
STATUTORY INSTRUMENTS

1994 No. 1761

The Wirral Tramway Light Railway Order 1994

Power to construct works

4.—(1) The undertaker may construct and maintain the tramways described in Schedule 1 to this Order.

(2) Subject to article 5 (Power to deviate) below, 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 (5) below, the undertaker may within the limits of deviation 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) works required for, or in connection with, the control of traffic on the authorised tramway;
- (b) works to alter the position of apparatus, including mains, sewers, drains and cables;
- (c) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses;
- (d) landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the scheduled works; and
- (e) works for the benefit or protection of the premises affected by the scheduled works.

(4) Subject to paragraph (5) below, the undertaker may within the limits of deviation 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) Paragraphs (3) and (4) above shall not authorise the carrying out or maintenance of works to alter the course of, or otherwise interfere with, navigable rivers or watercourses.