



# Stirling-Alloa-Kincardine Railway and Linked Improvements Act 2004

2004 asp 10

## PART 1

### WORKS ETC.

#### *Works*

#### **8 Level crossings**

- (1) The authorised undertaker may—
  - (a) construct or refurbish; and
  - (b) maintain,the level crossings described in Part 1 of schedule 4 to this Act (“the continuing level crossings”).
- (2) In the exercise of the powers conferred by subsection (1) above the authorised undertaker may alter or interfere with the level of any road mentioned in Part 1 of schedule 4 to this Act.
- (3) Subject to subsection (4) below, the authorised undertaker may at or near the continuing level crossings provide, maintain and operate such automatic or other barriers, lights and automatic or other equipment or devices as may be necessary for the maintenance of railway safety.
- (4) Nothing in subsection (3) above enables the authorised undertaker to provide any equipment otherwise than in accordance with any requirement of the Secretary of State made under any enactment.
- (5) The authorised undertaker shall stop up and discontinue the level crossings or former level crossings described in Part 2 of schedule 4 to this Act and on such stopping up and discontinuance all rights of way across and on the level of those crossings shall be extinguished.
- (6) The authorised undertaker shall not exercise the powers conferred by subsection (5) above—

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**Changes to legislation:** There are currently no known outstanding effects for the Stirling-Alloa-Kincardine Railway and Linked Improvements Act 2004, Section 8. (See end of Document for details)

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- (a) in relation to the crossing at Grange Road, Abbey Craig, until Work No. 1B is open to the public and the authorised undertaker has completed the refurbishment of Waterside level crossing;
  - (b) in relation to the level crossing at Grange Road, Alloa, until Work No. 1C is open to pedestrians; and
  - (c) in relation to the level crossing at Hilton Road, Alloa, until such time as the authorised undertaker requires possession of the crossing for the purpose of constructing Work No. 1G.
- (7) Any person who suffers loss by the extinguishment of any private right of way over any of the level crossings described in Part 2 of schedule 4 to this Act shall be entitled to compensation, the amount of such compensation to be determined, in case of dispute, under the 1963 Act.
- (8) On a level crossing to which this section applies being—
- (a) constructed or refurbished under subsection (1) above; or
  - (b) stopped up and discontinued under subsection (5) above,
- the enactments mentioned in Part 3 of schedule 4 to this Act shall cease to apply to that crossing.

**Changes to legislation:**

There are currently no known outstanding effects for the Stirling-Alloa-Kincardine Railway and Linked Improvements Act 2004, Section 8.