
STATUTORY INSTRUMENTS

2016 No. 1035

The Transport for Greater Manchester (Light Rapid Transit System) (Trafford Park Extension) Order 2016

PART 2

WORKS PROVISIONS

Streets

Stopping up of streets

13.—(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 specified in column (1) of Parts 1, 2 and 3 of Schedule 3 (streets to be stopped-up) to the extent specified, by reference to the letters and numbers shown on the works and land plans, in column (2) of those Parts of that Schedule.

(2) No street specified in column (1) of Parts 1 and 2 (being a street, footpath or bridleway to be stopped up for which a substitute is to be provided) of Schedule 3 is to be wholly or partly stopped up under this article unless—

- (a) the new street to be substituted for it, which is specified in column (3) of those Parts of that Schedule, has been completed to the reasonable satisfaction of the street authority and is open for use; or
- (b) a temporary alternative route for the passage of such traffic as could have used the street to be stopped up is first provided and subsequently maintained by the undertaker, to the reasonable satisfaction of the street authority, between the commencement and termination points for the stopping up of the street until the completion and opening of the new street in accordance with sub-paragraph (a).

(3) No street specified in column (1) of Part 3 (being a street to be stopped up for which no substitute is to be provided) of Schedule 3 is to be wholly or partly stopped up under this article unless the condition specified in paragraph (4) is satisfied in relation to all the land which abuts on either side of the street to be stopped up.

(4) The condition referred to in paragraph (3) is that—

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

(5) Where a street has been stopped up under this article—

- (a) all rights of way over or along the street so stopped up are extinguished; and

Status: This is the original version (as it was originally made).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

- (b) the undertaker may appropriate and use for the purposes of its tramway undertaking so much of the site of the street as is bounded on both sides by land owned by the undertaker.
- (6) Any person who suffers loss by the suspension or extinguishment of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.