
STATUTORY INSTRUMENTS

2005 No. 1794

The Midland Metro (Birmingham City
Centre Extension, etc.) Order 2005

PART 2

WORKS PROVISIONS

Principal powers

Power to deviate, etc.

- 7.—(1) In constructing or maintaining any scheduled work, the Executive may—
- (a) deviate laterally from the lines or situations shown on the works plans within the limits of deviation for that work shown on those plans; and
 - (b) subject to article 9(4)(b) and (c), deviate vertically from the levels shown on the deposited sections—
 - (i) to any extent not exceeding 3 metres upwards; and
 - (ii) to any extent downwards as may be necessary or expedient.
- (2) The Executive may in constructing or maintaining any of the 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.
- (3) The power in paragraph (2) 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.
- (4) The Executive may in constructing and maintaining any of the authorised tramroads provide within the limits of deviation for those tramroads such number of lines of rails and sidings as may be necessary or expedient.
- (5) If the highway authority carries out a remodelling or reconstruction of Five Ways roundabout in the City, the Executive may with the consent of the highway authority (such consent not to be unreasonably withheld) construct or reconstruct Work No. 2 at a level higher than that permitted by paragraph (1)(b)(i) in order to accommodate that remodelling or reconstruction.
- (6) Any direction under section 90(2A) of the 1990 Act deeming planning permission to be granted in relation to the works authorised by this Order shall not have effect as deeming planning permission to be granted for any works to which a consent under paragraph (5) applies.