



Airdrie-Bathgate Railway and Linked Improvements Act 2007

2007 asp 19

PART 1

WORKS, ETC.

Works

10 Permanent stopping up of roads

- (1) Subject to the provisions of this section, the authorised undertaker may, in connection with the construction of the authorised works, stop up each of the roads specified in columns (1) and (2) of Part 1 of schedule 3 to this Act to the extent specified (by reference to the letters and numbers shown on the Parliamentary plans) in column (3) of that Part.
- (2) No part of a road specified in Part 1 of schedule 3 to this Act in relation to which a substitute road is specified in column (4) of that Part shall be stopped up under this section until either—
 - (a) the substitute has been completed to the reasonable satisfaction of the roads authority and is open for public use; or
 - (b) a temporary alternative route is first provided and thereafter maintained by the authorised undertaker to the reasonable satisfaction of the roads authority between commencement and termination points of the road to be stopped up until completion of the new road in accordance with paragraph (a).
- (3) Where any part of a road has been stopped up under this section—
 - (a) all rights of way over or along the stopped up part of the road shall be extinguished; and
 - (b) the authorised undertaker may, without making any payment, appropriate and use for the purposes of the authorised works so much of the site of the road as is bounded on both sides by land within the limits of deviation of the authorised works.

Status: This is the original version (as it was originally enacted).

- (4) Any person who suffers loss by the extinguishment of any private right of way under this section shall be entitled to compensation to be determined, in case of dispute, under the 1963 Act.
- (5) Any dispute under subsection (2) as to the completion of a substitute road or the provision or maintenance of an alternative route shall, unless the authorised undertaker and the roads authority otherwise agree, be determined by arbitration.
- (6) This section is subject to paragraph 2 of schedule 7 to this Act.