

**2011 No. 1491**

**TRANSPORT AND WORKS, ENGLAND**

**TRANSPORT, ENGLAND**

**The Nottingham Express Transit System (Amendment) Order  
2011**

*Made* - - - - *13th June 2011*

*Coming into force* - - *4th July 2011*

An application has been made to the Secretary of State in accordance with the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006(a) for an Order under sections 1 and 5 of the Transport and Works Act 1992(b) (“the 1992 Act”).

The Secretary of State, having considered the objections made and not withdrawn, has determined to make an Order giving effect to the proposals comprised in the application with modifications which in the opinion of the Secretary of State do not make any substantial change in the proposals.

Notice of the Secretary of State’s determination was published in the London Gazette on 9th June 2011.

The Secretary of State in exercise of the powers conferred by sections 1 and 5 of, and paragraphs 3 and 4 of Schedule 1 to, the 1992 Act, makes the following Order:—

**Citation and commencement**

**1.** This Order may be cited as the Nottingham Express Transit System (Amendment) Order 2011 and comes into force on 4th July 2011.

**Amendment of the Nottingham Express Transit System Order 2009**

**2.**—(1) The Nottingham Express Transit System Order 2009(c) is amended as follows.

(2) In Schedule 6 (land not to be acquired compulsorily), column (2), delete “67,”.

(3) For article 43 substitute—

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(a) S.I. 2006/1466.

(b) 1992 c. 42. Part 1 of this Act is amended by S.I. 1995/1541, S.I. 1998/2226, S.I. 2000/3199 and S.I. 2006/958.

(c) S.I. 2009/1300.

### **“Open space in the Borough of Broxtowe**

43.—(1) The Broxtowe open space and the County open space shall not vest in the promoter until the promoter has acquired the Broxtowe exchange land and, upon a request made by the promoter, Broxtowe Borough Council has certified that a scheme for the provision of the Broxtowe exchange land as open space has been implemented to its satisfaction.

(2) Upon the requirements of paragraph (1) being satisfied, the Broxtowe exchange land shall vest in the County Council subject to the like rights, trusts and incidents as attached to the Broxtowe open space and the County open space and, on the vesting of the Broxtowe exchange land, the Broxtowe open space and the County open space shall each be discharged from all rights, trusts and incidents to which they were previously subject.

(3) In this article—

- (a) “the Broxtowe exchange land” means the land in the Borough of Broxtowe shown numbered 14 on the works and land plans and hatched green on the open space and exchange land plans;
- (b) “the Broxtowe open space” means the open space comprised in land in the Borough of Broxtowe shown numbered 26, 32, 33, 37, 42, 66, 262, 504, 507, 510 and 511 on the works and land plans and hatched red on the open space and exchange land plans; and
- (c) “the County open space” means the open space comprised in land in the Borough of Broxtowe shown numbered 67 on the works and land plans and hatched blue on the open space and exchange land plans.”.

### **Certification of plans, etc.**

3.—(1) Nottingham City Council shall, as soon as practicable after the making of this Order, submit copies of the book of reference, the works and land plans, and the open space and exchange land plans submitted with the application for this Order to the Secretary of State for certification that they are true copies of, respectively, the book of reference, the works and land plans and the open space and exchange land plans for the purposes of this Order; and a document so certified shall be admissible in any proceedings as evidence of the contents of the document of which it is a copy.

(2) Sheet nos. 3 and 4 of the open space and exchange land plans submitted with the application for this Order shall be substituted for sheet nos. 3 and 4 of the open space and exchange land plans referred to in the Nottingham Express Transit System Order 2009.

Signed by authority of the Secretary of State

13th June 2011

*Martin Woods*  
Head of the Transport and Works Act Orders Unit  
Department for Transport

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

This Order amends the Nottingham Express Transit System Order 2009 to enable the Nottingham City Council and the Nottinghamshire County Council (referred to in that Order as the promoter), or either of them, to acquire compulsorily certain land required for the extension of the existing tram system authorised by that Order.

A copy of the works and land plans, the open space and exchange land plans and the book of reference mentioned in this Order and certified in accordance with article 3 (certification of plans, etc.) of this Order, may be inspected free of charge during working hours at the offices of Nottingham City Council at Loxley House, Station Street, Nottingham NG2 3NG.

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STATUTORY INSTRUMENTS

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£4.00