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STATUTORY INSTRUMENTS

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**2000 No. 428**

**Knowsley Industrial Park (Rail Terminal) Order 1999**

**PART I**  
**PRELIMINARY**

**Interpretation**

**2.—(1)** In this Order—

“the 1961 Act” means the Land Compensation Act 1961<sup>(1)</sup>;

“the 1965 Act” means the Compulsory Purchase Act 1965<sup>(2)</sup>;

“the 1990 Act” means the Town and Country Planning Act 1990<sup>(3)</sup>;

“the 1991 Act” means the New Roads and Street Works Act 1991<sup>(4)</sup>;

“the 1992 Act” means the Transport and Works Act 1992;

“the Applications Rules” means the Transport and Works (Applications and Objections Procedure) Rules 1992;

“authorised works” means the scheduled works and any other works authorised by this Order;

“the book of reference” means the book of reference described in rule 7(5) of the Applications Rules certified by the Secretary of State as the book of reference for the purposes of this Order;

“the Council” means Knowsley Metropolitan Borough Council;

“the deposited plans” means the composite plans prepared in pursuance of rule 7(1) and (3) of the Applications Rules certified by the Secretary of State as the deposited plans for the purposes of this Order and references to land shown on those plans are references to land so shown in pursuance of rule 7(3);

“the deposited sections” means the sections described in rule 7(2) of the Applications Rules certified by the Secretary of State as the deposited sections for the purposes of this Order;

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

“the Liverpool Bolton and Bury Line” means so much of that part of the railway of Railtrack PLC known as the Liverpool Bolton and Bury Line as runs between Wigan Wallgate station and Kirkby station;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and “maintenance” shall be construed accordingly;

“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 land (whether in possession or

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(1) 1961 c. 33.  
(2) 1965 c. 56.  
(3) 1990 c. 8.  
(4) 1991 c. 22.

reversion) and includes a person holding, or entitled to the rents and profits of, the land under a lease or tenancy having an unexpired term exceeding 3 years;

“the public open space and exchange land plans” means the two plans so headed and attached to the deposited plans;

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

“the telecommunications code” means Schedule 2 to the Telecommunications Act 1984<sup>(5)</sup>; and

“the tribunal” means the Lands Tribunal.

(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) Any reference in this Order to a work identified by the number of the work shall be construed as a reference to the work of that number authorised by this Order.

(4) References in this Order to points identified by letters, with or without numbers, shall be construed as references to the points so lettered on the deposited plans.

(5) All distances, directions and lengths stated in the description of the scheduled works 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 scheduled work shall be taken to be measured along that scheduled work.

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(5) 1984 c. 12.