
STATUTORY INSTRUMENTS

2001 No. 3627

The South Hampshire Rapid Transit Order 2001

PART II

WORKS PROVISIONS

Incorporation of railways

Agreements with Railtrack

19.—(1) The undertaker and Railtrack may enter into, and carry into effect, agreements for the transfer to the undertaker of—

- (a) any railway property shown on the land plans and described in the book of reference;
- (b) any lands, works or other property held in connection with any such railway property; and
- (c) any rights and obligations (whether or not statutory) of Railtrack relating to any railway property.

(2) Where agreement is made for the transfer to the undertaker of any railway of Railtrack under paragraph (1) above, or the undertaker otherwise purchases any such railway or sufficient rights therein, the undertaker may adapt for use (including, where required, duplications of any existing rails), maintain, use and work that railway as part of the authorised transit system.

As to local railway enactments

20.—(1) Section 13 (new level crossing at Fareham, Hampshire) of the British Railways (No. 2) Act 1984⁽¹⁾ shall cease to have effect on the transfer to the undertaker of Railtrack's interest in the level crossing at Newgate Lane.

(2) The Portsmouth Branch Railway Act 1839⁽²⁾ shall cease to have effect in its application to all those parts of the Gosport railway within the limits of deviation.

(3) Any other local enactment which makes provision in relation to any part of the Gosport railway or any other railway within the limits of deviation shall have effect subject to the provisions of this Order.

(4) In this article “the Gosport railway” means the railway or former railway extending from the southern side of The Avenue in Fareham to Gosport.

(1) 1984 c. xx.
(2) 1839 c. xxviii.