
STATUTORY INSTRUMENTS

1998 No. 3269

**The Tyne and Wear Passenger
Transport (Sunderland) Order 1998**

PART II

WORKS PROVISIONS

Principal powers

Stopping up of streets and extinguishment of rights

9.—(1) Subject to the provisions of this article, the undertaker may, in connection with the construction of the authorised works, stop up each of the streets mentioned in columns (1) and (2) of Parts I and II of Schedule 3 to this Order and extinguish all rights to use vehicles (other than unpowered cycles) in the street mentioned in columns (1) and (2) of Part III of that Schedule to the extent specified, by reference to the letters and numbers shown on the deposited 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 3 to this Order (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 either by reference to the letters and numbers shown on the deposited plans, or 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) No street specified in columns (1) and (2) of Part II of Schedule 3 to this Order (being a street to be stopped up for which no substitute is to be provided) shall be wholly or partly stopped up under this article unless all the land which abuts on it falls within one or more of the following categories, namely—

- (a) land to which there is no right of access directly from the street or part to be stopped up,
- (b) land to which there is reasonably convenient access otherwise than directly from the street or part to be stopped up,
- (c) land the owners and occupiers of which have agreed to the stopping up of the street or part, and
- (d) land which is in the possession of the undertaker.

(4) Where a street has been stopped up under this article the undertaker may, without making any payment, appropriate and use for the purposes of the Sunderland extension so much of the site of the street as is bounded on both sides by land owned by the undertaker.

(5) 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).

(1) 1961 c. 33.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) This article is subject to paragraph 2 of Schedule 10 to this Order.