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STATUTORY INSTRUMENTS

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**2013 No. 3244**

**The Ashton Vale to Temple Meads and  
Bristol City Centre Rapid Transit Order 2013**

**PART 2**

**WORKS PROVISIONS**

*Principal powers*

**Power to construct and maintain works**

5.—(1) The promoter may construct and maintain either Work No. 1A or Work No. 1B (but not both) together with the remainder of the scheduled works.

(2) Subject to article 6 (power to deviate), the scheduled works may only be constructed in the lines or situations shown on the works and land plans and in accordance with the levels shown on the sections.

(3) Subject to paragraph (6), the promoter may carry out and maintain such of the following works as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the scheduled works, namely—

- (a) stations, depots, platforms, junctions and stopping places;
- (b) buildings and other works required for, or in connection with, the control, management or maintenance of the transport systems or the control or management of any vehicular and pedestrian traffic on or in the transport systems;
- (c) works required for the strengthening, improvement, maintenance or reconstruction of any street;
- (d) works for the strengthening, alteration or demolition of any building;
- (e) works to alter the position of any street furniture or apparatus, including mains, sewers, drains, pipes, cables and lights;
- (f) works to alter the course of, or otherwise interfere with, watercourses;
- (g) landscaping, ecological and other works to mitigate any adverse effects of the construction, maintenance or operation of the other authorised works; and
- (h) facilities and works for the benefit or protection of land or premises affected by the other authorised works.

(4) Subject to paragraph (6), the promoter may carry out and maintain such other works (of whatever nature) as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the scheduled works.

(5) The promoter may remove any works constructed by it under this Order which have been constructed as temporary works or which it no longer requires.

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

- (a) within the Order limits; or
- (b) within the boundaries of any street along which the construction of any part of the transport systems is shown on the works and land plans, or which has a junction with such a street.

(7) The powers conferred by this article must not be exercised within the boundaries of a street outside of the Order limits which has a junction with a street in which the construction of the transport systems is shown on the works and land plans without the consent of the street authority but such consent must not be unreasonably withheld.

(8) The promoter may in constructing or maintaining any part of the harbour railway system which is laid along a street lay down such number of switches and crossings as may be necessary or expedient.

### **Power to deviate**

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

- (a) deviate laterally from the lines or situations shown on the works and land plans within the Order limits relating to 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 as may be necessary or expedient.

(2) The promoter may construct and maintain any emergency and maintenance track comprised in a scheduled work at a different level to the guided busway which it adjoins.

(3) The promoter may, in constructing and maintaining any part of the authorised guided busway provide within the limits of deviation such gaps in the mode of guidance adopted and such number of ways, cross-overs, lay-bys, bus parking areas and sidings as may be necessary or expedient.

(4) Without limitation on the scope of paragraph (1)—

- (a) in constructing and maintaining Work Nos. 1A, 1B and 2 the promoter may, to the extent it thinks fit, deviate from the design of the bridges shown on the sections, including by varying the number of any supporting columns or other structures, the distances between them and the height or clearance above the level of any land underneath the bridges; and
- (b) in constructing and maintaining the scheduled works the promoter may, to the extent it thinks fit, deviate laterally from their points of commencement and termination shown on the works and land plans.