

# SCHEDULES

## SCHEDULE 9

### PROTECTIVE PROVISIONS

#### PART 5

##### PROTECTION FOR NETWORK RAIL INFRASTRUCTURE LIMITED

**49.**—(1) Where under this Part of this Schedule Network Rail is required to give its consent or approval in respect of any matter, that consent or approval is subject to the condition that Network Rail complies with any relevant railway operational procedures and any obligations under its network licence or under statute.

(2) In so far as any specified work or the acquisition or use of railway property is or may be subject to railway operational procedures, Network Rail must—

- (a) co-operate with the undertaker with a view to avoiding undue delay and securing conformity as between any plans approved by the engineer and requirements emanating from those procedures; and
- (b) use its reasonable endeavours to avoid any conflict arising between the application of those procedures and the proper implementation of the authorised development pursuant to this Order.

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#### **Commencement Information**

**II** Sch. 9 para. 49 in force at 8.9.2022, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The A428 Black Cat to Caxton Gibbet Development Consent Order 2022, Paragraph 49.