

SCHEDULE 1

Article 6

SCHEDULED WORKS

Work No. 1—A tramroad (361 metres in length) commencing in an interchange terminus and car park at a point 203 metres north-east of the junction of Otley Road with Lawnswood Gardens, passing south-westwards and terminating at a point on the eastern side of Otley Road 30 metres south-east of the junction of that road with Otley Old Road, including the said interchange and car park;

Work No. 1A—A road, forming an access road to the intended car park, commencing by a junction with Otley Road at a point 75 metres north-east of the junction of that road with Lawnswood Gardens and terminating at a point 32 metres east of its commencement;

Work No. 1B—A road, forming an access road to the intending car park, commencing by a junction with Otley Road at a point 28 metres east of the junction of that road with Otley Old Road and terminating at a point 27 metres east of its commencement;

Work No. 2—A street tramway (double lines, 1,359 metres in length) commencing by a junction with Work No. 1 at its termination, passing southwards along Otley Road to its junction with Kepstorn Road, continuing eastwards along Otley Road and terminating at its junction with Glen Road;

Work No. 2A—A widening of the eastern side of Otley Road and the northern side of Ring Road Weetwood at the junction of those roads between a point on Otley Road 120 metres north, and a point on Ring Road Weetwood 107 metres north-east, of that junction;

Work No. 2B—A widening of the northern side of Otley Road between a point 20 metres north of its junction with Welburn Grove and a point 18 metres north of its junction with Welburn Drive;

Work No. 2C—A widening of the southern side of Otley Road between its junctions with Kepstorn Road and Welburn Grove;

Work No. 2D—A widening of the south-western side of Otley Road between its junctions with the access road to Headingley Waterworks and Church Wood Avenue;

Work No. 3—A street tramway (double lines, 1,024 metres in length) commencing by a junction with Work No. 2 at its termination, passing south-eastwards along Otley Road then eastwards along Alma Road and terminating at a point on the southern side of that road 62 metres east of its junction with Otley Road;

Work No. 3A—A widening of the western side of Otley Road between its junction with St Anne's Road and a point 48 metres south-east of that junction;

Work No. 3B—A widening of the north-eastern side of Otley Road and the northern side of Alma Road at the junction of those roads between a point on Otley Road 35 metres north-west, and a point on Alma Road 60 metres east, of that junction;

Work No. 3C—A road, forming an access to premises, commencing at a point in Alma Road 25 metres east of its junction with Otley Road and terminating at a point 32 metres north-east of its commencement;

Work No. 4—A tramroad (744 metres in length), commencing by a junction with Work No. 3 at its termination, passing south-eastwards across Wood lane (to be stopped up), across Shire Oak Road and terminating on the northern side of Headingley Lane 40 metres north-west of its junction with Oakfield;

Work No. 4A—A road commencing by a junction with Wood Lane at a point 92 metres east of its junction with Otley Road and terminating by a junction with Shire Oak Street at a point 52 metres south-east of its commencement;

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Work No. 4B—A road, forming an access to Headingley Hall, commencing by a junction with Shire Oak Road 83 metres east of its junction with Otley Road and terminating at a point 33 metres north of its commencement;

Work No. 4C—A road commencing by a junction with the access road to the College of the Blessed Virgin at a point 15 metres north of its junction with Oakfield, passing westwards then southwards and terminating by a junction with Headingley Lane at a point 45 metres north-west of the junction of that road with Richmond Road;

Work No. 4D—A road commencing by a junction with Oakfield 72 metres north of its junction with Headingley Lane passing south-eastwards and then eastwards and terminating by a junction with Orville Gardens 30 metres north-east of the junction of that road with Headingley Lane;

Work No. 5—A street tramway (double lines, 726 metres in length) commencing by a junction with Work No. 4 at its termination, passing eastwards along Headingley Lane and terminating at Hyde Park Corner;

Work No. 5A—A widening of the southern side of Headingley Lane between its junction with Buckingham Road and a point 70 metres west of that junction;

Work No. 5B—A widening of the southern side of Headingley Lane between its junction with Buckingham Road and a point 135 metres east of that junction;

Work No. 5C—A widening of the southern side of Headingley Lane between a point 165 metres west of its junction with Victoria Road and its junction with Hyde Park Road;

Work No. 5D—A road commencing by a junction with Headingley Lane at a point 80 metres north-west of its junction with Victoria Road and terminating by a junction with Victoria Road 78 metres west of the said junction of that road with Headingley Lane;

Work No. 5E—Alteration of the level of Victoria Road between points 107 metres and 52 metres west of its junction with Headingley Lane;

Work No. 6—A street tramway (double lines, 1,383 metres in length) commencing by a junction with Work No. 5 at its termination, passing south-eastwards along Woodhouse Lane and terminating on the north-eastern side of that road at a point 105 metres south-east of its junction with Blackman Lane;

Work No. 6A—A widening of the eastern side of Cliff Road and the southern side of Woodhouse Street between the junction of Cliff Road with Woodhouse Lane and a point on Woodhouse Street 25 metres east of its junction with Cliff Road;

Work No. 6B—A widening of the northern side of Woodhouse Street and the western side of Cliff Road at the junction of those roads between a point on Woodhouse Street 12 metres west, and a point on Cliff Road 10 metres north, of that junction;

Work No. 6C—A realignment of Woodhouse Cliff commencing at a point 72 metres north-east of its junction with Woodhouse Street and terminating at a point 25 metres east of that junction;

Work No. 6D—A widening of the western side of Delph Lane between its junction with Woodhouse Street and a point 42 metres north of that junction;

Work No. 6E—A widening of the southern side of Woodhouse Street and the western side of Rampart Road at the junction of those roads between a point on Woodhouse Street 23 metres west, and a point on Rampart Road 23 metres south, of that junction;

Work No. 6F—A widening of the northern side of Woodhouse Street and the eastern side of Delph Lane at the junction of those roads between a point on Woodhouse Street 12 metres east, and a point on Delph Lane 8 metres north-east of that junction;

Work No. 6G—A widening of the south-western side of Woodhouse Lane between points 320 metres and 235 metres north-west of its junction with Clarendon Road;

- Work No. 6H—A widening of the north-eastern side of Woodhouse Lane between points 41 metres and 270 metres south-east of its junction with Rampart Road;
- Work No. 6J—A widening of the southern side of Woodhouse Lane between points 85 metres and 157 metres south-east of its junction with Clarendon Road;
- Work No. 6K—A widening of the north-eastern side of Woodhouse Lane and the north-western side of St Mark’s Road at the junction of those roads between a point on Woodhouse Lane 87 metres north-west, and a point on St Mark’s Road 92 metres north-east, of that junction;
- Work No. 6L—A widening of the north-eastern side of Blenheim Walk between its junction with St Mark’s Road and a point 65 metres south east of that junction;
- Work No. 6M—A widening of the south-western side of Blenheim Walk between its junction with Back Woodstock Street and its junction with Blackman Lane;
- Work No. 6N—A road, forming a new access, commencing by a junction with Woodhouse Lane at a point 77 metres north-west of its junction with Lodge Street and terminating by a junction with Hilary Place 25 metres south-west of the said junction with Woodhouse Lane;
- Work No. 6P—A widening of the south-western side of Woodhouse Lane and the south-eastern side of Fenton Street at the junction of those roads between a point on Woodhouse Lane 37 metres south-east, and a point on Fenton Street 46 metres south, of that junction;
- Work No. 7—A tramroad (143 metres in length) commencing by a junction with Work No. 6 at its termination, passing south-eastwards over the Inner Ring Road and terminating on the northern side of the junction of Woodhouse Lane and Blenheim Walk;
- Work No. 7A—A widening of the north-eastern side of Woodhouse Lane and the western side of Blenheim Walk at the junction of those roads between a point on Woodhouse Lane 32 metres west and a point on Blenheim Walk 22 metres north-east, of that junction;
- Work No. 8—A street tramway (double lines, 546 metres in length) commencing by a junction with Work No. 7 at its termination, passing southwards along Woodhouse Lane and Cookridge Street and terminating at the junction of that street with The Headrow and forming a junction with Work No. 1 authorised by the 1993 Act;
- Work No. 8A—A widening of the south-western side of Woodhouse Lane and the north-western side of Portland Way at the junction of those roads between a point on Woodhouse Lane 7 metres north-west, and a point on Portland Way 7 metres south-west, of that junction;
- Work No. 8B—A widening of the south-eastern side of Portland Way, the south-western side of Woodhouse Lane and the north-western side of Cookridge Street between a point 98 metres north-east of the junction of Portland Way and Calverley Street and a point 90 metres north-east of the junction of Cookridge Street and Portland Gate;
- Work No. 8C—A widening of the north-eastern side of Woodhouse Lane between a point 55 metres north of its junction with Upper North Street and its junction with Queen Square;
- Work No. 8D—A widening of the south-eastern side of Cookridge Street between its junction with Woodhouse Lane and a point 107 metres south-west of that junction;
- Work No. 10—A street tramway (double lines, 674 metres in length) commencing by a junction with Work No. 8 at its termination, passing eastwards along The Headrow and Eastgate and terminating on the southern side of Eastgate 120 metres east of its junction with Harewood Street;
- Work No. 11—A tramroad (239 metres in length), commencing by a junction with Work No. 10 at its termination, passing southwards across Union Street (to be altered, Work No. 11A) across Back George Street (to be stopped up) and across George Street and terminating on the northern side of York Street at a point 75 metres east of its junction with Harper Street;

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Work No. 11A—Alteration of the level of Union Street between its junctions with Cross Union Street and with St Peter’s Street;

Work No. 11B—A road commencing by a junction with Union Street (to be altered, Work No. 11A) 52 metres east of the junction of that street with Cross Union Street and terminating by a junction with George Street 30 metres west of the junction of that street with East Lane;

Work No. 12—A street tramway (single line, 984 metres in length) commencing by a junction with Work No. 11 at its termination, passing eastwards along York Street then north-eastwards along the northbound carriageway of Marsh Lane, under New York Road, along Burmantofts Street and terminating on the eastern side of Beckett Street at a point 22 metres north of its junction with Nippet Lane;

Work No. 12A—Alteration of the level of the lower level carriageway of New York Road between a point 61 metres north-west of its junction with Marsh Lane and that junction;

Work No. 12B—A widening of the north-western side of Burmantofts Street and Beckett Street between the junction of Burmantofts Street with Rider Street and a point 30 metres south of the junction of Beckett Street with Lincoln Green Road;

Work No. 12C—A widening of the eastern side of Beckett Street between its junction with Accommodation Road and a point 70 metres north of that junction;

Work No. 12D—A widening of the northern side of Nippet Lane and the eastern side of Beckett Street at the junction of those roads between a point on Nippet Lane 37 metres east, and a point on Beckett Street 35 metres north-east of that junction;

Work No. 13—A street tramway (single line, 987 metres in length) commencing by a junction with Work No. 11 at its termination, passing eastwards along York Street then northwards along the southbound carriageway of Marsh Lane, under New York Road, along Burmantofts Street and terminating on the eastern side of Beckett Street at a point 22 metres north of its junction with Nippet Lane;

Work No. 14—A tramroad (738 metres in length) commencing by a junction with Works Nos. 12 and 13 at their termination, passing northwards and terminating on the south-eastern side of Beckett Street at a point 14 metres south-west of its junction with Shakespeare Street;

Work No. 14A—A road, forming an access road to an intended car park, commencing by a junction with Beckett Street 23 metres south-west of the junction of that street with Museum Street passing south eastward and terminating at a point 25 metres south-east of its commencement;

Work No. 15—A street tramway (double lines, 1,105 metres in length) commencing by a junction with Work No. 14 at its termination, passing north-eastwards along Beckett Street then northwards along Harehills Road and terminating at a point in that road at its junction with Nice View;

Work No. 15A—A widening of the southern side of Bexley Grove and the eastern side of Bexley View at the junction of those roads between a point on Bexley Grove 12 metres east, and a point on Bexley View 12 metres south, of that junction;

Work No. 15B—A widening of the western side of Harehills Road between a point 22 metres south of its junction with Bexley Grove and its junction with Bexley Terrace;

Work No. 15C—A widening of the western side of Harehills Road and the southern side of Bayswater Mount at the junction of those roads between a point on Harehills Road 10 metres south, and a point on Bayswater Mount 7 metres west, of that junction;

Work No. 15D—A widening of the western side of Harehills Road and the southern side of Bayswater Grove at the junction of those roads between a point on Harehills Road 10 metres south, and a point on Bayswater Grove 5 metres west, of that junction;

Work No. 15E—A widening of the western side of Harehills Road and the northern side of Bayswater Row at the junction of those roads between a point on Harehills Road 10 metres north, and a point on Bayswater Row 10 metres west, of that junction;

Work No. 15F—A widening of the eastern side of Harehills Road and the southern side of Ashton Avenue at the junction of those roads between a point on Harehills Road 13 metres south, and a point on Ashton Avenue 7 metres east, of that junction;

Work No. 15G—A widening of the eastern side of Harehills Road and the southern side of Ashton Street at the junction of those roads between a point on Harehills Road 10 metres south, and a point on Ashton Street 7 metres east, of that junction;

Work No. 15H—A widening of the eastern side of Harehills Road and the southern side of Conway Mount at the junction of those roads between a point on Harehills Road 7 metres south, and a point on Conway Mount 5 metres east, of that junction;

Work No. 15J—A widening of the western side of Harehills Road between its junctions with Back Banstead Street and Banstead Street East;

Work No. 16—A street tramway (single line, 668 metres in length) commencing by a junction with Work No. 15 at its termination, passing north-eastwards along Roundhay Road then eastwards along Easterly Road and terminating at a point on that road 265 metres south-west of its junction with Arlington Road;

Work No. 16A—A widening of the north-western side of Roundhay Road between a point 65 metres south-west of its junction with Beck Road and its junction with Harehills Lane;

Work No. 17—A street tramway (single line, 631 metres in length) commencing by a junction with Work No. 15 at its termination, passing north-eastwards along Roundhay Road then eastwards along Easterly Road and terminating at a point on that road 265 metres south-west of its junction with Arlington Road;

Work No. 18—A street tramway (double lines, 1,824 metres in length) commencing by a junction with Works Nos. 16 and 17 at their termination, passing north-eastwards along Easterly Road and terminating on the south-eastern side of that road at a point 100 metres north-east of its junction with Grange Park Avenue;

Work No. 18A—A widening of the north-western side of Dib Lane and the south-eastern side of Easterly Road at the junction of those roads between a point on Dib Lane 65 metres south-west, and a point on Easterly Road 35 metres south-west of that junction;

Work No. 19—A tramroad (524 metres in length) commencing by a junction with Work No. 18 at its termination, passing south-eastwards across Wyke Beck and terminating on the northern side of North Parkway at the western end of that road 50 metres north-west of its junction with Foundry Mill Gardens;

Work No. 20—A street tramway (double lines, 2,044 metres in length) commencing by a junction with Work No. 19 at its termination, passing eastwards along North Parkway then northwards on the north-western side of York Road and the western side of Ring Road Seacroft then turning eastwards and terminating on the eastern side of Coal Road 60 metres north-east of its junction with Hebden Approach;

Work No. 20A—A widening of the north western side of York Road and the western side of Ring Road Seacroft between the junction of York Road and North Parkway and the junction of Ring Road Seacroft and Ramshead Approach;

Work No 21—A tramroad (278 metres in length) commencing by a junction with Work No. 20 at its termination, passing eastwards and terminating on the western side of Sherburn Road North 50 metres north-west of its junction with Hebden Approach;

Work No. 22—A street tramway (double lines, 197 metres in length) commencing by a junction with Work No. 21 at its termination, passing south-eastwards along Baildon Drive

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and terminating on the south-eastern side of York Road 35 metres north of its junction with Sledmere Lane;

Work No. 22A—A widening of both sides of Baildon Drive;

Work No. 23—A tramroad (335 metres in length) commencing by a junction with Work No. 22 at its termination, passing eastwards and terminating at a point 293 metres east of its commencement in an interchange terminus and car park, including the said interchange and car park;

Work No. 23A—A road, forming an access to the intended car park, commencing by a junction with York Road at a point 250 metres north-east of its junction with Sledmere Lane and terminating at a point 65 metres south-eastwards of its commencement;

Work No. 23B—A widening of the south-eastern side of York Road between points 25 metres and 353 metres north-east of its junction with Sledmere Lane;

Work No. 24—A street tramway (single line, 420 metres in length) commencing by a junction with Work No. 1 authorised by the 1993 Act, at a point on the junction of Briggate with Duncan Street, passing eastwards along Duncan Street, Call Lane, New York Street and York Street and terminating by a junction with Works Nos. 12 and 13 at a point on York Street 80 metres east of its junction with Harper Street;

Work No. 24A—A widening of the southern side of New York Street between its junctions with Harper Street and Cross York Street.

SCHEDULE 2

Articles 6 and 23

ACQUISITION OF CERTAIN LAND

(1) <i>Number of land shown on deposited plan</i>	(2) <i>Purpose for which land may be acquired</i>
1	Landscaping
43	Removal of access ramp to car park between points W and X and provision of new ramp between points Y and Z
43(a)	Setting back of kerblines and dedication of existing pedestrian way as public highway
45	Provision of a turning head for vehicles
49, 50 and 51	Provision of a replacement car park in exchange for the car park comprised in land No. 51
52, 53 and 54	Landscaping
73	Working site and thereafter for landscaping
94(d)	Substation
168	Landscaping
173(a), 174, 175(a) and 177	Working site and thereafter for provision of a replacement car park in exchange for the car park comprised in land No. 180 and the car park comprised in land No. 182

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(1) <i>Number of land shown on deposited plan</i>	(2) <i>Purpose for which land may be acquired</i>
175(b), 177 and 179	Access to tramstop and landscaping
180	Working site and thereafter for landscaping and access to tramstop
272	Landscaping
281 and 281(d)	Landscaping and replacement play area in exchange for the play area comprised in land No. 281(b)
288(a)	Landscaping
288(b)	Landscaping
288(c) and 290	Provision of open space in exchange for open space comprised in lands numbered 288, 288(a), 288(b) and 289

SCHEDULE 3

Article 8

STREETS SUBJECT TO ALTERATION OF LAYOUT

(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
Otley Road/Otley Old Road	Kerblines to be realigned between points— B1 and B2 B5, B6, B7 and B5 (central reservation)
Otley Old Road	Kerblines to be set forward between points B3 and B4
Otley Road	Kerblines to be set back between points— A1 and A2 B40 and B41 B42 and B43 B55 and B56 B57 and B58 B59 and B60 B65 and B66 C17 and C18 C19 and C20 C23 and C24 Kerblines and footways to be realigned between points—

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(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
	B8, B9 and B10 B62 and B62A Kerblines to be set forward between points C7 and C8 Kerblines and footways to be set back between points— B63 and B64 B67 and B68 C11 and C12 C28 and C29 Crossing point to be closed at point B35 Kerblines to be realigned between points— A3, A4 and A5 (central reservation) B11, B12, B13, B14 and B11 (central reservation) B23, B24, B25, B26 and B23 (central reservation) B49, B50 and B49 (central reservation) B61 and B61A C1 and C2 C3 and C4 C5 and C6 C9 and C10 C13 and C14 C15 and C16
Otley Road/Ring Road Weetwood/Ring Road West Park Roundabouts	Inner kerblines of roundabout to be realigned between points B27, B28 and B27
Otley Road/Ring Road Weetwood	Kerblines and footways to be set back between points B15 and B16 Kerblines to be realigned between points B21 and B22
Otley Road/Ring Road West Park	Kerblines to be realigned between points B29 and B30 Kerblines to be set back between points B38 and B39
Ring Road Weetwood	Kerblines to be realigned between points B17, B18, B19 and B20 (central reservation)

(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
	Kerblines and footway to be set back between points B36 and B37
Ring Road West Park	Kerblines to be realigned between points B31, B32, B33 and B34 (central reservation)
Otley Road/Spenneth Road	Kerblines to be set back between points B44 and B45
	Kerblines to be realigned between points B46, B47, B48 and B49 (central reservation)
Otley Road/Kepstorn Road	Kerblines and footway to be set back between points B51 and B52
Otley Road/Welburn Grove	Kerblines to be realigned between points B53 and B54
Otley Road/Shaw Lane	Kerblines to be set back between points C21 and C22
Otley Road/St Anne's Road	Kerblines and footway to be set back between points C25 and C26
St Anne's Road	Kerblines to be realigned between points C27 and C28
Otley Road/Alma Road	Kerblines and footway to be set back between points C30 and C31
	Kerblines to be set back between points C36 and C37
Alma Road	Kerblines and footway to be realigned between points C32 and C33
Headingley Lane	Kerblines and footways to be set back between points—
	E1 and E2
	E3 and E4
	E5 and E6
	E15 and E16
	Kerblines to be realigned between points—
	E7 and E8
	E9 and E10
Access road to the College of the Blessed Virgin	Vehicular access to be closed and kerblines to be formed at point X
The Poplars	Vehicular access to be closed and kerblines to be formed at point Y
Orville Gardens	Vehicular access to be closed and kerblines to be formed at point Z

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(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
Victoria Road	Vehicular access to be closed at point Y Kerblines to be realigned and a turning head provided between points E13 and E14
Hyde Park Place	Vehicular access to be closed and kerblines formed at point Z
Headingley Lane/Woodhouse Street	Kerblines to be realigned between points E11 and E12
Hyde Park Road/Woodhouse Lane	Kerblines to be realigned between points F1 and F2
Woodhouse Street/Woodhouse Lane	Kerblines to be realigned between points F4 and F4A
Woodhouse Lane/Cliff Road	Kerblines to be realigned between points F4B and F5 Kerblines and footway to be realigned between points F6 and F7
Rampart Road/Woodhouse Street	Kerblines and footway to be set back between points F12 and F13 Kerblines to be realigned between points F18 and F19
Delph Lane/Woodhouse Street	Kerblines and footway to be set back between points F14 and F15 Kerblines and footway to be realigned between points F16 and F17
Cliff Road/Woodhouse Street	Kerblines and footways to be set back between points— F8 and F9 F10 and F11
Cliff Road	Footway to be provided between points F7 and F8
Woodhouse Lane	Kerblines and footways to be realigned between points— F3 and F20 F43 and F44 Kerblines to be realigned between points— F25, F26, F27 and F28 (central reservation) F51, F52 and F53 Kerblines to be set forward between points— F37 and F38

(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
	F55 and F56
	F57 and F58
	Kerblines to be formed between points F39, F40 and F39
	Kerblines to be set back between points F49 and F50
	Kerblines and footway to be set back between points F75 and F76
Woodhouse Lane/Rampart Road	Kerblines to be set back between points F21 and F22
	Kerblines and footway to be set back between points F23 and F24
Raglan Road	Kerblines to be formed at point X
Woodhouse Lane/Clarendon Road	Kerblines to be set back between points F29 and F30
	Kerblines and footways to be set back between points F31 and F32
Woodhouse Lane/St Mark's Street	Kerblines to be set back between points F33 and F34
	Kerblines to be set forward between points F35 and F36
Woodhouse Lane/St Mark's Road	Kerblines and footway to be set back between points F45 and F46
Blenheim Walk/St Mark's Road	Kerblines and footway to be realigned between points F47 and F48
Blenheim Walk/Marlborough Gardens	Kerblines and footway to be set back between points F61 and F62
Blenheim Walk/Marlborough Gardens/ Marlborough Grove	Kerblines and footway to be set back between points F63 and F64
Blenheim Walk/Marlborough Grove/Blandford Gardens	Kerblines and footway to be set back between points F65 and F66
Blenheim Walk/Blandford Gardens/Blandford Grove/Church Gardens/Back Churchill Gardens	Kerblines and footway to be set back between points F67 and F68
Woodhouse Lane/Blenheim Walk	Kerblines to be realigned between points F59 and F60
Blackman Lane/Woodhouse Lane	Kerblines to be set back between points F69 and F70
Fenton Street	Kerblines to be set forward between points F71 and F72

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(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
Fenton Street/Woodhouse Lane	Kerblines and footway to be set back between points F73 and F74
Woodhouse Lane/Blenheim Walk/Inner Ring Road gyratory system	<p>Kerblines to be realigned between points—</p> <p>H1, H2, H3 and H1 (central reservation)</p> <p>H28 and H29</p> <p>Kerblines and footway to be realigned between points G1 and G2</p> <p>Kerblines to be formed between points—</p> <p>H4, H5, H6 and H4 (central reservation)</p> <p>H7, H8 and H7 (central reservation)</p> <p>H9, H10, H11 and H9 (central reservation)</p> <p>H14, H15, H16 and H14 (central reservation)</p> <p>H18, H20 and H21</p> <p>Kerblines and footways to be set back between points—</p> <p>H24 and H25</p> <p>H26 and H27</p> <p>Kerblines to be realigned and footway to be provided between points H30 and H31</p>
Woodhouse Lane/Claypit Lane	Kerblines to be realigned and footway to be formed between points H30 and H31
Woodhouse Lane/Cookridge Street	<p>Kerblines and footway to be set back between points H22 and H23</p> <p>Kerblines to be formed between points H32, H33 and H34</p>
Woodhouse Lane/Portland Way	<p>Kerblines and footways to be set back between points—</p> <p>H12 and H13</p> <p>H17, H18 and H19</p>
Cookridge Street	Kerblines to be realigned between points H23 and H34
Cookridge Street/Great George Street/St Ann Street	Kerblines to be realigned between points H45 and H46
Cookridge Street/Rossington Street	Kerblines and footway to be realigned between points H35 and H36
Cookridge Street/Great George Street	Kerblines to be realigned between points—

(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
	H41 and H42 Kerblines to be formed between points H37, H38, H39, and H40
Cookridge Street/St Ann Street	Kerblines to be formed between points H43 and H44
The Headrow/Albion Street	Kerblines to be realigned between points— K1 and K2 K5 and K6
The Headrow/New Briggate	Kerblines to be realigned between points— K3 and K4 K7 and K8
The Headrow	Crossing point to be closed at point K15
Eastgate/Vicar Lane	Kerblines to be realigned between points K9 and K10
Eastgate/Harewood Street	Kerblines to be realigned between points— K11 and K12 K13 and K14
George Street	Kerblines to be formed between points L1 and L2
East Lane	Kerblines to be formed at point Z
York Street	Kerblines to be realigned between points— M3 and M4 N1 and N2
Marsh Lane	Kerblines to be realigned between points N3 and N4
Rider Street/Burmantofts Street/Beckett Street	Kerblines and footway to be set back between points M5 and M6
Burmantofts Street/Rigton Approach	Kerblines to be set back between points N5 and N6
Burmantofts Street/Nippet Lane	Kerblines to be realigned between points N7 and N8
Nippet Lane/Beckett Street	Kerblines and footway to be realigned between points P1 and P2
Accommodation Road/Beckett Street	Kerblines and footway to be set back between points P3 and P4
Beckett Street	Kerblines to be set back between points Q1 and Q2

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(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
	Kerblines to be realigned between points Q3 and Q4
	Kerblines to be set forward between points Q5 and Q6
Shakespeare Street	Kerblines to be formed at points X and Y
Stanley Road/Ashley Road	Kerblines to be set forward between points Q7 and Q8
Beckett Street/Harehills Road/Bexley Terrace	Kerblines and footway to be realigned between points Q9 and Q10
Bexley Grove/Bexley View	Kerblines and footway to be set back between points Q11 and Q12
Bexley Grove	Vehicular access to be closed (except to cyclists) and kerblines to be formed at point Z
Harehills Road (between Ashton Place and Ashton Terrace)	Kerblines to be set forward between points—
	Q13 and Q14
	Q15 and Q16
	Q17 and Q18
	Q19 and Q20
	Q21 and Q22
Ashton Terrace/Harehills Road/Ashton Avenue	Kerblines and footway to be realigned between Q23 and Q24
Ashton Avenue/Harehills Road/Ashton Street	Kerblines and footway to be realigned between points Q25 and Q26
Ashton Street/Harehills Road	Kerblines to be set forward between points Q27 and Q28
Conway Place/Harehills Road	Kerblines to be set forward between points Q29 and Q30
Bayswater Place/Harehills Road	Kerblines to be set forward between points Q31 and Q32
Bayswater Place/Harehills Road/Bayswater Mount	Kerblines and footway to be realigned between points Q33 and Q34
Bayswater Grove/Harehills Road	Kerblines and footway to be realigned between points Q35 and Q36
Bayswater Row/Harehills Road	Kerblines to be set forward between points Q37 and Q38
	Kerblines and footway to be set back between points Q39 and Q40

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(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
Harehills Road/Conway Mount	Kerblines and footway to be realigned between points Q41 and Q42
Harehills Road (between Bayswater Crescent and Nice View)	Kerblines to be set forward between points— Q43 and Q44 Q47 and Q48 Q49 and Q50 Q51 and Q68 Q52 and Q53 Q54 and Q55 Q56 and Q57 Q58 and Q59 Q62 and Q63 Q66 and Q67 Q69 and Q70 Q71 and Q72 Q73 and Q74 Q75 and Q76 Q77 and Q78 Q79 and Q80 Q81 and Q82 Q83 and Q84 Q85 and Q86 Q87 and Q88 Q89 and Q90 Q91 and Q92 Kerblines to be realigned between points Q45 and Q46 Kerblines and footway to be realigned between points Q64 and Q65 Kerblines to be set back between points Q93 and Q94
Lascelles View/Lascelles Road West	Vehicular access to be formed at point V
Harehills Place	Kerblines to be formed at points W and X
Lascelles Road East	Vehicular access to be closed and kerblines formed at point Y

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(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
Back Lascelles Terrace	Vehicular access to be closed and kerblines formed at point Z
Harehills Road/Roundhay Road	Kerblines to be realigned between points S1 and S2
Roundhay Road	Kerblines to be set back between points R5 and R6 Kerblines and footway to be realigned between points R1 and R2 Kerblines to be realigned between points R7 and R8
Beck Road	Vehicular access to be closed (except to cyclists) and kerblines to be formed at point Y
Karnac Road	Vehicular access to be closed (except to cyclists) and kerblines to be formed at point Z
Easterly Road	Crossing points to be closed at points S5, S6, T1, T2, T17, T18, T19, T20, T39, T40 and T41 Kerblines to be set back between points— R9 and R10 R13 and R14 S3 and S4 T12 and T13 Kerblines to be realigned between points— R11 and R12 T7, T8 and T9 (central reservation) T14, T15 and T16 (central reservation) T42, T43, T44 and T45 (central reservation) T58, T59, T60 and T61 (central reservation)
Easterly Road/Gipton Wood Road	Kerblines to be set back between points— T3 and T4 T10 and T11
Easterly Road/Hetton Road	Kerblines to be set back between points T5 and T6
Easterly Road/Oakwood Lane roundabout	Kerblines to be set back between points— T31 and T32 T33 and T34 Inner kerblines of roundabout to be realigned between points T29, T30 and T29

(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
Easterly Road/North Lane	Kerblines to be realigned between points— T21 and T22 T27 and T28 T23, T24, T25 and T26 (central reservation) T35, T36, T37 and T38 (central reservation) Kerblines to be set back between points T48 and T49 Kerblines to be realigned between points T56 and T57
Easterly Road/Dib Lane	Kerblines to be set back between points T46 and T47
Dib Lane/Grange Park Avenue	Kerblines to be realigned between points T52 and T53
Easterly Road/Grange Park Avenue	Kerblines to be realigned between points T54 and T55
Easterly Road/North Lane/Dib Lane junction	Inner kerblines to be formed between points T50, T51 and T50
North Parkway	Kerblines to be set forward between points— V1 and V2 V3 and V4 V5 and V6 V7 and V8 V9 and V10 V11 and V12 V13 and V14 V15 and V16 V17 and V18 V19 and V20 V25 and V26 V27 and V28 V31 and V32 V33 and V34 V37 and V38 V39 and V40 V45 and V46 V47 and V48

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(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
	V49 and V50
	V51 and V52
	V53 and V54
	V55 and V56
	V57 and V58
	V59 and V60
	V63 and V64
	V41 and V42
	V43 and V44
	Kerblines to be realigned between points—
	V21 and V22
	V23 and V24
	V29 and V30 (central reservation)
	V35 and V36 (central reservation)
	Crossing point to be closed at point V67
	Kerblines to be formed between points—
	V61 and V62
	V65 and V66
	Kerblines to be formed at point X
York Road/Ring Road Seacroft	Kerblines to be formed between points V68 and V69
	Subway to be extended between points V79 and V80
Ring Road Seacroft	Kerblines to be set back between points—
	V73 and V74
	V75 and V76
	V77 and V78
	Kerblines to be realigned between points
	V70 and V71
	V69 and V72
Sherburn Road North/Baildon Drive/Baildon Place	Kerblines to be realigned between points X1 and X2
Baildon Drive	Kerblines and footways to be set back between points—

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(1) <i>Street subject to alteration of layout</i>	(2) <i>Description of alteration</i>
	X3 and X4
York Road	X9 and X10
	Kerblines to be realigned between points X7 and X8
	Kerblines to be set back between points X5 and X6
	Kerblines to be realigned between points X13 and X14
	Kerblines and footway to be realigned between points X11 and X12
Duncan Street	Kerblines and footway to be set back between points X15 and X16, X17 and X18
Call Lane	Kerblines to be realigned between points Z1 and Z2
	Kerblines to be formed between points Z5 and Z7
	Kerblines to be realigned between points— Z8 and Z9
New York Street	Z10 and Z11
	Kerblines to be set forward between points— Z14 and Z15
	Z22 and Z23
	Kerblines to be realigned between points— Z5, Z6 and Z7
	Z12 and Z13
	Z16 and Z17
	Z18 and Z19
	Kerblines and footway to be realigned between points Z20 and Z21

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SCHEDULE 4

Article 11

STREETS TO BE STOPPED UP

PART I

STREETS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

(1) <i>Street to be stopped up</i>	(2) <i>Extent of stopping up</i>	(3) <i>New Street to be substituted</i>
Woodhouse Cliff	Between points X and W	Work No. 6C
Footpath between subway under Blenheim Walk and Woodhouse Lane	Between points FG3 and FG5	Footpath between points FG1, FG2, FG3 and FG4
Footpath between Beckett Street and Shakespeare Avenue	Between points FP9 and FP10	Footpath between points FP8 and FP7
Footpath between Museum Street and Shakespeare Approach	Between points FP11 and FP12	Footpath between points FP12 and FP13
Footpath across Wyke Beck between Asket Garth and Grange Park Crescent	Between points FT2 and FT3	Footpath between points FT3 and FT4
Footpath between Asket Walk and western end of North Parkway	Between points FT5 and FT6	Footpath between points FT5, FT7 and FT8
Footpaths between North Parkway and Ring Road Seacroft	Between points FV1, FV2, FV3 and FV4	Footpath between points FV5, FV3 and FV4
Footpath between Coal Road and Sherburn Road North	Between points FW1 and FW2	Footpaths between points FW7 and FW8, FW9 and FW10 and FW11 and FW12
Footpaths between Sherburn Road North and Hebdon Approach	Between points FW2 and FW6, and FW3, FW4 and FW5	Footpath between points FW5, FW13 and FW14

PART II

STREETS FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

(1) <i>Street to be stopped up</i>	(2) <i>Extent of stopping up</i>
Pedestrian subway beneath Woodhouse Lane	Between points— W, X and Y X and Z

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(1) <i>Street to be stopped up</i>	(2) <i>Extent of stopping up</i>
Back George Street	Between points W and X
Footpath between Easterly Road and Asket Garth	Between points FT1 and FT2

PART III
STREETS IN WHICH VEHICULAR RIGHTS ONLY ARE TO BE EXTINGUISHED

(1) <i>Street to be affected</i>	(2) <i>Extent of extinguishment</i>
Wood Lane	So much as is not already stopped up between points S and T
Raglan Road	Between points X and Y
Cavendish Road	Between points Y and Z
East Lane	Between points Y and Z
Shakespeare Street	Between points X and Y
Harehills Place	Between points W and X
Southern carriageway of North Parkway	Between points W and X
Central reservation of North Parkway	Between points Y and Z

SCHEDULE 5

Article 12

STREETS TO BE TEMPORARILY STOPPED UP

(1) <i>Street to be stopped up</i>	(2) <i>Extent of temporary stopping up</i>
Footpath between Rampart Road and Cathcart Street	Between points FF1 and FF2
Footpaths between Raglan Road and Woodhouse Lane	Between points— FF1 and FF4 FF3 and FF4 FF5 and FF6

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SCHEDULE 6

Article 17

LEVEL CROSSINGS

Highways to be crossed on the level—

Wood Lane

Shire Oak Road

Intended footpath between Woodhouse Lane and Blenheim Walk

Union Street

George Street

Intended footpath between Beckett Street and south-western side of Accommodation Road

Accommodation Road

Intended footpath between Beckett Street and north-eastern side of Accommodation Road

Intended footpath between Beckett Street and existing footpath leading to Shakespeare Avenue

Intended footpath between Industrial Street and existing footpath leading to Shakespeare Approach

Intended footpath between Asket Garth and footpath leading to Grange Park Crescent

Footpath between Kentmere Approach and Grange Park Crescent

Intended footpath between Coal Road and Hebdon Approach

Intended footpath between Sherburn Road North and Hebdon Approach

SCHEDULE 7

Article 26

MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect to compensation for the compulsory purchase of land shall apply with the necessary modifications as respects compensation in the case of a compulsory acquisition under this Order of a right by the creation of a new right as they apply as respects compensation on the compulsory purchase of land and interests in land.

2.—(1) Without prejudice to the generality of paragraph 1 above, the Land Compensation Act 1973⁽¹⁾ shall have effect subject to the modifications set out in sub-paragraphs (2) and (3) below.

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 4 below—

(a) for the words “land is acquired or taken” there shall be substituted the words “a right over land is purchased”; and

(b) for the words “acquired or taken from him” there shall be substituted the words “over which the right is exercisable”.

(3) In section 58(1) (determination of material detriment where part of house etc. proposed for compulsory acquisition), as it applies to determinations under section 8 of the 1965 Act as substituted by paragraph 5 below—

(1) 1973 c. 26.

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- (a) for the word “part” in paragraphs (a) and (b) there shall be substituted the words “a right over land consisting”;
- (b) for the word “severance” there shall be substituted the words “right on the whole of the house, building or manufactory or of the house and the park or garden”;
- (c) for the words “part proposed” there shall be substituted the words “right proposed”; and
- (d) for the words “part is” there shall be substituted the words “right is”.

Adaptation of the 1965 Act

3.—(1) The 1965 Act shall have effect with the modification necessary to make it apply to the compulsory acquisition under this Order of a right by the creation of a new right as it applies to the compulsory acquisition under this Order of land, so that, in appropriate contexts, references in that Act to land are read (according to the requirements of the particular context) as referring to, or as including references to—

- (a) the right acquired or to be acquired; or
- (b) the land over which the right is or is to be exercisable.

(2) Without prejudice to the generality of sub-paragraph (1) above, Part I of the 1965 Act shall apply in relation to the compulsory acquisition under this Order of a right by the creation of a new right with the modifications specified in the following provisions of this Schedule.

4. For section 7 of the 1965 Act (measure of compensation) there shall be substituted the following section—

“7. In assessing the compensation to be paid by the acquiring authority under this Act regard shall be had not only to the extent (if any) to which the value of the land over which the right is to be acquired is depreciated by the acquisition of the right but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of his, or injuriously affecting that other land by the exercise of the powers conferred by this or the special Act.”

5. For section 8 of the 1965 Act (provisions as to divided land) there shall be substituted the following—

(1) Where in consequence of the service on a person under section 5 of this Act of a notice to treat in respect of a right over land consisting of a house, building or manufactory or of a park or garden belonging to a house (“the relevant land”)—

- (a) a question of disputed compensation in respect of the purchase of the right would apart from this section fall to be determined by the Lands Tribunal (“the tribunal”), and
- (b) before the tribunal has determined that question the person satisfies the tribunal that he has an interest which he is able and willing to sell in the whole of the relevant land and—
 - (i) where that land consists of a house, building or manufactory, that the right cannot be purchased without material detriment to that land, or
 - (ii) where that land consists of such a park or garden, that the right cannot be purchased without seriously affecting the amenity or convenience of the house to which that land belongs,

the Leeds Supertram (Extension) Order 2001 (“the Order”) shall, in relation to that person cease to authorise the purchase of the right and be deemed to authorise the purchase of that person’s interest in the whole of the relevant land including,

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where the land consists of such a park or garden, the house to which it belongs, and the notice shall be deemed to have been served in respect of that interest on such date as the tribunal directs.

(2) Any question as to the extent of the land in which the Order is deemed to authorise the purchase of an interest by virtue of subsection (1) of this section shall be determined by the tribunal.

(3) Where in consequence of a determination of the tribunal that it is satisfied as mentioned in subsection (1) of this section the Order is deemed by virtue of that subsection to authorise the purchase of an interest of land, the acquiring authority may, at any time within the period of six weeks beginning with the date of the determination, withdraw the notice to treat in consequence of which the determination was made; but nothing in this subsection prejudices any other power of the authority to withdraw the notice.”.

6. The following provisions of the 1965 Act (which state the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land), that is to say—

- (a) (a) section 9(4) (failure by owners to convey),
- (b) paragraph 10(3) of Schedule 1 (owners under incapacity),
- (c) paragraph 2(3) of Schedule 2 (absent and untraced owners), and
- (d) paragraphs 2(3) and 7(2) of Schedule 4 (common land),

shall be so modified as to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be compulsorily acquired is vested absolutely in the acquiring authority.

7. Section 11 of the 1965 Act (powers of entry) shall be so modified as to secure that, as from the date on which the acquiring authority have served notice to treat in respect of any right, they have power, exercisable in like circumstances and subject to the like conditions, to enter for the purpose of exercising that right (which shall be deemed for this purpose to have been created on the date of service of the notice); and sections 12 (penalty for unauthorised entry) and 13 (entry on warrant in the event of obstruction) of the 1965 Act shall be modified correspondingly.

8. Section 20 of the 1965 Act (protection for interests of tenants at will etc.) shall apply with the modifications necessary to secure that person with such interests in land as are mentioned in that section are compensated in a manner corresponding to that in which they would be compensated on a compulsory acquisition under this Order of that land, but taking into account only the extent (if any) of such interference with such an interest as is actually caused, or likely to be caused, by the exercise of the right in question.

9. Section 22 of the 1965 Act (protection of acquiring authority’s possession where by inadvertence an estate, right or interest has not been got in) shall be so modified as to enable the acquiring authority, in circumstances corresponding to those referred to in that section, to continue to be entitled to exercise the right acquired, subject to compliance with that section as respects compensation.

SCHEDULE 8

Article 28

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

(1) <i>Number of land shown on deposited plan</i>	(2) <i>Purpose of which temporary possession may be taken</i>	(3) <i>Authorised work</i>
1	Landscaping	Work No. 1
13 to 20 and 22	Temporary work area	Work No. 2C
52, 53 and 54	Landscaping	Work No. 4
55(b) and 58	Working and construction site	The scheduled works
73	Working and construction site and thereafter for landscaping	Works Nos. 5, 5D and 5E
92	Working and construction site	The scheduled works
98	Working and construction site	The scheduled works
98(a)	Landscaping	The scheduled works
168	Landscaping	Works Nos. 12, 13 and 14
175(b), 177 and 179	Landscaping	Work No. 14
195	Temporary work area	Work No. 15C
199	Temporary work area	Work No. 15F
211	Temporary work area	Work No. 15D
212	Temporary work area	Work No. 15G
213	Temporary work area	Work No. 15E
215 and 216	Temporary work area	Work No. 15J
217	Temporary work area	Work No. 15H
240 to 260	Temporary work area	Work No. 16A
272	Landscaping	Work No. 19
288(a)	Landscaping	Work No. 23
288(b)	Landscaping	Work No. 23

SCHEDULE 9

Article 35

PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.*Apparatus of statutory undertakers, etc. on land acquired*

1.—(1) Subject to the following provisions of this paragraph, sections 271 to 274 of the 1990 Act (power to extinguish rights of statutory undertakers etc. and power of statutory undertakers etc. to remove or re-site apparatus) shall apply in relation to any land which has been acquired under this Order, or which is held by the Executive and is appropriated or used (or about to be used) by it for the

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purposes of this Order or for purposes connected therewith; and all such other provisions of that Act as apply for the purposes of those provisions (including sections 275 to 278, which contain provisions consequential on the extinguishment of any rights under section 271 and 272, and sections 279(2) to (4), 280 and 282 which provide for the payment of compensation) shall have effect accordingly.

(2) In the provisions of the 1990 Act, as applied by sub-paragraph (1) above—

- (a) references to the appropriate Minister are references to the Secretary of State;
- (b) references to the purpose of carrying out any development with a view to which the land was acquired or appropriated are references to the purpose of carrying out the authorised works; and
- (c) references to land acquired or appropriated as mentioned in section 271(1) of the Act of 1990 are references to land acquired, appropriated or used as mentioned in sub-paragraph (1) above.

(3) Where any apparatus of public utility undertakers or of a public telecommunications operator is removed in pursuance of a notice or order given or made under section 271, 272 or 273 of the 1990 Act, as applied by sub-paragraph (1) above, any person who is the owner or occupier of premises to which a supply was given from that apparatus shall be entitled to recover from the Executive compensation in respect of expenditure reasonably incurred by him, in consequence of the removal, for the purpose of effecting a connection between the premises and any other apparatus from which a supply is given.

(4) Sub-paragraph (3) above shall not apply in the case of the removal of a public sewer but where such a sewer is removed in pursuance of such a notice or order as is mentioned in that paragraph, any person who is—

- (a) the owner or occupier of premises the drains of which communicated with that sewer, or
- (b) the owner of a private sewer which communicated with that sewer,

shall be entitled to recover from the Executive compensation in respect of expenditure reasonably incurred by him, in consequence of the removal, for the purpose of making his drain or sewer communicate with any other public sewer or with a private sewage disposal plant.

(5) The provisions of the 1990 Act mentioned in sub-paragraph (1) above, as applied by that sub-paragraph, shall not have effect in relation to apparatus as respects which paragraph 2 below or Part III of the 1991 Act applies (including that Part as applied by article 3 above).

(6) In this paragraph—

“public telecommunications operator” means—

- (a) a person authorised, by a licence to which section 9 of the Telecommunications Act 1984(2) applies, to run a public telecommunications system, or
- (b) a person to whom the telecommunications code has been applied pursuant to section 10 of that Act; and

“public utility undertakers” has the same meaning as in the Highways Act 1980(3).

Apparatus of statutory undertakers, etc. in stopped up streets

2.—(1) Where a street is stopped up under article 11 of this Order any statutory utility whose apparatus is under, in, upon, over, along or across the street shall have the same powers and rights in respect of that apparatus, subject to the provision of this paragraph, as if this Order had not been made.

(2) 1984 c. 12.

(3) 1980 c. 66.

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(2) Where a street is stopped up under article 11 of this Order any statutory utility whose apparatus is under, in, upon, over, along or across the street may where reasonably necessary for the efficient operation of the undertaking of the statutory utility and, if reasonably requested so to do by the Executive, shall—

- (a) remove the apparatus and place it or other apparatus provided in substitution for it in such other position as the utility may reasonably determine and have power to place it; or
- (b) provide other apparatus in substitution for the existing apparatus and place it in such position as aforesaid.

(3) Subject to the following provisions of this paragraph, the Executive shall pay to any statutory utility an amount equal to the cost reasonably incurred by the statutory utility in or in connection with—

- (a) the execution of relocation works required in consequence of the stopping up of the street; and
- (b) the doing of any other work or thing rendered necessary by the execution of relocation works.

(4) If in the course of the execution of relocation works under sub-paragraph (2) above—

- (a) apparatus of better type, of greater capacity or of greater dimension is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions, or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the Executive, or, in default of agreement, is not determined by arbitration to be necessary, then, if it involves cost in the execution of the relocation works exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this paragraph would be payable to the statutory utility by virtue of sub-paragraph (3) above shall be reduced by the amount of that excess.

(5) For the purposes of sub-paragraph (4) above—

- (a) an extension of apparatus to a length greater than the length of existing apparatus shall not be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole shall be treated as if it also had been agreed or had been so determined.

(6) An amount which apart from this sub-paragraph would be payable to a statutory utility in respect of works by virtue of sub-paragraph (3) above (and having regard, where relevant, to sub-paragraph (4) above) shall, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7½ years earlier so as to confer on the statutory utility any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

(7) Sub-paragraphs (3) to (6) above shall not apply where the authorised works constitute major transport works or major highway works for the purposes of Part III of the 1991 Act (including that Part as applied by article 3 above), but instead—

- (a) the allowable costs of the relocation works shall be determined in accordance with section 85 of that Act (sharing of costs of necessary measures) and any regulations for the time being having effect under that section; and

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- (b) the allowable costs shall be borne by the Executive and the statutory utility in such proportions as may be prescribed by any such regulations.
- (8) In this paragraph—
 - “apparatus” has the same meaning as in Part III of the 1991 Act;
 - “relocation works” means works executed, or apparatus provided, under sub-paragraph (2) above; and
 - “statutory utility” means a statutory undertaker for the purposes of the Highways Act 1980⁽⁴⁾ or a public telecommunications operator as defined in paragraph 1(6) above.

Application of telecommunications code

- 3.—**(1) Paragraph 23 of the telecommunications code shall apply for the purposes of the authorised works, save—
- (a) in so far as such works are regulated by the 1991 Act or any regulation made under that Act; or
 - (b) where the Executive exercises a right under subsection (4)(b) of section 272 of the 1990 Act or under an Order made under that section to remove telecommunications apparatus.
- (2) In this paragraph “telecommunications code” means the telecommunications code contained in Schedule 2 to the Telecommunications Act 1984⁽⁵⁾ and “telecommunications apparatus” has the same meaning as in the telecommunications code.

⁽⁴⁾ 1980 c. 66.
⁽⁵⁾ 1984 c. 12.