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STATUTORY INSTRUMENTS

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**2013 No. 1030**

**TRANSPORT AND WORKS, ENGLAND**  
**TRANSPORT, ENGLAND**

**The Transport for Greater Manchester (Light Rapid  
Transit System) (Miscellaneous Provisions) Order 2013**

*Made* - - - - *29th April 2013*  
*Coming into force* - - *20th May 2013*

An application has been made to the Secretary of State in accordance with the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006(1) for an Order under sections 1 and 5 of the Transport and Works Act 1992(2) (“the 1992 Act”).

[The Secretary of State has determined to make an Order giving effect to the proposals comprised in the application with modifications which in the opinion of the Secretary of State do not make any substantial change in the proposals.

Notice of the Secretary of State’s determination was published in the London Gazette on 22nd April 2013.

The Secretary of State, in exercise of the powers conferred by sections 1 and 5 of, and paragraphs 1, 2, 7, 8 and 17 of Schedule 1 to, the 1992 Act, makes the following Order:—

**Citation and commencement**

1. This Order may be cited as the Transport for Greater Manchester (Light Rapid Transit System) (Miscellaneous Provisions) Order 2013 and comes into force on 20th May 2013.

**Interpretation**

2. In this Order—

“the 1988 Act” means the Greater Manchester (Light Rapid Transit System) Act 1988(3);

“later LRTS Acts” means—

(a) the Greater Manchester (Light Rapid Transit System) (No.2) Act 1988(4);

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(1) S.I. 2006/1466.

(2) 1992 c. 42. Relevant amending instruments are S.I. 1995/1541, S.I. 1998/2226, S.I. 2000/3199 and S.I. 2006/958.

(3) 1988 c. i.

(4) 1988 c. ii.

- (b) the Greater Manchester (Light Rapid Transit System) Act 1990(5);
- (c) the Greater Manchester (Light Rapid Transit System) (No.2) Act 1990(6);
- (d) the Greater Manchester (Light Rapid Transit System) Act 1991(7);
- (e) the Greater Manchester (Light Rapid Transit System) Act 1992(8); and
- (f) the Greater Manchester (Light Rapid Transit System) Act 1994(9);

“road” means any highway or other road to which the public has access;

“the undertaker” means Transport for Greater Manchester, being the passenger transport executive established by the South East Lancashire and North East Cheshire Passenger Transport Area (Designation) Order 1969(10); and

“the undertaking” means the transit system undertaking of the undertaker.

### **Removal of requirement as to length of stops**

3. Section 5(4) (power to make works) of the 1988 Act, including that provision as applied by later LRTS Acts, ceases to have effect.

### **Removal of requirement as to passing width of vehicles**

4. Section 18 (distance between passing vehicles when used on light rapid transit system) of the 1988 Act, including that provision as applied by later LRTS Acts, ceases to have effect.

### **Removal of requirements as to use of electrical energy**

5. Section 27 (provisions as to use of electrical energy) of the 1988 Act, including that provision as applied by later LRTS Acts, ceases to have effect.

### **Requirements as to tramroads crossing the highway at grade**

6.—(1) Any tramroad forming part of the undertaking may cross a road on the level if it is not constructed to cross the road by way of a bridge over, or tunnel under, the road.

(2) Whilst such a tramroad is in operation, the following provisions apply to the crossing—

- (a) the undertaker must provide, operate and maintain such protective equipment including traffic signs within the meaning of the Traffic Signs Regulations and General Directions 2002(11) as the undertaker may agree with the local traffic authority;
- (b) the Traffic Signs Regulations and General Directions 2002 apply to any traffic sign placed at the crossing by the undertaker as they apply to a traffic sign placed by the local traffic authority; and
- (c) any traffic sign placed by the undertaker on or near a road in accordance with the provisions of sub-paragraph (a) is to be treated for the purposes of section 64(4) (general provisions as to traffic signs) of the Road Traffic Regulation Act 1984(12) as having been placed as provided by that Act.

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(5) 1990 c. xv.

(6) 1990 c. xxiii.

(7) 1991 c. xvi.

(8) 1992 c. xviii.

(9) 1994 c. vi.

(10) S.I. 1969/25, amended by S.I. 1973/1727. By virtue of S.I. 2011/908 the passenger transport executive established by S.I. 1969/25 was renamed Transport for Greater Manchester.

(11) S.I. 2002/3113.

(12) 1984 c. 27.

(3) Regardless of anything to the contrary in any local enactment, none of the following enactments apply to a crossing to which paragraph (1) applies—

- (a) section 1 (where any railroad crosses a highway, etc, proprietors of railroad shall maintain gates) of the Highways (Railway Crossings) Act 1839<sup>(13)</sup>;
- (b) section 9 (gates at level crossings) of the Railway Regulation Act 1842<sup>(14)</sup>;
- (c) section 47 (provision in cases where roads are crossed on a level) of the Railways Clauses Consolidation Act 1845<sup>(15)</sup>;
- (d) section 6 (company to erect lodge at point of crossing, etc) of the Railways Clauses Act 1863<sup>(16)</sup>; and
- (e) the Level Crossings Act 1983<sup>(17)</sup>.

(4) Paragraph (3) does not affect the application of any enactment to a crossing of a road by a railway if the railway is not part of the undertaking.

(5) The Greater Manchester Passenger Transport Executive Hagside Level Crossing Order 2009 and the Greater Manchester Passenger Transport Executive Shaw Level Crossing Order 2009 are revoked.

(6) In paragraph (2), “local traffic authority” has the same meaning as in the Road Traffic Regulation Act 1984.

#### **Removal of requirement for approval by Secretary of State**

7.—(1) The following provisions cease to have effect—

- (a) section 7 (approval of Secretary of State) of the Greater Manchester (Light Rapid Transit System) (No.2) Act 1988;
- (b) section 8 (approval of Secretary of State) of the Greater Manchester (Light Rapid Transit System) Act 1990;
- (c) section 8 (approval of Secretary of State) of the Greater Manchester (Light Rapid Transit System) (No.2) Act 1990;
- (d) sections 8 (plans to be approved by Secretary of State before works commenced) and 9 (approval of Secretary of State) of the Greater Manchester (Light Rapid Transit System) Act 1991;
- (e) sections 8 (plans to be approved by Secretary of State before works commenced) and 9 (approval of Secretary of State) of the Greater Manchester (Light Rapid Transit System) Act 1992; and
- (f) sections 8 (plans to be approved by Secretary of State before works commenced) and 9 (approval of Secretary of State) of the Greater Manchester (Light Rapid Transit System) Act 1994.

(2) Article 5 (application of the Greater Manchester (Light Rapid Transit System) Act 1994) of the Greater Manchester (Light Rapid Transit System) (Mumps Surface Crossing) Order 2001<sup>(18)</sup> is amended by the deletion of the words—

“section 8 (plans to be approved by Secretary of State before works commenced),  
section 9 (approval of Secretary of State),”.

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<sup>(13)</sup> 1839 c. 45.  
<sup>(14)</sup> 1842 c. 55.  
<sup>(15)</sup> 1845 c. 20.  
<sup>(16)</sup> 1863 c. 92.  
<sup>(17)</sup> 1983 c. 16.  
<sup>(18)</sup> S.I. 2001/1368.

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(3) Article 5 (application of the Greater Manchester (Light Rapid Transit System) Act 1992) of the Greater Manchester (Light Rapid Transit System) (Trafford Park) Order 2001(19) is amended by the deletion of the words—

“section 8 (plans to be approved by Secretary of State before works commenced),  
section 9 (approval of Secretary of State),”.

Signed by authority of the Secretary of State

*Martin Woods*  
Head of the Transport and Works Act Orders  
Unit  
Department for Transport

29th April 2013

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order modifies powers and duties of Transport for Greater Manchester under the Greater Manchester (Light Rapid Transit System) Act 1988 and later local legislation applicable to its tramway system by—

- (a) removing a requirement respecting the length of the platforms and stopping places forming part of the light rapid transit system;
- (b) removing requirements as to passing width of vehicles;
- (c) removing requirements as to the use of electrical energy;
- (d) making new provision for tramroad crossings;
- (e) removing requirements respecting the approval of works by the Secretary of State.