
STATUTORY INSTRUMENTS

1995 No. 2446

The Trafford Park Railway Order 1995

PART I
PRELIMINARY

Citation and commencement

1. This Order may be cited as the Trafford Park Railway Order 1995 and shall come into force on 12th September 1995.

Interpretation

2. In this Order, unless the context otherwise requires—

“authorised works” means the works authorised by this Order;

“the deposited plans” means the plans prepared in connection with the application for this Order, marked by the Department of Transport as being the plans of this Order;

“the new highway” means the Ashburton Road roundabout (Village Circle) proposed to be constructed by the Trafford Park Development Corporation as shown on Drawing Number 9602/300/003 in the deposited plans;

“the new level crossings” means the following three new public level crossings where the new highway will cross the new railway;

(a) Village Circle (Westbound slip to Trafford Park Road) at the reference points 379743.967 East and 396813.742 North;

(b) Village Circle (Eastbound) at the reference points 379768.923 East and 396803.891 North;

(c) Village Circle (Westbound) at the reference points 379835.311 East and 396704.289 North;

“the new railway” means 650 metres of railway and works being or to be constructed between Trafford Park Road (Village Circle) and Westinghouse Road (Europa Circle) and the associated engine turning facility at Trafford Park Road on the South Western side of its junction with Westbrook Road, Trafford Park, Greater Manchester as shown on the deposited plans;

“owner”, in relation to land, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of land (whether in possession or reversion) or a person holding, or entitled to the rents and profits of, the land under a lease or tenancy having an unexpired term exceeding 3 years;

“street” includes part of a street;

“street authority”, in relation to a street, means the Trafford Metropolitan Borough Council;

“the undertaker” means the Trafford Park Company, a statutory company constituted under the Trafford Park Act 1904⁽¹⁾, whose principal office is at Neil House, Twining Road, Ashburton, Trafford Park, Manchester M17 1AT;

“the undertaker’s railway” means the various lengths of railway authorised by the West Manchester Light Railways Orders 1899 to 1906 (made under the Light Railways Act 1896)⁽²⁾ and the Trafford Park Act 1904 and the Trafford Park Act 1922⁽³⁾ and operated for the carriage of goods forming the Trafford Park railway network shown on the deposited plans.

Incorporation of Railways Clauses Consolidation Act

3.—(1) The following provisions of the Railways Clauses Consolidation Act 1845⁽⁴⁾ shall be incorporated in this Order—

- section 77 (presumption that minerals excepted from acquisition of land);
- section 105 (carriage of dangerous goods on railways);
- section 145 (recovery of penalties); and
- section 154 (transient offenders).

(2) In those provisions, as incorporated in this Order—

- “the company” means the undertaker;
- “goods” includes any thing conveyed on the railway authorised to be operated by this Order;
- “prescribed”, in relation to any such provision, means prescribed by this Order for the purposes of that provision;
- “railway”, in relation to any such provision, means the new railway authorised to be operated by this Order;
- “the special Act” means this Order;
- “toll” includes any rate or charge or other payment payable under this Order or any other enactment for any goods conveyed on the new railway authorised to be operated by this Order.

(1) 1904 c.ccxv.
(2) 1896 c. 48.
(3) 1922 c.xxvii.
(4) 1845 c. 20.