



# Stirling-Alloa-Kincardine Railway and Linked Improvements Act 2004

2004 asp 10

## PART 1

### WORKS ETC.

#### *Supplemental powers*

#### **11 Temporary stopping up, alteration or diversion of roads**

- (1) During and for the purposes of the execution of the authorised works the authorised undertaker 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 (2) below, prevent all persons from passing along the road.
- (2) 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.
- (3) Without prejudice to the generality of subsection (1) above, the authorised undertaker may temporarily stop up, alter or divert Dirleton Gardens, Alloa between points B and C shown on sheet 15 of the Parliamentary plans and may for any reasonable time—
  - (a) divert the traffic from the road; and
  - (b) subject to subsection (2) above, prevent all persons from passing along the road.
- (4) The authorised undertaker shall not exercise the powers conferred by this section—
  - (a) in relation to any road specified as mentioned in subsection (3) above, without first consulting the road works authority; and
  - (b) in relation to any other road, without the consent of the road works authority.
- (5) Consent under subsection (4)(b) above shall not be unreasonably withheld but may be given subject to such reasonable conditions as the road works authority may require.

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**Status:** This is the original version (as it was originally enacted).

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(6) Any question whether—

- (a) consent under subsection (4)(b) above has been unreasonably withheld; or
  - (b) a condition imposed under subsection (5) above is unreasonable,
- shall be determined by arbitration.