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STATUTORY INSTRUMENTS

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**2001 No. 1347**

**The Leeds Supertram (Extension) Order 2001**

**PART I**  
**PRELIMINARY**

**Interpretation**

- 2.—(1)** In this Order, unless the context otherwise requires—
- “the 1965 Act” means the Compulsory Purchase Act 1965<sup>(1)</sup>;
  - “the 1990 Act” means the Town and Country Planning Act 1990<sup>(2)</sup>;
  - “the 1991 Act” means the New Roads and Street Works Act 1991<sup>(3)</sup>;
  - “the 1993 Act” means the Leeds Supertram Act 1993<sup>(4)</sup>;
  - “the Applications Rules” means the Transport and Works (Applications and Objections Procedure) Rules 1992;
  - “application date” means the day on which application was made to the Secretary of State for this Order;
  - “authorised street tramway” means any street tramway authorised by this Order;
  - “authorised tramroad” means any tramroad authorised by this Order;
  - “authorised tramway” means the tramway (consisting of the authorised street tramways and the authorised tramroads) authorised by this Order;
  - “authorised works” means the scheduled works and any other works authorised by this Order;
  - “the book of reference” means the book of reference described in rule 7(5) of the Applications Rules;
  - “carriageway” has the same meaning as in the Highways Act 1980<sup>(5)</sup>;
  - “the City” means the City of Leeds;
  - “the deposited plans” means the plans described in rule 7(1)(a) and 7(3) of the Applications Rules and references to the land shown on those plans are references to the land so shown pursuant to rule 7(3);
  - “the deposited sections” means the sections described in rule 7(2) of the Applications Rules;
  - “electric line” has the meaning given by section 64(1) of the Electricity Act 1989<sup>(6)</sup>;
  - “the Executive” means the West Yorkshire Passenger Transport Executive;
  - “highway” and “highway authority” have the same meaning as in the Highways Act 1980;

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(1) 1965 c. 56.  
(2) 1990 c. 8.  
(3) 1991 c. 22.  
(4) 1993 c. xv.  
(5) 1980 c. 66.  
(6) 1989 c. 29.

“the limits of deviation” means the limits of deviation for the scheduled works (being scheduled works not comprising a street widening) shown on the deposited plans or, if, in relation to any such work in a street, no such limits are shown, the boundaries of that street on the application date (including those boundaries as from time to time altered or widened under this Order);

“the limits of land to be acquired or used” means the limits of land to be acquired or used shown on the deposited plans;

“the limits of widening” means the limits of widening shown on the deposited plans;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and “maintenance” shall be construed accordingly;

“occupier” means a person occupying land under a tenancy for a period of more than one month (not being a statutory tenant within the meaning of the Rent Act 1977(7) or the Rent (Agriculture) Act 1976(8));

“owner”, in relation to land, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of land (whether in possession or reversion) and includes a person holding, or entitled to the rents and profits of, the land under a lease or tenancy having an unexpired term exceeding 3 years;

“the scheduled works” means the works specified in Schedule 1 to this Order;

“street” includes part of a street;

“street authority”, in relation to a street, has the same meaning as in Part III of the 1991 Act;

“street tramway” means any part of a tramway which is laid along a street—

- (a) whether or not the section of the street in which its rails are laid may be used by other traffic; or
- (b) whether the uppermost surface of the rails is level with, or raised above, the surrounding surfaces of the street;

“tram” means any vehicle (whether or not used for the carriage of passengers) carried on flanged wheels along the rails of a tramway;

“tramroad” means any part of a tramway which is not a street tramway;

“tramway” means a system of transport used wholly or mainly for the carriage of passengers and employing parallel rails which provide support and guidance for vehicles carried on flanged wheels;

“the tribunal” means the Lands Tribunal.

(2) Where the book of reference, the deposited plans or the deposited sections was or were revised before this Order was made, any reference to it or them in this Order is to the latest version as certified under article 39 below.

(3) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the air-space over its surface.

(4) All directions, distances, areas, lengths and points stated in any description of works, powers or lands shall be construed as if the words “or thereabouts” were inserted after each such direction, distance, area, length and point and distances between points on the authorised tramway shall be taken to be measured along the centre line of the authorised tramway.

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(7) 1977 c. 42. See section 2(1) and Schedule 1, as amended by the Housing Act 1980 (c. 51), sections 76 and 153(2) and Schedule 26, and the Housing Act 1988 (c. 50), section 39(1).

(8) 1976 c. 80. See section 4, as amended by the Rent Act 1977, section 155 and Schedule 23, and the Housing Act 1980, section 76(3).

(5) Unless the context otherwise requires, any reference in this Order to a work identified by the number of the work shall be construed as a reference to the work of that number authorised by this Order.

(6) References in this Order to points identified by letters, with or without numbers, shall be construed as references to the points so marked on the relevant deposited plan.

(7) In the case of any street in relation to which an order made under section 249(2) of the 1990 Act (a pedestrian planning order) is in force, the kerb line of the street, where there is no kerb, shall be taken to be the edge of the part of the street on which the passage of vehicles is permitted.