
STATUTORY INSTRUMENTS

1995 No. 2446

The Trafford Park Railway Order 1995

PART II

WORKS PROVISIONS

Streets

Permanent stopping up of streets

4.—(1) Subject to the provisions of this article, the undertaker may permanently stop up the part of the street specified in columns (1) and (2) of Schedule 1 to this Order to the extent specified, by reference to the letters and numbers shown on the deposited plans, in column (3) of that Schedule.

(2) The street specified in columns (1) and (2) of Schedule 1 to this Order (being a street to be stopped up for which no substitute is to be provided) shall not be wholly or partly stopped up under this article unless the condition specified in paragraph (3) below is satisfied in relation to all the relevant land; and for this purpose “relevant land” means any land which abuts on either side of the street to be stopped up.

(3) The condition referred to in paragraph (2) above is that:

- (a) the undertaker is in possession of the land, or
- (b) there is no right of access to the land from the street concerned, or
- (c) there is reasonably convenient access to the land otherwise than from the street concerned,
or
- (d) the owners and occupiers of the land have agreed to the stopping-up.

Agreement with the street authority

5.—(1) The street authority and the undertaker may enter into agreements with respect to the stopping up of a street under the powers conferred by this Order.

(2) Such an agreement may, without prejudice to the generality of paragraph (1) above:

- (a) delegate to the street authority any function under this Order which relates to the street in question, and
- (b) contain such terms as to payment and otherwise as the parties consider appropriate.