
STATUTORY INSTRUMENTS

2001 No. 1367

The Greater Manchester (Light Rapid Transit System) (Trafford Park) Order 2001

PART I

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Greater Manchester (Light Rapid Transit System) (Trafford Park) Order 2001 and shall come into force on 2nd March 2001.

Interpretation

2.—(1) In this Order, unless the context otherwise requires—

“the 1965 Act” means the Compulsory Purchase Act 1965**(1)**;

“the 1992 Act” means the Greater Manchester (Light Rapid Transit System) Act 1992**(2)**;

“authorised works” means the works authorised by the 1992 Act;

“the book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;

“the land plans” means the plans certified by the Secretary of State as the land plans for the purposes of this Order;

“the limits of deviation” means the limits of lateral deviation for the scheduled work mentioned in article 4(1)(a);

“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**(3)** or the Rent (Agriculture) Act 1976**(4)**);

“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 the 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 agreement, where the unexpired term of that lease or agreement exceeds 3 years;

“the scheduled work” means the work specified in Schedule 1 to this Order or any part of it;

(1) 1965 c. 56.

(2) 1992 c. xviii.

(3) 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).

(4) 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).

“the sections” means the sections certified by the Secretary of State as the sections for the purposes of this Order;

“street” includes part of a street;

“street tramway” means any part of a transit system 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; and
- (b) whether the uppermost surface of the rails is level with, or raised above, the surrounding surfaces of the street;

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

“transit system” means a system of transport used wholly or mainly for the carriage of passengers and employing parallel rails which—

- (a) provide support and guidance for vehicles carried on flanged wheels, and
- (b) are laid in part along a street or in any other place to which the public has access (including a place to which the public has access only on making a payment);

“the tribunal” means the Lands Tribunal;

“the undertaker” means Greater Manchester Passenger Transport Executive;

“the works plans” means the plans certified by the Secretary of State as the works plans for the purposes of this Order.

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

(3) All distances, directions and lengths stated in the description of the scheduled work or in any description of powers or lands shall be construed as if the words “or thereabouts” were inserted after each such distance, direction and length, and distances between points on a tramroad shall be taken to be measured along the tramroad.