
STATUTORY INSTRUMENTS

2024 No. 733

The A1 in Northumberland: Morpeth to
Ellingham Development Consent Order 2024

PART 3

STREETS

Temporary alteration, diversion, prohibition and restriction of the use of streets

16.—(1) The undertaker, during and for the purposes of carrying out the authorised development, may temporarily prohibit, restrict or regulate the use of any street and may for any reasonable time—

(a) divert the traffic from the street; and

(b) subject to paragraph (3), prevent all persons from passing along the street.

(2) Without limitation on the scope of paragraph (1), the undertaker may use any street from which traffic is temporarily prohibited, restricted or regulated under the powers conferred by this article and which is 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 alteration, diversion, prohibition or restriction of traffic on a street under this article if there would otherwise be no such access.

(4) Without limitation on the scope of paragraph (1), the undertaker may temporarily prohibit, restrict or regulate the use of the streets specified in columns (1) and (2) of Schedule 5 (public rights of way to be temporarily prohibited and for which a substitute is to be provided) to the extent specified in column (2) of that Schedule.

(5) The undertaker must not temporarily alter, divert prohibit or restrict the use of any street for which it is not the street authority without the consent of the street authority, which may attach reasonable conditions to any consent, but such consent must not be unreasonably withheld or delayed.

(6) 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, as if it were a dispute under Part 1 of the 1961 Act.

(7) If a street authority which receives an application for consent under paragraph (5) fails to notify the undertaker of its decision before the end of the period of 28 days beginning with the date on which the application was made, it is deemed to have granted consent.

(8) Any application for consent under paragraph (5) must include a statement that the provisions of paragraph (7) apply to that application.