
STATUTORY INSTRUMENTS

2022 No. 1067

The Network Rail (Huddersfield to Westtown
(Dewsbury) Improvements) Order 2022

PART 2

WORKS PROVISIONS

Accommodation Crossings

Accommodation crossings

21.—(1) Subject to paragraph (2) and regardless of anything in the Manchester and Leeds Railway Act 1836, the Manchester and Leeds Railway Act 1837 and section 68 (accommodation works by the Company) of the Railways Clauses Consolidation Act 1845 as incorporated in the Huddersfield and Manchester Railway and Canal Act 1845(1), the Leeds, Dewsbury and Manchester Railway Act 1845, the Huddersfield and Manchester Railway and Canal (Huddersfield Diversion and Cooper Bridge Branch) Act 1846(2) and the London and North Western Railway (Wortley to Leeds etc.) Act 1878(3) or any other enactment or instrument, all public or private rights of way (if any) across the railway by means of the accommodation facilities specified in columns (2) and (3) of Parts 1 and 2 Schedule 8 (accommodation crossings), are extinguished.

(2) Paragraph (1) does not take effect with respect to the extinguishment of the private rights of way by means of an accommodation facility specified in columns (2) and (3) of Part 1 of Schedule 8 (accommodation crossings for which a substitute is to be provided) until the accommodation facility specified in relation to it in column (4) of Part 1 of that Schedule has been provided.

(3) Any person who suffers loss by the extinguishment of any private right of way under this article is entitled to compensation to be determined, in case of dispute, as if it were a dispute under Part 1 of the 1961 Act.

(1) 1845 (8 & 9 Vict.) c.cv.
(2) 1846 (9 & 10 Vict.) c. cclix.
(3) 1878 (41 Vict.) c. ci.