

SCHEDULES

SCHEDULE 4

HIGHWAYS

PART 2

INTERFERENCE WITH HIGHWAYS

Stopping up

- 2 (1) The nominated undertaker may, for the purposes of or in connection with the construction of the works authorised by this Act, stop up each highway or part of a highway specified in table 1 or 2 in Schedule 5.
- (2) Where a highway or part of a highway is specified in table 1 in Schedule 5, it may not be stopped up under sub-paragraph (1) unless all of the land which abuts on it falls within one or more of the following categories, namely—
- (a) land to which there is no right of access directly from the highway or part to be stopped up;
 - (b) land to which there is reasonably convenient access otherwise than directly from the highway or part to be stopped up;
 - (c) land the owners and occupiers of which have agreed to the stopping up of the highway or part;
 - (d) land which is in the possession of the Secretary of State.
- (3) Where a highway or part of a highway is specified in columns (1) and (2) of table 2 in Schedule 5—
- (a) it may not be stopped up under sub-paragraph (1) until the date on which the new highway to be provided in substitution for the highway or part, as specified in column (3) of table 2, is first open for public use, but
 - (b) the nominated undertaker may, at any time before that date, temporarily stop up so much of the highway or part as is within the Act limits for the purposes of or in connection with the provision of the new highway to be provided in substitution for the highway or part.
- (4) Before exercising the power conferred by sub-paragraph (3)(b) in relation to a highway or part of a highway, the nominated undertaker must consult the highway authority.
- (5) The purpose of consultation under sub-paragraph (4) is to ensure public safety and, so far as reasonably practicable, to reduce public inconvenience.
- (6) Where a new highway specified in column (3) of table 2 in Schedule 5 is provided in exercise of the powers conferred by this Act, the date on which the new highway is first open for public use is to be taken for the purposes of sub-paragraph (3) to be—

Changes to legislation: There are currently no known outstanding effects for the High Speed Rail (West Midlands - Crewe) Act 2021, Paragraph 2. (See end of Document for details)

- (a) where a date has been determined in relation to the highway under paragraph 17(6), the date so determined, and
 - (b) where it has not, the date certified under paragraph 17(5).
- (7) There is no need to reinstate a highway or part of a highway in relation to which the power conferred by sub-paragraph (3)(b) has been exercised where the exercise of the power comes to an end on the exercise, in relation to the highway or part, of the power under sub-paragraph (1).

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