



Midland Metro Act 1993

CHAPTER v

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ELIZABETH II**1993 CHAPTER v**

An Act to empower the West Midlands Passenger Transport Executive to construct works at Chelmsley Wood in the Metropolitan Borough of Solihull for their light rail rapid passenger transport system; to authorise the acquisition of lands for that purpose; to confer further powers upon the Executive; and for related purposes. [27th May 1993]

WHEREAS—

(1) Under the Transport Acts 1968 and 1985 it is the general duty of the West Midlands Passenger Transport Executive, otherwise known as Centro, (hereinafter called “the Executive”) to secure the provision of public passenger transport services for meeting public transport requirements of their area in accordance with general policies formulated by the West Midlands Passenger Transport Authority:

(2) By the Midland Metro Acts 1989 to 1992 the Executive are authorised to construct works forming the first, second and third stages in the development of a light rail rapid transit network in the West Midlands area, and provision is made in the Midland Metro (No. 3) Bill deposited in the Session of Parliament 1991/92 for the further extension of that network and the construction of certain works in substitution for works authorised by those Acts:

1992 c. vii. (3) It is expedient that the Executive should be empowered to construct the works authorised by this Act in Chelmsley Wood in the Metropolitan Borough of Solihull for the completion of the route between the central area of Birmingham and Birmingham International Airport for which provision is made in the Midland Metro Act 1992:

(4) It is expedient that the other powers in this Act, including powers for the compulsory acquisition of land or rights in land for the purposes of the said works, should be conferred upon the Executive and that the other provisions in this Act should be enacted:

(5) The purposes of this Act could not have been effected without the authority of Parliament when the Bill for this Act was deposited:

(6) Plans and sections showing the lines or situations and levels of the works to be constructed under this Act and plans of the lands authorised to be acquired or used by this Act, and a book of reference to such plans containing the names of the owners and lessees, or reputed owners and lessees, and the occupiers of the said lands, were deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the proper officers of the Solihull Metropolitan Borough Council, the North Warwickshire Borough Council and the Warwickshire County Council, which plans, sections and book of reference are respectively referred to in this Act as “the deposited plans”, “the deposited sections” and “the deposited book of reference”:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

PRELIMINARY

- Short title. 1.—(1) This Act may be cited as the Midland Metro Act 1993.
1989 c. xv.
1991 c. ii.
1992 c. viii.
- (2) The Midland Metro Act 1989, the Midland Metro (Penalty Fares) Act 1991, the Midland Metro Act 1992, the Midland Metro (No. 2) Act 1992 and this Act may be cited together as the Midland Metro Acts 1989 to 1993.
- Interpretation. 2.—(1) In this Act, unless the context otherwise requires, the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have the same respective meanings; and—
“Act of 1989” means the Midland Metro Act 1989;
“No. 1 Act of 1992” means the Midland Metro Act 1992;
“No. 2 Act of 1992” means the Midland Metro (No. 2) Act 1992;
1993 c. vi. “No. 2 Act of 1993” means the Act for which the Midland Metro (No. 3) Bill was deposited in the Session of Parliament 1991/92;
“authorised railway” means any railway authorised by this Act including, where the context so admits, any railway adapted for use as part of the Metro;
“authorised works” means the works authorised by this Act;
“existing” means existing at the commencement of this Act;

“limits of deviation” means the limits shown on the deposited plans and, where in the case of a work in any street no such limits are shown for that work, the boundaries of the street (including any verge or roadside waste adjoining it);

PART I
—cont.

“Metro” means the light rail transit system comprising the railways authorised by the Midland Metro Acts 1989 to 1993, including such railways designated as tramways, and all works and conveniences provided in connection with any of those railways, as that system is constructed, extended or altered from time to time;

“statutory undertakers” means a licence holder under Part I of the Electricity Act 1989, a public gas supplier within the meaning of Part I of the Gas Act 1986 and a water undertaker within the meaning of the Water Industry Act 1991, or any of them as the case may be;

1989 c. 29.
1986 c. 44.
1991 c. 56.

“street” has the meaning given by section 329 of the Highways Act 1980 and includes a bridleway, cycle track or footpath as defined in the said section 329 and any way laid out or used as a cycleway;

1980 c. 66.

“tramway” means a railway, or any part of a railway, authorised by the Midland Metro Acts 1989 to 1993 and therein designated as a tramway;

and the following expressions have the same meanings as in the Act of 1989:—

“the Act of 1845”;
“the Act of 1965”;
“enactment”;
“the Executive”;
“land”.

(2) Unless the context otherwise requires, any reference in this Act to a work identified by the number of the work shall be construed as a reference to the work of that number authorised by this Act.

(3) (a) In this Act, except as mentioned in paragraph (b) below, all distances and lengths stated in any descriptions of works, powers or lands shall be construed as if the words “or thereabouts” were inserted after each such distance and length, and distances between points on a railway shall be taken to be measured along the railway.

(b) This subsection does not apply to distances or lengths stated in section 5 (Power to deviate) of this Act.

(4) Any reference in this Act to rights over land includes reference to the right to do or to place and maintain anything in, on or under the land, or in the air space above its surface.

(5) Reference in this Act to access to any place includes egress from that place.

3.—(1) The following provisions of the Act of 1989 (which incorporate or apply enactments for the purposes of that Act) shall, so far as they have effect at the commencement of this Act, have effect as if the references in those provisions to that Act included this Act:—

Incorporation or application of enactments.

section 3 (Incorporation and application of enactments relating to railways);

section 4 (Application of Tramways Act 1870);

1870 c. 78.

PART I
—cont.
1950 c. 39.
1984 c. 27.
1965 c. 56.
1978 c. 30.

section 5 (Application of provisions of Public Utilities Street Works Act 1950 and Road Traffic Regulation Act 1984); and

section 6 (Application of Part I of Compulsory Purchase Act 1965).

(2) In accordance with section 20 (2) of the Interpretation Act 1978, the reference in subsection (1) above to section 5 of the Act of 1989 is to that section as amended by section 14 (Amendment of Act of 1989 consequential on New Roads and Street Works Act 1991) of this Act.

PART II

WORKS

Additional and substituted works and powers exercisable in Solihull.

4.—(1) Subject to the provisions of this Act the Executive may —

- (a) in the lines or situations shown on the deposited plans and according to the levels shown on the deposited sections, make and maintain the works in the Metropolitan Borough of Solihull and in the Borough of North Warwickshire in the County of Warwickshire specified in Part I of Schedule 1 to this Act, with all necessary works and conveniences connected therewith; and
- (b) in so far as the same are shown on the deposited plans and sections, in the lines or situations and according to the levels so shown, carry out the further works, with all necessary works and conveniences connected therewith, and exercise the further powers, in the Metropolitan Borough of Solihull and in the Borough of North Warwickshire in the County of Warwickshire described in Part II of the said Schedule 1.

(2) The Executive shall cease to have the powers to make and maintain the works, or to exercise the further powers, in the Metropolitan Borough of Solihull specified in Part III of the said Schedule 1.

Power to deviate.

5. In the execution of the authorised works the Executive may, except as may be otherwise provided by this Act, deviate from the lines or situations thereof shown on the deposited plans to the extent of the limits of deviation, and deviate vertically from the levels shown on the deposited sections to any extent not exceeding 3 metres upwards and to such extent downwards as may be found necessary or convenient.

Level crossings.

6.—(1) The Executive may carry the authorised railways with a single or double line across and on the level of each of the highways specified in Schedule 2 to this Act.

(2) In the exercise of the powers of subsection (1) above, the Executive may alter or interfere with the level of any highway upon which any railway or associated work is to be laid.

Plans to be approved by Secretary of State.

7.—(1) Before constructing any of the authorised railways the Executive shall submit to the Secretary of State for his approval plans, sections and particulars of their proposals concerning —

- (a) permanent way or track and stations;
- (b) signalling; and
- (c) lighting.

(2) Any such works shall be constructed and maintained in accordance with plans, sections and particulars approved by the Secretary of State.

8.—(1) The following provisions of the Act of 1989 and the No. 1 Act of 1992 relating to works shall, subject to the modifications specified in subsection (2) below and any other necessary modifications, apply to the works authorised by this Act as they apply to works authorised by those Acts:—

PART II
—cont.
Application of
works provisions
of Midland
Metro Acts.

In the Act of 1989—

- section 9 (Requirements applicable to tramways);
- section 12 (Provision of accommodation for apparatus);
- section 15 (Gauge of railways and restrictions on working);
- section 17 (Transport consultative committee);
- section 18 (Temporary stoppage of highways);
- section 20 (Stopping up streets and footpaths in case of diversion or substitution);
- section 21 (Provisions as to repair of streets, footpaths, etc.);
- section 22 (Underpinning of houses near works);
- section 23 (Use of sewers, etc., for removing water);
- section 24 (Attachment of brackets, etc., to buildings for purposes of works); and
- section 25 (Provisions as to use of electrical energy):

In the No. 1 Act of 1992—

- subsection (3) of section 4 (Power to make works);
- subsections (2) to (7) of section 5 (Further works and powers);
- section 6 (Subsidiary works); and
- subsection (3) of section 8 (Level crossings).

(2) For the purposes of this section—

- (a) in the said section 9 of the Act of 1989, for the reference in subsection (3) (a) (ii) to section 8 (4) of that Act, there shall be substituted reference to section 5 (4) of the No. 1 Act of 1992 as applied in this Act;
- (b) in the said section 12 of the Act of 1989, for the reference to section 11 of that Act, there shall be substituted reference to section 6 of the No. 1 Act of 1992 as applied in this Act;
- (c) in the said section 18 of the Act of 1989—
 - (i) for the reference to streets within the meaning of that Act, there shall be substituted reference to streets within the meaning of this Act; and
 - (ii) for the references to the limits of deviation and to the deposited plans within the meaning of that Act, there shall be substituted references to the limits of deviation and the deposited plans within the meaning of this Act;
- (d) in subsection (1) of the said section 23 of the Act of 1989, for the reference to the limits of deviation within the meaning of that Act, there shall be substituted reference to the limits of deviation within the meaning of this Act;
- (e) in the said section 6 of the No. 1 Act of 1992, for the reference to the limits of deviation within the meaning of that Act, there shall be substituted reference to the limits of deviation within the meaning of this Act; and

PART II
—cont.

(f) in subsection (3) of the said section 8 of the No. 1 Act of 1992, for the reference to subsection (1) of that section, there shall be substituted reference to subsection (1) of section 6 of this Act.

PART III

LANDS

Power to acquire
lands.

9. Subject to the provisions of this Act the Executive may enter upon, take and use—

- (a) so much of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of the authorised works or for any purpose connected with, or ancillary to, their undertaking; and
- (b) so much of the lands specified in columns (2) and (3) of Schedule 3 to this Act shown on the deposited plans within limits of land to be acquired or used as they may require for the purpose specified in column (1) of that Schedule.

Temporary
possession of
lands.

10.—(1) Subject to the provisions of this section the Executive may take temporary possession of and use any of the land within the limits of deviation for any of the authorised works for the provision of working sites and access for construction purposes.

(2) Not less than 28 days before entering upon and taking temporary possession of any land under this section the Executive shall give notice to the owners and occupiers of the land.

(3) (a) The Executive shall not, without the agreement of the owners and occupiers, remain in possession of any part of any land of which they take temporary possession under this section after a period of 18 months from the completion of the work of construction for which possession was required.

(b) Before giving up possession of any such land, the Executive shall remove all temporary works and restore the land to the reasonable satisfaction of its owners and occupiers.

(4) The Executive shall not be empowered to purchase compulsorily, or be required to purchase, any land of which they take temporary possession under this section.

(5) (a) The Executive shall compensate the owners and occupiers of any land of which they take temporary possession under this section for any loss or damage which may result to them by reason of the exercise of the powers of this section in relation to that land.

(b) Nothing in this section shall relieve the Executive from liability to compensate under section 6 or 43 of the Act of 1845 or section 10 (2) of the Act of 1965 as incorporated or applied in this Act, or under any other enactment, in respect of loss or damage arising from the execution of any works, other than loss or damage for which compensation is payable under paragraph (a) above.

1961 c. 33.

(6) Every case of compensation to be ascertained under this section shall be ascertained under the provisions of the Land Compensation Act 1961.

Application of
land purchase
provisions of Act
of 1989.

11.—(1) The following provisions of the Act of 1989 relating to the acquisition of lands or rights thereover shall, subject to the modifications specified in subsection (2) below and any other necessary modifications,

apply for the purposes of this Act to the lands delineated on the deposited plans and described in the deposited book of reference as they apply for the purposes of that Act to the lands referred to in those provisions: —

PART III
—cont.

- section 27 (Extinction of private rights of way);
- section 28 (Power to acquire new rights);
- section 29 (Acquisition of part only of certain properties);
- section 30 (Disregard of recent improvements and interests);
- section 31 (Set-off for enhancement in value of retained land);
- section 33 (Correction of errors in deposited plans and book of reference); and
- Schedule 5—Adaptation of Part I of the Compulsory Purchase Act 1965.

1965 c. 56.

(2) For the purposes of this section —

- (a) in subsection (2) of the said section 28, for the reference to the works authorised by the Act of 1989, there shall be substituted reference to the works authorised by this Act;
- (b) in the said section 31, any reference to works authorised by the Act of 1989 shall include reference to works authorised by the No. 1 Act of 1992, the No. 2 Act of 1992 and this Act; and
- (c) in the said section 33, for references to the deposited plans and the deposited book of reference within the meaning of the Act of 1989, there shall be substituted references to the deposited plans and the deposited book of reference within the meaning of this Act.

12.—(1) The powers of the Executive for the compulsory acquisition of the lands and rights which they are authorised to acquire by this Part of this Act shall not be exercised after the expiration of five years from the passing of this Act.

Period of compulsory purchase of lands or rights.

(2) The powers of the Executive for the compulsory acquisition of the said lands and rights shall, for the purposes of this section, be deemed to have been exercised if notice to treat has been served in respect of those lands and rights.

PART IV

PROTECTIVE PROVISIONS

13.—(1) The following protective provisions of the Act of 1989 and the No. 1 Act of 1992 shall, so far as applicable and subject to the modifications specified in subsection (2) below and any other necessary modifications, apply for the purposes of this Act as they apply for the purposes of those Acts: —

Application of protective provisions of Midland Metro Acts.

in the Act of 1989 —

- section 36 (Notice to police);
- section 37 (As to highways, traffic, etc.);
- section 40 (For protection of public sewers);
- section 41 (For protection of certain statutory undertakers);
- section 42 (For protection of telecommunications operators);
- and
- section 43 (Crown rights);

in the No. 1 Act of 1992 —

- section 21 (For protection of National Rivers Authority).

PART IV
—cont.

- (2) For the purposes of this section —
- (a) in the said section 36 of the Act of 1989, after the word “police” there shall be inserted the words “and to the fire authority”; and
- (b) in the said section 41 of the Act of 1989, for the reference to statutory undertakers as defined in the Act of 1989 there shall be substituted reference to statutory undertakers as defined in this Act.

PART V
GENERAL

Amendment of
Act of 1989
consequential on
New Roads and
Street Works Act
1991.
1991 c. 22.

14. The Act of 1989 shall have effect subject to the following amendments consequential on the coming into operation of provisions of the New Roads and Street Works Act 1991: —

- (1) For subsections (1) to (3) of section 5 (application of street works code) there shall be substituted the following: —

“(1) In relation to so much of the authorised works as would, if executed by the highway authority, be works for road purposes or major highway works within the meanings given by section 86 of the New Roads and Street Works Act 1991, Part III of that Act shall have effect as if the Executive were the highway authority.”.

- (2) In subsection (5) of section 5, for the words “a highway authority” there shall be substituted the words “the traffic authority”.

- (3) Section 41 (17) (b) (betterment arising on provision of alternative apparatus) shall have effect notwithstanding the repeal of the Public Utilities Street Works Act 1950.

1950 c. 39.

Arbitration.

15. Where under this Act any difference (other than a difference to which the provisions of the Act of 1965 apply) is to be determined by arbitration, then, unless otherwise provided, the difference shall be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed, on the application of either party (after notice in writing to the other), by the President of the Institution of Civil Engineers.

Planning
permission.

16.—(1) Subject to subsection (2) below, in its application to development authorised by this Act, the planning permission specified in subsection (3) below shall have effect as if the authority to develop given by this Act were limited to development begun within 10 years after the passing of this Act.

(2) Subsection (1) above shall not apply to the carrying out of any development consisting of the alteration, renewal, maintenance or repair of the authorised works or the substitution of new works therefor.

(3) The planning permission referred to in subsection (1) above is that granted for development permitted by article 3 of, and Class A in Part 11 of Schedule 2 to, the Town and Country Planning General Development Order 1988 (which permits development authorised by private Act designating specifically both the nature of the development thereby authorised and the land on which it may be carried out).

S.I. 1988/1813.

SCHEDULES

SCHEDULE 1

Section 4 (1) (a).

PART I

DESCRIPTION OF WORKS SPECIFICALLY AUTHORISED

In the Metropolitan Borough of Solihull, parishes of Fordbridge and Chelmsley Wood—

Work No. 1—A railway (482 metres in length) commencing by a junction with the Work No. 27 authorised by the No. 1 Act of 1992 at a point, at chainage 6,457, on the western side of Collector Road 165 metres north of the centre of the existing roundabout at the junction of that road with Chester Road and Moorend Avenue, passing southwards and south-westwards across Chester Road on the north-western side of that roundabout, then south-eastwards and eastwards across Moorend Avenue at a point 107 metres south of the centre of the said roundabout, and terminating on the south-western side of Chester Road at a point 180 metres south-east of the centre of the said roundabout;

Work No. 2—Alteration of the existing roundabout at the junction of Collector Road with Chester Road and Moorend Avenue (with a central reservation bounded by the kerblines specified in paragraph (2) (a) of Part II of this Schedule), including a widening on the eastern side of Collector Road and Chester Road between a point on Collector Road 215 metres north, and a point on Chester Road 250 metres south-east, of the centre of the said roundabout as existing;

Work No. 3—A railway (306 metres in length) commencing by a junction with Work No. 1 at a point 3 metres west of the western side of Moorend Avenue, passing south-eastwards across the northbound carriageway of Moorend Avenue, then passing southwards along the central reservation (to be stopped up) of Moorend Avenue, and terminating at a point 92 metres north of the northern side of the gyratory road of the roundabout at the junction of Moorend Avenue with Chelmsley Road, including a strengthening of the existing bridge carrying Moorend Avenue over the River Cole;

Work No. 3A—A railway (35 metres in length) commencing by a junction with Work No. 1 at a point 5 metres east of the eastern side of Moorend Avenue, passing south-westwards across the southbound carriageway of Moorend Avenue, and terminating by a junction with Work No. 3 in the central reservation of Moorend Avenue at a point 5 metres north of the northern abutment of the said bridge carrying that road over the River Cole.

In the Metropolitan Borough of Solihull, parishes of Bickenhill, Fordbridge and Chelmsley Wood and in the County of Warwickshire, Borough of North Warwickshire, parish of Coleshill—

Work No. 4—A railway (1,360 metres in length) commencing by a junction with Work No. 1 at its termination, forming a single line of tramway (1,175 metres in length), passing eastwards across the northbound carriageway of Chester Road, then south-eastwards along the southbound carriageway of that road to a point 260 metres north-west of the centre of the existing roundabout at the junction of that road with Coleshill Heath Road, then passing south-eastwards and southwards on the north-eastern side of Chester Road, then southwards across the gyratory roads and slip roads and the central reservation of the said roundabout as altered (Work No. 6), and terminating at a point on the southern side of the slip road between Chester Road and Coleshill Heath Road 55

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—cont.

metres south of the centre of the said roundabout, including a strengthening of the existing bridge carrying the southbound carriageway of Chester Road over the River Cole and a lowering of the southbound carriageway of Chester Road between a point 115 metres north-west of the bridge carrying Yorkminster Drive over Chester Road and a point 85 metres south-east of that bridge;

Work No. 5—A railway (1,335 metres in length) commencing by a junction with Work No. 1 at its termination, forming a single line of tramway, passing south-eastwards along the northbound carriageway of Chester Road to its junction with the gyratory road on the western side of the existing roundabout at the junction of that road with Coleshill Heath Road, then passing southwards and south-eastwards on that gyratory road, and terminating at the said point on the southern side of the slip road between Chester Road and Coleshill Heath Road 55 metres south of the centre of that roundabout, including a strengthening of the existing bridge carrying the northbound carriageway of Chester Road over the River Cole and a lowering of the northbound carriageway of Chester Road between a point 45 metres north-west of the bridge carrying Yorkminster Drive over Chester Road and a point 100 metres south-east of that bridge;

Work No. 6—Alteration of the existing roundabout at the junction of Chester Road with Coleshill Heath Road (with a central reservation bounded by the kerbline specified in paragraph (4) (a) of Part II of this Schedule), including—

Work No. 6A—A widening on the north-eastern side of Chester Road and the north-western side of Coleshill Heath Road between a point on Chester Road 255 metres north-west, and a point on Coleshill Heath Road 175 metres north-east, of the centre of the said roundabout as existing;

Work No. 6B—A widening on the south-eastern side of Coleshill Heath Road and the north-eastern side of Chester Road between a point on Coleshill Heath Road 163 metres north-east, and a point on Chester Road 170 metres south-east, of the centre of the said roundabout as existing;

Work No. 7—A railway (314 metres in length) commencing by a junction with Works Nos. 4 and 5 at their termination, passing south-eastwards on the south-western side of Chester Road and terminating by a junction with the Work No. 29 authorised by the No. 1 Act of 1992 at a point, at chainage 590, 365 metres south-east of the centre of the said roundabout.

Section 4 (1) (b).

PART II

DESCRIPTION OF FURTHER WORKS AND POWERS

(1) In the Metropolitan Borough of Solihull, parishes of Fordbridge and Chelmsley Wood and in the County of Warwickshire, Borough of North Warwickshire, parish of Coleshill—

(a) extend the subway carrying the footpath and cycleway between Cole Valley Park and Clopton Crescent under Collector Road, on the eastern side of that road, between the points marked A and A1 on the deposited plans; and

(b) form new cycleways—

(i) on the eastern side of Collector Road and the north-eastern side of Chester Road between the points marked A1 and A2 on the deposited plans;

(ii) between the eastern side of Moorend Avenue and the south-western side of Chester Road between the points marked A3 and A4 on the deposited plans;

(iii) on the south-western side of Chester Road between the points marked A4 and A5 on the deposited plans;

(iv) on the north-eastern side of Chester Road and the north-western side of Coleshill Heath Road between the points marked A6 and A7 on the deposited plans;

(v) on the south-eastern side of Coleshill Heath Road and the north-eastern side of Chester Road between the points marked A8 and A9 on the deposited plans; and

(vi) on the south-western side of Chester Road and the north-eastern side of Coleshill Heath Road between the points marked A10 and A11 on the deposited plans.

(2) In the Metropolitan Borough of Solihull, parishes of Fordbridge and Chelmsley Wood—

- (a) alter the kerbline of the central reservation of the roundabout at the junction of Chester Road, Collector Road and Moorend Avenue to the position shown on the deposited plans;
- (b) set forward the kerbline on the north-eastern side of Chester Road and the western side of the gyratory road of the said roundabout between the points marked B1 and B2 on the deposited plans;
- (c) set back the kerbline on the eastern side of Collector Road and the north-eastern side of Chester Road between the points marked B3 and B4 on the deposited plans;
- (d) stop up the footpath between Chester Road and Collector Road between the points marked B5 and B6 on the deposited plans, substituting therefor a new footpath between the points so marked B5, B7 and B8;
- (e) alter the kerbline on the south-western sides of Chester Road and the gyratory road of the said roundabout between the points marked C1 and C2 on the deposited plans;
- (f) set back the kerbline on the western side of Moorend Avenue between the following points marked on the deposited plans:—
C2 and C3
C4 and C5;
- (g) stop up the footpath between Chester Road and Moorend Avenue between the points marked D1 and D2 on the deposited plans, substituting therefor a new footpath between those points;
- (h) stop up the footpath across the reserved areas of Moorend Avenue at its junction with the said roundabout between the points marked D3 and D4 on the deposited plans;
- (i) stop up the footway on the south-western side of the gyratory road of the said roundabout and the western side of Moorend Avenue between the points marked D5 and D6 on the deposited plans, substituting therefor a new footpath between those points;
- (j) set back the kerbline on the south-western side of Chester Road and the southern side of the gyratory road of the said roundabout between the points marked E1 and E2 on the deposited plans;
- (k) set back the kerbline on the eastern side of Moorend Avenue between the points marked E3 and E4 on the deposited plans;
- (l) stop up the central reservation in Moorend Avenue between the points marked E5 and E6 on the deposited plans; and
- (m) raise the level of Moorend Avenue at its approach to the said roundabout between the points marked E7 and E8 on the deposited plans.

(3) In the Metropolitan Borough of Solihull, parish of Chelmsley Wood—

- (a) set back the kerbline on the north-eastern side of Chester Road between the points marked F1 and F2 on the deposited plans; and

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—cont.

- (b) set back the kerbline on the south-western side of Chester Road between the points marked F3 and F4 on the deposited plans.
- (4) In the Metropolitan Borough of Solihull, parishes of Chelmsley Wood and Bickenhill and in the County of Warwickshire, Borough of North Warwickshire, parish of Coleshill—
- (a) alter the kerbline of the central reservation of the roundabout at the junction of Chester Road and Coleshill Heath Road to the position shown on the deposited plans;
- (b) set back the kerbline on the north-eastern side of Chester Road and the north-western side of Coleshill Heath Road between the points marked G1 and G2 on the deposited plans;
- (c) set back the kerbline on the south-eastern side of Coleshill Heath Road and the north-eastern side of Chester Road between the points marked G3 and G4 on the deposited plans; and
- (d) stop up the footway on the south-eastern side of Coleshill Heath Road and the south-western side of Chester Road between the points marked G5 and G6 on the deposited plans, substituting therefor a new footpath between points so marked G5, G7 and G6.

Section 4 (2).

PART III

AUTHORISED WORKS AND POWERS REPLACED

In the Metropolitan Borough of Solihull—

- (a) so much of the Work No. 27 authorised by the No. 1 Act of 1992 as lies between the commencement of Work No. 1 authorised by this Act and the termination of the Work No. 6 authorised by the No. 2 Act of 1993, being the part of the said Work No. 27 from chainage 6,457 to 7,346;
- (b) so much of the Work No. 29 authorised by the No. 1 Act of 1992 as lies between its commencement and the termination of Work No. 7 authorised by this Act, being the part of the said Work No. 29 from its commencement to chainage 590;
- (c) the Work No. 27A authorised by the No. 1 Act of 1992;
- (d) the Work No. 27B authorised by the No. 1 Act of 1992;
- (e) the further powers authorised by paragraph (3) (b) of Part II of Schedule 2 to the No. 1 Act of 1992.

SCHEDULE 2

Section 6 (1).

RAILWAY CROSSINGS IN HIGHWAYS

In the Metropolitan Borough of Solihull (parish of Fordbridge)—
Substituted footpath between Chester Road and Collector Road;
Chester Road north-west of junction with Collector Road and Moorend Avenue;
Northbound carriageway of Moorend Avenue south of junction with Chester Road;
Southbound carriageway of Moorend Avenue south of junction with Chester Road.

In the Metropolitan Borough of Solihull (parishes of Chelmsley Wood and Bickenhill)—
Gyratory road on the northern side of the roundabout at the junction of Coleshill Heath Road and Chester Road as altered (Work No. 6);
Gyratory road on the southern side of the roundabout at the junction of Coleshill Heath Road with Chester Road as altered (Work No. 6);
Substituted footpath between Chester Road and Coleshill Heath Road.

Section 9 (b).

SCHEDULE 3

ADDITIONAL LANDS WHICH MAY BE ACQUIRED OR USED

Purpose (1)	Location (2)	Lands numbered on the deposited plan (3)
In the Metropolitan Borough of Solihull (parish of Chelmsley Wood)		
For the provision of a cycleway.	Lands adjoining the southbound carriage- way of Chester Road between Culey Walk and Clover Avenue.	8, 10 and 11.
For the relocation of allotments.	Land on the northern side of the roundabout at the junction of Chester Road with Coleshill Heath Road.	16.

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