

---

STATUTORY INSTRUMENTS

---

**2022 No. 1406**

**The Network Rail (Cambridge South  
Infrastructure Enhancements) Order 2022**

**PART 4**

**MISCELLANEOUS AND GENERAL**

**Public open space**

**36.**—(1) Network Rail must not under the powers of this Order vest any part of the existing open space until Network Rail has vested of so much of the replacement land as is equivalent in area to the amount of the existing open space that is required by Network Rail for the authorised works.

(2) Upon Network Rail vesting so much of the existing open space as is required for the authorised works that land is discharged from all rights, trusts and incidents to which it was previously subject.

(3) Network Rail must lay out as replacement land (being so much of the replacement land which has been vested under paragraph (1)) before the existing open space has been permanently vested under paragraph (1).

(4) As soon as Cambridge City Council has certified that the land referred to in paragraph (3) has been laid out to its reasonable satisfaction that land is to vest (or be offered for vesting) in the relevant trustees of the Pemberton Trust and Cambridge City Council subject to the like rights, trusts and incidents attached to so much of the existing open space which has been vested under paragraph (1).

(5) In this article—

- (a) “the existing open space” means the land described as open space land and delineated orange on the deposited plan titled “Open Space and Exchange Land”;
- (b) “the relevant Trustees of the Pemberton Trust” means the freehold owner or owners (or any successor) of the existing open space as comprised in Plots 003,004a, 004b, 005a, 006b, 007, 014, 084a, 086 as further detailed in the Book of Reference; and
- (c) “the replacement land” means the land described as Exchange Land and delineated green on the deposited plan titled “Open Space and Exchange Land”.