
STATUTORY INSTRUMENTS

2005 No. 1794

TRANSPORT AND WORKS, ENGLAND
TRANSPORT, ENGLAND

The Midland Metro (Birmingham City
Centre Extension, etc.) Order 2005

Made - - - - - *1st July 2005*

Coming into force *22nd July 2005*

**THE MIDLAND METRO (BIRMINGHAM CITY
CENTRE EXTENSION, ETC.) ORDER 2005**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Application of New Roads and Street Works Act 1991
4. Incorporation of the Railways Clauses Consolidation Act 1845
5. Application of the Midland Metro Acts

PART 2

WORKS PROVISIONS

Principal powers

6. Power to construct and maintain works
7. Power to deviate, etc.
8. Designation of works

Streets

9. Power to alter layout, etc. of streets
10. Power to keep apparatus in streets
11. Power to execute street works
12. Permanent stopping up of means of access
13. Temporary stopping up of streets
14. Access to works

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15. Construction and maintenance of new or altered highways
16. Construction and alteration of bridges
17. Restoration of streets if street tramway discontinued
18. Agreements with street authorities

Supplemental powers

19. Discharge of water
20. Attachment of equipment to buildings for purposes of tramway
21. Safeguarding works to buildings
22. Power to construct temporary tramways
23. Power to survey and investigate land
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PART 3

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26. Application of Part I of Compulsory Purchase Act 1965
27. Application of Compulsory Purchase (Vesting Declarations) Act 1981
28. Powers to acquire new rights
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30. Temporary use of land for construction of works
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Compensation

33. Disregard of certain interests and improvements

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34. Acquisition of part of certain properties
35. Extinction or suspension of rights of way
36. Time limit for exercise of powers of acquisition

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37. Power to operate and use tramway system
38. Maintenance of approved works, etc.
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53. Arbitration
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Signature

SCHEDULES

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SCHEDULE 2 — ACQUISITION OF LAND, ETC. OUTSIDE LIMITS OF DEVIATION

PART 1 — ACQUISITION OF LAND

PART 2 — ACQUISITION OF RIGHTS ONLY

SCHEDULE 3 — STREETS SUBJECT TO ALTERATION OF LAYOUT

SCHEDULE 4 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect...
2. (1) Without prejudice to the generality of paragraph 1, the...

Adaptation of the 1965 Act

3. (1) The 1965 Act shall have effect with the modifications...
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) shall...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 5 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 6 — TRAFFIC REGULATION

PART 1 — PROHIBITION OR RESTRICTION OF WAITING AND LOADING/UNLOADING

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Table A

No waiting at any time except for loading or unloading a vehicle

Table B

No waiting, loading or unloading at any time

Table C

No waiting, loading or unloading at any time except within designated loading bays specified in Tables F and G below and to the extent so specified

Table D

No waiting at any time except within designated taxi bay specified in Table H below and to the extent so specified and no loading or unloading at any time

Table E

24 Hour loading bay: no waiting at any time except for loading and unloading a vehicle

Table F

Loading bay: no waiting at any time except for loading or unloading a vehicle before 10.00 am and after 6.00 pm

Table G

Loading bay: no waiting at any time except for loading and unloading a vehicle from 10.00 am to 12.00 midday and from 2.00 pm to 4.00 pm

Table H

Taxi bay: no waiting at any time except for picking up or setting down of passengers travelling by hackney carriage

PART 2 — DIRECTION OF TRAFFIC

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Table I

One-way except for pedal cycles and tramcars

Table J

One-way with contra-flow for pedal cycles

Table K

One-way except for tramcars

Table L

Prescribed left turn only

Table M

No left turn

Table N

Prescribed ahead only

Table O

No right turn

PART 3 — RESTRICTION ON REMAINING STATIONARY IN ROAD

Table P

Yellow box junction

PART 4 — PROHIBITION OF ACCESS

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Table Q

No passage of vehicular traffic except tramcars, buses, hackney carriages and access to off-street areas

Table R

No passage of vehicular traffic except buses, hackney carriages and access to off-street areas

Table S

No passage of vehicular traffic except tramcars

Table T

No passage of vehicular traffic except (a) tramcars, (b) buses and (c) access to on street loading between 10.00 am to 12.00 midday and from 2.00 pm to 4.00 pm

Table U

No passage of vehicular traffic

Table V

No passage of vehicular traffic except for (a) tramcars (b) access to on-street loading before 10.00 am and after 6.00 pm and (c) access to off-street areas and to the Britannia and Burlington hotels at anytime

Table W

No passage of vehicular traffic except for (a) access to on-street loading before 10.00 am and after 6.00 pm and (b) access to off-street areas and to the Britannia hotel at any time

Table X

No passage of vehicular traffic except for (a) tramcars, (b) access to off-street areas at any time and (c) access to on-street loading before 10.00 am or after 6.00 pm

Table Y

No passage of vehicular traffic except for access to off-street areas at any time and to 24 hour on-street loading

Table Z

No passage of vehicular traffic exceeding a height of 4.4 metres except tramcars

Table ZZ

No passage of vehicular traffic exceeding a height of 4.6 metres except tramcars

SCHEDULE 7 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.

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Apparatus of statutory undertakers, etc. on land acquired

1. (1) Subject to the following provisions of this paragraph, sections...

Application of electronic communications code

2. (1) Paragraph 21 of the electronic communications code shall not...

SCHEDULE 8 — PROTECTIVE PROVISIONS

PART 1 — FOR PROTECTION OF NETWORK RAIL

1. The following provisions of this Part of this Schedule shall...
2. In this Part of this Schedule— “construction” includes execution, placing,...
3. (1) The undertaker shall not exercise the powers conferred by...
4. (1) The undertaker shall, before commencing construction of any specified...
5. (1) Any specified work and any protective works to be...
6. The undertaker shall— (a) at all times afford reasonable facilities...
7. Network Rail shall at all times afford reasonable facilities to...
8. (1) If any alterations or additions, either permanent or temporary,...
9. The undertaker shall repay to Network Rail all reasonable fees,...
10. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
11. (1) If at any time after the completion of a...
12. The undertaker shall not provide any illumination or illuminated sign...
13. Any additional expenses which Network Rail may reasonably incur in...
14. (1) The undertaker shall pay to Network Rail all reasonable...
15. Network Rail shall, on receipt of a request from the...
16. In the assessment of any sums payable to Network Rail...
17. The undertaker and Network Rail may, subject in the case...

PART 2 — FOR PROTECTION FOR BRITISH WATERWAYS BOARD

1. (1) For the protection of BW the following provisions of...

Interpretation

Powers requiring BW's consent

2. (1) The undertaker shall not under the powers conferred by...

Vehicles, plant and machinery

3. The undertaker shall not use any land or property of...

Closure of towing paths, etc.

4. If in consequence of or in connection with the exercise...

Fencing

5. Where so required by the engineer the undertaker shall to...

Survey of waterway

6. (1) Before the commencement of the initial construction of any...

Approval of plans, protective works etc.

7. (1) The undertaker shall before commencing construction of any specified...

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Design of works

8. Without prejudice to its obligations under the foregoing provisions of...

Notice of works

9. The undertaker shall give to the engineer 56 days' notice...

Lighting

10. The undertaker shall provide and maintain at its own expense...

Construction of specified works

11. (1) Any specified or protective works shall, when commenced, be...

Prevention of pollution

12. The undertaker shall not in the course of constructing a...

Access to work: provision of information

13. (1) The undertaker on being given reasonable notice shall—

Alterations to waterway

14. (1) If during the construction of a specified work or...

Maintenance of works

15. If at any time after the completion of a specified...

Repayment of BW's fees, etc.

16. The undertaker shall repay to BW all fees, costs, charges...

Costs of alterations, etc.

17. Any additional expenses which BW may reasonably incur in altering,...

Making good of detriment; compensation and indemnity, etc.

18. (1) If any detriment shall be caused by the construction...

Details of capitalised sums to be provided

19. If BW or the undertaker cannot jointly agree the formula...

Arbitration

20. Any difference arising between the undertaker and BW under this...

Explanatory Note