



Leeds Supertram Act 1993

1993 CHAPTER xv

PART II

WORKS

7 Further works and powers

- (1) Subject to the provisions of this Act (and, 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), the Executive may exercise the powers, and make and maintain in the City the further works described in Part II of Schedule 1 to this Act, with all necessary works and conveniences connected therewith.
- (2) Without prejudice to the specific powers conferred by subsection (1) above, for the purposes of constructing or maintaining the authorised railways in or adjoining any road, the Executive may, with the consent of the highway authority—
 - (a) increase the width of the carriageway of the road by reducing the width of any footway, cycle track or verge or other land within the boundary of the road;
 - (b) alter or interfere with the level of any kerb, footway, cycle track, verge or other land within the boundary of the road; or
 - (c) at any place on a tramway reduce the width of the carriageway of the road by forming a reserved area in the road or by setting forward the kerblines of the road and providing access for vehicles to adjoining premises and a footway on the side of that kerblines nearest to those premises.
- (3) No footway shall, under subsection (2) above, be reduced to a width less than 1·80 metres (5 feet 11 inches).
- (4) Where the carriageway, or part of the carriageway, of any road in which a tramway is laid is of sufficient width to provide not less than 3·3 metres of width for vehicular traffic clear of the tramway path (as determined in accordance with the clearance required by the Secretary of State), the Executive may, with the consent of the highway authority, carry out such works as may be required to deter, but not prevent, the passage of vehicular traffic along the tramway, whether by raising or lowering the level of the part of the carriageway occupied by the tramway path above or below the level of the

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adjoining carriageway or by placing a kerb or other obstruction along the edge of that adjoining carriageway.

- (5) In the case of any length of tramway which is situated clear of the carriageway of any road, the Executive may, with the consent of the highway authority, lay and maintain the tramway in such manner that the uppermost surface of the rails is not on a level with the surface of the ground in which it is laid.
- (6) (a) Subject to the provisions of this Act, the Executive may—
- (i) lay down double lines in lieu of single lines or single lines in lieu of double lines or interlacing lines in lieu of double or single lines on any of the tramways, either when constructing it or at any time thereafter, and construct or take up and reconstruct any such tramway or associated work in such position in the road or land in which it is authorised to be constructed as they think fit; and
 - (ii) make, maintain, alter and remove such crossings, passing places, sidings, junctions and other works, in addition to those specified in and authorised by this Act, as they find necessary or convenient for the efficient working of the tramway system, for the purposes of the control of traffic or for providing access to any premises.
- (b) The powers of paragraph (a) above shall not be exercised in any road which is a highway without the consent of the highway authority.
- (7) (a) When, by reason of the carrying out of any work affecting any road along or across which any tramway is laid, it is, in the opinion of the Executive, necessary or expedient temporarily to remove or discontinue the use of that tramway, or any part thereof, the Executive may, with the consent of the highway authority, construct and maintain, in the same or any adjacent road, a temporary tramway in lieu of the length of tramway so removed or discontinued.
- (b) If the Executive alter the route of a tramway under paragraph (a) above, they shall, in accordance with section 8 (2) of this Act, provide traffic signs to give warning of such alteration and any associated traffic arrangements.
- (8) Notwithstanding anything in section 68 of the Act of 1845, where any part of a railway is constructed on any verge or roadside waste comprised in a road, the Executive shall not be required to fence that part of that railway.
- (9) (a) Wherever in this section the consent of the highway authority is required, that consent shall be in writing and may be given subject to such conditions as the highway authority may reasonably require, but shall not be unreasonably withheld.
- (b) If, within 56 days of application for any such consent and the supply of such plans, specifications and particulars as the highway authority may reasonably require in connection with the application, the highway authority do not grant consent, with or without conditions, the consent applied for shall be deemed to have been refused.
- (c) Any difference arising between the Executive and the highway authority under this subsection shall be determined by the Secretary of State.
- (10) The Executive shall construct a good and sufficient fence on each side of any road bridge in respect of which widening is carried out as part of the authorised works.