

## SCHEDULES

### SCHEDULE 1

Article 4

#### SCHEDULED WORKS

<i>(1)</i> <i>Number of Work</i>	<i>(2)</i> <i>Description of Work</i>
<b>In the Borough of Wigan</b>	
Work No. 1	A guided busway 431 metres in length commencing at the junction of East Bond Street and Princess Street and running in a north-easterly direction before terminating at Holden Road, where the busway crosses the existing highway.
Work No. 2	A guided busway 1613 metres in length commencing by the termination of Work No. 1, running in a north-easterly direction along part of the former Leigh to Patricroft rail line formation, crossing Green Lane before terminating at the crossing of Millers Lane.
Work No. 3	A guided busway 755 metres in length commencing by the termination of Work No. 2, running in an easterly direction along part of the former Leigh to Patricroft rail line formation before terminating at the crossing of Cooling Lane.
Work No. 4	A guided busway 742 metres in length commencing by the termination of Work No. 3, running in an easterly direction along part of the former Leigh to Patricroft rail line formation before terminating at the crossing of Astley Street.
Work No. 5	A guided busway 915 metres in length commencing by the termination of Work No. 4 at Astley Street becoming guided after 120m and, running in an easterly direction along part of the former Leigh to Patricroft rail line formation, crossing Well Street before terminating at the crossing of Upton Lane.
Work No. 5A	A realignment of the Well Street carriageway commencing 85 metres south of Manchester Road for a distance of 115 metres in a southerly direction.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Number of Work</i>	<i>(2)</i> <i>Description of Work</i>
Work No. 6	A guided busway 448 metres in length commencing by the termination of Work No. 5 at Upton Lane, running in an easterly direction along part of the former Leigh to Patricroft rail line formation before terminating at the crossing of Hough Lane.
Work No. 7	A guided busway 774 metres in length commencing by the termination of Work No. 6 at Hough Lane, running in an easterly direction along part of the former Leigh to Patricroft rail line formation before terminating at the crossing of Sale Lane.
Work No. 8	A guided busway 1025 metres in length commencing by the termination of Work No. 7 at Sale Lane, running in an easterly direction along part of the former Leigh to Patricroft rail line formation before terminating where the former rail line crossed over City Road.
<b>In the Borough of Wigan and City of Salford</b>	
Work No. 9	A guided busway 447.5 metres in length commencing by the termination of Work No. 8 at City Road, running in an easterly direction along part of the former Leigh to Patricroft rail line formation before terminating where it meets Newearth Road.
<b>In the Borough of Wigan</b>	
Work No. 10	A guided busway 401 metres in length commencing 7 metres to the east of the termination of Work No. 3 and the commencement of Work No. 4, running in a southerly direction along Cooling Lane before terminating 33 metres north of Richmond Drive.

## SCHEDULE 2

Articles 4 and 20

## ACQUISITION OF CERTAIN LAND

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Number of land shown on land plan</i>	<i>(3)</i> <i>Purpose for which land may be acquired</i>
<b>Borough of Wigan</b>	1 to 20	Provision of bus lane and associated highway

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> Area	<i>(2)</i> Number of land shown on land plan	<i>(3)</i> Purpose for which land may be acquired
		remodelling in Leigh Town Centre
	51	Construction of Lilford Park Brook Bridge
	52	Construction of Lilford Park Brook Bridge and works to Lilford Park Brook
	56, 57, 60 to 62, 65 to 68, 70, 97 and 99	Path realignment and access control measures
	85 to 87	Creation of new access to Park and Ride site off Hart Street
	100	Path realignment and construction of retaining walls
<b>City of Salford</b>	112	Construction of bridleway to connect with Newearth Road
	114	Provision of busway access and associated highway remodelling of Newearth Road
	115	Construction of footpath to connect with Newearth Road

#### KEY TO SCHEDULES 3 TO 5 AND 9

BL	Bus Lane
CE	Prohibition on waiting etc.
DT	Prohibited direction of travel
NP	New Way
NS	Narrowing of street
PA	Prohibition of Access
PD	Permanent Diversion
PS	Permanent stopping up
RS	Realignment of street
TS	Temporary stopping up
WE	Kerb-line modification
WS	Widening of street

The reference letters and numbers are marked on the works plans and rights of way maps.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 3

Article 6

## STREETS SUBJECT TO ALTERATION OF LAYOUT

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street subject to alteration of layout</i>	<i>(3)</i> <i>Description of alteration</i>
<b>Borough of Wigan</b>	Princess Street	Realignment of street between RS3 and RS4 between Queen Street and Lord Street South.
		Kerb-line to be set back between WS1 and WS2 between Lord Street South and East Bond Street.
	Lord Street South	Realignment of street between RS5 and RS6 between Spinning Jenny Way and Princess Street.
	Queen Street	Realignment of street between RS7 and RS8 between Brown Street and Princess Street.
	Gas Street	Realignment of street between RS9 and RS10 between access to Gas Street car park and Brown Street.
	Brown Street	Realignment of street between RS11 and RS12 between Gas Street and Queen Street.
	Spinning Jenny Way	Kerb-line to be set back between WS3 and WS4 on the north side of the road between Brown Street South and Lord Street South with associated kerb-line re-alignment (setting forward) on the south side of the adjacent length of Chapel Street.
	East Bond Street	Kerb-line to be altered between WE1 and WE2 on north side of road.
	Holden Road	Kerb-line to be altered between WE3 and WE4 on the east and west side of the road.
	Sandringham Drive	Kerb-line to be altered between WE15 and WE16 on the east side of the road.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street subject to alteration of layout</i>	<i>(3)</i> <i>Description of alteration</i>
	Astley Street	Kerb-line to be altered between WE5 and WE6 on the east and west side of the road.
	Well Street	Realignment of street between RS1 and RS2.
	Hough Lane	Kerb-line to be altered between WE7 and WE8 on the east and west side of the road.
	Manchester Road	Kerb-line to be altered between WE9 and WE10 on the south side of the road.
	Hart Street	Kerb-line to be set forward between NS1 and NS2 on the east and west side of the road.
	Sale Lane	Kerb-line to be altered between WE11 and WE12 on the east and west side of the road.
<b>City of Salford</b>	Newearth Road	Kerb-line to be altered between WE13 and WE14 on the east and west side of the road.

SCHEDULE 4

Articles 9 and 10

PATHS AND STREETS TO BE STOPPED UP AND PROVISION OF SUBSTITUTES

PART 1

NEW PATHS OR STREETS

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>New path or street</i>
<b>Borough of Wigan</b>	Cycletrack between NP132 and NP134
	Footpath between NP3 and NP4
	Footpath between NP107 and NP108
	Footpath between NP5 and NP6
	Footpath between NP16 and NP18
	Footpath between NP113 and NP114
	Footpath between NP20 and NP21
	Footpath between NP31 and NP32

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>New path or street</i>
	Bridleway between NP25 and NP26
	Bridleway between NP30, NP34 and NP131
	Footpath between NP34, NP110 and NP35
	Footpath between NP36 and NP37
	Footway between NP42, NP43 and NP45
	Footpath between NP43 and NP44
	Footpath between NP128 and NP129
	Footway between NP44 and NP48
	Footpath between NP49 and NP50
	Footpath between NP51 and NP52
	Footpath between NP51, NP127 and NP52
	Footpath between NP52, NP53 and NP54
	Footpath between NP55 and NP56
	Footpath between NP52, NP55 and NP57
	Bridleway between NP136 and NP137
	Footpath between NP65 and NP66
	Footpath between NP71 and NP72
	Footpath between NP116 and NP109
	Footpath between NP62 and NP64
	Footpath between NP72 and NP119
	Footpath between NP84 and NP85
	Footpath between NP89 and NP90
	Bridleway between NP91 and NP92
	Footpath between NP103 and NP104
	Footpath between NP98, NP101 and NP102
	Footpath between NP83, NP87 and NP121

## PART 2

### PATHS FOR WHICH SUBSTITUTES ARE TO BE PROVIDED

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New street to be substituted</i>
<b>Borough of Wigan</b>	Footpath 108	Between PD132 and PD142	Cycletrack between NP112 and NP133

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New street to be substituted</i>
	Footpath 109	Between PD143 and PD133	Cycletrack between NP135 and NP106
	Informal path	Between PD150 and PD133	Cycletrack between NP112 and NP132 and NP134 and NP106
	Greenway	Between PD76 and PD77	Bridleway between NP1 and NP19
	Greenway	Between PD80 and PD81	Footpath between NP10 and NP11
	Bridleway B(A)	Between PD82 and PD83	Bridleway between NP12 and NP113
	Footpath 93	Between PD112 and PD113	Footpath between NP109 and NP6
	Footpath 92	Between PD3 and PD4	Footpath between NP6, NP7, NP10 and NP11
	Footpath 111	Between PD5 and PD6	Footpath between NP8 and NP9
	Footpath 71	Between PD9 and PD10	Footpath between NP110 and NP13
	Footpath (D)	Between PD 15 and PD16	Footpath between NP14 and NP15
	Footpath (E)	Between PD17 and PD18	Footpath between NP16 and NP17
	Footpath 75	Between PD114 and PD115	Footpath between NP19 and NP23
	Bridleway B(B)	Between PD84 and PD85	Bridleway between NP113 and NP31
	Footpath 62	Between PD19 and PD20	Footpath between NP19, NP20 and NP22
	Footpath (F)	Between PD120 and PD 121	Bridleway between NP31, NP30 and NP115
	Bridleway 216	Between PD134 and PD135	Bridleway between NP24, NP25 and NP122
	Bridleway 217	Between PD134 and PD23	Bridleway between NP33, NP30, NP23 and NP24
	Bridleway 215	Between PD135 and PD24	Bridleway between NP122 and NP27

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New street to be substituted</i>
	Footpath 79	Between PD24, PD136 and PD141	Bridleway between NP27 and NP124
	Footpath 78	Between PD136 and PD137	Bridleway between NP124 and NP29
	Footpath (X)	Between PD139 and PD140	Footpath between NP125 and NP126
	Bridleway 208	Between PD24 and PD138	Bridleway between NP27 and NP28
	Footpath 209	Between PD29 and PD30	Footpath between NP40, NP39, NP38 and NP41
	Greenway	Between PD126 and PD127	Bridleway between NP131, NP45, NP46 and NP47
	Greenway	Between PD88 and PD89	Cycletrack between NP58 and NP59
	Greenway	Between PD94 and PD95	Bridleway between NP60, NP73 and NP74
	Greenway	Between PD116 and PD 117	Footpath between NP65 and NP111 and NP66
	Greenway	Between PD100 and P101	Bridleway between NP73 and NP77
	Greenway	Between PD50 and PD 51	Footpath between NP111, NP65, NP61, NP62 and NP63
	Footpath 180	Between PD52 and PD53	Footpath between NP67, NP68, NP117 and NP118
	Informal Path	Between PD130 and PD131	Footpath between NP70, NP69, NP71 and NP119
	Greenway	Between PD102 and PD104	Bridleway between NP78, NP77, NP81, NP83 and NP120
	Informal Path	Between PD56 and PD57	Bridleway between NP77 and NP78
	Footpath 149	Between PD58 and PD59	Footpath between NP80, NP81 and NP82
	Footpath (Q)	Between PD60 and PD152	Footpath between NP93 and NP92



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New street to be substituted</i>
	Greenway	Between PD103 and PD 105	Footpath between NP88 and NP120
	Footpath	Between PD152 and PD 61	Bridleway between NP92 and NP130
	Footpath (R)	Between PD62 and PD63	Cycletrack between NP130, NP103 and NP100
	Footpath 134	Between PD118 and PD119	Footpath between NP94, NP95, NP96 and NP97
<b>Borough of Wigan and City of Salford</b>	Footpath (R)	Between PD62 and PD63	Bridleway between NP130, NP103 and NP1000

### PART 3

#### PATHS AND STREETS FOR WHICH NO SUBSTITUTES WILL BE PROVIDED

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street affected</i>	<i>(3)</i> <i>Extent of stopping up</i>
<b>Borough of Wigan</b>	Chapel Street	Between PS3 and PS4 (at junction with Queen Street)
	Greenway	Between PS78 and PS79
	Footpath (A)	PS7 and PS8
	Footpath (C)	Between PS13 and PS14
	Footpath (I)	Between PS122 and PS123
	Greenway	Between PS124 and PS125
	Greenway	Between PS108 and PS109
	Footpath (J)	Between PS31 and PS32
	Footpath (K)	Between PS33 and PS34
	Greenway	Between PS35 and PS36
	Footpath (L)	Between PS37 and PS38
	Footpath (O)	Between PS43 and PS44 and between PS45 and PS46
	Greenway	Between PS90 and PS91
	Greenway	Between PS92 and PS93
	Footpath (P)	Between PS47 and PS48
	Greenway	Between PS96 and PS97

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street affected</i>	<i>(3)</i> <i>Extent of stopping up</i>
<b>Borough of Wigan and City of Salford</b>	Greenway	Between PS128 and PS129
	Greenway	Between PS98 and PS99
	Footpath (T)	Between PS70 and PS71
	Footpath (V)	Between PS74 and PS75
	Footpath (U)	Between PS106 and PS107

## SCHEDULE 5

Article 10

## PATHS AND STREETS TO BE TEMPORARILY STOPPED UP

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street affected</i>	<i>(3)</i> <i>Extent of stopping up</i>
<b>Borough of Wigan</b>	City Road/New City Road	Between TS1 and TS2 at crossing of City Road by railway bridge
	Footpath 93	Between TS110 and TS111
	Footpath 91	Between TS1 and TS2
	Footpath 72	Between TS11 and TS12
	Informal Path	Between TS124 and TS125
	Footpath 218	Between TS21 and TS22 and between TS25 and TS26
	Greenway	Between TS86, TS28 and TS87
	Greenway	Between TS27 and TS28
	Footpath (M)	Between TS39 and TS40
	Footpath (N)	Between TS41 and TS42
<b>Borough of Wigan and City of Salford</b>	Footpath 176	Between TS54 and TS55
	Footpath 135	Between TS66 and TS67

## SCHEDULE 6

Article 15

## HIGHWAYS TO BE CROSSED ON THE LEVEL

Holden Road  
Cooling Lane  
Astley Street

Well Street  
Upton Lane  
Hough Lane  
Sale Lane

## SCHEDULE 7

Article 23

### MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

#### *Compensation enactments*

1. The enactments for the time being in force with respect to compensation for the compulsory purchase of land shall apply with the necessary modifications as respects compensation in the case of a compulsory acquisition under this Order of a right by the creation of a new right as they apply as respects compensation on the compulsory purchase of land and interests in land.

2.—(1) Without prejudice to the generality of paragraph 1, the Land Compensation Act 1973(1) shall have effect subject to the modifications set out in sub-paragraphs (2) and (3).

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 4—

- (a) for the words “land is acquired or taken” there shall be substituted the words “a right over land is purchased”; and
- (b) for the words “acquired or taken from him” there shall be substituted the words “over which the right is exercisable”.

(3) In section 58(1) (determination of material detriment where part of house etc. proposed for compulsory acquisition), as it applies to determinations under section 8 of the 1965 Act as substituted by paragraph 5—

- (a) for the word “part” in paragraphs (a) and (b) there shall be substituted the words “a right over land consisting”;
- (b) for the word “severance” there shall be substituted the words “right over the whole of the house, building or manufactory or of the house and the park or garden”;
- (c) for the words “part proposed” there shall be substituted the words “right proposed”; and
- (d) for the words “part is” there shall be substituted the words “right is”.

#### *Adaptation of the 1965 Act*

3.—(1) The 1965 Act shall have effect with the modifications necessary to make it apply to the compulsory acquisition under this Order of a right by the creation of a new right as it applies to the compulsory acquisition under this Order of land, so that, in appropriate contexts, references in that Act to land are read (according to the requirements of the particular context) as referring to, or as including references to—

- (a) the right acquired or to be acquired; or
- (b) the land over which the right is or is to be exercisable.

---

(1) 1973 c. 26.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(2) Without prejudice to the generality of sub-paragraph (1), Part I of the 1965 Act shall apply in relation to the compulsory acquisition under this Order of a right by the creation of a new right with the modifications specified in the following provisions of this Schedule.

4. For section 7 of the 1965 Act (measure of compensation) there shall be substituted the following section—

“7. In assessing the compensation to be paid by the acquiring authority under this Act regard shall be had not only to the extent (if any) to which the value of the land over which the right is to be acquired is depreciated by the acquisition of the right but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of his, or injuriously affecting that other land by the exercise of the powers conferred by this or the special Act.”.

5. For section 8 of the 1965 Act (provisions as to divided land) there shall be substituted the following—

“8.—(1) Where in consequence of the service on a person under section 5 of this Act of a notice to treat in respect of a right over land consisting of a house, building or manufactory or of a park or garden belonging to a house (“the relevant land”)—

- (a) a question of disputed compensation in respect of the purchase of the right would apart from this section fall to be determined by the Lands Tribunal (“the tribunal”); and
- (b) before the tribunal has determined that question the person satisfies the tribunal that he has an interest which he is able and willing to sell in the whole of the relevant land and—
  - (i) where that land consists of a house, building or manufactory, that the right cannot be purchased without material detriment to that land, or
  - (ii) where that land consists of such a park or garden, that the right cannot be purchased without seriously affecting the amenity or convenience of the house to which that land belongs,

the Greater Manchester (Leigh Busway) Order 2005 (“the Order”) shall, in relation to that person cease to authorise the purchase of the right and be deemed to authorise the purchase of that person’s interest in the whole of the relevant land including, where the land consists of such a park or garden, the house to which it belongs, and the notice shall be deemed to have been served in respect of that interest on such date as the tribunal directs.

(2) Any question as to the extent of the land in which the Order is deemed to authorise the purchase of an interest by virtue of subsection (1) of this section shall be determined by the tribunal.

(3) Where in consequence of a determination of the tribunal that it is satisfied as mentioned in subsection (1) of this section the Order is deemed by virtue of that subsection to authorise the purchase of an interest in land, the acquiring authority may, at any time within the period of six weeks beginning with the date of the determination, withdraw the notice to treat in consequence of which the determination was made; but nothing in this subsection prejudices any other power of the authority to withdraw the notice.”.

6. The following provisions of the 1965 Act (which state the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land), that is to say—

- (a) section 9(4) (failure by owners to convey);
- (b) paragraph 10(3) of Schedule 1 (owners under incapacity);

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) paragraph 2(3) of Schedule 2 (absent and untraced owners); and
- (d) paragraphs 2(3) and 7(2) of Schedule 4 (common land);

shall be so modified as to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be compulsorily acquired is vested absolutely in the acquiring authority.

7. Section 11 of the 1965 Act (powers of entry) shall be so modified as to secure that, as from the date on which the acquiring authority have served notice to treat in respect of any right, they have power, exercisable in the like circumstances and subject to the like conditions, to enter for the purpose of exercising that right (which shall be deemed for this purpose to have been created on the date of service of the notice); and sections 12 (penalty for unauthorised entry) and 13 (entry on warrant in the event of obstruction) of the 1965 Act shall be modified correspondingly.

8. Section 20 of the 1965 Act (protection for interests of tenants at will etc.) shall apply with the modifications necessary to secure that persons with such interests in land as are mentioned in that section are compensated in a manner corresponding to that in which they would be compensated on a compulsory acquisition under this Order of that land, but taking into account only the extent (if any) of such interference with such an interest as is actually caused, or likely to be caused, by the exercise of the right in question.

9. Section 22 of the 1965 Act (protection of acquiring authority’s possession where by inadvertence an estate, right or interest has not been got in) shall be so modified as to enable the acquiring authority, in circumstances corresponding to those referred to in that section, to continue to be entitled to exercise the right acquired, subject to compliance with that section as respects compensation.

SCHEDULE 8

Article 26

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Number of land shown on land plan</i>	<i>(3)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(4)</i> <i>Authorised work</i>
<b>Borough of Wigan</b>	48 to 50	Construction and working area	Work No. 2
	53	Construction working area	Work No. 1
	72 and 80	Construction and working area	Work No. 4
	83	Construction and working area	Work No. 5
	103 to 105	Construction access and working area	Works Nos. 8 and 9

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 9

Article 40

## TRAFFIC REGULATION ORDERS

## PART 1

## PROHIBITION AND RESTRICTIONS OF STOPPING AND WAITING

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street Affected</i>	<i>(3)</i> <i>Description of Regulation</i>
<b>Borough of Wigan</b>	Princess Street (Both sides)	No Waiting/No Loading at any time from CE17 to CE18 (Lord Street South and East Bond Street)
	Lord Street South Both sides)	No Waiting/No Loading at any time from CE21 To CE22 (junction with Princess Street to junction with Brown Street North)
	East Bond Street (Both sides)	No Waiting/No Loading at any time from CE1 to CE2 (15 metres west of western kerb-line of Princess Street to westerly kerb-line of Dukinfield Street)
	High Street/East Bond Street Park and Ride Site Access (Both sides)	No Waiting/No Loading at any time from CE19 to CE20 (Access Road's junction with High Street for a distance of 55 metres to the entrance to the Park and Ride car park)
	Holden Road (Both sides)	No Waiting/No Loading at any time from CE3 to CE4 (10 metres north west of Rosebury Avenue for a distance of 70 metres in a south easterly direction)
	Sandringham Drive (Both sides)	No Waiting/No Loading at any time from CE5 to CE6 (northerly kerb-line of Richmond Drive to Leigh Guided Busway Higher Fold spur (including turning area immediately south of Leigh Guided Busway Higher Fold spur)
	Astley Street (Both sides)	No Waiting/No Loading at any time from CE7 to CE8 (50

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street Affected</i>	<i>(3)</i> <i>Description of Regulation</i>
		metres south of southerly kerb-line of Upper George Street for a distance of 115 metres in a southerly direction)
	Well Street (Both sides)	No Waiting/No Loading at any time from CE9 to CE10 (northerly kerb-line of Garden Street for a distance of 110 metres in a northerly direction)
	Hough Land (Both sides)	No Waiting/No Loading at any time from CE11 to CE12 (guided busway to the junction of Sale Lane in a northerly direction. From the guided busway to a point 70 metres in a southerly direction)
	Hart Street (Hough Lane Park and Ride Site) (Both sides)	No Waiting/No Loading at any time from CE23 To CE24 (junction with Manchester Road for a distance of 40 metres to the car park of Park and Ride Site)
	Manchester Road (South side)	No Waiting/No Loading at any time from CE25 To CE26 (from junction with Hart Street for a distance of 25 metres in a westerly direction)
	Sale Lane (Both sides)	No Waiting/No Loading at any time from CE13 to CE14 (45 metres north of authorised busway to a point 85 metres south of authorised busway)
	Newearth Road (Both Sides)	No Waiting/No Loading at any time from CE15 to CE16 (from junction with Sherbrook Road to the junction with Ellenbrook Road)

## PART 2

### BUS LANES

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street Affected</i>	<i>(3)</i> <i>Description of Regulation</i>
<b>Borough of Wigan</b>	Spinning Jenny Way (westbound)	Bus lane from BL1 to BL2 170 metres west of the western

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street Affected</i>	<i>(3)</i> <i>Description of Regulation</i>
		kerb-line of Lord Street South for a distance of 250 metres in a westerly direction
	Spinning Jenny Way (eastbound)	Bus lane from BL3 to BL4 130 metres west to a point 10 metres west of the western kerb-line of Lord Street South
	Lord Street South (northbound)	Bus lane from BL5 to BL6 (Spinning Jenny Way and Princess Street)
	Lord Street South (southbound)	Bus lane from BL7 to BL8 (Princess Street and Spinning Jenny Way—offside)
	Newearth Road (southbound)	Bus Lane from BL9 to BL10 (offside from a point 45 metres south of the southerly kerb-line of Hurstfield Road, for a distance of 20 metres)
	Newearth Road (northbound)	Bus Lane from BL11 to BL12 (nearside from 50 metres north of the northerly kerb-line of Ellenbrook Road to the authorised busway)

### PART 3

#### DIRECTION OF TRAVEL

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street Affected</i>	<i>(3)</i> <i>Description of Regulation</i>
<b>Borough of Wigan</b>	Lord Street South	One way—eastern side of dual carriageway from DT1 to DT2 (Princess Street and Spinning Jenny Way) in that direction
	Lord Street South	One way—western side of dual carriageway from DT3 to DT4 (Spinning Jenny Way and Princess Street) in that direction
	Spinning Jenny Way/Queen Street Link Road	One way—DT5 to DT6 (Spinning Jenny Way and Queen Street) in that direction



## PART 4

### PROHIBITION OF ACCESS

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street Affected</i>	<i>(3)</i> <i>Description of Regulation</i>
<b>Borough of Wigan</b>	Lord Street South	No entry except buses - PA1 10 metres north of junction with Spinning Jenny Way (offside lane)
	Lord Street South	No entry except buses - PA2 (Princess Street and Spinning Jenny Way—offside)

### SCHEDULE 10

Articles 8, 9, 30 and 48

#### PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.

##### *Apparatus of statutory undertakers, etc. on land acquired*

1.—(1) Sections 271 to 274 of the 1990 Act (power to extinguish rights of statutory undertakers etc. and power of statutory undertakers etc. to remove or re-site apparatus) shall apply in relation to any land acquired or appropriated by the undertaker under this Order subject to the following provisions of this paragraph; and all such other provisions of that Act as apply for the purposes of those provisions (including sections 275 to 278, which contain provisions consequential on the extinguishment of any rights under sections 271 and 272, and sections 279(2) to (4), 280 and 282, which provide for the payment of compensation) shall have effect accordingly.

(2) In the provisions of the 1990 Act, as applied by sub-paragraph (1), references to the appropriate Minister are references to the Secretary of State.

(3) Where any apparatus of public utility undertakers or of a public communications provider is removed in pursuance of a notice or order given or made under section 271, 272 or 273 of the 1990 Act, as applied by sub-paragraph (1), any person who is the owner or occupier of premises to which a supply was given from that apparatus shall be entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by him, in consequence of the removal, for the purpose of effecting a connection between the premises and any other apparatus from which a supply is given.

(4) Sub-paragraph (3) shall not apply in the case of the removal of a public sewer but where such a sewer is removed in pursuance of such a notice or order as is mentioned in that paragraph, any person who is—

- (a) the owner or occupier of premises the drains of which communicated with that sewer; or
- (b) the owner of a private sewer which communicated with that sewer;

shall be entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by him, in consequence of the removal, for the purpose of making his drain or sewer communicate with any other public sewer or with a private sewage disposal plant.

(5) The provisions of the 1990 Act mentioned in sub-paragraph (1), as applied by that sub-paragraph, shall not have effect in relation to apparatus as respects which paragraph 2 or Part III of the 1991 Act applies

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (6) In this paragraph—“the 1990 Act” means the Town and Country Planning Act 1990<sup>(2)</sup>; and “public utility undertakers” has the same meaning as in the Highways Act 1980<sup>(3)</sup>.

*Apparatus of statutory undertakers, etc. in stopped up streets*

2.—(1) Where a street is stopped up under article 9 of this Order any statutory utility whose apparatus is under, in, upon, over, along or across the street shall have the same powers and rights in respect of that apparatus, subject to the provisions of this paragraph, as if this Order had not been made.

(2) he undertaker shall give not less than 28 days' notice in writing of its intention to stop up any street under article 9 of this Order to any statutory utility whose apparatus is under, in, upon, over, along or across that street.

(3) Where notice under sub-paragraph (2) has been given any statutory utility whose apparatus is under, in, upon, over, along or across the street may and, if reasonably requested so to do by the undertaker, shall—

- (a) remove the apparatus and place it or other apparatus provided in substitution for it in such other position as the statutory utility may reasonably determine and have power to place it; or
- (b) provide other apparatus in substitution for the existing apparatus and place it in such position as aforesaid.

(4) Subject to the following provisions of this paragraph, the undertaker shall pay to any statutory utility an amount equal to the cost reasonably incurred by the statutory utility in or in connection with—

- (a) the execution of relocation works required in consequence of the stopping up of the street; and
- (b) the doing of any other work or thing rendered necessary by the execution of relocation works.

(5) If in the course of the execution of relocation works under sub-paragraph (3)—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions except where this has been solely due to using the nearest available type, capacity or dimension; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was;

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker, or, in default of agreement, is not determined by arbitration to be necessary, then, if it involves cost in the execution of the relocation works exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to the statutory utility by virtue of sub-paragraph (4) shall be reduced by the amount of that excess.

(6) For the purposes of sub-paragraph (5)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus shall not be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and

---

(2) 1990 c. 8.  
(3) 1980 c. 66.

- (b) where the provision of a joint in a cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole shall be treated as if it also had been agreed or had been so determined.

(7) An amount which apart from this sub-paragraph would be payable to a statutory utility in respect of works by virtue of sub-paragraph (4) (and having regard, where relevant, to sub-paragraph (5)) shall, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and six months earlier so as to confer on the utility any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit as calculated in accordance with the Code of Practice entitled “Measures Necessary where Apparatus is Affected by Major Works (Diversionary Works)” and dated June 1992 and approved by the Secretary of State on 30th June, 1992.

(8) Sub-paragraphs (4) to (7) shall not apply where the authorised works constitute major transport works for the purposes of Part III of the 1991 Act, but instead—

- (a) the allowable costs of the relocation works shall be determined in accordance with section 85 of that Act (sharing of costs of necessary measures) and any regulations for the time being having effect under that section; and
- (b) the allowable costs shall be borne by the undertaker and the statutory utility in such proportions as may be prescribed by any such regulations.

(9) In this paragraph—

“apparatus” has the same meaning as in Part III of the 1991 Act;

“relocation works” means works executed, or apparatus provided, under sub-paragraph (3);  
and

“statutory utility” means a statutory undertaker for the purposes of the Highways Act 1980 or a public telecommunications provider.