***Changes to legislation:** There are currently no known outstanding effects for the Edinburgh Tram (Line Two) Act 2006, Cross Heading: Apparatus of statutory undertakers, etc. in stopped up roads. (See end of Document for details)*

SCHEDULE 9

PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.

Apparatus of statutory undertakers, etc. in stopped up roads

2 (1) Where a road is stopped up under section 6 (Permanent stopping up of roads) any statutory undertaker whose apparatus is under, in, upon, over, along or across the road shall have the same powers and rights in respect of that apparatus, subject to the provisions of this paragraph, as if this Act had not been passed.

(2) Where a road is stopped up under section 6 any statutory undertaker whose apparatus is under, in, upon, over, along or across the road may, and if reasonably requested to do so by the authorised undertaker, shall—

(a) remove the apparatus and place it or other apparatus provided in substitution for it in such other position as the undertaker may reasonably determine and have power to place it, or

(b) provide other apparatus in substitution for the existing apparatus and place it in such a position.

(3) The allowable costs of the relocation works shall be—

(a) determined in accordance with section 144 (Sharing costs of necessary measures) of the 1991 Act and any regulations for the time being having effect under that section, and

(b) borne by the authorised undertaker and the statutory undertaker in such proportions as may be prescribed by any such regulations.

(4) In this paragraph—

"apparatus" has the same meaning as in Part IV of the 1991 Act;

"relocation works" means works executed, or apparatus provided, under sub-paragraph (2); and

"statutory undertaker" has the same meaning as in the Roads (Scotland) Act 1984 (c. 54).

Changes to legislation:
There are currently no known outstanding effects for the Edinburgh Tram (Line Two) Act 2006, Cross Heading: Apparatus of statutory undertakers, etc. in stopped up roads.