
STATUTORY INSTRUMENTS

1997 No. 1266

The Greater Manchester (Light Rapid Transit System) (Airport Extension) Order 1997

PART II

WORKS PROVISIONS

Principal powers

Power to construct and maintain works

6.—(1) The undertaker may construct and maintain the scheduled works.

(2) Subject to article 7 below, the scheduled works may only be constructed in the lines or situations shown on the Order plans and in accordance with the levels shown on the sections.

(3) Subject to paragraph (5) below, the undertaker may carry out and maintain such of the following works as may be necessary or expedient for the purposes of, in connection with or in consequence of the construction of the scheduled works, namely—

- (a) stations, platforms and stopping places,
- (b) works required for, or in connection with, the control of any vehicular and pedestrian traffic on the authorised transit system,
- (c) works for the strengthening, alteration or demolition of any building or structure,
- (d) works to alter the position of any street furniture or apparatus, including mains, sewers, drains and cables,
- (e) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses,
- (f) landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the other authorised works, and
- (g) replacement facilities and works for the benefit or protection of premises affected by the other authorised works.

(4) Subject to paragraph (5) below, the undertaker may carry out such other works (of whatever nature) as may be necessary or expedient for the purposes of, in connection with, or in consequence of, the construction of the scheduled works.

(5) Paragraphs (3) and (4) above shall only authorise the carrying out or maintenance of works—

- (a) within the limits of deviation for the scheduled works shown on the Order plans,
- (b) within the boundaries of any street along which the construction of a street tramway is shown on the Order plans or which has a junction with such a street, and
- (c) on land specified in columns (1) and (2) of Schedule 2 to this Order for the purpose specified in relation to that land in column (3) of that Schedule.

(6) For the purposes of section 37 of the Electricity Act 1989(1) (consent for overhead lines) in its application to the installation or keeping installed of any electric line above ground comprised in Work No. 7A, this Order shall take effect as if a consent had been granted under that section in such terms as to permit any such electric line to be installed by the owner of the electric line which it replaces and for it to be kept installed by him or any successor in title to the line subject to the conditions set out in Schedule 3 to this Order.

(7) Paragraph 23 of the telecommunications code shall apply for the purposes of any works authorised by this Order save in so far as such purposes are regulated by the 1991 Act or any regulations made under that Act.

Power to deviate

7.—(1) In constructing or maintaining any of the scheduled works, the undertaker may—

- (a) deviate laterally from the lines or situations shown on the Order plans within the limits of deviation for that work shown on those plans, and
- (b) deviate vertically from the levels shown on the sections—
 - (i) to any extent not exceeding 3 metres upwards, and
 - (ii) to any extent downwards.

(2) In constructing or maintaining any work or part of a work shown on the Order plans as being situated in a street and for which no limits of deviation are shown on that plan the undertaker may deviate laterally within the boundaries of that street.

(3) The undertaker may in constructing or maintaining any of the authorised tramroads or authorised street tramways lay down—

- (a) double lines of rails in lieu of single lines,
- (b) single lines of rails in lieu of double lines,
- (c) interlacing lines of rails in lieu of double or single lines, or
- (d) double or single lines of rails in lieu of interlacing lines.

(4) The power in paragraph (3) above shall not be exercised in the case of any authorised street tramway without the consent of the street authority, but such consent shall not be unreasonably withheld.