
STATUTORY INSTRUMENTS

2017 No. 1214

**The Blackpool Tramway (Blackpool
North Extension) Order 2017**

PART 2

WORKS PROVISIONS

Principal powers

Power to construct and maintain works

6.—(1) The promoter may construct and maintain the scheduled works.

(2) Subject to article 7 (power to deviate), the scheduled works may only 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 promoter may 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) stations, platforms, junctions and tram stops;
- (b) works required for, or in connection with, the control of any vehicular and pedestrian traffic on the authorised tram system;
- (c) works required for the strengthening, improvement, repair or reconstruction of any street;
- (d) works for the strengthening, alteration or demolition of any building or structure;
- (e) works to remove or to alter the position of any street furniture or apparatus, including mains, sewers, drains, pipes, cables and lights;
- (f) landscaping, ecological and other works to mitigate any adverse effects of the construction, maintenance or operation of the other authorised works;
- (g) earthworks required for the carrying out of the authorised works; and
- (h) facilities and works for the benefit or protection of land or premises affected by the other authorised works.

(4) Subject to paragraph (7), the promoter may 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 authorised works.

(5) The promoter may remove any works constructed by it under this Order which have been constructed as temporary works or which it no longer requires.

(6) Where the promoter lays down conduits for the accommodation of cables or other apparatus for the purposes of or associated with the authorised works it 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 it and such other person.

(7) Paragraphs (3) and (4) only authorise the carrying out or maintenance of works—

- (a) within the Order limits; or
- (b) within the boundaries of any street.

(8) The powers of this article must not be exercised within the boundaries of a street outside of the Order limits without the consent of the street authority but such consent must not be unreasonably withheld.

(9) Regardless of the powers conferred by paragraph (3)(e) the promoter and a person responsible for any street furniture or apparatus may enter into agreements for that person to undertake under the powers conferred by this article or under its own powers any works to the apparatus which may be required by the promoter for the purposes of, or for purposes ancillary to, the construction of the scheduled works.

(10) The scheduled works may be constructed and maintained regardless of anything contained in or done under Head C (The Promenade) of Part 12 of the County of Lancashire Act 1984(1).

Power to deviate

7.—(1) In constructing or maintaining any of the scheduled works, the promoter may—

- (a) deviate laterally from the lines or situations shown on the deposited plans within the Order limits; and
- (b) deviate vertically from the levels shown on the deposited sections—
 - (i) to any extent upwards not exceeding 3 metres; and
 - (ii) to any extent downwards as may be found to be necessary or convenient.

(2) In constructing or maintaining any work or part of a work shown on the deposited plans as being situated in a street and for which no limits of deviation are shown on those plans, the promoter may deviate laterally within the boundaries of that street.

(3) The promoter may, in constructing or maintaining any of the authorised street tramway, lay down—

- (a) double lines of rails in place of single lines;
- (b) single lines of rails in place of double lines;
- (c) interlacing lines of rails in place of double or single lines; or
- (d) double or single lines of rails in place of interlacing lines.

(4) The power in paragraph (3) must not be exercised in the case of any authorised street tramway without the consent of the street authority, but such consent must not be unreasonably withheld.

(5) The promoter may in constructing or maintaining any of the authorised street tramway lay down such number of switches and crossings as may be necessary or expedient.

(6) The promoter may in constructing and maintaining any of the authorised tramroad provide within the limits of deviation for the tramroad such number of lines of rails and sidings, switches and crossings as may be necessary or expedient.

(7) Without limitation on the scope of paragraph (1), in constructing or maintaining the scheduled works the promoter may, to the extent it thinks fit, deviate laterally from their points of commencement and termination shown on the deposited plans.

(1) 1984 c. xxi.

Designation of works

8.—(1) Regardless of anything in the description of the scheduled works—

- (a) the whole or any part of an authorised street tramway may be constructed within the limits of deviation for that work off-street as a tramroad, and so far as it is so constructed is treated for the purposes of this Order as if it were so designated; and
- (b) the whole or any part of an authorised tramroad may be constructed within the limits of deviation for that work along a street as a street tramway, and so far as it is constructed is treated for the purposes of this Order as if it were so designated.

(2) Where, by means of the creation or extinguishment of rights of way, any part of the authorised tram system which has been constructed as a tramroad becomes a street tramway, or any part which was constructed as a street tramway becomes a tramroad, it is treated for the purposes of this Order as if it were so designated.