
STATUTORY INSTRUMENTS

2020 No. 511

The West Midlands Rail Freight Interchange Order 2020

PART 3

STREETS

Permanent stopping up of streets

10.—(1) Subject to the provisions of this article, the undertaker may, in connection with the carrying out of the authorised development, stop up permanently the street specified in column (2) Part 1 of Schedule 4 (streets to be permanently stopped up) to the extent specified in column (3) of that Part of that Schedule.

(2) Subject to the provisions of this article, the undertaker may, in connection with the carrying out of the authorised development, stop up permanently the street specified in column (2) Part 2 of Schedule 4 to the extent specified in column (3) of that Part of that Schedule.

(3) No street specified in column (2) of Parts 1 and 2 of Schedule 4 is to be wholly or partly stopped up under this article unless—

- (a) the new street to be substituted for it, which is specified in column (4) of Parts 1 and 2 of that Schedule, has been completed to the reasonable satisfaction of the relevant street authority and is open for use; or
- (b) a temporary alternative route for the passage of such traffic as could have used the street to be stopped up is first provided and subsequently maintained by the undertaker between the commencement and termination points for the stopping up of the street until the completion and opening of the new street in accordance with sub-paragraph (a).

(4) Where a street has been stopped up under paragraph (1) of this article—

- (a) all rights of way over or along the street so stopped up are extinguished; and
- (b) the undertaker may appropriate and use for the purposes of the authorised development so much of the street as is bounded on both sides by land owned by the undertaker.

(5) Any person who suffers loss by the suspension or extinguishment of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(6) This article is subject to article 37 (apparatus and rights of statutory undertakers in stopped up streets).

(7) The undertaker must provide to the local highway authority within 28 days of the stopping up of a length of street specified in column (2) of Parts 1 and 2 of Schedule 4 a plan to a scale of not less than 1:500 showing the extent of the stopping up.

Status:

Point in time view as at 25/05/2020. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The West Midlands Rail Freight Interchange Order 2020, Section 10.