
STATUTORY INSTRUMENTS

2017 No. 257

The Network Rail (Northumberland Park Level Crossing and Coppermill Lane Level Crossing Closure) Order 2017

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Network Rail (Northumberland Park Level Crossing and Coppermill Lane Level Crossing Closure) Order 2017 and comes into force on 16th March 2017.

Interpretation

2.—(1) In this Order—

“the 1961 Act” means the Land Compensation Act 1961(1);

“the 1980 Act” means the Highways Act 1980(2);

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

“the 2003 Act” means the Electronic Communications Act 2003(4);

“address” includes any number or address used for the purposes of electronic transmission;

“the book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;

“building” includes any structure or erection or any part of a building, structure or erection;

“Coppermill Lane level crossing” means so much of Coppermill Lane in the London Borough of Waltham Forest as is shown between points A and B on sheet 2 of the deposited plans and described in the book of reference;

“the deposited plans” means the work and land plans certified by the Secretary of State as the deposited plans for the purpose of this Order;

“electronic transmission” means a communication transmitted—

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form;

“the existing footpath” means the public right of way over the existing stepped footbridge adjacent to the Northumberland Park level crossing between points C and D on sheet 1 of the deposited plans;

“footpath” has the same meaning as in the 1980 Act;

(1) 1961 c. 33.

(2) 1980 c. 66.

(3) 1990 c. 8.

(4) 2003 c. 21.

“highway authority” has the same meaning as in the 1980 Act;

“limits of deviation” means the limits of deviation for the work shown on sheet 1 of the deposited plans;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and maintenance is to be construed accordingly;

“Network Rail” means Network Rail Infrastructure Limited (company registration number 02904587) whose registered office is at 1 Eversholt Street, London NW1 2DN;

“the new public right of way” means the new footpath (as referred to in article 7 (creation and maintenance of new public right of way) to be provided between points E and F on sheet 1 of the deposited plans;

“Northumberland Park level crossing” means so much of Marsh Lane in the London Borough of Haringey as is shown between points A and B on sheet 1 of the deposited plans and described in the book of reference;

“owner”, in relation to land, has the same meaning as in section 7 (interpretation) of the Acquisition of Land Act 1981(5);

“the section” means the section certified by the Secretary of State as the section for the purposes of this Order;

“statutory undertaker” means—

- (a) any person who is a statutory undertaker for any of the purposes of the 1990 Act; and
- (b) any public communications provider within the meaning of section 151(1) of the 2003 Act;

“street” includes part of a street;

“the tribunal” means the Lands Chamber of the Upper Tribunal;

“the undertaking” means the railway undertaking of Network Rail as existing from time to time;

“watercourse” includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain; and

“the work” means the work specified in article 3 (power to construct and maintain works).

(2) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the airspace over its surface.

(3) All distances and directions referred to in this Order are approximate.

(4) References in this Order to points identified by letters are construed as references to points so lettered on the deposited plans.

(5) 1981 c. 67. The definition of “owner” was amended by paragraph 9 of Schedule 15 to the Planning and Compensation Act 1991 c. 34. There are other amendments to section 7 which are not relevant to this Order.