



# Forth Crossing Act 2011

## 2011 asp 2

### PART 7

#### STATUTORY UNDERTAKERS

#### **61 Apparatus in stopped up roads**

- (1) A statutory undertaker (within the meaning of the 1984 Act)—
  - (a) has the same powers and rights as if this Act had not been enacted in respect of its apparatus which is under, in, on, over, along or across a road stopped up under section 14, and
  - (b) also has the power to—
    - (i) remove any such apparatus and place it (or other equivalent apparatus) in such other position as the undertaker has power to place it, or
    - (ii) place other equivalent apparatus in such a position.
- (2) A statutory undertaker must exercise the power conferred by subsection (1)(b) if the owner of the land concerned reasonably requests it do so.
- (3) Section 144 of the 1991 Act and regulations under that section apply to measures taken under subsection (1)(b) as they apply to measures mentioned in section 144 (with references to the authority to be read as references to Ministers).

#### **Commencement Information**

- II** [S. 61](#) in force at 18.3.2011 by [S.S.I. 2011/38](#), [art. 2](#), [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Forth Crossing Act 2011, Section 61.