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STATUTORY INSTRUMENTS

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**2020 No. 1485**

**The Network Rail (Cambridgeshire  
Level Crossing Reduction) Order 2020**

**PART 1**

**PRELIMINARY**

**Interpretation**

**2.—(1)** In this Order—

“the 1961 Act” means the Land Compensation Act 1961<sup>(1)</sup>;

“the 1965 Act” means the Compulsory Purchase Act 1965<sup>(2)</sup>;

“the 1980 Act” means the Highways Act 1980<sup>(3)</sup>;

“the 1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981<sup>(4)</sup>;

“the 1984 Act” means the Road Traffic Regulation Act 1984<sup>(5)</sup>;

“the 1990 Act” means the Town and Country Planning Act 1990<sup>(6)</sup>;

“the 1991 Act” means the New Roads and Street Works Act 1991<sup>(7)</sup>;

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

“authorised user” means any person to whom Network Rail grants a permit on written request to use any crossing referred to in this Order for such purposes or to access such land as may be specified in the permit on such terms and conditions as Network Rail may reasonably specify;

“authorised works” means the works authorised by the Order;

“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;

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

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

“byway open to all traffic” has the same meaning as in the Wildlife and Countryside Act 1981<sup>(8)</sup>;

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

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(1) 1961 c. 33.  
(2) 1965 c. 56.  
(3) 1980 c. 66.  
(4) 1918 c. 66.  
(5) 1984 c. 27.  
(6) 1990 c. 8.  
(7) 1991 c. 22.  
(8) 1981 c. 69.

“cycle track” has the same meaning as in section 329(1) (further provisions as to interpretation) of the 1980 Act<sup>(9)</sup>;

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

“deposited sections” means the sections certified by the Secretary of State as the sections for the purposes 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,

and in this definition “electronic communications network” has the same meaning as in section 32(1) (meaning of electronic communications networks and services) of the Communications Act 2003<sup>(10)</sup>;

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

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

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

“limits of deviation” means the limits of deviation for the scheduled works shown on 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;

“restricted byway” has the same meaning as in the 1980 Act;

“Order limits” means the limits of deviation and the limits of land to be acquired or used shown on the deposited plans;

“owner”, in relation to land, has the same meaning as in section 7 (interpretation) of the Acquisition of Land Act 1981<sup>(11)</sup>;

“scheduled works” means the works specified in Schedule 1 (scheduled works) or any part of them;

“statutory undertaker” means —

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

“street” includes part of a street;

“street authority”, in relation to a street, has the same meaning as in Part 3 (street works in England and Wales) of the 1991 Act;

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

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

(2) All distances, directions and lengths referred to in this Order are approximate and are taken to be measured between the points shown on the deposited plans.

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<sup>(9)</sup> The definition of “cycle track” (in section 329(1)) was amended by section 1 of the Cycle Tracks Act 1984 (c. 38) and paragraph 21(2) of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c. 54).

<sup>(10)</sup> 2003 c. 21. Section 32(1) was amended by S.I. 2011/1210.

<sup>(11)</sup> 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 the Order.

(3) References in this Order to points identified by letters and numbers are construed as references to a point so shown on the deposited plans.

(4) 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.

(5) References in this Order to numbered plots are references to plot numbers shown on the deposited plans.