

SCHEDULES

SCHEDULE 14

FOR PROTECTION OF RAILWAY INTERESTS

4.—(1) The promoter shall not exercise the powers conferred by article 25 (power to survey and investigate land, etc.) or the powers conferred by section 11(3) of the 1965 Act in respect of any railway property unless the exercise of such powers is with the consent of Network Rail Infrastructure Limited.

(2) The promoter shall not in the exercise of the powers conferred by this Order prevent pedestrian or vehicular access to any railway property, unless preventing such access is with the consent of Network Rail Infrastructure Limited.

(3) The promoter shall not exercise the powers conferred by section 271 or 272 of the 1990 Act, as applied by Schedule 11 (provisions relating to statutory undertakers, etc.), in relation to any right of access of Network Rail Infrastructure Limited to railway property, but such right of access may be diverted with the consent of Network Rail Infrastructure Limited.

(4) The promoter shall not under the powers conferred by this Order acquire or use or acquire new rights over any railway property except with the consent of Network Rail Infrastructure Limited.

(5) Where Network Rail Infrastructure Limited is asked to give its consent pursuant to this paragraph, such consent shall not be unreasonably withheld but may be given subject to reasonable conditions.

Commencement Information

II Sch. 14 para. 4 in force at 9.6.2009, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Nottingham Express Transit System Order 2009, Paragraph 4.