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STATUTORY INSTRUMENTS

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**2016 No. 1035**

**TRANSPORT AND WORKS, ENGLAND**  
**TRANSPORT, ENGLAND**

The Transport for Greater Manchester (Light Rapid Transit System) (Trafford Park Extension) Order 2016

Made - - - - 3rd November 2016

Coming into force 24th November 2016

THE TRANSPORT FOR GREATER MANCHESTER (LIGHT RAPID TRANSIT SYSTEM) (TRAFFORD PARK EXTENSION) ORDER 2016

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Application of enactments relating to railways
4. Application of 1991 Act
5. Disapplication of the Commons Act 2006
6. As to Trafford Park railways

PART 2

WORKS PROVISIONS

*Principal powers*

7. Power to construct and maintain works
8. Power to deviate
9. Designation of works

*Streets*

10. Power to alter layout, etc., of streets
11. Power to keep apparatus in streets
12. Power to execute street works
13. Stopping up of streets
14. Temporary stopping up of streets

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15. Access to works
16. Maintenance of altered or diverted streets
17. Restoration of streets if street tramway discontinued
18. Agreements with street authorities
19. Level crossings

*Supplemental powers*

20. Attachment of equipment to buildings
21. Discharge of water
22. Works to safeguard buildings and the operation of the authorised transit system
23. Planning permission
24. Power to survey and investigate land, etc.
25. Mode of construction and operation of transit system
26. Obstruction of construction of authorised works

PART 3

ACQUISITION AND POSSESSION OF LAND

*Powers of acquisition*

27. Power to acquire land
28. Application of Part 1 of the 1965 Act
29. Application of Compulsory Purchase (Vesting Declarations) Act 1981
30. Power to acquire new rights
31. Power to acquire subsoil only
32. Rights under or over streets

*Temporary possession of land*

33. Temporary use of land for construction of works
34. Temporary use of land for maintenance of works

*Compensation*

35. Disregard of certain interests and improvements
36. Set-off for enhancement in value of retained land

*Supplementary*

37. Acquisition of part of certain properties
38. Extinction or suspension of private rights of way
39. Time limit for exercise of powers of acquisition

PART 4

OPERATION OF TRANSIT SYSTEM

40. Application of existing powers
41. Traffic signs
42. Traffic regulation

PART 5  
PROTECTIVE PROVISIONS

43. Minerals
44. Saving for highway authorities
45. Arrangements with highway authorities
46. Protection of public utilities
47. Protection of navigation

PART 6  
MISCELLANEOUS AND GENERAL

48. Disclosure of confidential information
49. Defence to proceedings in respect of statutory nuisance
50. Certification of plans, etc.
51. Service of notices
52. No double recovery
53. Arbitration  
Signature

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SCHEDULES

SCHEDULE 1 — SCHEDULED WORKS

SCHEDULE 2 — STREETS SUBJECT TO ALTERATION OF LAYOUT  
Key to Schedule 2

SCHEDULE 3 — STREETS TO BE STOPPED UP  
Key to Schedule 3

- PART 1 — STREETS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED
- PART 2 — FOOTPATHS AND BRIDLEWAYS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED
- PART 3 — STREETS FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 4 — STREETS TO BE TEMPORARILY STOPPED UP  
PART 1 — HIGHWAYS TO BE TEMPORARILY STOPPED UP  
PART 2 — FOOTPATHS AND BRIDLEWAYS TO BE TEMPORARILY STOPPED UP  
Key to Part 2 of Schedule 4

SCHEDULE 5 — 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...
2. (1) Without limitation on the scope of paragraph 1, the...

*Adaptation of the 1965 Act*

3. (1) The 1965 Act has effect with the modifications necessary...
4. For section 7 (measure of compensation in case of severance)...

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5. For section 8 (other provisions as to divided land) of...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 (powers of entry) of the 1965 Act is...
8. Section 20 (protection for interests of tenants at will, etc.)...
9. Section 22 (interests omitted from purchase) of the 1965 Act...

SCHEDULE 6 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 7 — TRAFFIC REGULATION

1. Interpretation
2. In column (1) of each of the tables, the number...  
PART 1 — STOPPING, WAITING, LOADING OR UNLOADING
3. (1) No waiting at any time: (1) No. (2) Road...  
PART 2 — DIRECTION OF VEHICULAR TRAFFIC
4. (1) One way traffic: (1) No. (2) Road (3) Extent...  
PART 3 — PROHIBITION OF VEHICULAR ACCESS
5. (1) Prohibition of driving: (1) No. (2) Road (3) Extent...  
PART 4 — VEHICULAR SPEED LIMITS
6. Speed Limits: (1) No. (2) Road (3) Extent (4) Notes...

SCHEDULE 8 — PROTECTION OF PUBLIC UTILITIES

1. Effect
2. Definitions
3. On-street apparatus
4. Apparatus in stopped-up streets
5. Protective works to building
6. Acquisition
7. The undertaker may in exercise of the powers conferred by...
8. Removal of apparatus
9. Subject to paragraph 10, the undertaker must afford to the...
10. If the undertaker is unable to obtain the rights and...
11. The obligation imposed upon the public utility by paragraph 10...
12. Any necessary alternative apparatus to be constructed by the public...
13. The public utility must, after the manner of construction and...
14. If the undertaker gives notice in writing to the public...
15. In carrying out any work under paragraph 14 the undertaker...
16. Nothing in paragraph 14 authorises the undertaker to carry out...
17. Facilities and rights for necessary alternative apparatus
18. In determining the terms and conditions mentioned in paragraph 17...
19. If the facilities and rights to be afforded by the...
20. Retained apparatus
21. The undertaker must not commence the construction or renewal of...
22. Any approval of the public utility required under paragraph 21—...
23. A specified work is to be constructed only in accordance...
24. If within 42 days after the submission to it of...
25. Nothing in paragraph 20 or 24 precludes the undertaker from...
26. The undertaker is not required to comply with paragraph 20...
27. Nothing in paragraph 26 entitles the undertaker to carry out...
28. Expenses and costs
29. The value of any apparatus removed under the provisions of...
30. If in accordance with the provisions of this Schedule—
31. For the purposes of paragraph 30— (a) an extension of...

32. An amount which apart from this paragraph would be payable...
33. In any case where work is carried out by the...
34. Indemnity
35. The fact that any act or thing may have been...
36. Nothing in paragraph 34 imposes any liability on the undertaker...
37. A public utility must give the undertaker reasonable notice of...
38. Co-operation
39. Access

#### SCHEDULE 9 — PROTECTION OF NAVIGATION

1. (1) For the protection of MSCC and BCC the following...
2. (1) The undertaker must not under the powers conferred by...
3. Where reasonably required to do so by the engineer or...
4. (1) The undertaker, before commencing construction of any specified work,...
5. The undertaker must not impede, obstruct or interfere with, as...
6. The undertaker must provide and maintain at its own expense...
7. (1) Any specified work must, when commenced, be constructed—
8. (1) The undertaker must not in the course of constructing...
9. (1) The undertaker must at all reasonable times on being...
10. (1) If any reasonable alterations or additions, either permanent or...
11. (1) The undertaker must, upon completion of any part of...
12. (1) The undertaker must, before placing any temporary structure or...
13. If at any time after the completion of a specified...
14. Any reasonable and proper additional expenses not otherwise provided for...
15. Before providing any illumination or illuminated traffic sign on or...
16. (1) If any canal work is abandoned, and is in...
17. The undertaker must repay to the authority all costs, charges...
18. (1) If any detriment to the Canal or any interference...
19. Where under any provision of this Schedule the authority or...
20. Except as provided by this Order, nothing in this Order...
21. Any differences arising between the undertaker and the authority under...

Explanatory Note