



# British Railways Act 1993

## 1993 CHAPTER iv

### PART II

#### WORKS, ETC.

##### *General works provisions*

#### **17 Stopping up highways in case of diversion or substitution**

- (1) Where this Act authorises the making of a new highway, either by way of diversion of, or in substitution for, an existing highway and the stopping up of an existing highway or part thereof, the stopping up of the existing highway shall not in either case take place until—
  - (a) the highway authority are satisfied that the new highway has been completed in accordance with their reasonable requirements and is open for public use; or
  - (b) in the case of any difference between the Board and the highway authority as to whether the said requirements have been complied with or as to their reasonableness, the matter in dispute has been referred to and settled by arbitration.
- (2) Before referring a matter to arbitration under this section, the Board shall give to the highway authority seven days' notice in writing of their intention to do so.
- (3) As from the completion of the new highway to the satisfaction of the highway authority or, in case of dispute, in accordance with the decision of the arbitrator, all rights of way over or along the existing highway or part thereof authorised to be diverted or stopped up shall be extinguished.
- (4) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Board compensation, to be determined in case of dispute by the tribunal.