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STATUTORY INSTRUMENTS

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**2006 No. 3118**

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

The Luton Dunstable Translink Order 2006

Made - - - - 22nd November  
2006  
Coming into force 13th December 2006

THE LUTON DUNSTABLE TRANSLINK ORDER 2006

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Application of the 1991 Act

PART 2

WORKS PROVISIONS

*Principal Powers*

4. Power to construct and maintain works
5. Power to deviate

*Streets*

6. Power to alter layout of streets
7. Power to keep apparatus in streets
8. Power to execute street works
9. Stopping up of streets
10. Temporary stopping up of streets
11. Access to works
12. Construction and maintenance of new or altered streets
13. Construction of bridges and tunnels
14. Agreements with street authorities

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

*Supplementary*

15. Discharge of water
16. Protective works to buildings
17. Power to survey and investigate land
18. Town and country planning

PART 3

ACQUISITION AND POSSESSION OF LAND

*Powers of acquisition*

19. Power to acquire land
20. Application of Part 1 of the Compulsory Purchase Act 1965
21. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
22. Power to acquire new rights
23. Rights under or over streets

*Temporary possession of land*

24. Temporary use of land for construction of works

*Compensation*

25. Disregard of certain interests and improvements

*Supplementary*

26. Acquisition of part of certain properties
27. Extinction or suspension of private rights of way
28. Time limit for exercise of powers of acquisition

PART 4

OPERATION OF TRANSLINK

29. Power to operate and use Translink
30. Power to charge fares
31. Traffic control
32. Traffic regulation
33. Power to fell or lop trees overhanging the authorised busway
34. Trespass on the authorised busway
35. Service subsidy agreements
36. Concessionary travel
37. Registration of busway services
38. Substitute road services
39. Obstruction of construction of Translink
40. Power to make byelaws
41. Power to contract for police services

PART 5

MISCELLANEOUS AND GENERAL

42. Power to transfer undertaking
43. Disclosure of confidential information
44. Public open space

45. Application of landlord and tenant law
46. Statutory undertakers etc.
47. Application of existing enactments
48. Power of Council and County Council to make agreements
49. For the protection of Council and County Council in the event of transfer
50. Protective provisions
51. Certification of plans etc.
52. Service of notices
53. No double recovery
54. Arbitration  
Signature

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## SCHEDULES

### SCHEDULE 1 — SCHEDULED WORKS

### SCHEDULE 2 — ACQUISITION OF CERTAIN LAND

### SCHEDULE 3 — STREETS SUBJECT TO ALTERATION OF LAYOUT

### SCHEDULE 4 — STREETS TO BE STOPPED UP

#### PART 1 — STREETS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

#### PART 2 — STREETS FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

### SCHEDULE 5 — STREETS TO BE TEMPORARILY STOPPED UP

### SCHEDULE 6 — ACCESS TO WORKS

### SCHEDULE 7 — 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 (which relates 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 8 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

### SCHEDULE 9 — TRAFFIC REGULATION ORDERS

#### PART 1 — BUS LANES

#### PART 2 — PROHIBITION OF ACCESS

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SCHEDULE 10 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS  
ETC.

*Apparatus of statutory undertakers etc. on land acquired*

1. (1) Sections 271 to 274 of the 1990 Act (power...

*Apparatus of statutory undertakers etc. in stopped up streets*

2. (1) Where a street is stopped up under article 9...

*Railway and navigation undertakings*

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

SCHEDULE 11 — PROTECTIVE PROVISIONS

PART 1 — PROTECTION FOR ELECTRICITY, GAS AND WATER  
UNDERTAKERS

1. (1) For the protection of the undertakers referred to in...
2. Notwithstanding the temporary stopping up or diversion of any highway...
3. (1) The Council, in the case of the powers conferred...
4. Notwithstanding anything in this Order or shown on the deposited...
5. (1) If the Council, in the exercise of the powers...
6. (1) Where, in accordance with the provisions of this Part...
7. (1) Not less than 28 days before commencing to execute...
8. The Council shall not be required to comply with paragraph...
9. Where, by reason of this Order, any part of any...
10. (1) Subject to the following provisions of this paragraph, the...
11. If, in consequence of the exercise of the powers of...
12. (1) Where, by reason of the stopping up of any...
13. Nothing in this Part of this Schedule shall affect the...

PART 2 — PROTECTION OF PUBLIC COMMUNICATIONS PROVIDER

14. (1) For the protection of a public communications provider the...
15. The temporary stopping up or diversion of any highway under...

PART 3 — PROTECTION FOR SEWERAGE UNDERTAKERS

16. (1) For the protection of sewerage undertakers the following provisions...
17. (1) Before commencing the construction or renewal of any specified...
18. (1) The specified work shall be constructed, and in the...
19. (1) Subject to the following provisions of this Part of...
20. (1) An officer of the undertaker duly appointed for the...
21. (1) Notwithstanding the temporary stopping up or diversion of any...
22. The Council shall, so far as is reasonably practicable, so...
23. As soon as reasonably practicable after the completion of the...
24. Nothing in this Part of this Schedule shall affect the...
25. Any difference arising between the Council and the undertaker under...

PART 4 — PROTECTION FOR ENVIRONMENT AGENCY

26. (1) For the protection of the Environment Agency (in this...

PART 5 — PROTECTION FOR NETWORK RAIL INFRASTRUCTURE  
LIMITED

27. (1) For the protection of Network Rail Infrastructure Limited, the...
28. (1) Subject to paragraph (4), the Council shall not pursuant...
29. (1) The Council shall before commencing construction of any specified...
30. (1) Any specified work shall, when commenced, be constructed—
31. (1) The Council shall— (a) at all times afford reasonable...

32. Network Rail Infrastructure Limited shall at all times afford reasonable...
33. (1) If any alterations or additions, either permanent or temporary,...
34. The Council shall repay to Network Rail Infrastructure Limited all...
35. (1) In this paragraph—“EMI” means, subject to sub-paragraph (2),...
36. If at any time after the completion of a specified...
37. The Council shall not provide any illumination or illuminated sign...
38. Any additional expenses which Network Rail Infrastructure Limited may reasonably...
39. (1) The Council shall pay to Network Rail Infrastructure Limited...
40. Network Rail Infrastructure Limited shall, on receipt of a request...
41. In the assessment of any sums payable to Network Rail...
42. The Council and Network Rail Infrastructure Limited may enter into,...
43. In so far as any specified work or the acquisition...  
PART 6 — PROTECTION FOR HIGHWAY AUTHORITIES
44. (1) For the protection of the highway authorities concerned, the...  
PART 7 — FOR PROTECTION OF CERTAIN LAND NEAR JEANS WAY,  
LUTON
45. (1) For the protection of certain land off Jeans Way,...

Explanatory Note