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STATUTORY INSTRUMENTS

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**2006 No. 3118**

The Luton Dunstable Translink Order 2006

PART 2

WORKS PROVISIONS

*Principal Powers*

**Power to construct and maintain works**

4.—(1) The Council may construct and maintain the scheduled works.

(2) Subject to article 5 (power to deviate), the scheduled works shall be constructed in the lines or situations shown on the deposited plans and in accordance with the levels shown on the deposited sections.

(3) Subject to paragraph (7), the Council may from time to time carry out and maintain such of the following works as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the scheduled works, namely—

- (a) stopping places and such other gaps in the mode of guidance adopted and such number of ways, cross-overs, lay-bys, bus parking areas as may be necessary or convenient;
- (b) works required for or in connection with, the control of vehicular or pedestrian traffic on or in the vicinity of the authorised busway;
- (c) works for the 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 scheduled works;
- (g) works to erect and construct such houses, warehouses, offices, and other buildings, yards, stations, engines, machinery, apparatus, and other works, and conveniences as the Council thinks fit;
- (h) junctions and communications (including the provision of steps or ramps for the use of persons on foot) with any highway or access way interfered with by, or contiguous with, any of the works described in this paragraph, and works to widen or alter any highway or access way for the purposes of connecting it with any of those works or another highway, or of crossing under or over another highway or access way;
- (i) all such embankments, aprons, abutments, retaining walls, wing walls, culverts and such other works as the Council thinks fit; and
- (j) works for the benefit or protection of premises affected by the scheduled works.

(4) Subject to paragraph (7), the Council may from time to time carry out and maintain such other works (of whatever nature) as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the scheduled works.

(5) Where the Council lays down conduits for the accommodation of cables or other apparatus for the purposes of the authorised works or associated traffic control, the Council may provide in, or in connection with, such conduits accommodation for the apparatus of any other person, and manholes and other facilities for access to such accommodation, and may permit the use of such conduits and facilities on such terms and conditions as may be agreed between the Council and such other person.

(6) Without prejudice to the generality of paragraphs (2) and (3), the Council may, in connection with the construction of the scheduled works—

- (a) provide a footpath between points F5 and F6 in the District of South Bedfordshire; and
- (b) provide a footpath between points F18, F23 and F24 in the Borough of Luton.

(7) Paragraphs (3), (4), (5) and (6) shall only authorise the carrying out or maintenance of works outside the limits of deviation for the scheduled works if the works are carried out on land specified in columns (1) and (2) of Schedule 2 (acquisition of certain land) to this Order for the purpose specified in relation to that land in column (3) of that Schedule.

#### **Power to deviate**

5. In constructing or maintaining any of the scheduled works, the Council may—
- (a) deviate laterally from the lines or situations shown on the deposited plans within the limits of deviation for that work shown on those plans, and
  - (b) deviate vertically from the levels shown on the deposited sections to any extent not exceeding 3 metres upwards or downwards.