west of its junction with Cross Street eastwards to a point 13 metres east of that junction	To permit free movement of tramcars
01/15	Queen Street, Portsmouth	North	From a point 63 metres east of its junction with Cross Street eastwards to a point 25 metres east of its junction with York Place	To permit free movement of tramcars
01/16	Queen Street, Portsmouth	North	From a point 94 metres east of its junction with York Place eastwards for a distance of 35 metres	To permit free movement of tramcars
01/16	Queen Street, Portsmouth	North	From a point 141 metres east of its junction with York Place eastwards to its junction with Alfred Road	To mitigate traffic congestion
01/15	Cross Street, Portsmouth	Both	From its junction with Queen Street northwards for a distance of 11 metres	To mitigate traffic congestion

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01/15	North Street, Portsmouth	Both	From its junction with Queen Street northwards for a distance of 12 metres	To mitigate traffic congestion
01/15	York Place, Portsmouth	Both	From its junction with Queen Street northwards for a distance of 16 metres	To mitigate traffic congestion
01/16	Queen Street, Portsmouth	South	From its junction with Anglesea Road westwards to a point 4 metres west of its junction with Lion Terrace	To mitigate traffic congestion
01/16	Queen Street, Portsmouth	South	From a point 31 metres west of its junction with Lion Terrace westwards for a distance of 15 metres	To mitigate traffic congestion
<i>In the City of Portsmouth</i>				
01/15 01/16	Queen Street, Portsmouth	South	From a point 98 metres west of its junction with Lion Terrace westwards to a point 37 metres west of Bishop Street	To mitigate traffic congestion
01/15	Queen Street, Portsmouth	South	From a point 52 metres west of its junction with Bishop Street westwards to its junction with The Hard	To permit free movement of tramcars
01/15	St James's Street, Portsmouth	Both	From its junction with Queen Street southwards for a distance of 11 metres	To mitigate traffic congestion

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
01/16	Lion Terrace, Portsmouth	Both	From its junction with Queen Street southwards for a distance of 8 metres	To mitigate traffic congestion
01/16	Edinburgh Road, Portsmouth	North	From its junction with Alfred Road eastwards for a distance of 29 metres	To permit free movement of trams
01/16	Edinburgh Road, Portsmouth	North	From a point 59 metres east of its junction with Alfred Road eastwards for a distance of 8 metres	To permit free movement of tramcars
01/16	Edinburgh Road, Portsmouth	North	From a point 74 metres east of its junction with Alfred Road eastwards for a distance of 7 metres	To permit free movement of tramcars
01/16	Edinburgh Road, Portsmouth	North	From a point 99 metres east of its junction with Alfred Road eastwards for a distance of 8 metres	To permit free movement of tramcars
01/16	Edinburgh Road, Portsmouth	North	From a point 125 metres east of its junction with Alfred Road eastwards to its junction with Unicorn Road	To permit free movement of tramcars
01/16	Edinburgh Road, Portsmouth	South	From its junction with Stanhope Road westwards for a distance of 29 metres	To permit free movement of tramcars
01/16	Edinburgh Road, Portsmouth	South	From a point 109 metres west of its junction with Stanhope Road	To permit free movement of tramcars

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			westwards to its junction with Anglesea Road	
01/16	Stanhope Road, Portsmouth	East & North	Entire length	To permit free movement of tramcars
01/16	Stanhope Road, Portsmouth	South	From its junction with Commercial Road (South) westwards for a distance 87 metres	To permit free movement of tramcars
01/16	Stanhope Road, Portsmouth	West	From a point 147 metres west and north of its junction with Commercial Road (South) northwards to its junction with Edinburgh Road	To permit free movement of tramcars
01/16	Station Street, Portsmouth	North	From its junction with Commercial Road (North) eastwards to its junction with Slindon Street	To mitigate traffic congestion
<i>In the City of Portsmouth</i>				
01/16	Station Street, Portsmouth	South	From its junction with Commercial Road (South) eastwards to the extended western kerbline of Slindon Street	To mitigate traffic congestion
01/16	Commercial Road (North), Portsmouth	West	From its junction with Stanhope Road northwards for a distance of 15 metres	To permit free movement of tramcars
01/16	Commercial Road (North), Portsmouth	East	From its junction with Station Street northwards for a distance of 19 metres	To permit free movement of tramcars

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
01/16	Commercial Road (South), Portsmouth	East	From its junction with Station Street southwards for a distance of 19 metres	To mitigate traffic congestion
01/16	Surrey Street, Portsmouth	Both	From its junction with Station Street northwards for a distance of 15 metres	To permit free movement of tramcars
01/16	Slindon Street, Portsmouth	West	From its junction with Station Street northwards for a distance of 10 metres	To mitigate traffic congestion

(2) No Stopping At Any Time (except for Buses)

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
<i>In the Borough of Fareham</i>				
02/02	West Street, Fareham	North	From a point 45 metres east of its junction with The Avenue eastwards for a distance of 12 metres	Bus Stop
02/01	West Street, Fareham	North	From a point 67 metres west of its junction with Trinity Street eastwards for a distance of 19 metres	Bus Stop
02/01	West Street, Fareham	South	From a point 109 metres west of its junction with Kings Road westwards for a distance of 20 metres	Bus Stop
<i>In the Borough of Gosport</i>				
02/05	Wych Lane, Gosport	West	From its junction with A32 Fareham Road southwards	To permit buses to stop in Wych Lane

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
			to a point 52 metres south of its junction with Tukes Avenue	
02/05	Wych Lane, Gosport	East	From its junction with A32 Fareham Road southwards for a distance of 48 metres	To permit buses to stop in Wych Lane
02/05	Wych Lane, Gosport	East	From a point 78 metres south of its junction with A32 Fareham Road southwards to a point 72 metres south of its junction with Morris Close	To permit buses to stop in Wych Lane
02/08	Rowner Road, Gosport	North	From a point 40 metres east of its junction with Grange Road Roundabout eastwards for a distance of 12 metres	Bus Stop
<i>In the Borough of Gosport</i>				
02/12	Forton Road, Gosport	North	From a point 114 metres east of its junction with Mill Lane eastwards for a distance of 19 metres	Bus Stop
02/12	Forton Road, Gosport	South	From a point 103 metres east of its junction with George Street westwards for a distance of 12 metres	Bus Stop
02/12	Forton Road, Gosport	South	From a point 26 metres west of its junction with Victoria Street westwards for	Bus Stop

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			a distance of 17 metres	
02/12	Forton Road, Gosport	South	From a point 161 metres west of its junction with Albert Street westwards for a distance of 21 metres	Bus Stop
02/12	Forton Road, Gosport	North	From a point 87 metres east of its junction with Parham Road eastwards for a distance of 20 metres	Bus Stop
02/13	Mumby Road, Gosport	North	From a point 43 metres west of its junction with Weevil Lane eastwards for a distance of 15 metres	Bus Stop
02/13	Mumby Road, Gosport	South	From a point 122 metres west of its junction with Clarence Road westwards for a distance of 12 metres	Bus Stop
02/13	South Street, Gosport	North	From a point 100 metres east of its junction with Thorngate Way eastwards for a distance of 12 metres	Bus Stop
02/13	South Street, Gosport	South	From a point 45 metres east of the extended eastern kerbline of Thorngate Way westwards for a distance of 12 metres	Bus Stop

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
02/14	The Esplanade, Gosport	North	From its junction with South Street eastwards for a distance of 53 metres	Access Road to Gosport Bus Station
02/14	The Esplanade, Gosport	South	From its junction with South Street eastwards for a distance of 48 metres	Access Road to Gosport Bus Station
<i>In the City of Portsmouth</i>				
02/16	Queen Street, Portsmouth	North	From a point 129 metres east of its junction with York Place eastwards for a distance of 12 metres	Bus Stop
02/16	Queen Street, Portsmouth	South	From a point 4 metres west of its junction with Lion Terrace westwards distance of 12 metres	Bus Stop
02/15	Queen Street, Portsmouth	South	From a point 37 metres west of its junction with Bishop Street westwards for a distance of 15 metres	Bus Stop

(3) No Stopping At Any Time (except for Buses and Cash Vans)

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
02A/15	Queen Street, Portsmouth	North	From a point 13 metres west of its junction with Cross Street eastwards for a distance of 20 metres	Bus Stop and to ensure close servicing for transfers of cash and valuables



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## (4) No Stopping At Any Time (except for Cash Vans)

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
<i>In the Borough of Fareham</i>				
03/01	West Street, Fareham	North	From a point 28 metres west of its junction with Osborn Road South eastwards for a distance of 10 metres	To ensure close servicing for cash transfers
03/01	West Street, Fareham	North	From a point 74 metres east of its junction with Osborn Road South eastwards for a distance of 10 metres	To ensure close servicing for transfers of cash and valuables
03/01	West Street, Fareham	South	From a point 19 metres east of its junction with Hartlands Road westwards for a distance of 10 metres	To ensure close servicing for cash transfers

## (5) No Waiting At Any Time

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
<i>In the Borough of Fareham</i>				
05/02	The Avenue, Fareham	North	From a point 95 metres east of its junction with Gudge Heath Lane eastwards to its junction with Western Way	Replaces No Waiting 8am-10pm
05/02	The Avenue, Fareham	South	From a point 8 metres east of its junction with Paxton Road eastwards to its junction with Western Way	Replaces No Waiting 8am-10pm
05/02	Unnamed Access Road to Railtrack	West	From its junction with The Avenue northwards for	To control commuter parking

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
	Car Park (upper level), Fareham		a distance of 28 metres	
05/02	Unnamed Access Road to Railtrack Car Park (upper level), Fareham	West	From a point 48 metres north of its junction with The Avenue northwards to the entrance to the Car Park	To control commuter parking
05/02	Unnamed Access Road to Railtrack Car Park (upper level), Fareham	East	From its junction with The Avenue northwards to the entrance to the Car Park	To control commuter parking
<i>In the Borough of Fareham</i>				
05/01	Unnamed Service Road to rear of 217-227 West Street and 1 Grove Road, Fareham	Both	Entire length	To maintain rear access to premises
05/01	Russell Place, Fareham	Both	Entire length	To maintain rear access to premises
05/01	Unnamed Service Road at rear of 145-161 West Street, Fareham	Both	Entire length	To maintain rear access to premises
05/01	Maytree Road, Fareham	West	From a point 17 metres south of its junction with West Street northwards for a distance of 6 metres	To protect new access road
<i>In the City of Portsmouth</i>				
05/15	Havant Street, Portsmouth	West	From its junction with Queen Street southwards for a distance of 22 metres	To regulate parking
05/15	Havant Street, Portsmouth	East	From its junction with Queen Street southwards for	To regulate parking

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			a distance of 24 metres	
05/15	Cross Street, Portsmouth	Both	From a point 11 metres north of its junction with Queen Street northwards to its junction with Cumberland Street	To mitigate traffic congestion
05/15	Curzon Howe Road, Portsmouth	West	From its junction with Queen Street southwards for a distance of 27 metres	To regulate parking
05/15	Curzon Howe Road, Portsmouth	East	From its junction with Queen Street southwards for a distance of 25 metres	To regulate parking
05/15	North Street, Portsmouth	Both	From a point 12 metres north of its junction with Queen Street northwards for a distance of 15 metres	To regulate parking at traffic signals
05/15	St James's Street, Portsmouth	West	From a point 11 metres south of its junction with Queen Street southwards for a distance of 18 metres	To regulate parking at traffic signals
05/16	Lion Terrace, Portsmouth	East	From a point 28 metres south of its junction with Queen Street southwards for a distance of 38 metres	To regulate parking
05/16	Stanhope Road, Portsmouth	West	From a point 87 metres west of its junction with Commercial Road northwards for	To regulate parking

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			a distance of 10 metres	

(6) No waiting (Daytime)

<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
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*In the Borough of Gosport*

06/13	Proposed Access Road to Area 5, Gosport	Both	From its junction with South Street northwards for a distance of 30 metres	(Monday-Saturday) (8am-6pm)
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*In the City of Portsmouth*

06/16	Unicorn Road, Portsmouth	West	From a point 32 metres north of its junction with Edinburgh Road northwards for a distance of 33 metres	(Monday-Saturday) (8am-6pm)
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(7) Limited Waiting (20 minutes)

<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
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*In the Borough of Gosport*

07/12	Forton Road, Gosport	North	From a point 133 metres east of its junction with Mill Lane eastwards for a distance of 12 metres	To regulate waiting near to tram stop
07/12	Forton Road, Gosport	North	From a point 112 metres east of its junction with Parham Road eastwards for a distance of 15 metres	Additional parking provision
07/12	Forton Road, Gosport	South	From a point 14 metres west of its junction with George Street westwards for	Replaces existing Limited Waiting on southside of road

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
			a distance of 12 metres	
07/12	Forton Road, Gosport	South	From a point 20 metres west of its junction with Leonard Road westwards for a distance of 15 metres	Replaces existing Limited Waiting on southside of road
07/12	Forton Road, Gosport	South	From a point 102 metres west of its junction with Albert Street westwards for a distance of 30 metres	To regulate waiting near to tram stop

(8) Limited Waiting (40 minutes)

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
<i>In the Borough of Fareham</i>				
08/01	West Street, Fareham	South	From a point 180 metres west of its junction with Kings Road westwards for a distance of 30 metres	Replaces Limited Waiting on north side of road

(9) Limited Waiting (1 hour)

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
<i>In the Borough of Fareham</i>				
09/02	Unnamed Access Road to Railtrack Car Park (upper level), Fareham		From a point 28 metres north of its junction with The Avenue northwards for a distance of 20 metres	To provide Limited Waiting for adjacent business premises
<i>In the City of Portsmouth</i>				
09/16	Lion Terrace, Portsmouth	West	From a point 49 metres south of its junction with	Kerbside parking to be established

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
			Queen Street southwards for a distance of 11 metres	
09/16	Lion Terrace, Portsmouth	East	From a point 8 metres south of its junction with Queen Street southwards for a distance of 20 metres	90 degree parking bays to be established
09/16	Lion Terrace, Portsmouth	West	From a point 15 metres south of its junction with Queen Street southwards for a distance of 34 metres	90 degree parking bays to be established
09/16	Queen Street, Portsmouth	South	From a point 51 metres west of its junction with Lion Terrace westwards for a distance of 42 metres	Retains existing Limited Waiting

(10) Limited Waiting (3 hours)

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
<i>In the City of Portsmouth</i>				
10/15	Queen Street, Portsmouth	North West	From a point 17 metres southwest of the extended western kerbline of Wickham Street northeastwards for a distance of 17 metres	Additional parking provision
10/15	Queen Street, Portsmouth	North	From a point 7 metres northeast of the extended western kerbline of Wickham Street eastwards to a point 44	Retains and extends existing Limited Waiting

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			metres west of Admiralty Road	

(11) Goods Vehicle Loading/Unloading

<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
<i>In the Borough of Fareham</i>				
11/01	West Street, Fareham	North	From a point 131 metres east of its junction with Grove Road eastwards for a distance of 25 metres	To provide loading/unloading facilities for local shops
11/01	West Street, Fareham	North	From a point 48 metres west of its junction with Trinity Street eastwards for a distance of 18 metres	To provide loading/unloading facilities for local shops
11/01	West Street, Fareham	South	From a point 39 metres west of its junction with Hartlands Road westwards for a distance of 29 metres	To provide loading/unloading facilities for local shops
11/01	West Street, Fareham	South	From a point 140 metres west of its junction with Kings Road westwards for a distance of 35 metres	To provide loading/unloading facilities for local shops
11/01	West Street, Fareham	South	From a point 215 metres west of its junction with Kings Road westwards for a distance of 34 metres	To provide loading/unloading facilities for local shops

*In the Borough of Gosport*

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
11/12	Forton Road, Gosport	South	From a point 26 metres west of its junction with George Street westwards for a distance of 16 metres	To provide loading/unloading for local shops
11/12	Forton Road, Gosport	South	From a point 9 metres west of its junction with Victoria Street westwards for a distance of 17 metres	To provide loading/unloading for local shops
11/13	North Cross Street, Gosport	East	From a point 40 metres south of its junction with Mumby Road southwards for a distance of 42 metres	To provide loading/unloading facilities for local shops
11/14	The Esplanade, Gosport		From a point 48 metres east of its junction with South Street eastwards for a distance of 20 metres	To provide loading/unloading facilities for local shops
<i>In the City of Portsmouth</i>				
11/15	Queen Street, Portsmouth	North	From a point 33 metres east of its junction with Cross Street eastwards for a distance of 25 metres	To provide loading/unloading facilities for local shops
11/16	Queen Street, Portsmouth	South	From a point 16 metres west of its junction with Lion Terrace westwards for a distance of 15 metres	To provide loading/unloading facilities for local shops



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## PART II PARKING PLACES

### (12) Disabled Persons Parking Places

<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
<i>In the Borough of Fareham</i>				
12/01	Grove Road, Fareham	West	From a point 51 metres north of its junction with West Street northwards for a distance of 5 metres	Replaces existing Limited Waiting
12/01	West Street, Fareham	North	From a point 156 metres east of its junction with Grove Road eastwards for a distance of 5 metres	New provision
12/01	West Street, Fareham	North	From a point 34 metres east of its junction with Osborn Road South eastwards for a distance of 10 metres	New provision
12/01	Osborn Road South, Fareham	West	From a point 109 metres north of its junction with West Street southwards for a distance of 5 metres	Replaces existing Limited Waiting
12/01	West Street, Fareham	South	From a point 31 metres east of its junction with Hartlands Road westwards for a distance of 12 metres	New provision
12/01	Kings Road, Fareham	East	From a point 10 metres south of its junction with Queens Road northwards for	New provision

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			a distance of 5 metres	
12/01	West Street, Fareham	South	From a point 175 metres west of its junction with Kings Road westwards for a distance of 5 metres	New provision
12/01	West Street, Fareham	South	From a point 210 metres west of its junction with Kings Road westwards for a distance of 5 metres	New provision
12/01	Maytree Road, Fareham	West	From a point 22 metres south of its junction with West Street northwards for a distance of 5 metres	Replaces existing Limited Waiting
<i>In the Borough of Gosport</i>				
12/12	Forton Road, Gosport	North	From a point 107 metres east of its junction with Parham Road eastwards for a distance of 5 metres	New provision
12/12	Forton Road, Gosport	South	From a point 15 metres west of its junction with Leonard Road westwards for a distance of 5 metres	New Provision
<i>In the City of Portsmouth</i>				
12/15	Queen Street, Portsmouth	North West	From a point 22 metres south-west of the extended western kerbline of Wickham Street north-eastwards for	New provision

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<i>(1)</i> No.	<i>(2)</i> Road	<i>(3)</i> Side	<i>(4)</i> Description	<i>(5)</i> Notes
			a distance of 5 metres	
<i>In the City of Portsmouth</i>				
12/15	Queen Street, Portsmouth	North	From a point 44 metres west of its junction with Admiralty Road eastwards for a distance of 5 metres	New provision
12/15	Queen Street, Portsmouth	North	From a point 40 metres east of its junction with Admiralty Road eastwards for a distance of 5 metres	New provision
12/15	Queen Street, Portsmouth	North	From a point 58 metres east of its junction with Cross Street eastwards for a distance of 5 metres	New provision
12/16	Edinburgh Road, Portsmouth	North	From a point 67 metres east of its junction with Alfred Road eastwards for a distance of 7 metres	New provision
12/16	Edinburgh Road, Portsmouth	South	From a point 29 metres west of its junction with Stanhope Road westwards for a distance of 5 metres	New provision
12/16	Edinburgh Road, Portsmouth	South	From a point 104 metres west of its junction with Stanhope Road westwards for a distance of 5 metres	New provision
12/16	Stanhope Road, Portsmouth	West	From a point 97 metres west of	New provision

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
			its junction with Commercial Road northwards for a distance of 5 metres	
12/16	Lion Terrace, Portsmouth	West	From a point 8 metres south of its junction with Queen Street southwards for a distance of 7 metres	90 degree parking bays to be established
12/16	Queen Street, Portsmouth	South	From a point 46 metres west of its junction with Lion Terrace westwards for a distance of 5 metres	New provision
12/16	Queen Street, Portsmouth	South	From a point 93 metres west of its junction with Lion Terrace westwards for a distance of 5 metres	New provision

(13) Wedding and Funeral Cars

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
<i>In the Borough of Fareham</i>				
13/01	Hartland's Road (Southern Section), Fareham	North East	From a point 3 metres south east of its junction with Western Road south eastwards for a distance of 12 metres	To provide parking for official cars for weddings and funerals at Sacred Heart Catholic Church
<i>In the City of Portsmouth</i>				
13/16	Edinburgh Road, Portsmouth	North	From a point 29 metres east of its junction with Alfred Road eastwards for a	To provide parking for official cars for weddings and funerals

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Side</i>	<i>(4)</i> <i>Description</i>	<i>(5)</i> <i>Notes</i>
			distance of 30 metres	at the Catholic Cathedral

### PART III DIRECTION OF TRAFFIC

#### (14) One Way

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Description</i>	<i>(3)</i> <i>Direction</i>
<i>In the Borough of Fareham</i>		
14/01	Unnamed service road at rear of 145-161 West Street, Fareham between Osborn Road South and Trinity Street	Permitted movement—westwards only
14/01	Western Road, Fareham between Hartlands Road (Southern section) and Queens Road	Permitted movement—south and westwards only
<i>In the Borough of Gosport</i>		
14/13	Thorngate Way, Gosport from its junction with South Cross Street to its junction with South Street	Permitted movement—westwards and southwards only
14/13	Service Road to Area 6, Gosport Town Centre from its junction with South Street to its junction with South Cross Street	Permitted movement—north and westwards only
<i>In the City of Portsmouth</i>		
14/15	Havant Street, Portsmouth from its junction with Benbow Place to its junction with Queen Street	Permitted movement—northwards only
14/15	Hawke Street, Portsmouth from its junction with Queen Street to its junction with Benbow Place	Permitted movement—southwards only
14/15	Curzon Howe Road, Portsmouth from its junction with Queen Street to its junction with Kent Street	Permitted movement—southwards only

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Description</i>	<i>(3)</i> <i>Direction</i>
14/15	Bishop Street, Portsmouth from its junction with Queen Street to its junction with Kent Street	Permitted movement—southwards only

## (15) One Way (except for Tramcars)

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Description</i>	<i>(3)</i> <i>Direction</i>
<i>In the Borough of Gosport</i>		
15/13	North Cross Street, Gosport from its junction with North Street to its junction with South Cross Street	Permitted movement—southwards only
15/13	South Cross Street, Gosport from its junction with North Cross Street to its junction with South Street	Permitted movement—southwards only

## (16) One Way (except for Buses, Tramcars and Cycles)

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Description</i>	<i>(3)</i> <i>Direction</i>
<i>In the Borough of Fareham</i>		
16/01	West Street, Fareham between Osborn Road South and Trinity Street	Permitted movement—westwards only

## 17) No Right Turn

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Description</i>	<i>(3)</i> <i>Direction</i>
<i>In the Borough of Gosport</i>		
17/12	Mumby Road, Gosport at its junction with Spring Garden Lane Link Road	Prohibited movement—right turn for eastbound traffic
<i>In the City of Portsmouth</i>		
17/15	Queen Street, Portsmouth at its junction with Hawke Street	Prohibited movement—right turn for eastbound traffic
17/15	Queen Street, Portsmouth at its junction with Bishop Street	Prohibited movement—right turn for eastbound traffic
17/15	Aylward Street, Portsmouth at its junction with Queen Street	Prohibited movement—right turn northbound traffic

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## PART IV

### PROHIBITION ON ACCESS

#### (18) Buses, Tramcars and Cycles Only

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Description</i>	<i>(3)</i> <i>Direction</i>
<i>In the City of Portsmouth</i>		
18/16	Queen Street, Portsmouth between a point 18 metres west of its junction with Alfred Road and that junction	Eastbound towards Edinburgh Road
18/16	Edinburgh Road, Portsmouth between its junction with Alfred Road / Anglesea Road and a point 28 metres east of that junction	Eastbound and westbound from and towards Queen Street

#### (19) Prohibition of Driving

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Description</i>	<i>(3)</i> <i>Direction</i>
<i>In the Borough of Gosport</i>		
19/13	Existing Access Road to Area 5, Gosport Town Centre from its junction with South Street northwards to a point 5 metres therefrom	All movements prohibited
19/14	The Esplanade, Gosport from a point 62 metres east of its junction with South Street eastwards and southwards for a distance of 50 metres	All movement prohibited

#### (20) Prohibition of Driving (Except for Tramcars, Delivery and Market Vehicles)

<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Description</i>	<i>(3)</i> <i>Direction</i>
<i>In the Borough of Gosport</i>		
20/13	North Cross Street, Gosport from its junction with North Street to its junction with South Cross Street	All movements prohibited
20/13	South Cross Street, Gosport from its junction with North	All movements prohibited

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<i>(1)</i> <i>No.</i>	<i>(2)</i> <i>Description</i>	<i>(3)</i> <i>Direction</i>
	Cross Street to its junction with Thorngate Way	

SCHEDULE 11

Article 63

PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.

*Apparatus of statutory undertakers, etc. on land acquired*

1.—(1) Subject to the following provisions of this paragraph, sections 271 to 274 of the 1990 Act (power to extinguish rights of statutory undertakers, etc. and power of statutory undertakers, etc. to remove or re-site apparatus) shall apply in relation to any land acquired under this Order, or which is held by the undertaker and is appropriated or used (or about to be used) by it for the purposes of the Order or purposes connected therewith and all such other provisions of that Act as apply for the purposes of those provisions (including sections 275 to 278, which contain provisions consequential on the extinguishment of any rights under sections 271 and 272, and sections 279(2) to (4), 280 and 282, which provide for the payment of compensation) shall have effect accordingly.

(2) In the provisions of the 1990 Act, as applied by sub-paragraph (1) above references to the appropriate Minister are references to the Secretary of State.

(3) Where any apparatus of public utility undertakers or of a public telecommunications operator is removed in pursuance of a notice or order given or made under section 271, 272 or 273 of the 1990 Act, as applied by sub-paragraph (1) above, any person who is the owner or occupier of premises to which a supply was given from that apparatus shall be entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by him, in consequence of the removal, for the purpose of effecting a connection between the premises and any other apparatus from which a supply is given.

(4) Sub-paragraph (3) above shall not apply in the case of the removal of a public sewer but where such a sewer is removed in pursuance of such a notice or order as is mentioned in that sub-paragraph, any person who is—

- (a) the owner or occupier of premises the drains of which communicated with that sewer, or
- (b) the owner of a private sewer which communicated with that sewer,

shall be entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by him, in consequence of the removal, for the purpose of making his drain or sewer communicate with any other public sewer or with a private sewage disposal plant.

(5) The provisions of the 1990 Act mentioned in sub-paragraph (1) above, as applied by that sub-paragraph, shall not have effect in relation to apparatus as respects which paragraph 2 below or Part III of the 1991 Act applies.

(6) In this paragraph

“the 1990 Act” means the Town and Country Planning Act 1990(3);

“public telecommunications operator” means—

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(3) 1990 c. 8.



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- (a) a person authorised, by a licence to which section 9 of the Telecommunications Act 1984(4) applies, to run a public telecommunications system, or
  - (b) a person to whom the telecommunications code has been applied pursuant to section 10 of that Act; and
- “public utility undertakers” has the same meaning as in the Highways Act 1980(5).

*Apparatus of statutory undertakers, etc. in stopped up streets*

2.—(1) Where a street is stopped up under article 11 of this Order any statutory utility whose apparatus is under, in, upon, over, along or across the street shall have the same powers and rights in respect of that apparatus, subject to the provisions of this paragraph, as if this Order had not been made.

(2) The undertaker shall give not less than 28 days' notice in writing of its intention to stop up any street under article 11 of this Order to any statutory utility whose apparatus is under, in, upon, over, along or across that street.

(3) Where notice under sub-paragraph (2) above has been given, any statutory utility whose apparatus is under, in, upon, over, along or across the street may and, if reasonably requested so to do by the undertaker, shall—

- (a) remove the apparatus and place it or other apparatus provided in substitution for it in such other position as the statutory utility may reasonably determine and have power to place it; or
- (b) provide other apparatus in substitution for the existing apparatus and place it in such position as aforesaid.

(4) Subject to the following provisions of this paragraph, the undertaker shall pay to any statutory utility an amount equal to the cost reasonably incurred by the statutory utility in or in connection with—

- (a) the execution of relocation works required in consequence of the stopping up of the street; and
- (b) the doing of any other work or thing rendered necessary by the execution of relocation works.

(5) If in the course of the execution of relocation works under sub-paragraph (3) above—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions except where this has been solely due to using the nearest available type, capacity or dimension, or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker, or, in default of agreement, is not determined by arbitration to be necessary in consequence of the construction of the authorised works in order to ensure the continued efficient operation of the undertaking of the statutory utility, then, if it involves cost in the execution of the relocation works exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be

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(4) 1984 c. 12.

(5) 1980 c. 66.

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payable to the statutory utility by virtue of sub-paragraph (4) above shall be reduced by the amount of that excess.

(6) For the purposes of sub-paragraph (5) above—

- (a) an extension of apparatus to a length greater than the length of existing apparatus shall not be treated as a placing of apparatus of greater dimensions than those of the existing apparatus except in a case where the apparatus as so extended provides more than an equivalent service, and
- (b) where the provision of a joint in a cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole shall be treated as if it also had been agreed or had been so determined.

(7) An amount which apart from this sub-paragraph would be payable to a statutory utility in respect of works by virtue of sub-paragraph (4) above (and having regard, where relevant, to sub-paragraph (5) above) shall, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7.5 years earlier so as to confer on the statutory utility any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit as calculated in accordance with the Code of Practice entitled “Measures Necessary where Apparatus is Affected by Major Works (Diversionary Works)” and dated June 1992 and approved by the Secretary of State on 30th June, 1992, as revised and re-issued from time to time.

(8) Sub-paragraphs (4) to (7) above shall not apply where the authorised works constitute major transport works for the purposes of Part III of the 1991 Act, but instead—

- (a) the allowable costs of the relocation works shall be determined in accordance with section 85 of that Act (sharing of costs of necessary measures) and any regulations for the time being having effect under that section; and
- (b) the allowable costs shall be borne by the undertaker and the statutory utility in such proportions as may be prescribed by any such regulations.

(9) In this paragraph

“apparatus” has the same meaning as in Part III of the 1991 Act;

“relocation works” means works executed, or apparatus provided, under sub-paragraph (3) above; and

“statutory utility” means a statutory undertaker for the purposes of the Highways Act 1980 or a public telecommunications operator as defined in paragraph 1(6) above.

#### *Application of telecommunications code*

3.—(1) Paragraph 21 of the telecommunications code shall not apply for the purposes of the authorised works to the extent that such works are regulated by Part XI of the 1990 Act, sections 84 and 85 of the 1991 Act (or regulations made under section 85 of that Act), paragraph 2 above or sub-paragraph (3) below.

(2) Paragraph 23 of the telecommunications code shall apply for the purposes of the authorised works, save—

- (a) in so far as such works are regulated by the 1991 Act or any regulation made under that Act; or
- (b) where the undertaker exercises a right under subsection (4)(b) of section 272 of the 1990 Act or under an order made under that section to remove apparatus.

(3) The temporary stopping up, alteration or diversion of any highway under article 12 of this Order shall not affect any right of a public telecommunications operator under paragraph 9 of the

telecommunications code in respect of any apparatus which at the time of the stopping up or diversion is in the highway.

(4) In this paragraph—

“apparatus” has the same meaning as in Part III of the 1991 Act;

“public telecommunications operator” has the same meaning as in paragraph 1(6) above;

“telecommunications code” has the same meaning as in Schedule 4 to the Telecommunications Act 1984; and

“the 1990 Act” has the same meaning as in paragraph 1(b).

## SCHEDULE 12

Article 64

### PROTECTION OF RAILWAY INTERESTS

1. The following provisions of this Schedule shall have effect, unless otherwise agreed in writing between Railtrack and the undertaker and, in the case of paragraphs 3 and 16 below, any other person on whom rights or obligations are conferred by those paragraphs.

2. In this Schedule—

“construction” includes execution, placing, alteration and reconstruction and “construct” and “constructed” have corresponding meanings;

“the engineer” means an engineer to be appointed by Railtrack for the purposes of this Order;

“the Gosport railway” means the railway or former railway extending from the southern side of The Avenue, Fareham to a line in Gosport drawn between the following National Grid reference points—

459137mE, 101982mN;

459136mE, 101977mN;

459121mE, 101969mN; and

459118mE, 101970mN;

“network”, “operator”, “railway asset”, “railway services” and “station” have the same meaning as in Part I of the Railways Act 1993(6);

“plans” includes sections, designs, drawings, specifications, soil reports, calculations and descriptions (including descriptions of methods of construction), staging proposals, programmes and details of the extent, timing and duration of any proposed occupation of railway property;

“railway operational procedures” means procedures specified under any access agreement (as defined in the Railways Act 1993) or station lease;

“railway property” means any network (including the Gosport railway) or station owned or operated by Railtrack and so owned and operated at the coming into force of this Order, including any land held or used by it at that date for the purposes of any such network or station;

“the rapid transit system” means the authorised transit system and any rapid transit vehicles;

“South West Trains” means South West Trains Limited or, with respect to Fareham Station, Portsmouth and Southsea Station or Portsmouth Harbour Station, its successors in title as lessees of that station;

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(6) 1993 c. 43.

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“specified works” means so much of the authorised works as may be situated upon, across, under or over or within 15 metres of, or may in any way affect, railway property.

3. In so far as the specified works or the acquisition or use of railway property are or may be subject to railway operational procedures, Railtrack and South West Trains shall—

- (a) co-operate with the undertaker with a view to avoiding undue delay and securing conformity as between any plans approved by the engineer and requirements emanating from those procedures; and
- (b) use their reasonable endeavours to avoid any conflict arising between the application of those procedures and the proper implementation of the rapid transit system pursuant to the Order.

4. The undertaker shall not under the powers of this Order acquire or use or acquire new rights over any railway property (other than the Gosport railway) except with the consent of Railtrack which subject to compliance with railway operational procedures, shall not be unreasonably withheld but may be given subject to reasonable conditions.

5.—(1) The undertaker shall not exercise the powers of article 32 of this Order or the powers of section 11(3) of the 1965 Act in respect of any railway property except with the consent of Railtrack which consent, subject to compliance with railway operational procedures, shall not be unreasonably withheld but may be given subject to reasonable conditions.

(2) Except with the consent of Railtrack the undertaker shall not in the exercise of the powers of this Order prevent pedestrian or vehicular access to railway property.

(3) The undertaker shall not exercise the powers of sections 271 or 272 of the Town and Country Planning Act 1990, as applied by Schedule 11 to this Order, in relation to any right of access of Railtrack to railway property, but any such right of access may be diverted with the consent of Railtrack.

(4) The consent of Railtrack under sub-paragraphs (2) and (3) above shall not be unreasonably withheld but may be given subject to reasonable conditions.

6.—(1) For the purposes of this paragraph—

“EMI” means, subject to sub-paragraph (2) below, electromagnetic interference with Railtrack’s apparatus generated by the operation of the undertaker’s apparatus where such interference is of a level which adversely affects the safe operation of Railtrack’s apparatus;

“the undertaker’s apparatus” means any electric lines, circuits, wires, apparatus, equipment, rolling stock and other works of any description owned or used (or intended to be used) by the undertaker for the purposes of operating the authorised transit system; and

“Railtrack’s apparatus” means any lines, circuits, wires, apparatus or equipment owned or used by Railtrack for the purpose of transmitting or receiving electrical energy or of radio, telegraphic, telephonic, electric, electronic or other like means of signalling or other communications.

(2) This paragraph shall apply to EMI only to the extent that such EMI is not attributable to any change to Railtrack’s apparatus carried out after approval of plans under paragraph 8 below for the relevant part of the authorised works giving rise to EMI (unless the undertaker has been notified in writing before the approval of such plans of the intention to make such change).

(3) Subject to sub-paragraph (5) below, the undertaker shall in the design and construction of the authorised transit system and its rolling stock take all measures necessary to prevent EMI and shall establish with Railtrack (both parties acting reasonably) appropriate arrangements to verify their effectiveness.

(4) In order to facilitate the undertaker’s compliance with sub-paragraph (3) above—

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- (a) the undertaker shall consult Railtrack as early as reasonably practicable in order to identify all Railtrack's apparatus which may be at risk of EMI and thereafter shall continue to consult Railtrack (both before and after formal submission of plans under paragraph 8 below) in order to identify all potential causes of EMI and the measures required to eliminate them;
  - (b) Railtrack shall make available to the undertaker all information in Railtrack's possession reasonably requested by the undertaker in respect of Railtrack's apparatus identified pursuant to sub-paragraph (4)(a) above; and
  - (c) Railtrack shall allow the undertaker reasonable facilities for the inspection of Railtrack's apparatus pursuant to sub-paragraph (4)(a) above.
- (5) In any case where it is established that EMI can only reasonably be prevented by modifications to Railtrack's apparatus, Railtrack shall not withhold its consent unreasonably to modifications of that apparatus, but the means of prevention and the method of their execution shall be selected in Railtrack's reasonable discretion and subject to the railway operational procedures, and in relation to such modifications paragraph 8 below shall have effect subject to this sub-paragraph.
- (6) If at any time prior to the opening of the authorised transit system to fare-paying passenger traffic, and notwithstanding any measures adopted pursuant to sub-paragraph (3) above, the testing or commissioning of the authorised transit system or its rolling stock causes EMI then the undertaker shall immediately upon receipt of notification by Railtrack of such EMI either in writing or communicated orally (such oral communication to be confirmed in writing as soon as reasonably practicable after it has been issued) forthwith cease to use (or procure the cessation of use of) the undertaker's apparatus causing such EMI until all measures necessary have been taken to remedy such EMI by way of modification to the source of such EMI or (in the circumstances, and subject to the consent, specified in sub-paragraph (5) above) to Railtrack's apparatus.
- (7) In the event of EMI having occurred—
- (a) the undertaker shall afford reasonable facilities to Railtrack for access to the undertaker's apparatus in the investigation of such EMI;
  - (b) Railtrack shall afford reasonable facilities to the undertaker for access to Railtrack's apparatus in the investigation of such EMI; and
  - (c) Railtrack shall make available to the undertaker any additional material information in its possession reasonably requested by the undertaker in respect of Railtrack's apparatus or such EMI.
- (8) Where Railtrack approves modifications to Railtrack's apparatus pursuant to sub-paragraphs (5) or (6) above—
- (a) Railtrack shall allow the undertaker reasonable facilities for the inspection of the relevant part of Railtrack's apparatus; and
  - (b) any modifications to Railtrack's apparatus approved pursuant to those sub-paragraphs shall be carried out and completed by the undertaker in accordance with paragraph 11 below.
- (9) To the extent that it would not otherwise do so, the indemnity in paragraph 18 below shall apply to the costs and expenses reasonably incurred or losses suffered by Railtrack in consequence of any EMI to which sub-paragraph (6) applies.
- (10) For the purposes of paragraph 16 below any modification to Railtrack's apparatus under this paragraph shall be deemed to be protective works referred to in that paragraph.
- (11) In relation to any dispute arising under this paragraph the reference in article 71 above to the Institution of Civil Engineers shall be read as a reference to the Institution of Electrical Engineers.

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7.—(1) The undertaker shall, as soon as reasonably practicable following the decision to proceed with the construction of the authorised works, commission a study of the effects of the construction of Work No. 8A under the harbour for the purposes of, and in accordance with, the provisions of this paragraph.

(2) The study shall be carried out by an engineer approved by Railtrack and the undertaker or, in the absence of agreement, approved by the President for the time being of the Institution of Civil Engineers.

(3) The object of the study shall be to investigate the effects of the construction of Work No. 8A (including any dredging associated with that construction), both alone and in combination with each of the other projects which at the date of the carrying out of the study can reasonably be expected to be undertaken in the harbour within 1,000 metres of Portsmouth Harbour Station before or at the same time as the construction of that work, on the foundations of Railtrack's Portsmouth Harbour Station and to identify any measures which may be reasonably required to prevent or minimise any adverse impact from that construction; in particular the study shall take into account the effects of any changes of the tidal regime and currents in the harbour caused by that work (both alone and in combination with each of the other projects mentioned above).

(4) The undertaker shall ensure that the study is completed and the results are available to Railtrack no later than, and as early as reasonably practicable before, the formal submission of plans for Railtrack's approval under paragraph 8 below.

(5) Railtrack shall disclose to the undertaker any similar study undertaken or obtained by it in relation to any project in the harbour and shall, if so required by the undertaker, not unreasonably refuse to accept as sufficient compliance with sub-paragraphs (1) to (3) above a joint study encompassing the requirements of sub-paragraph (3) above or a study which takes as its basis any such similar study which has already been undertaken.

(6) The obligation of disclosure under paragraph (5) above is subject to any requirement of confidentiality applying in relation to any such study, but Railtrack shall use its reasonable endeavours to secure that any such study is not subject to a requirement of confidentiality, or, where it is, to obtain a release from that requirement.

(7) Without prejudice to any other measures which may be required by the engineer under paragraph 9(1) below but subject to the requirement of reasonableness specified in that paragraph, any measures identified in the study as reasonably required in connection with the construction of Work No. 8 shall be treated as protective works which may be required by the engineer under that paragraph.

8.—(1) The undertaker shall before commencing construction of the specified works supply to Railtrack proper and sufficient plans for the reasonable approval of the engineer.

(2) The plans shall provide in particular for—

- (a) the soffit of the tunnel under the railway lines forming part of Work No. 6 and included in plot number 2/8 on the land plans to be no higher than shown on the sections; and
- (b) the fencing off (whether on a temporary or permanent basis or both) of the specified works from railway property where reasonably so required by the engineer (including, if so required, demarcation within the boundaries of railway property) in order to comply with any statutory obligation to fence off railway property.

(3) The specified works shall not be constructed except in accordance with such plans as have been approved in writing by the engineer or settled by arbitration and, in the case of any works subject to railway operational procedures, in compliance with the requirements of those procedures.

(4) The approval of the engineer under this paragraph shall not be unreasonably withheld or delayed and if, within a period of 56 days beginning with the day on which such plans have been

supplied to Railtrack, the engineer has not intimated his disapproval of the plans and the grounds of his disapproval he shall be deemed to have approved the plans.

(5) If within a period of 56 days beginning with the day on which such plans have been supplied to Railtrack, it gives notice to the undertaker that it desires itself to construct any part of the specified works, being works which do not form part of the tunnel and which in the opinion of the engineer will or may affect the stability of railway property or the safe operation of traffic on any railway of Railtrack, then, if the undertaker desires such part of the specified works to be constructed, Railtrack shall construct that part, with all reasonable despatch, on behalf of and to the reasonable satisfaction of the undertaker in accordance with the plans approved or deemed to be approved or settled and under the supervision (where appropriate and if given) of the undertaker.

(6) In the event of Railtrack not constructing or completing any part of the specified works pursuant to sub-paragraph (5) above with reasonable despatch and to the reasonable satisfaction of the undertaker in accordance with such programme as may be agreed with the undertaker or settled by arbitration, Railtrack shall pay compensation to the undertaker for any loss which it may thereby reasonably sustain.

**9.—(1)** Upon signifying his approval or disapproval of the plans the engineer may specify any protective works or other alterations or additions to railway property (whether temporary or permanent) which in his reasonable opinion should be carried out in consequence of the specified works, either before the commencement, during the construction or within 12 months of completion of the specified works, in order to ensure the safety or stability of railway property, the continued safe and efficient operation of railway property or the services of operators using the same (including any relocation of works, apparatus and equipment necessitated by the specified works).

(2) Subject to compliance where applicable with railway operational procedures all such works specified by the engineer under sub-paragraph (1) above as may be agreed by the undertaker or, failing agreement, settled by arbitration, shall be constructed by Railtrack or, if Railtrack so desires, by the undertaker with all reasonable despatch during the period agreed or settled for such works.

(3) In the case of any such works required to be carried out before the commencement of the specified works, the undertaker shall not commence the construction of the specified works until the engineer has notified the undertaker that those works have been completed to his reasonable satisfaction.

(4) In the event of Railtrack not constructing or completing any such works with reasonable despatch as required by sub-paragraph (2) above, in accordance with such programme as may have been agreed with the undertaker or settled by arbitration, Railtrack shall pay compensation to the undertaker for any loss which the undertaker may thereby reasonably sustain.

(5) If any other alterations, either permanent or temporary, to railway property are reasonably necessary during the construction of the specified works or during a period of 12 months after the completion thereof in consequence of the construction of the specified works, the engineer may give notice to the undertaker specifying the alterations or additions to be carried out and sub-paragraph (2) above shall apply to works specified under this sub-paragraph as it applies to works specified under sub-paragraph (1) above.

**10.** The undertaker shall give to the engineer not less than 28 days' notice of its intention to commence the construction of any of the specified works and also, except in emergency (when it shall give such notice as may be reasonably practicable), of its intention to carry out any works for the alteration or reconstruction of the specified works in so far as such works of alteration or reconstruction affect or interfere with railway property.

**11.** The specified works shall, when commenced, be constructed—

- (a) with all reasonable despatch in accordance with the plans approved or deemed to have been approved or settled in accordance with the requirements of this Schedule;

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- (b) under the supervision (where appropriate and if given) and to the reasonable satisfaction of the engineer;
- (c) in such manner as to cause as little damage to railway property as reasonably practicable; and
- (d) so far as is reasonably practicable and consistent with the efficient and economic construction and operation of the specified works, so as not to interfere with or obstruct the free, uninterrupted and safe use of any railway or the traffic thereon the operation of any station and the use by passengers of railway property;

and, if any damage to railway property is caused or takes place during and in consequence of the construction of the specified works, the undertaker shall, (so far as consistent with the plans as approved, deemed to have been approved or settled) make good such damage.

**12.** The undertaker shall—

- (a) at all times afford reasonable facilities to the engineer for access to the specified works during their construction, and
- (b) supply the engineer with all such information as he may reasonably require with regard to the specified works or the method of construction of the specified works.

**13.** Railtrack shall at all times afford reasonable facilities to the undertaker and its agents for access to any works carried out by Railtrack under this Schedule during their construction and shall supply the undertaker with such information as it may reasonably require with regard to such works or the method of construction of those works.

**14.** Before either Railtrack or the undertaker provide any new illumination or illuminated traffic sign at or in the vicinity of Fareham station, it shall consult the other and comply with any reasonable requirements of that other party made for the purpose of preventing confusion between such illumination or illuminated sign and any signal or other light used for controlling, directing or securing the safety of traffic on the railway or the authorised transit system as the case may be.

**15.** If at any time after completion of the specified works Railtrack gives notice to the undertaker that the state of maintenance of any part of the specified works not vested in Railtrack appears to be such as adversely affects the operation of railway property, the undertaker shall, on receipt of such notice, take such steps as may be reasonably necessary to put and keep that part of the specified works in such state of maintenance as shall not affect railway property adversely.

**16.—(1)** Subject to paragraph 19 below, the undertaker shall pay to Railtrack—

- (a) all reasonable costs, charges and expenses incurred by Railtrack and its engineer in considering proposals and giving approval to plans submitted under paragraphs 6 and 8 above (other than in respect of any arbitration), in supplying information under paragraph 19 below, in complying with railway operational procedures in connection with the specified works and, where appropriate, in supervising and monitoring the construction of the specified works;
- (b) all reasonable costs, charges and expenses incurred by Railtrack in constructing any part of the specified works on behalf of the undertaker as provided by paragraph 8(5) above or in constructing any protective or other works under the provisions of paragraph 9 above;
- (c) any additional costs and any losses reasonably incurred by Railtrack by reason of the construction or maintenance of the specified works; and
- (d) any loss or damage occasioned to Railtrack and caused by reason of the failure of the specified work.

(2) The compensation payable under this paragraph shall include a sum equivalent to the relevant costs.



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(3) Subject to the terms of any agreement between Railtrack and the operator of a railway asset regarding the terms of payment of the relevant costs in respect of that operator, Railtrack shall promptly pay to each such operator the amount of any compensation which Railtrack receives under this paragraph which relates to the relevant costs of that operator.

(4) The obligation on the undertaker under this paragraph to pay Railtrack the relevant costs shall, in the event of default by the undertaker, be enforceable direct by the operator concerned against the undertaker.

(5) In this paragraph “relevant costs” means the costs, direct losses and expenses (including loss of revenue) reasonably incurred by each operator as a consequence of any restriction of use of a station or Railtrack’s network as a result of the construction or maintenance of the specified works or any such failure of the specified works as is mentioned in sub-paragraph 1(d) above.

(6) The sums payable under this paragraph shall include a capitalised sum in respect of the additional cost to Railtrack of—

- (a) maintaining and renewing any protective works or other additions or alterations to railway property; and
- (b) altering, reconstructing or maintaining railway property under any powers existing at the making of this Order by reason of the existence of the specified works.

**17.** Railtrack shall, on receipt of a request of a receipt from the undertaker, from time to time provide the undertaker free of charge with written estimates of its costs, charges, expenses and other liabilities for which the undertaker is or will become liable under paragraph 16 above and with such information as may reasonably enable the undertaker to assess the reasonableness of any such estimate or claim made or to be made pursuant to that paragraph.

**18.** The undertaker shall indemnify Railtrack from and against all claims and demands arising out of or in connection with the specified works and the fact that any act or thing may have been done by Railtrack on behalf of the undertaker or in accordance with plans approved by the engineer or in accordance with any requirement of the engineer or under his supervision shall not (if it was done without negligence on the part of Railtrack or of any person in its employ or of its contractors or agents) excuse the undertaker from any liability under the provisions of this paragraph.

**19.** Railtrack shall give to the undertaker reasonable notice of any claim or demand of the type mentioned in paragraph 18 and no settlement or compromise of any such claim or demand shall be made without the prior consent of the undertaker who, if it withholds such consent, shall have the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

**20.** In the assessment of any sums payable to Railtrack under this Schedule there shall not be taken into account any increase in the sums claimed that is attributable to any action taken by or any agreement entered into by Railtrack if that action or agreement was not reasonably necessary or was taken or entered into with a view to obtaining payment of those sums or increasing the sums so payable.

**21.** Nothing in this Schedule shall impose any liability on the undertaker with respect to any damage, cost, expense or loss which is attributable to the negligence of Railtrack or of any person in its employ or its contractors or agents.

**22.** If the cost to Railtrack of maintaining, working or removing railway property is reduced in consequence of anything done under or pursuant to this Schedule, a capitalised sum representing such saving shall be set off against any sum payable by the undertaker to Railtrack under paragraph 16(6) above.

This note is not part of the Order This Order authorises Hampshire County Council and Portsmouth City Council, acting jointly, to construct and operate a rapid transit system between Fareham, Gosport and Portsmouth (including a tunnel under Portsmouth harbour) and, for that

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purpose compulsorily or by agreement to acquire land and rights in land. It contains a number of protective provisions for the benefit of affected undertakings.

Copies of the works plans, the sections, the land plans and the book of reference are available for public inspection free of charge during working hours at—

Hampshire County Council, The Castle, Winchester, Hampshire SO23 8UD; and  
Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth PO1 2AL.