



Edinburgh Tram (Line Two) Act 2006

2006 asp 6

PART 1

WORKS

Supplemental powers

7 Temporary stopping up of roads

- (1) The authorised undertaker, during and for the purposes of the execution of the authorised works, may temporarily stop up, alter or divert any road and may for any reasonable time—
 - (a) divert the traffic from the road, and
 - (b) subject to subsection (3), prevent all persons from passing along the road.
- (2) Without prejudice to the generality of subsection (1), the authorised undertaker may use any road stopped up under the powers conferred by this section as a temporary working site.
- (3) The authorised undertaker shall provide reasonable access for pedestrians going to or from premises abutting on a road affected by the exercise of the powers conferred by this section if there would otherwise be no such access.
- (4) Without prejudice to the generality of subsection (1), the authorised undertaker may exercise the powers conferred by this section in relation to the roads specified in columns (1) and (2) of schedule 4 to the extent specified, by reference to the letters and numbers shown on the Parliamentary plans, in column (3) of that schedule.
- (5) The authorised undertaker shall not exercise the powers conferred by this section—
 - (a) in relation to any road specified as mentioned in subsection (4) without first consulting the road works authority, and
 - (b) in relation to any other road without the consent of the road works authority, but such consent shall not be unreasonably withheld.
- (6) The provisions of the 1991 Act mentioned in subsection (7) and any regulations made, or code of practice issued or approved under, those provisions shall apply (with the necessary modifications) in relation to the stopping up, alteration or diversion of a

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road by the authorised undertaker under the powers conferred by this section even where no road works are executed in that road.

- (7) The provisions of the 1991 Act referred to in subsection (6) are—
- (a) section 113 (Advance notice of certain works);
 - (b) section 114 (Notice of starting of works);
 - (c) section 118 (General duty of road works authority to co-ordinate works);
 - (d) section 128 (Works likely to affect other apparatus in the road);
 - (e) section 135 (Liability for cost of temporary traffic regulation);
 - (f) section 136 (Liability for cost of use of alternative route); and
 - (g) all other such provisions as apply for the purposes of the provisions mentioned above.
- (8) Any person who suffers loss by the suspension of any private right of way under this section shall be entitled to compensation to be determined, in the case of dispute, under the 1963 Act.

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