
STATUTORY INSTRUMENTS

2005 No. 3523

The Cambridgeshire Guided Busway Order 2005

PART 2

WORKS PROVISIONS

Streets

Temporary stopping-up of paths or streets

12.—(1) The undertaker may, during and for the purposes of the execution of the authorised works, temporarily stop up, alter or divert any existing or alleged path or street and may for any reasonable time—

- (a) divert the traffic from the path or street; and
- (b) subject to paragraph (3), prevent all persons from passing along the path or street.

(2) Without prejudice to the generality of paragraph (1), the undertaker may use any path or street stopped up under the powers of this article as a temporary working site.

(3) The undertaker shall provide at all times reasonable access for pedestrians going to or from premises abutting a street affected by the exercise of the powers conferred by this article if there would otherwise be no such access.

(4) Without prejudice to the generality of paragraph (1), the undertaker may exercise the powers of this article in relation to the existing or alleged paths or streets specified in column (1) of Parts 2 and 3 of Schedule 4 and in column (1) of Schedule 5 to this Order to the extent specified, by reference in part to the letters and numbers shown on the rights of way maps and in part to the Order limits shown on the plans, in each case as specified in column (2) of those Parts of Schedule 4 and of Schedule 5.

(5) The undertaker shall not exercise the powers of this article—

- (a) in relation to any path or street specified as mentioned in paragraph (4) without first consulting the street authority and where a temporary diversion is specified in column (3) of Schedule 5, without that diversion being first completed to the reasonable satisfaction of the street authority and opened for use; and
- (b) in relation to any other path or street without the consent of the street authority, but such consent shall not be unreasonably withheld.

(6) The temporary stopping up, alteration or diversion of any path or street authorised by this Order shall not affect any right of a public communications provider in respect of any apparatus which, at the time of the stopping up or diversion, is in the path or street.