
STATUTORY INSTRUMENTS

2009 No. 1300

The Nottingham Express Transit System Order 2009

PART 3

ACQUISITION AND POSSESSION OF LAND

Supplementary

Open space in the Borough of Rushcliffe

44.—(1) The Rushcliffe open space shall not vest in the promoter until the promoter has acquired the Rushcliffe exchange land and, upon a request made by the promoter, Rushcliffe Borough Council has certified that—

- (a) the Rushcliffe exchange land is no less in area than the Rushcliffe open space; and
- (b) a scheme for the provision of the Rushcliffe exchange land as open space has been implemented to its satisfaction.

(2) Upon the requirements of paragraph (1) being satisfied, the Rushcliffe exchange land shall vest in Rushcliffe Borough Council subject to the like rights, trusts and incidents as attached to the Rushcliffe open space and, on the vesting of the Rushcliffe exchange land, the Rushcliffe open space shall be discharged from all rights, trusts and incidents to which it was previously subject.

(3) In this article—

- (a) “the operational land” means so much of the land shown numbered 1142 on the works and land plans as is required for the operation, maintenance and use of the authorised tramway following the completion of the construction of Work No.15;
- (b) “the Rushcliffe exchange land” means the land shown numbered 1140, 1141, 1142, 1143, 1144 and 1145 on the works and land plans and cross-hatched green on the open space and exchange land plans, with the exclusion of the operational land; and
- (c) “the Rushcliffe open space” means the open space comprised in land in the Borough of Rushcliffe shown numbered 1042 on the works and land plans and cross-hatched red on the open space and exchange land plans.