
STATUTORY INSTRUMENTS

2021 No. 1414

The Norfolk Boreas Offshore Wind Farm Order 2021

PART 3

Streets

Stopping up of streets

11.—(1) The undertaker, during and for the purposes of carrying out the authorised project, may temporarily stop up, divert and alter any street and may for any reasonable time—

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

(2) Without limiting paragraph (1), the undertaker may, during and for the purposes of carrying out the authorised project, use any street temporarily stopped up, diverted or altered under the powers conferred by this article within the Order limits as a temporary working site.

(3) The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street affected by the temporary stopping up, diversion or alteration of a street under this article if there would otherwise be no such access.

(4) Without limiting paragraph (1), the undertaker may temporarily stop up, divert or alter the streets specified in column 2 of Part 1 of Schedule 4 (Streets to be temporarily stopped up (Scenario 1)) in the event of scenario 1, or column 2 of Part 2 of Schedule 4 (Streets to be temporarily stopped up (Scenario 2)) in the event of scenario 2, to the extent specified, by reference to the letters and numbers shown on the streets to be temporarily stopped up plan, in column (3) of Parts 1 and 2 of that Schedule.

(5) The undertaker must not temporarily stop up, divert, alter or use as a temporary working site—

- (a) any street referred to in paragraph (4) without first consulting the street authority; and
- (b) any other street without the consent of the street authority, which may attach reasonable conditions to the consent.

(6) If a street authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraph (5)(b) that street authority is deemed to have granted consent.

(7) In the event of scenario 1 the undertaker may, in connection with the carrying out of the authorised development, stop up the private means of access specified in columns (1) and (2) of Part 3 of Schedule 4 (permanent stopping up of private means of access for which a substitute is to be provided) to the extent specified, by reference to the letters and numbers shown on the private means of access to be permanently stopped up plan, described in column (3) of that Schedule provided that—

- (a) the new private means of access, specified in column (4) Part 3 of Schedule 4, is constructed and substituted for it; or
- (b) a temporary alternative route for the passage of such traffic as could have used the private means of access to be stopped up is first provided and subsequently maintained by the

undertaker, between the commencement and termination points for the stopping up of the private means of access until the completion and opening of the new private means of access in accordance with paragraph (7)(a).

- (8) Where a private means of access has been stopped up under paragraph (7) of this article—
- (a) all rights of way over or along the private means of access so stopped up are extinguished; and
 - (b) the undertaker may appropriate and use for the purposes of the authorised development so much of the site of the private means of access as is bounded on both sides by land owned by the undertaker.

(9) Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 (determination of questions of disputed compensation) of the 1961 Act.

Commencement Information

II Art. 11 in force at 1.1.2022, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Norfolk Boreas Offshore Wind Farm Order 2021, Section 11.