



# Light Railways Act 1896

1896 CHAPTER 48 59 and 60 Vict

## 7 Consideration of application by Light Railway Commissioners.

- (1) Where an application for authorising a light railway under this Act is made to the Light Railway Commissioners, those Commissioners shall, in the first instance, satisfy themselves that all reasonable steps have been taken for consulting the local authorities, including [<sup>F1</sup>road authorities][<sup>F1</sup>local roads authorities (within the meaning of the Roads (Scotland) Act 1984)], through whose areas the railway is intended to pass, and the owners and occupiers of the land it is proposed to take, and for giving public notice of the application, and shall also themselves by local inquiry and such other means as they think necessary possess themselves of all such information as they may consider material or useful for determining the expediency of granting the application.
- (2) The applicants shall satisfy the Commissioners that they have—
  - (a) published once at least in each of two consecutive weeks, in some newspaper circulating in the area or some part of the area through which the light railway is to pass, an advertisement describing shortly the land proposed to be taken and the purpose for which it is proposed to be taken, naming a place where a plan of the proposed works and the lands to be taken, and a book of reference to the plan, may be seen at all reasonable hours, and stating the quantity of land required; and
  - (b) served notice in the prescribed manner on every reputed owner, lessee, and occupier of any land intended to be taken, describing in each case the land intended to be taken, and inquiring whether the person so served assents to or dissents from the taking of his land, and requesting him to state any objections he may have to his land being taken.

The plan and book of reference shall be in the prescribed form, and for the purposes of this section the expression “prescribed” shall mean prescribed by rules made under this Act.

- (3) The Commissioners shall before deciding on an application give full opportunity for any objections to the application to be laid before them, and shall consider all such objections, whether made formally or informally.

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**Changes to legislation:** There are currently no known outstanding effects for the Light Railways Act 1896, Section 7. (See end of Document for details)

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(4) If after consideration the Commissioners think that the application should be granted, they shall settle any draft order submitted to them by the applicants for authorising the railway, and see that all such matters (including provisions for the safety of the public and particulars of the land proposed to be taken) are inserted therein, as they think necessary for the proper construction and working of the railway.

(5) ..... F2

#### Textual Amendments

- F1** Words commencing “local roads authorities ...” substituted (S.) for “road authorities” by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), **Sch. 9 para. 16**
- F2** Ss. 4, 6, 7(5)(6), 8, 9(2)(5)(6) repealed by Railways Act 1921 (c. 55), **Sch. 9 Pt. I**

**Changes to legislation:**

There are currently no known outstanding effects for the Light Railways Act 1896, Section 7.