
STATUTORY INSTRUMENTS

2016 No. 545

TRANSPORT AND WORKS, ENGLAND
TRANSPORT, ENGLAND

The Midland Metro (Birmingham City Centre Extension,
etc.) (Land Acquisition and Variation) Order 2016

Made - - - - - *24th May 2016*

Coming into force *14th June 2016*

**THE MIDLAND METRO (BIRMINGHAM
CITY CENTRE EXTENSION, ETC.) (LAND
ACQUISITION AND VARIATION) ORDER 2016**

PART 1

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

PART 2

Principal powers

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

Streets

8. Power to alter layout, etc., of streets
9. Power to keep apparatus in streets
10. Power to execute street works
11. Temporary stopping up of streets
12. Access to works
13. Restoration of streets if street tramway discontinued
14. Agreements with street authorities

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Supplemental powers

15. Discharge of water
16. Safeguarding works to buildings
17. Power to construct temporary tramways
18. Power to survey and investigate land
19. Mode of construction and operation of tramway

PART 3

Powers of acquisition

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

Temporary possession of land

25. Temporary use of land for construction of works
26. Temporary use of land for maintenance of works

Compensation

27. Disregard of certain interests and improvements

Supplementary

28. Acquisition of part of certain properties
29. Extinction or suspension of rights of way
30. Time limit for exercise of powers of acquisition

PART 4

31. Power to operate and use tramway system
32. Power to charge fares
33. Traffic signs
34. Obstruction of construction of authorised works

PART 5

35. Planning permission
36. Statutory undertakers, etc.
37. Existing agreements
38. Minerals
39. Saving for highway authorities
40. Certification of plans, etc.
41. Service of notices
42. No double recovery
43. Disclosure of confidential information
44. Withholding of consent
45. Arbitration
46. Protective provisions for Network Rail
Signature

SCHEDULES

SCHEDULE 1 — ACQUISITION OF LAND AND RIGHTS

PART 1 — ACQUISITION OF LAND

PART 2 — ACQUISITION OF RIGHTS ONLY

SCHEDULE 2 — 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 limitation to the scope of paragraph 1, the...

Application of the 1965 Act

3. (1) The 1965 Act has effect with the modifications necessary...
4. For section 7 (measure of compensation in case of severance)...
5. For section 8 (other provisions as to divided land) of...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 (powers of entry) of the 1965 Act is...
8. Section 20 (protection of interests of tenants at will etc.)...
9. Section 22 (interests omitted from purchase) of the 1965 Act...

SCHEDULE 3 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 4 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.

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 does not...

SCHEDULE 5 — EXISTING AGREEMENTS

SCHEDULE 6 — PROTECTIVE PROVISIONS FOR NETWORK RAIL

1. The following provisions of this Schedule have effect unless otherwise...
2. In this Schedule— “construction” includes execution, placing, alteration and reconstruction...
3. (1) The Executive must not exercise the powers conferred by...
4. (1) The Executive must, before commencing construction of any specified...
5. (1) Any specified work and any protective works to be...
6. The Executive must— (a) at all times afford reasonable facilities...
7. Network Rail must at all times afford reasonable facilities to...
8. (1) If any permanent or temporary alterations or additions to...
9. The Executive must 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 Executive must not provide any illumination or illuminated sign...

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13. Any additional expenses which Network Rail may reasonably incur in...
14. (1) The Executive must pay to Network Rail all reasonable...
15. Network Rail must, on receipt of a request from the...
16. In the assessment of any sums payable to Network Rail...
17. The Executive and Network Rail may, subject in the case...
18. Any difference between Network Rail and the Executive arising under...

Explanatory Note