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STATUTORY INSTRUMENTS

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**2005 No. 927**

**The Midland Metro (Wednesbury to Brierley Hill  
and Miscellaneous Amendments) Order 2005**

**PART 2**

**WORKS PROVISIONS**

*Streets*

**Closure of level crossings**

**21.**—(1) The Executive may, in connection with the construction of the authorised works, stop up—

- (a) so much of footpath FP82 in Sandwell as lies between points AP and AQ; and
- (b) so much of Bagnall Street and Eagle Lane in Sandwell as lies between points AT and AU.

(2) On a highway or part of a highway being stopped up under this article—

- (a) all rights of way over or along it shall be extinguished;
- (b) the place where the former highway crossed a railway shall cease to be a level crossing for the purposes of any enactment.

(3) The Executive shall not exercise the powers conferred by paragraph (1)(a) until a new footpath has been provided between points AP and AR and between points AS and AQ, and a footbridge has been provided between points AR and AS.

(4) The Executive shall not exercise the powers conferred by paragraph (1)(b) until a new footpath and cycleway has been provided between points AU and AV, and a foot and cycle bridge has been provided between points AT and AV.

(5) The Executive may postpone—

- (a) the exercise of the powers conferred by sub-paragraph (a) of paragraph (1) until such time as railway services for the carriage of freight are, or are to be, re-established by Network Rail Infrastructure Limited (or another holder of a licence under section 8 of the 1993 Act) on a railway line also crossing the part of footpath FP82 in Sandwell referred to in that sub-paragraph; and
- (b) the exercise of the powers conferred by sub-paragraph (b) of paragraph (1) until such time as services are, or are to be, so re-established on a railway line also crossing the part of Bagnall Street or Eagle Lane in Sandwell referred to in that sub-paragraph;

and if it does so, until those powers are exercised, footpath FP82 in Sandwell and (as the case may be) Bagnall Street and Eagle Lane in Sandwell shall be treated for the purposes of article 20 as if they were specified in Schedule 6 to this Order.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(6) Any person who suffers loss by the extinguishment or suspension of any private right of way under this article shall be entitled to compensation to be determined, in case of dispute, under Part I of the Land Compensation Act 1961<sup>(1)</sup>.

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<sup>(1)</sup> 1961 c. 33.