
STATUTORY INSTRUMENTS

2001 No. 1368

The Greater Manchester (Light Rapid Transit System) (Mumps Surface Crossing) Order 2001

PART II

WORKS PROVISIONS

Principal powers

Power to construct and maintain works

3.—(1) Subject to paragraphs (5) and (6) below, the undertaker may construct and maintain the scheduled works.

(2) Subject to article 4 below, 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) 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) stations, platforms and stopping places,
- (b) works required for, or in connection with, the control of any vehicular and pedestrian traffic on the authorised works,
- (c) works for the strengthening, alteration or demolition of any building or structure,
- (d) works to alter the position of any street furniture or apparatus, including mains, sewers, drains and cables,
- (e) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses,
- (f) landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the other authorised works, and
- (g) replacement facilities and works for the benefit or protection of premises affected by the other authorised works.

(4) 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) If the undertaker constructs the scheduled works, the undertaker shall not construct Work No. 5, the substituted portion of Work No. 5, or Work No. 7 described in section 4(2) of the 1994 Act or exercise the powers conferred by section 5(1)(f) and (g) of that Act.

(6) If the undertaker constructs those works authorised by, or those powers conferred by, the 1994 Act which are referred to in paragraph (5) above, the undertaker shall not construct the scheduled works.

Power to deviate

- 4.—(1) In constructing or maintaining either 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 or maintaining either of the scheduled works lay down—
- (a) double lines of rails in lieu of single lines,
 - (b) single lines of rails in lieu of double lines,
 - (c) interlacing lines of rails in lieu of double or single lines, or
 - (d) double or single lines of rails in lieu of interlacing lines.
- (3) The power in paragraph (2) above shall not be exercised in the case of Work No. 1 without the consent of the street authority, but such consent shall not be unreasonably withheld.
- (4) the undertaker may in constructing and maintaining Work No. 2 provide within the limits of deviation such number of lines of rails and sidings as may be necessary or expedient.

Application of the Greater Manchester (Light Rapid Transit System) Act 1994

5.—(1) The following provisions of the 1994 Act shall apply to the scheduled works as if they were works authorised by that Act and as if Work No. 1 were included in the definition of “the tramway” and Work No. 2 were included within the definition of “the tramroads” in section 2 of that Act:—

section 6	(gauge of tramroads and tramway),
section 8	(plans to be approved by Secretary of State before works commenced),
section 9	(approval of Secretary of State),
section 10	(certain works to be deemed tramways, etc.),
section 11	(extension of powers).

(2) Section 11 of the 1994 Act as applied by paragraph (1) above shall have effect as if, in subsection (2)(d), in addition to the reference to West Street and Winterbottom Street, there were a reference to the highway at the junction of Wallshaw Street and Mumps and the highway at the junction of Wallshaw Place and Bottom O' Th' Moor.