



Requisitioned Land and War Works Act 1945

1945 CHAPTER 43 8 and 9 Geo 6

PART III

HIGHWAYS

15 Stopping up or diversion of highways.

- (1) Subject to the provisions of this Part of this Act and in particular to the provisions thereof relating to the publication of proposals and reference thereof to the Commission, where any highway has been stopped up or diverted in the exercise of emergency powers, the Minister of War Transport may, if he is satisfied that in the public interest it is necessary or expedient so to do, by order authorise the permanent stopping up or diversion of the highway.
- (2) An order under this section may provide for all or any of the following matters, that is to say,—
 - (a) for requiring, as a substitute for any highway stopped up under the order, the provision or improvement of another highway or other highways;
 - (b) for directing that any highway to be provided or improved, or any highway provided or improved before the making of the order, as a substitute for any highway stopped up under the order, shall be repairable by the inhabitants at large, and for specifying the authority which is to be the highway authority therefor;
 - (c) for directing that any highway to be provided or improved, or any highway provided or improved before the making of the order, as a substitute for a trunk road stopped up under the order shall itself be a trunk road for all or any of the purposes of the [^{F1MI}Trunk Roads Act, 1936][^{F1}provisions of the Roads (Scotland) Act 1984 relating to trunk roads];
 - (d) for the retention or removal of any cables, wires, mains or pipes placed along, across, over or under the stopped up or diverted highway, and for

Changes to legislation: There are currently no known outstanding effects for the Requisitioned Land and War Works Act 1945, Section 15. (See end of Document for details)

- the extinction, modification or preservation of any rights as to the use or maintenance of those cables, wires, mains or pipes;
- (e) if any highway other than the original highway is to be or has been provided or improved, or if the original highway is to be permanently diverted, for authorising or requiring the provision of cables, wires, mains or pipes laid along, across, over or under the said other highway, or, as the case may be, the highway as diverted, in lieu of any cables, wires, mains or pipes removed from the original highway, and for conferring rights as to the use or maintenance of cables, wires, mains or pipes so provided;
- (f) for requiring, out of moneys provided by Parliament or by specified authorities or persons—
- (i) the payment of, or the making of contributions in respect of, the cost of doing any work required to be done by the order or any increased expenditure to be incurred which is ascribable to the doing of any such work or to the provision or improvement, before the making of the order, of any highway as a substitute for any highway stopped up under the order; or
 - (ii) the repayment of, or the making of contributions in respect of, any compensation paid by the highway authority in respect of restrictions imposed under section one or section two of the ^{M2}Restriction of Ribbon Development Act, 1935, as respects any highway stopped up or diverted under the order.
- (3) An order under this section may contain such consequential, incidental and supplemental provisions as appear to the Minister to be necessary or expedient for the purposes of the order, including provisions authorising the compulsory acquisition of land.

Textual Amendments

- F1** Words provisions of the Roads (Scotland) Act 1984 relating to trunk roads substituted (S.) for Trunk Roads Act, 1936 by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), **Sch. 9 para. 33(2)**

Modifications etc. (not altering text)

- C1** [S. 15](#) applied by [Requisitioned Land and War Works Act 1948 \(c. 17\)](#), **s. 3(1)**; amended by [Requisitioned Land and War Works Act 1948 \(c. 17\)](#), **Sch. para. 6(1)**; extended by [Land Powers \(Defence\) Act 1958 \(c. 30\)](#), s. 9(1)(a)(3)(4), **Sch. 4**
- C2** [S. 15\(2\)\(a\)](#) amended by [Land Powers \(Defence\) Act 1958 \(c. 30\)](#), **s. 9(2)**

Marginal Citations

- M1** [1936 c. 5.](#)
- M2** [1935 c. 47.](#)

Changes to legislation:

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