



# Leeds Supertram Act 1993

## 1993 CHAPTER xv

### PART II

#### WORKS

#### 19 Stopping up highways in case of diversion or substitution

- (1) Except as provided in section 18 of this Act, where this Act authorises the making of a new road, either by way of diversion of, or in substitution for, an existing road which is a highway and the stopping up of such existing road or portion thereof, the stopping up of the existing road shall not, in either case, take place until the highway authority are satisfied that the new road has been completed in accordance with their reasonable requirements and is open for public use or, in the case of any difference between the Executive and the highway authority as to whether the said requirements have been complied with or as to their reasonableness, until the matter in dispute has been determined by arbitration and the new road has been completed accordingly.
- (2) Before referring the matter to arbitration under this section the Executive shall give to the highway authority 7 days' notice in writing of their intention to do so.
- (3) As from the completion of the new road to the satisfaction of the highway authority or, in the case of dispute, according to the decision of the arbitrator, all rights of way over or along the existing road, or portion thereof, authorised to be diverted or stopped up shall be extinguished, and the Executive may, without making any payment therefor, but subject to the provisions of the Act of 1845 incorporated with this Act with respect to mines lying under or near the railways, appropriate and use for the purposes of their undertaking the site of the road, or portion thereof, diverted or stopped.
- (4) Any person who suffers loss by the extinguishment of any private right under subsection (3) above shall be entitled to be paid by the Executive compensation to be determined, in case of dispute, under and in accordance with Part I of the Land Compensation Act 1961.