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STATUTORY INSTRUMENTS

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**2005 No. 1918**

**The Greater Manchester (Leigh Busway) Order 2005**

**PART 2**

WORKS PROVISIONS

*Principal powers*

**Power to construct and maintain works**

4.—(1) The undertaker may construct and maintain the scheduled works.

(2) Subject to article 5, the scheduled works may only be constructed in the lines or situations shown on the works plans and in accordance with the levels shown on the sections.

(3) Subject to paragraph (5) the undertaker may carry out and maintain such of the following works as may be necessary or expedient for the purposes of, in connection with or in consequence of the construction of the scheduled works, namely—

- (a) stops, platforms and stopping places;
- (b) works required for the strengthening, improvement, repair or reconstruction of any street;
- (c) works required for, or in connection with, the control of any vehicular and pedestrian traffic on or in the vicinity of the authorised busway;
- (d) parking and Park and Ride facilities;
- (e) works for the strengthening, alteration or demolition of any building or structure;
- (f) works to alter the position of any street furniture or apparatus, including mains, sewers, drains and cables;
- (g) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses;
- (h) landscaping and works to mitigate any adverse effects of the construction, maintenance or operation of the authorised works; and
- (i) replacement facilities and works for the benefit or protection of premises affected by the authorised works.

(4) Subject to paragraph (5), the undertaker may carry out such other works (of whatever nature) as may be necessary or expedient for the purposes of, in connection with or in consequence of, the construction of the scheduled works.

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

- (a) within the limits of deviation for the scheduled works shown on the works plans; and
- (b) on land specified in columns (1) and (2) of Schedule 2 to this Order for the purpose specified in relation to that land in column (3) of that Schedule.

(6) Paragraph 23 of Schedule 2 to the Telecommunications Act 1984<sup>(1)</sup> (the telecommunications code) shall apply for the purposes of any works authorised by this Order save in so far as such purposes are regulated by the 1991 Act or any regulations made under that Act.

**Power to deviate**

- 5.—(1) In constructing or maintaining any of the scheduled works, the undertaker 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) deviate vertically from the levels shown on the sections—
    - (i) to any extent not exceeding 3 metres upwards; and
    - (ii) to any extent downwards.

(2) The undertaker may in constructing and maintaining any part of the authorised 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.

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(1) 1984 c. 12.