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STATUTORY INSTRUMENTS

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**1996 No. 2714**

**The Greater Manchester (Light Rapid Transit System) (Eccles Extension) Order 1996**

**PART II**

**WORKS PROVISIONS**

*Streets*

**Permanent stopping up of streets**

**10.**—(1) Subject to the provisions of this article, the undertaker may, in connection with the construction of the authorised works, permanently stop up each of the streets specified in columns (1) and (2) of Part I and Part III of Schedule 4 to this Order and permanently stop up vehicular rights of access and egress in each of the streets mentioned in columns (1) and (2) of Part II of that Schedule to the extent specified, by reference to the letters and numbers shown on the works plans, in column (3) of Parts I, II and III of that Schedule.

(2) No street specified in columns (1) and (2) of Part I of Schedule 4 (being a street to be stopped up for which a substitute is to be provided) shall be wholly or partly stopped up under this article until the new street to be substituted for it, and which is specified in relation to it by reference to one of the scheduled works in column (4) of that Part of that Schedule, has been completed to the reasonable satisfaction of the street authority and is open for use.

(3) Where a street has been the subject of a permanent stopping up under this article—

- (a) all rights of way (or in the case of a street specified in Part II of Schedule 4 to this Order all vehicular rights of way) over or along that street shall be extinguished, and
- (b) the undertaker may, without making any payment but subject to the provisions of sections 77 to 85E of, and Schedules 1 to 3 to, the Railways Clauses Consolidation Act 1845 (which, as incorporated by this Order, relate to minerals under the authorised tramroads), appropriate and use for the purposes of its transit system undertaking so much of the site of the street as is bounded on both sides by land owned by the undertaker.

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

(5) This article is subject to paragraph 2 of Schedule 9 to this Order.