Draft Order laid before Parliament under section 11 of the Public Bodies Act 2011, for approval by resolution of each House of Parliament after the expiry of the 40-day period referred to in section 11(4) of that Act.

DRAFT STATUTORY INSTRUMENTS

2013 No. 0000

PUBLIC BODIES

The Public Bodies (Abolition of BRB (Residuary) Limited) Order 2013

Made - - - - 2013

Coming into force in accordance with article 1



£10.75

Draft Order laid before Parliament under section 11 of the Public Bodies Act 2011, for approval by resolution of each House of Parliament after the expiry of the 40-day period referred to in section 11(4) of that Act.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2013 No. 0000

PUBLIC BODIES

The Public Bodies (Abolition of BRB (Residuary) Limited) Order 2013

Made - - - - 2013

Coming into force in accordance with article 1

The Secretary of State for Transport makes the following Order in exercise of the powers conferred by sections 1(1) and (2), 6(1) and (5) and 35(2) of the Public Bodies Act 2011(**a**) ("the Act").

In accordance with section 8 of the Act, the Secretary of State considers that this Order—

(a) serves the purpose of improving the exercise of public functions, having had regard to the factors set out in section 8(1); and

(b) does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.

The Secretary of State has consulted in accordance with section 10 of the Act.

The Secretary of State has consulted the Welsh Ministers in accordance with section 63(1) of the Government of Wales Act 2006(**b**)

A draft of this Order, and an explanatory document containing the information required by section 11(2) of the Act, have been laid before Parliament in accordance with section 11(1) after the end of the period of twelve weeks mentioned in section 11(3). In accordance with section 11(4) of the Act, the draft of this Order has been approved by a resolution of each House of Parliament after the expiry of the 40-day period referred to in that provision.

Citation and commencement

1.—(1) This Order may be cited as the Public Bodies (Abolition of BRB (Residuary) Limited) Order 2013.

(**a**) 2011 c. 24.
(**b**) 2006 c. 32.

(2) Subject to paragraph (3), this Order shall come into force on 30th September 2013 or, if later, the day after the day on which it is made.

(3) Article 9 comes into force on the day after that on which the other provisions of this Order come into force.

Interpretation

2. In this Order—

"NRAL" means Network Rail (Assets) Limited, a company limited by guarantee and incorporated in England and Wales under company number 08225646 whose registered office is at Kings Place, 90 York Way, London N1 9AG; and

"NR Property" means the properties and assets listed in the Schedule and shown on plans set out in the Annex to the Schedule.

Transfer of functions

3.—(1) Subject to paragraph (2), all the functions of BRB (Residuary) Limited are transferred to the Secretary of State.

(2) The functions of BRB (Residuary) Limited in relation to the NR Property are transferred to NRAL.

Abolition of BRB Residuary

4.—(1) BRB (Residuary) Limited is abolished.

(2) The registrar of companies for England and Wales(**a**) shall as soon as practicable—

(a) remove BRB (Residuary) Limited's name from the register; and

(b) place a statement on the register that BRB (Residuary) Limited has been abolished pursuant to this Order.

(3) In this article, the "register" has the same meaning as in the Companies Act 2006(**b**).

Amendment to the Transport Act 1968

5.—(1) The Transport Act 1968(**c**) is amended as follows.

(2) In section 117 (duty as respects bridges carrying highways) after subsection (1D) insert—

"(1E) This section also applies to a bridge (whenever constructed) which—

(a) carries a highway over a railway of the Secretary of State, or any other installation or land used by the Secretary of State in connection with a railway, and

(b) belongs to the Secretary of State;

and in relation to any such bridge references in this section to each of the Boards or a Board are, subject to subsection (1F), to be read as references to the Secretary of State.

(1F) Subsection (7) applies in relation to a bridge constructed by or belonging to—

(a) the Secretary of State and one or more of the Boards mentioned in subsection (1) of this section;

(b) the Secretary of State and a network owner;

(c) the Secretary of State and Canal & River Trust; or

(**a**) The registrar of companies for England and Wales is appointed under section 1060 of the Companies Act 2006 (c.46).
(**b**) See section 1080(2) of the Companies Act 2006.
(**c**) 1968 c. 73. Section 117(1)(a) and section 118(1)(a) were amended by S.I. 2003/1615; section 117(1A) and 1(B) and section 118(1A) were inserted by S.I. 1996/420; section 117(1C) and 1(D) and section 118(1B) were inserted by S.I. 2012/1659; There are other amendments and modifications that are not relevant to this Order.

(d) the Secretary of State and one or more of the Boards mentioned in subsection (1) of this section, a network owner and Canal & River Trust;

as it applies in relation to a bridge constructed by or belonging to any two or more Boards."

(3) In section 118 (duty of highway authorities, etc, as respects bridges over certain railways or inland waterways) after subsection (1B) insert—

"(1C) This section also applies to any bridge (whenever constructed) which—

(a) carries a highway over a railway of the Secretary of State, but

(b) does not belong to the Secretary of State,

and in relation to any such bridge references in this section to any of the said Boards or a Board are to be read as references to the Secretary of State.".

Amendment to Edinburgh Tram Acts

6.—(1) In section 13 (agreements with Network Rail and BRB (Residuary) Limited) of the Edinburgh Tram (Line One) Act 2006(**a**) for "BRB (Residuary) Limited", in each place where it appears, substitute "the Secretary of State".

(2) In section 13 (agreements with Network Rail and BRB (Residuary) Limited) of the Edinburgh Tram (Line Two) Act 2006(**b**) for "BRB (Residuary) Limited", in each place where it appears, substitute "the Secretary of State".

Repeal of entry in the House of Commons Disqualification Act 1975

7. In Part III (other disqualifying offices) of Schedule 1 to the House of Commons Disqualification Act 1975(**c**) the entry "Director of BRB (Residuary) Limited" is repealed.

Repeal of entry in Scottish Parliament (Disqualification) Order 2010

8. In Part 1 of Schedule 1 to the Scottish Parliament (Disqualification) Order 2010(**d**) the entry "Director of BRB (Residuary) Limited" is repealed.

Repeal of entry in the Public Bodies Act 2011

9. In Schedule 1 to the Public Bodies Act 2011 (power to abolish: bodies and offices), the entry "BRB (Residuary) Limited" is repealed.

Signed by authority of the Secretary of State for Transport

Name
Parliamentary Under Secretary of State
Department for Transport

Date

(**a**) 2006 asp.7.
(**b**) 2006 asp.6.
(**c**) 1975 c. 24. The entry for a "Director of BRB (Residuary) Limited" was inserted by S.I. 2010/762. There are other amendments to Part III of Schedule 1 but none are relevant.
(**d**) S.I. 2010/2476.

SCHEDULE

Article 2

NR PROPERTIES

Unregistered Land and Structures

1. Land adjoining the operational railway and east of Bousteads Grassing at Carlisle Currock in Cumbria and shown shaded in blue on plans NL01 Pt 1, NL01 Pt 2 and NL01 Pt 3 entitled "Carlisle Currock" in the Annex to this Schedule.

2. Land adjoining the operational railway and east of Brinnington Road at Chesterfield in Derbyshire and shown shaded in blue on plans NL02 Pt1, NL02 Pt2 and NL02 Pt 3 entitled "Chesterfield" in the Annex to this Schedule.

3. Land adjoining the operational railway comprising part of the closed railway line from Callander at Crianlarich in the County of Perth and shown shaded in blue on plan NL03 entitled "Crianlarich" in the Annex to this Schedule.

4. Land and bridge adjoining the operational railway to the north of number 12 Station Road, Little Bytham in Lincolnshire and with the land and bridge shown shaded in blue and the wing walls shown marked in dark blue on plan NL04 entitled "Little Bytham" in the Annex to this Schedule.

5. Land adjoining the operational railway on the north west side of Whitebridge Lane, including the property known as Whitebridge Crossing Cottage at Stone in Staffordshire and shown shaded in blue on plan NL05 entitled "Stone" in the Annex to this Schedule.

6. Land comprising the closed railway line and associated structures between Partington and the former Glazebrook Exchange Sidings to the north of Fir Street in Glazebrook, in Greater Manchester and shown shaded in blue on plans NL06 Pt 1 to NL06 Pt 14 entitled "Glazebrook - Partington" in the Annex to this Schedule.

7. Land adjoining the operational railway at North Acton Station, in the London Borough of Ealing, adjacent to the eastbound Central Line platform and shown shaded in blue on plans NL07 Pt 1, NL07 Pt 2 and NL07 Pt 3 entitled "North Acton" in the Annex to this Schedule.

8. Land adjoining the operational railway between Motherwell and Larbert at the north end of Cardean Road, Mossend in North Lanarkshire and shown shaded in blue on plans NL08 Pt 1 and NL08 Pt 2 entitled "Mossend" in the Annex to this Schedule.

9. Land adjoining the operational railway east of Cheam railway station and north of Mulgrave Road in the London Borough of Sutton and shown shaded in blue on plan NL09 entitled "Cheam" in the Annex to this Schedule.

10. Land adjoining the operational railway and south of Erradale Street at Lambhill in the City of Glasgow and shown shaded in blue on plan NL10 entitled "Glasgow Lambhill" in the Annex to this Schedule.

11. The land located at Glasgow Eastfield Depot, comprising the light maintenance depot, adjacent to the operational railway and associated land accessed from Carron Crescent in the City of Glasgow and shown shaded in blue on plans NL11 Pt 1, NL11 Pt 2 and NL11 Pt 3 entitled "Glasgow Eastfield" in the Annex to this Schedule.

12. An underbridge south east of Brixton Road in Bristol that supported the Bristol to Mangotsfield closed railway line, and spans the operational railway between Lawrence Hill and Stapleton Road Stations, in the City of Bristol, and shown marked in dark blue on plan NR01 entitled "Bristol" in the Annex to this Schedule.

13. An underbridge south of Mickle Trafford that supported the Mickle Trafford to Dee Marsh closed railway line, and spans the operational railway between Chester Station and Mickle Trafford Junction, Cheshire, and shown marked in dark blue on plan NR02 entitled "Mickle Trafford" in the Annex to this Schedule.

14. An underbridge south of Brook Lane in Chester that supported the Mickle Trafford to Dee Marsh closed railway line, and spans the operational railway between Chester and Bache Stations, Cheshire, and shown marked in dark blue on plan NR03 entitled "Chester" in the Annex to this Schedule.

15. An underbridge north east of Rainshaw Lane in Reddish that supported the Fairfield Junction to Chorlton Junction closed railway line, and spans the operational railway between Ryder Brow and Reddish North Stations, Greater Manchester, and shown marked in dark blue on plan NR04 entitled "Reddish" in the Annex to this Schedule.

16. Abutments (retaining walls) south of Merewood Road, near Methley that were part of the former bridge that supported the Methley to Pontefract closed railway line, and formerly spanned the operational railway between Castleford Station and Methley Junction, West Yorkshire, and shown marked in dark blue on plan NR05 entitled "Methley" in the Annex to this Schedule.

17. An underbridge south of Lasswade Street at Yoker in Glasgow that supported the Partick Central to Old Kilpatrick closed railway line, and spans the operational railway at Rothesay Dock in the City of Glasgow, and shown marked in dark blue on plan NR06 entitled "Yoker" in the Annex to this Schedule.

18. An abutment (retaining wall) north of Thornley Rise at Audenshaw, Greater Manchester that was part of the former bridge that supported the Denton to Droylsden closed railway line and formerly spanned the operational railway between Fairfield and Guide Bridge Stations and shown marked in dark blue on plan NS01 entitled "Audenshaw" in the Annex to this Schedule.

19. An abutment (retaining wall) south of Prince Henry's High School at Evesham in Worcestershire that was part of the former bridge that supported the Redditch to Evesham closed railway line and formerly spanned the operational railway between Evesham and Honeybourne Stations, and shown marked in dark blue on plan NS02 entitled "Evesham" in the Annex to this Schedule.

20. Piers and abutments (retaining walls) and associated parcels of land at Hampole in South Yorkshire that were part of the former bridge that supported the Denaby to Wrangbrook Junction closed railway line, and formerly spanned the operational railway between Doncaster and Wakefield Station Junction, located 300 metres east of the bridge carrying Leys Lane over the said operational railway and with the land shown shaded in blue and the piers, abutments (retaining walls) shown marked in dark blue on plan NS03 entitled "Hampole" in the Annex to this Schedule.

21. Abutments (retaining walls) south of Erradale Street at Lambhill in the City of Glasgow that were part of the former bridge that supported the Partick West to Balornock Junction closed railway line, and formerly spanned the operational railway between Possilpark & Parkhouse and Gilshochil Stations, Glasgow, and shown marked in dark blue on plan NS04 entitled "Glasgow Lambhill" in the Annex to this Schedule.

22. An underbridge north of Corlic Street at Greenock in Inverclyde that supported the Elderslie to Greenock Princes Pier closed railway line, and formerly spanned the operational railway between Whinhill Station and Bogston Junction, and shown marked in dark blue on plan NS05 entitled "Greenock" in the Annex to this Schedule.

23. An overbridge at Ashton-under-Lyne in Greater Manchester that spans the Oldham to Ashton closed railway line, and now supports Oldham Road, Tameside, and shown marked in dark blue on plan NS06 entitled "Ashton-under-Lyne" in the Annex to this Schedule.

24. Abutments (retaining walls) east of Burdon Road in the City of Sunderland that were part of the former bridge that supported the Pallion Branch (Fawcett Street to Hendon Junction) closed

railway line, and formerly spanned the operational railway between Sunderland and Seaham Stations, and shown marked in dark blue on plan NS07 entitled "Sunderland" in the Annex to this Schedule.

25. An abutment (retaining wall) south east of Linside Avenue at Hawkhead in Renfrewshire that was part of the former bridge that supported the Paisley (Lacy Street) to Blackbyres Junction closed railway line, and formerly spanned the operational railway between Paisley Canal and Hawkhead Stations, and shown marked in dark blue on plan NS08 entitled "Hawkhead" in the Annex to this Schedule.

26. Land comprising an embankment and an adjoining bridge at Musselburgh comprising part of the Wanton Walls Junction to Niddrie North Junction (Lothian Lines) closed railway line, north west of Musselburgh railway station and adjacent to the operational railway between Musselburgh and Portobello Junction, partly in Edinburgh and partly in East Lothian and shown shaded in blue on plans NS09 Pt 1, NS09 Pt 2 and NS09 Pt 3 entitled "Musselburgh" in the Annex to this Schedule.

27. A tunnel and land at Crigglestone in West Yorkshire that supported the Royston to Dewsbury closed railway line west of Crigglestone Viaduct, and through which the operational railway between Horbury Junction and Crigglestone Junction passes, and shown marked in dark blue on plan NS10 entitled "Crigglestone" in the Annex to this Schedule.

28. Abutments (retaining walls) and piers at Edgebold, east of Hanwood in Shropshire that were part of the former bridge that supported the Shropshire & Montgomeryshire closed railway line, and formerly spanned the operational railway between Welshpool and Shrewsbury Stations, and shown marked in dark blue on plan NS11 entitled "Edgebold" in the Annex to this Schedule.

29. An underbridge south west of Alexander Road at Briton Ferry in the County Borough of Neath Port Talbot that supported the abandoned South Wales Mineral Railway, and spans the operational railway between Dynevor Junction and Briton Ferry, and shown marked in dark blue on plan NS12 entitled "Briton Ferry" in the Annex to this Schedule.

30. A sidebridge at Moor End, Sharnbrook in Bedfordshire that spans a stream and supports an access road to the operational railway and Sharnbrook Viaduct, adjacent to the operational railway between Sharnbrook Junction and Bedford, and shown marked in dark blue on plan NS13 entitled "Sharnbrook" in the Annex to this Schedule.

Registered Land

31. The property located at Moss Road and a parcel of land that was the site of the former sidings, Glazebrook near Warrington, and adjacent to the operational railway, registered under title numbers MAN150875 and MAN150858.

32. The property located at Cockshut Road Lewes and adjacent to the operational railway, registered under title number ESX318152.

33. The property located at Hurst Road and Temple Road in South Croydon and adjacent to the operational railway, registered under title number SGL598091.

34. The property located at Alexandra Palace and adjacent to the operational railway, registered under title number AGL156137.

35. The property located at Bicester Town railway station and adjacent to the operational railway, registered under title number ON269209.

36. The property located at Market Harborough comprising of the former goods yard off Rockingham Road, adjacent to the operational railway and registered under title number LT441613.

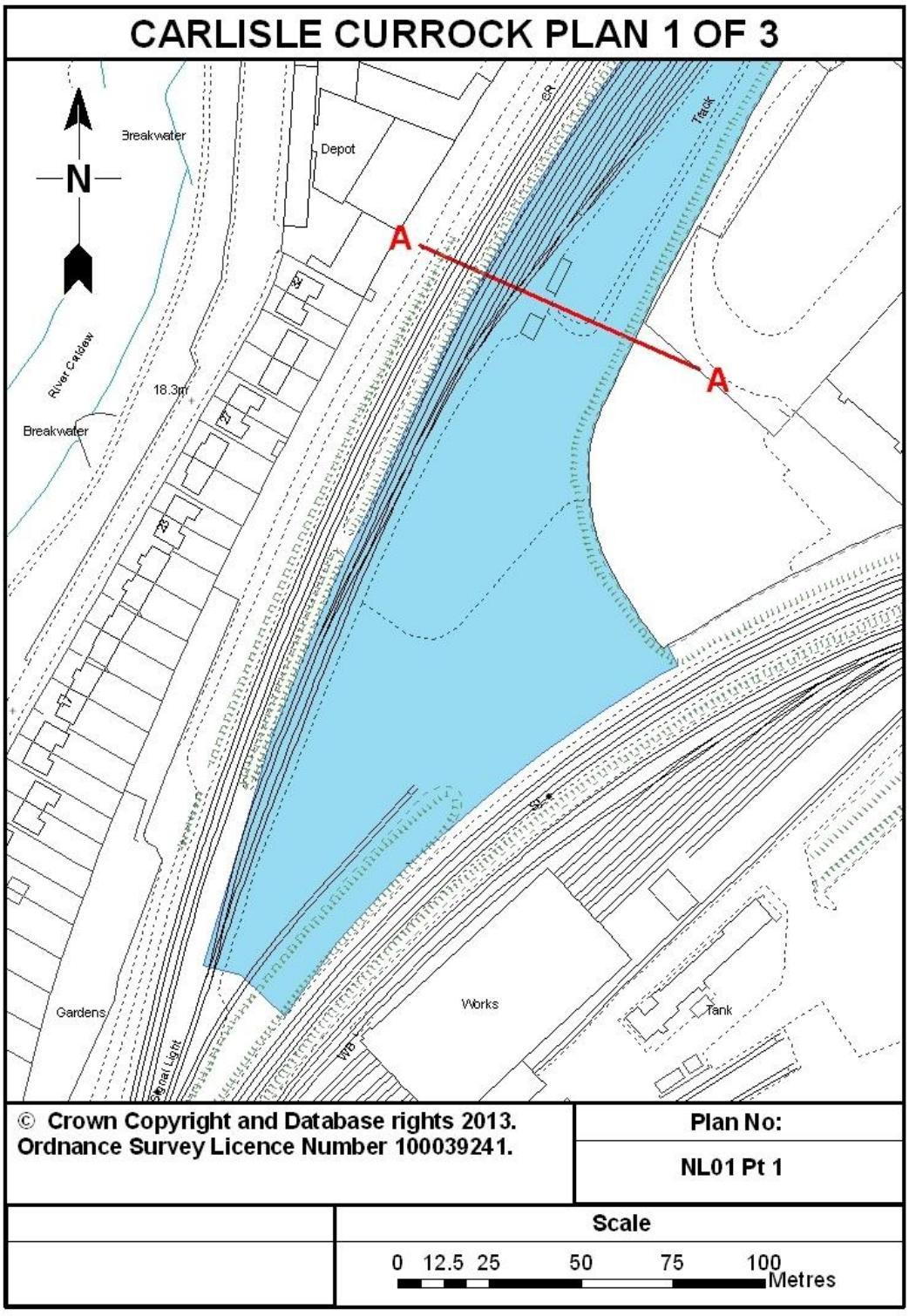
37. The property located at Hunslet Sidings and used as operational railway sidings, adjacent to the operational railway and registered under title number WYK894833.

38. Land adjoining the operational railway at Gobowen Railway Station in Shropshire and registered under title number SL191474.

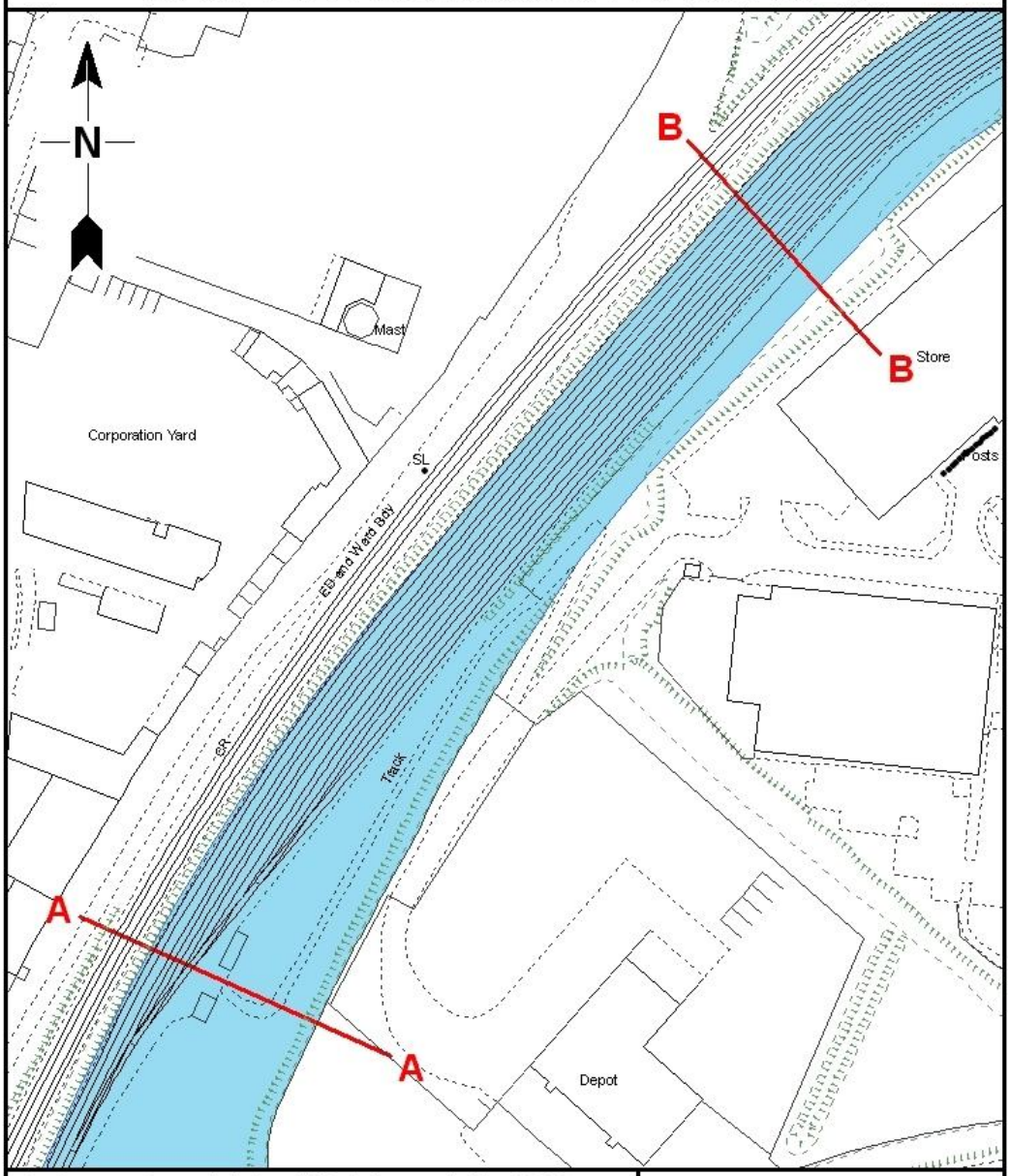
39. The property located in Leicestershire and Nottinghamshire and known as the Old Dalby Test Track (including all associated structures and Unit F, Asfordby Business Park held under lease dated 16 February 2007 from EOS INC Limited), a high speed electrified railway for testing rolling stock, registered under the title numbers NT430786, NT482397, NT484734, NT430897, NT482398, NT482399, NT110834, NT484738, NT431009, NT482400, NT431058, NT482401, NT482569, NT431143, NT482570, NT482571, NT224834, LT399989, LT444693, LT396939, LT444694, LT446506, LT396975, LT444822, LT446539 and LT397207.

Annex

PLANS


CARLISLE CURROCK PLAN 1 OF 3
N
Breakwater
Depot
A
A
Track
River Caldew
18.3m
Breakwater
Gardens
Works
Tank
WB
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Plan No:
NL01 Pt 1
Scale
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Metres

CARLISLE CURROCK PLAN 2 OF 3

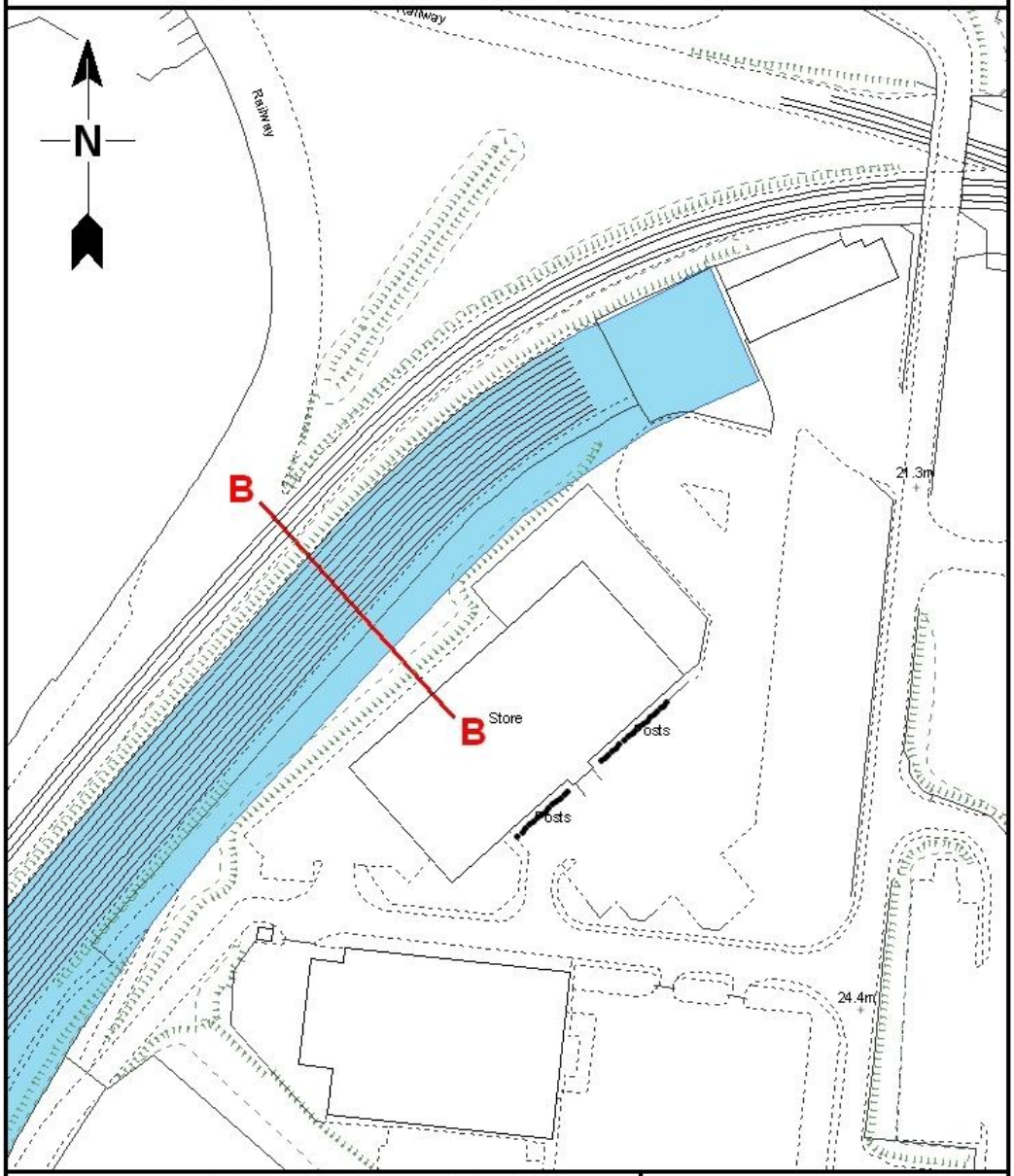


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Plan No:
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CARLISLE CURROCK PLAN 3 OF 3

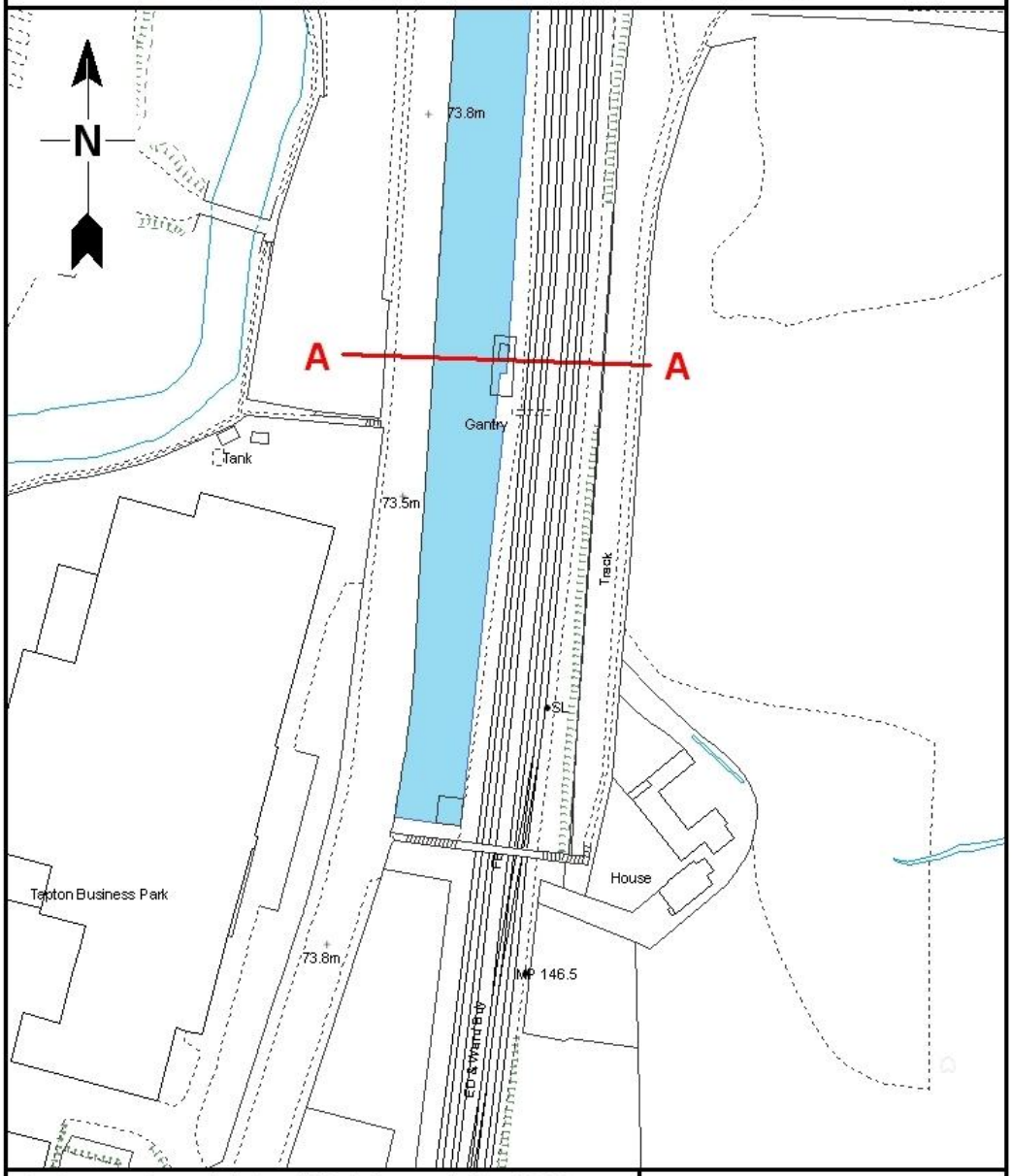


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Plan No:
NL01 Pt 3

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CHESTERFIELD PLAN 1 OF 3

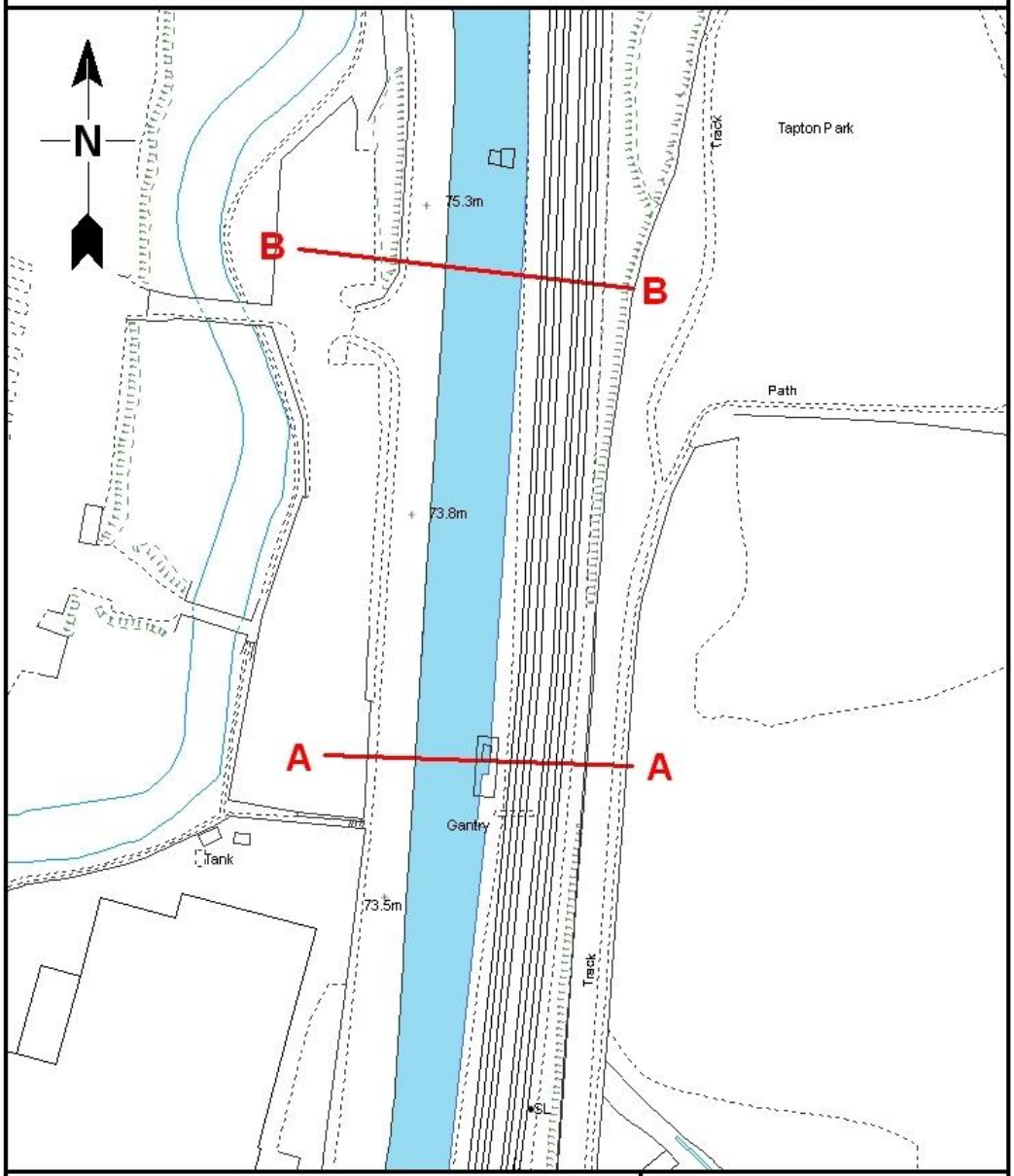


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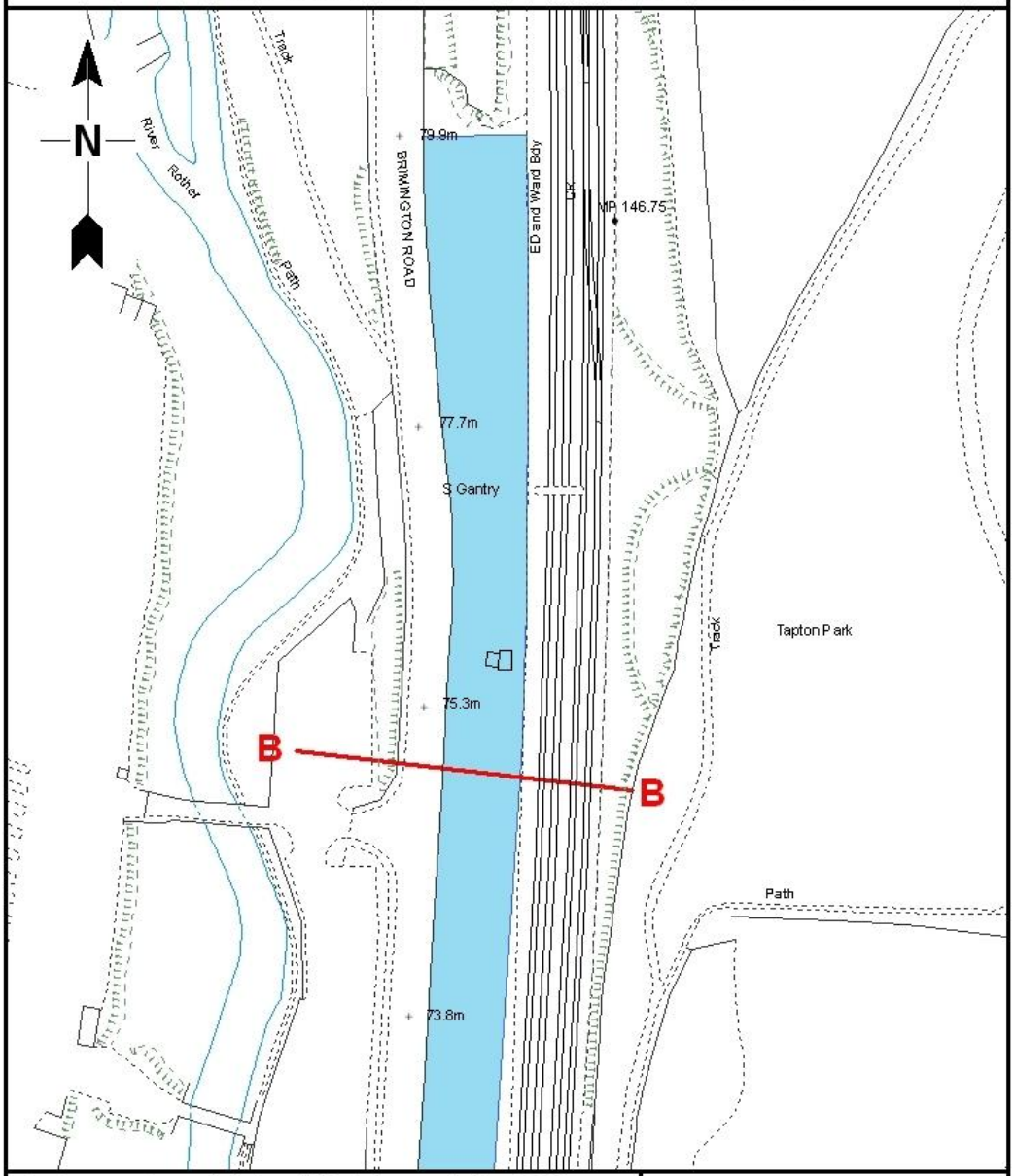


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CHESTERFIELD PLAN 3 OF 3

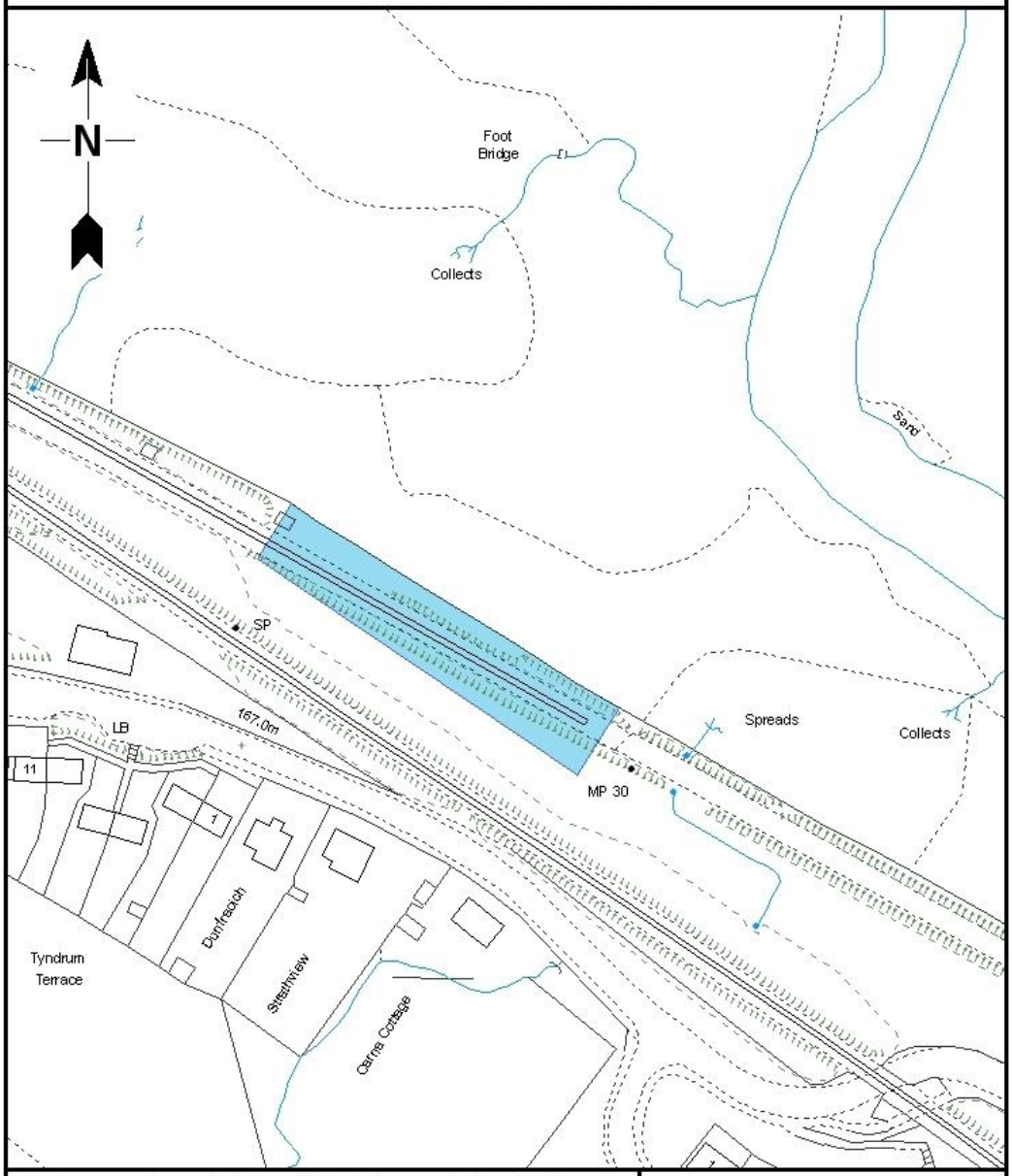


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CRIANLARICH



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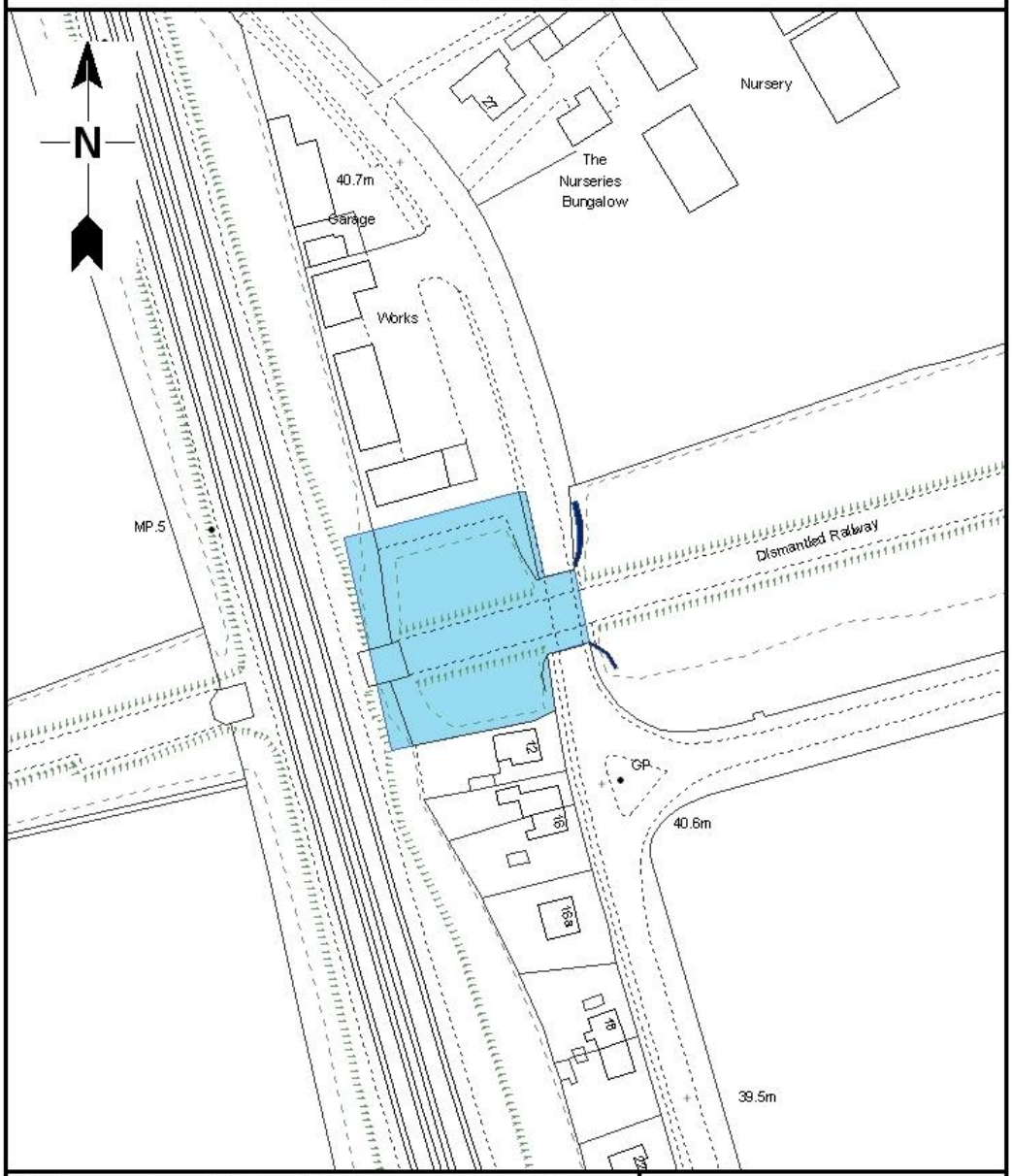
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NL03

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LITTLE BYTHAM



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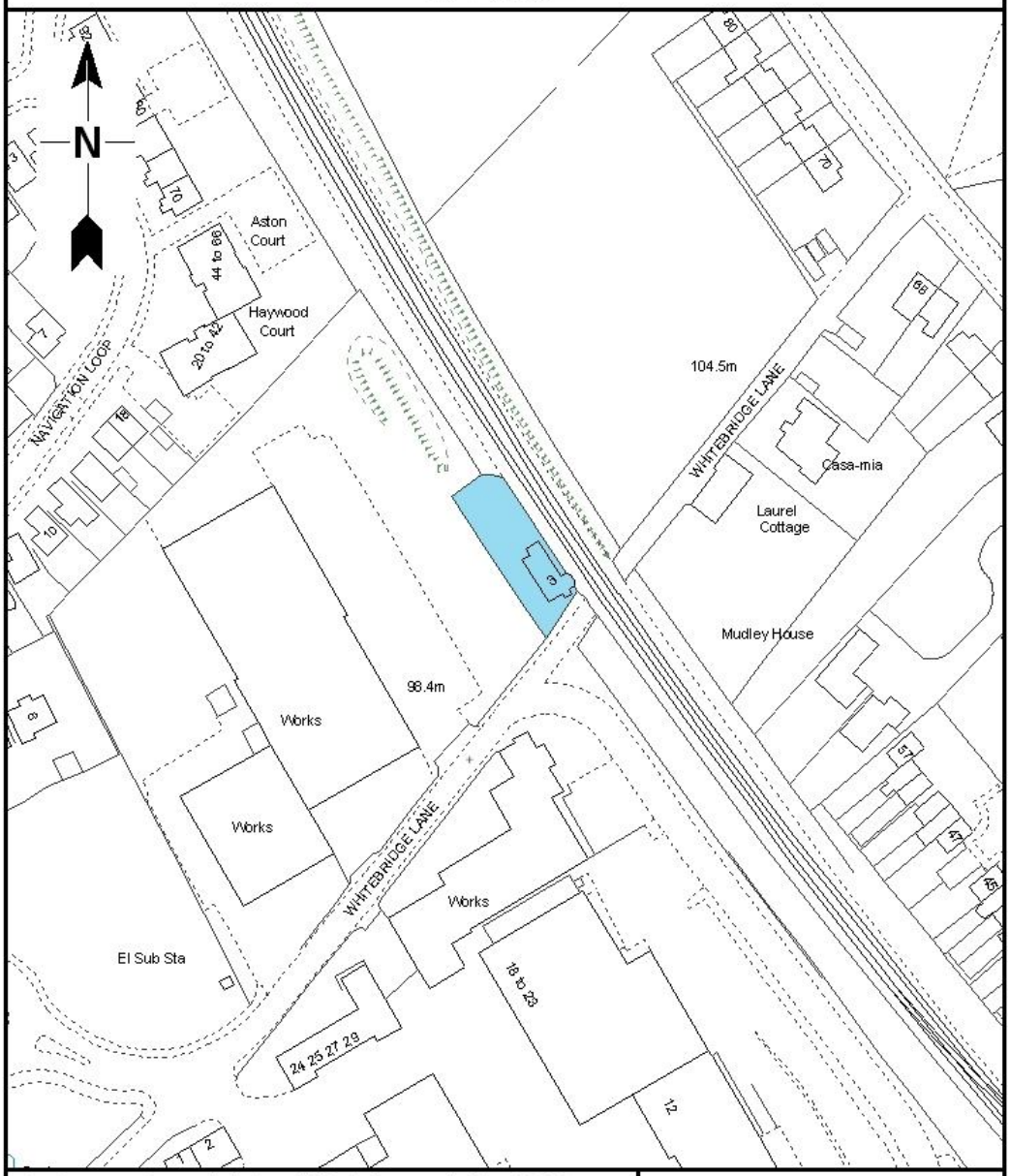
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STONE



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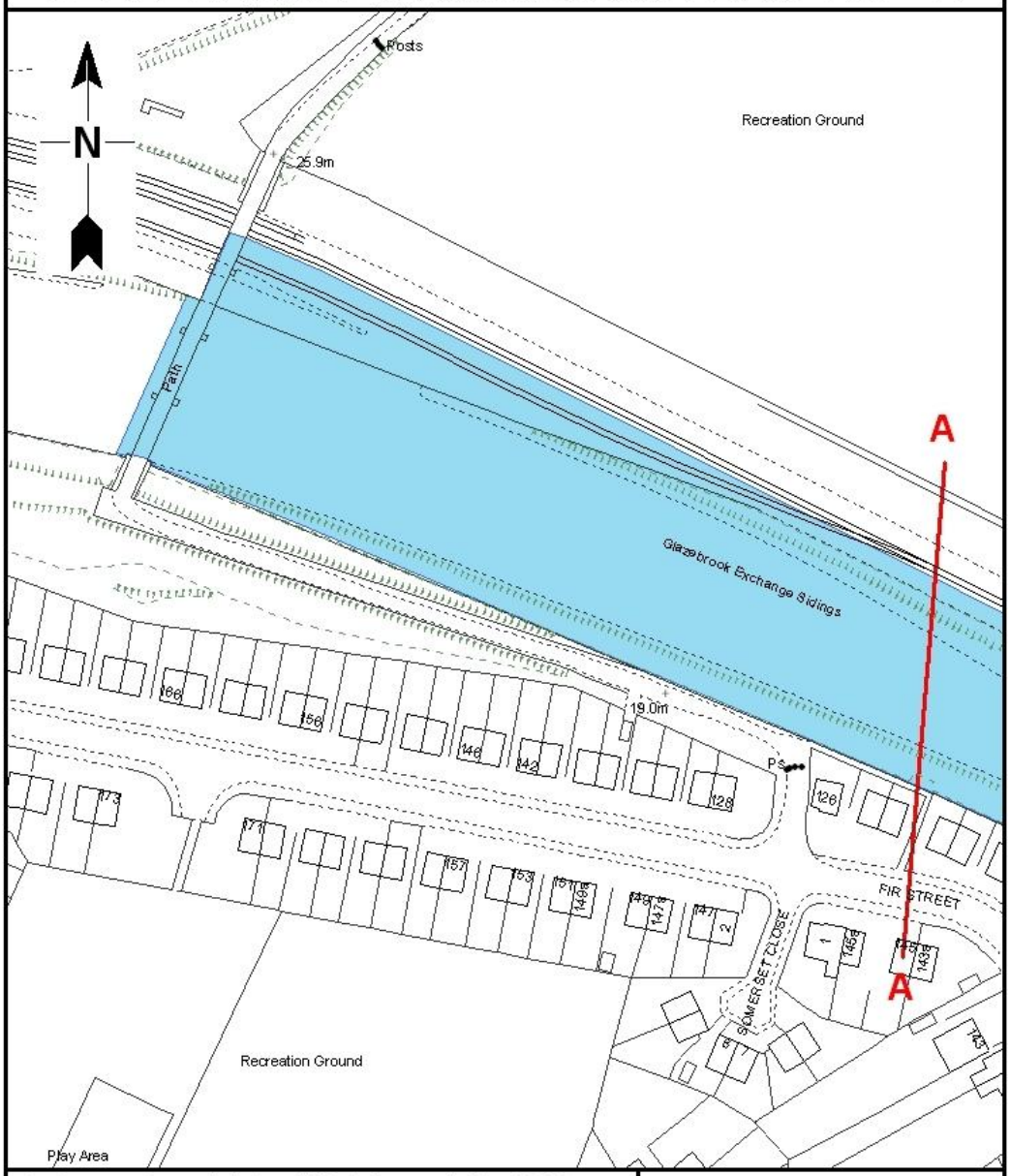
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GLAZEBROOK - PARTINGTON PLAN 1 OF 14



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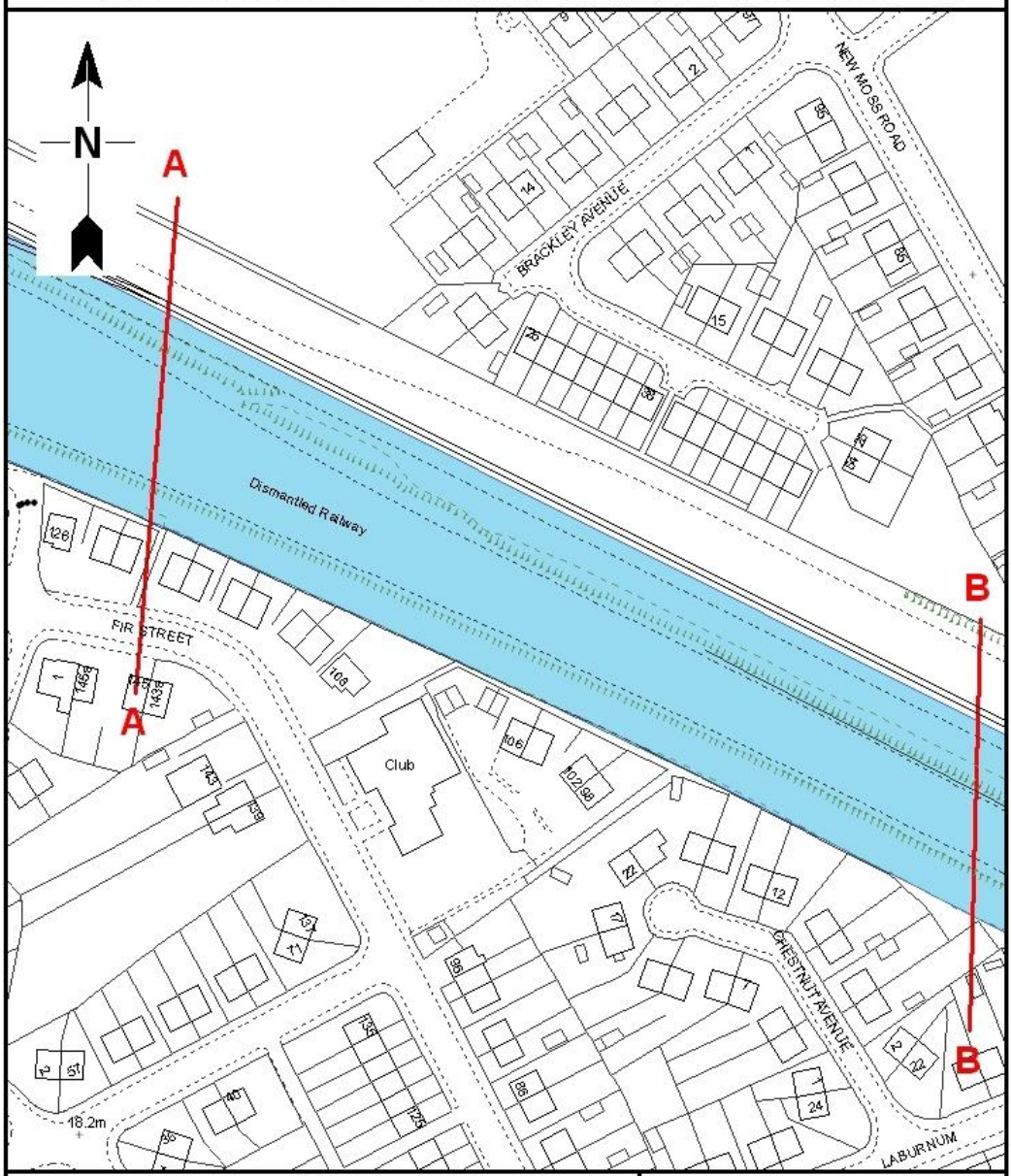
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GLAZEBROOK - PARTINGTON PLAN 2 OF 14

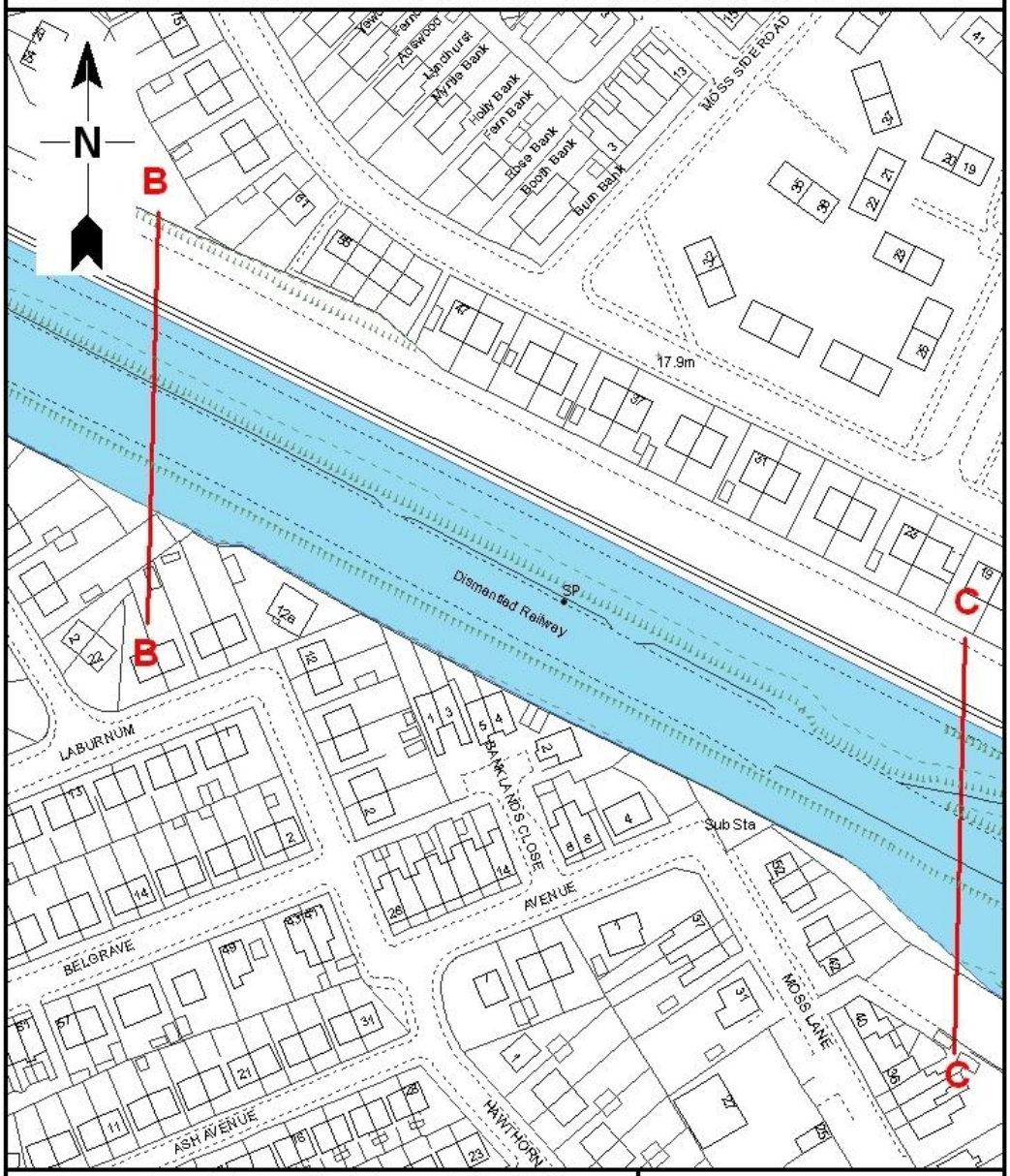


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GLAZEBROOK - PARTINGTON PLAN 3 OF 14

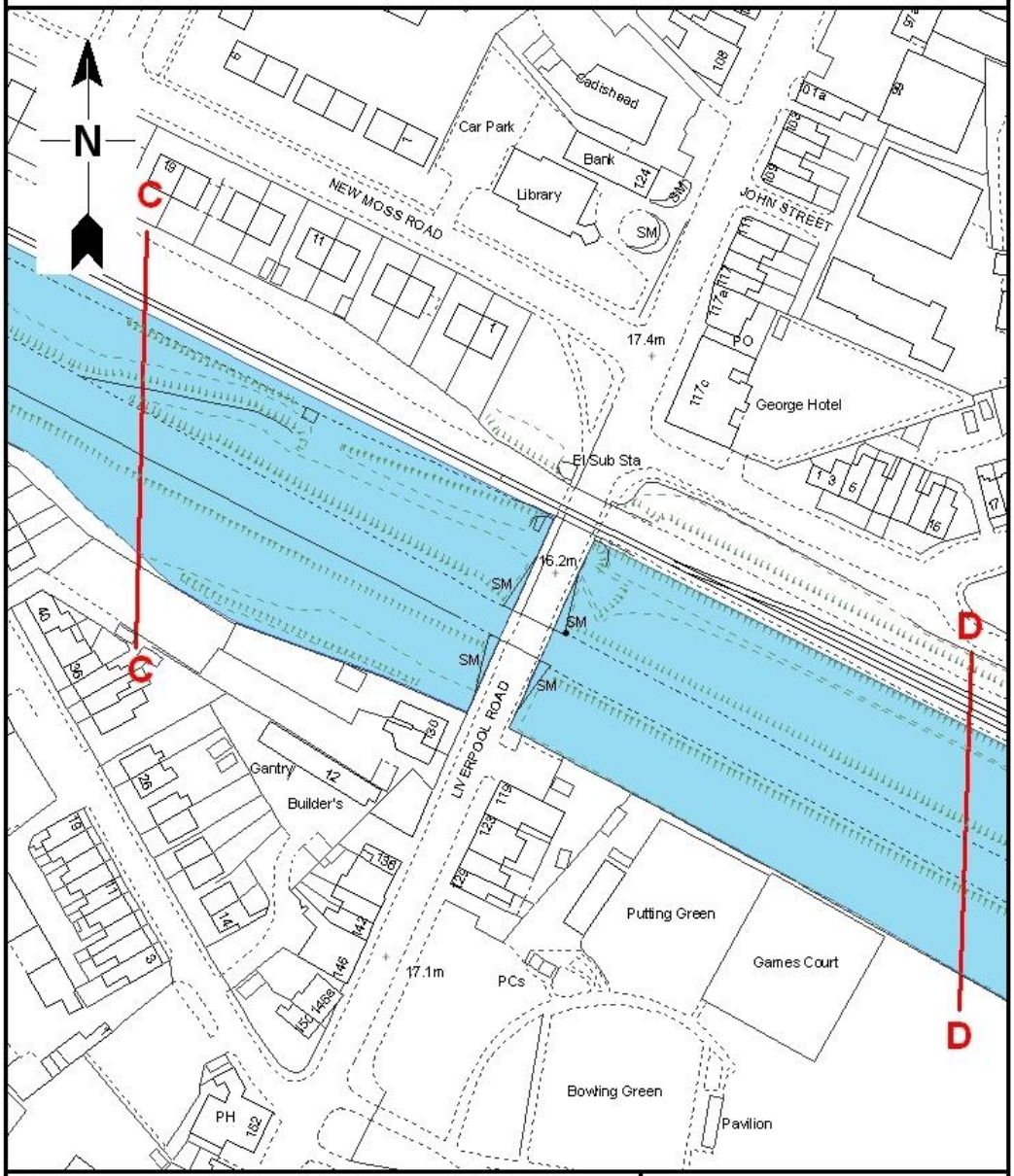


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GLAZEBROOK - PARTINGTON PLAN 4 OF 14

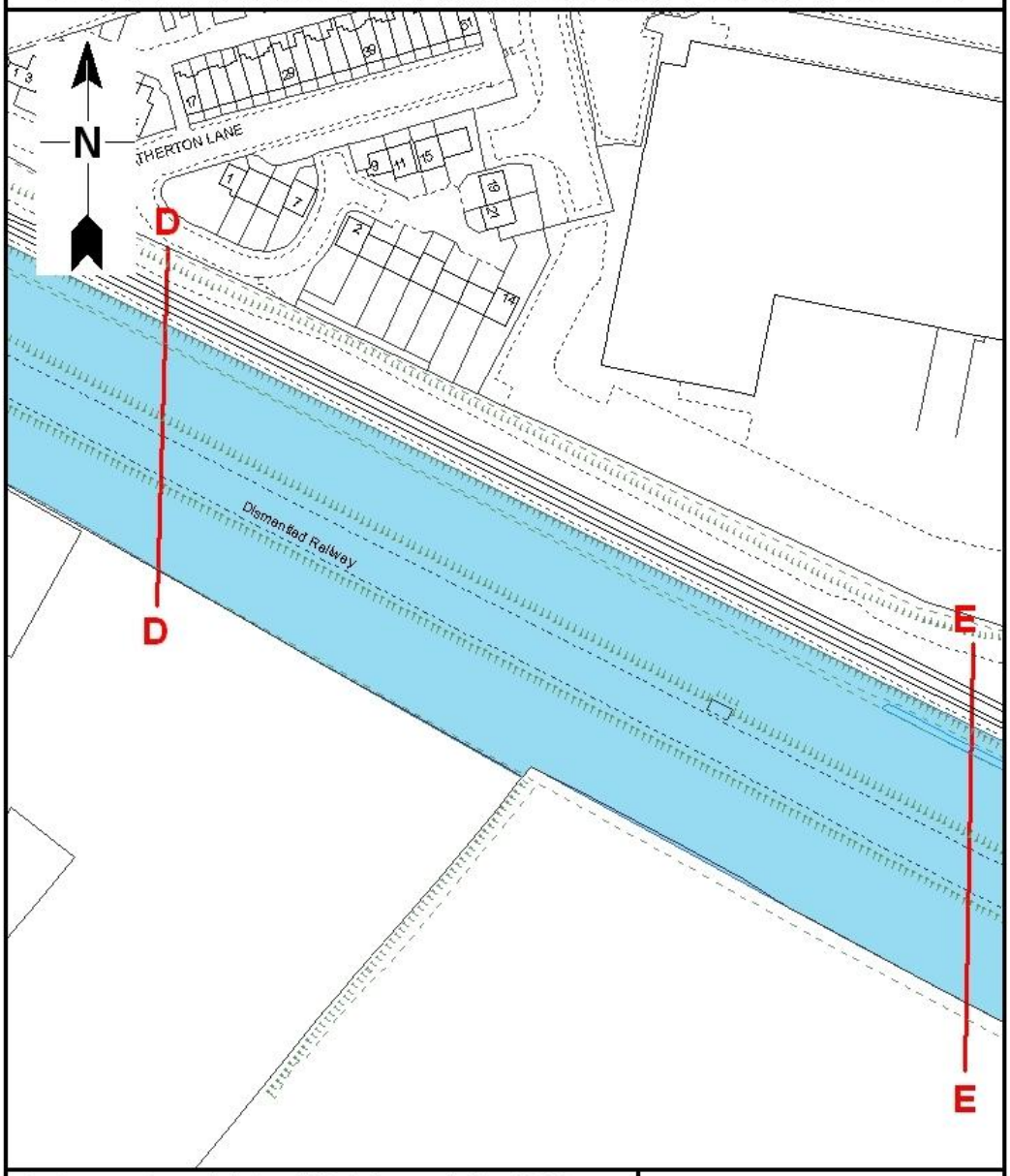


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Plan No:
NL06 Pt 4

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GLAZEBROOK - PARTINGTON PLAN 5 OF 14

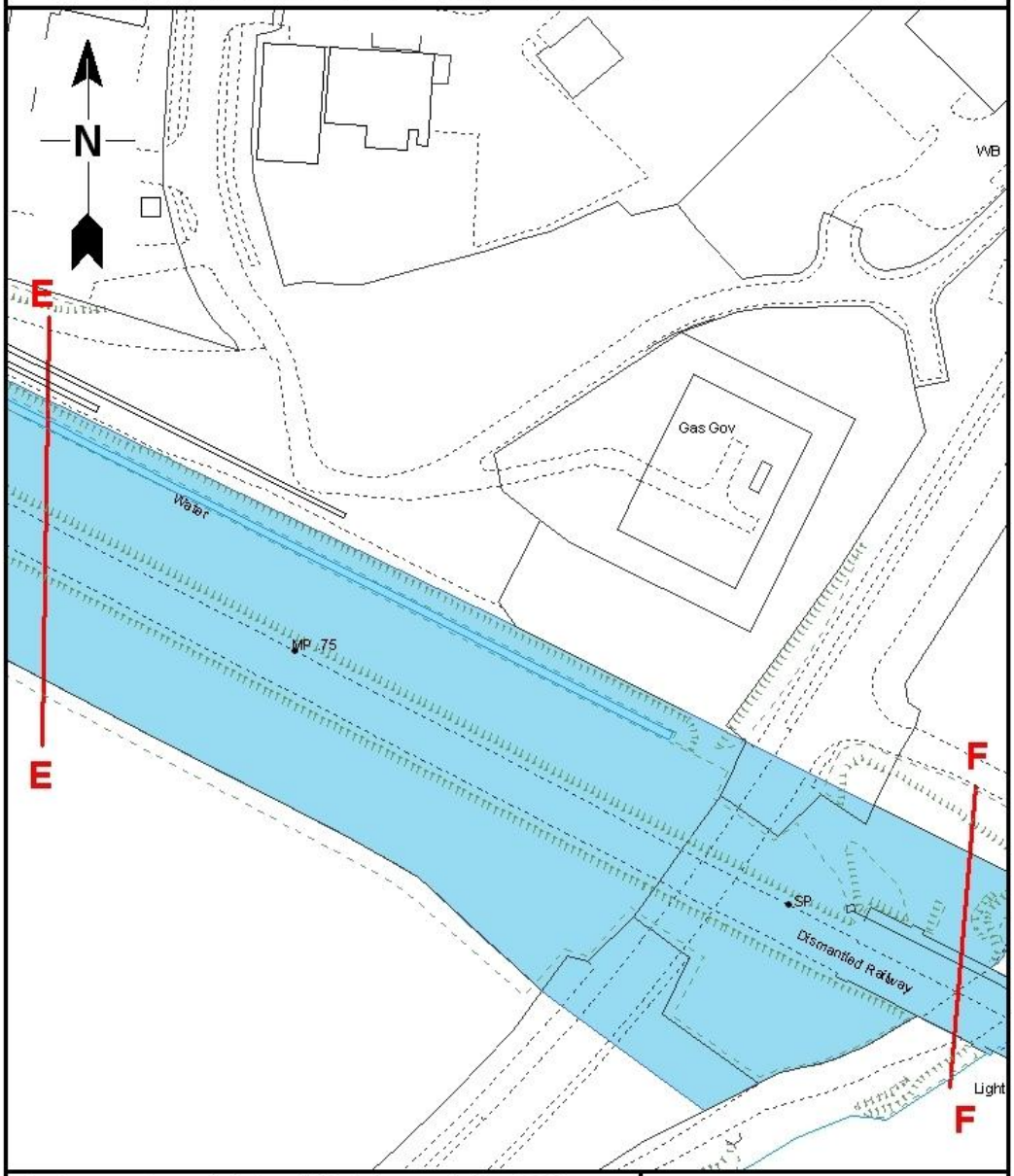


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Plan No:
NL06 Pt 5

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GLAZEBROOK - PARTINGTON PLAN 6 OF 14

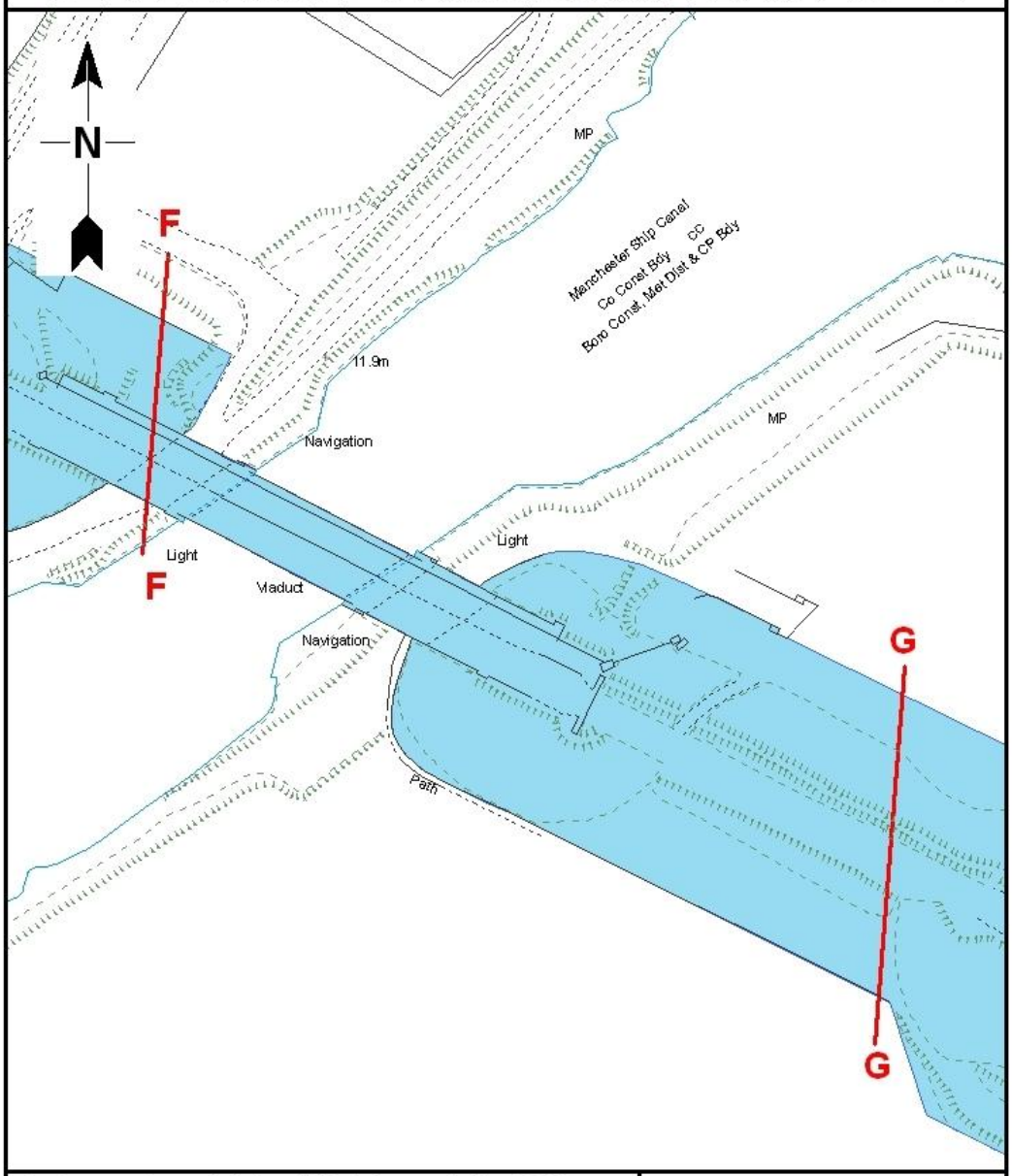


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GLAZEBROOK - PARTINGTON PLAN 7 OF 14

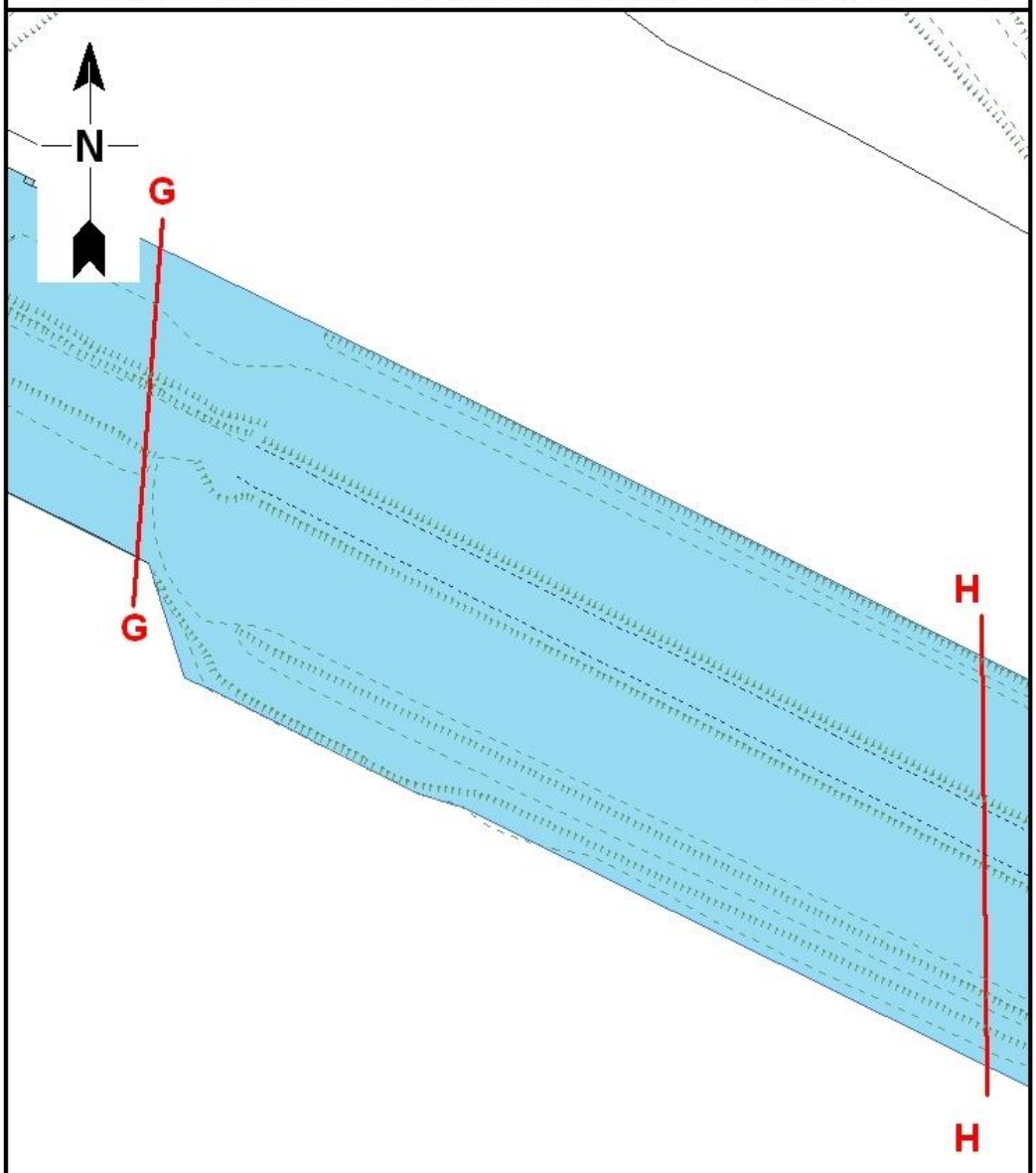


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GLAZEBROOK - PARTINGTON PLAN 8 OF 14

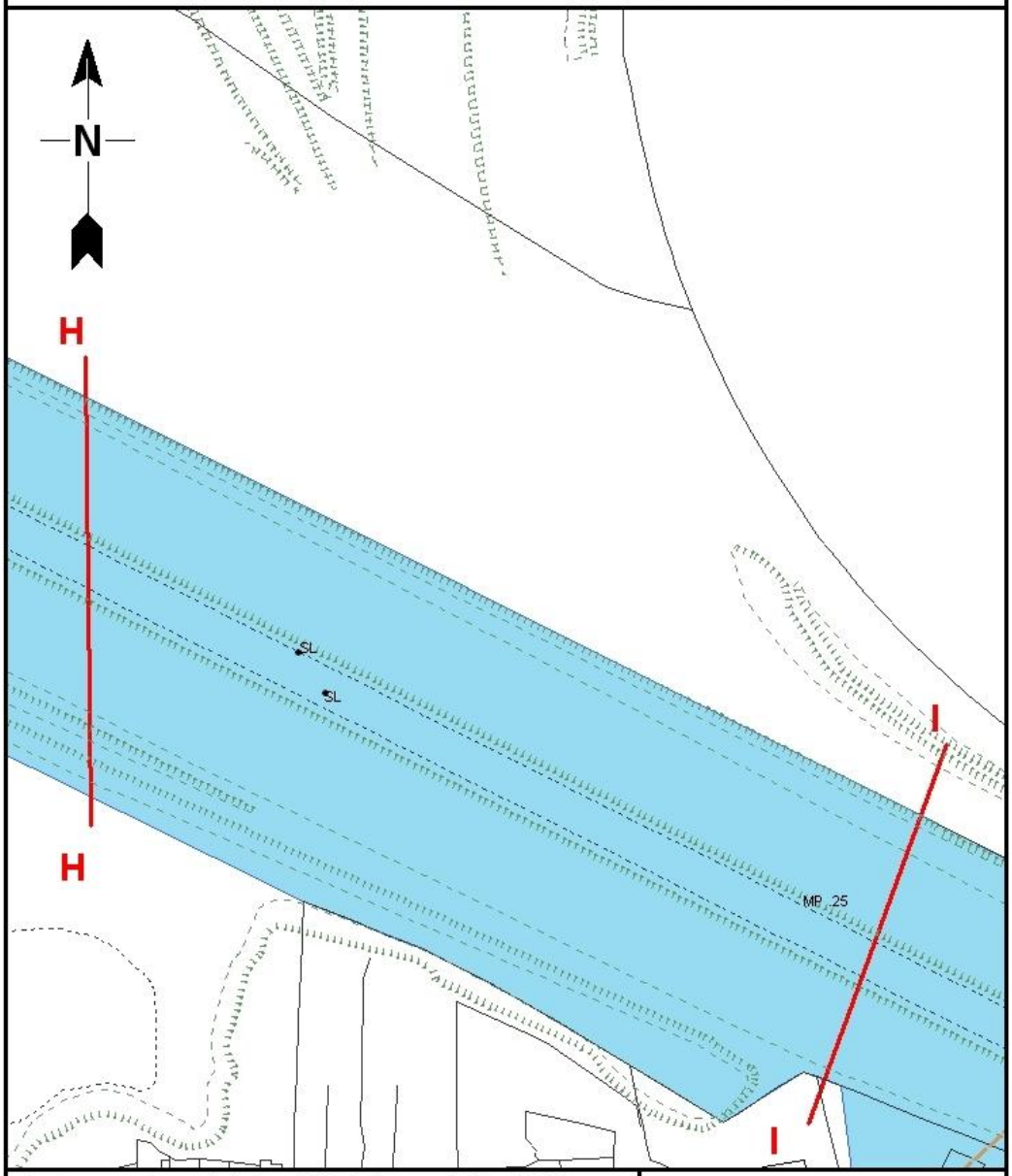


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Plan No:
NL06 Pt 8

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GLAZEBROOK - PARTINGTON PLAN 9 OF 14

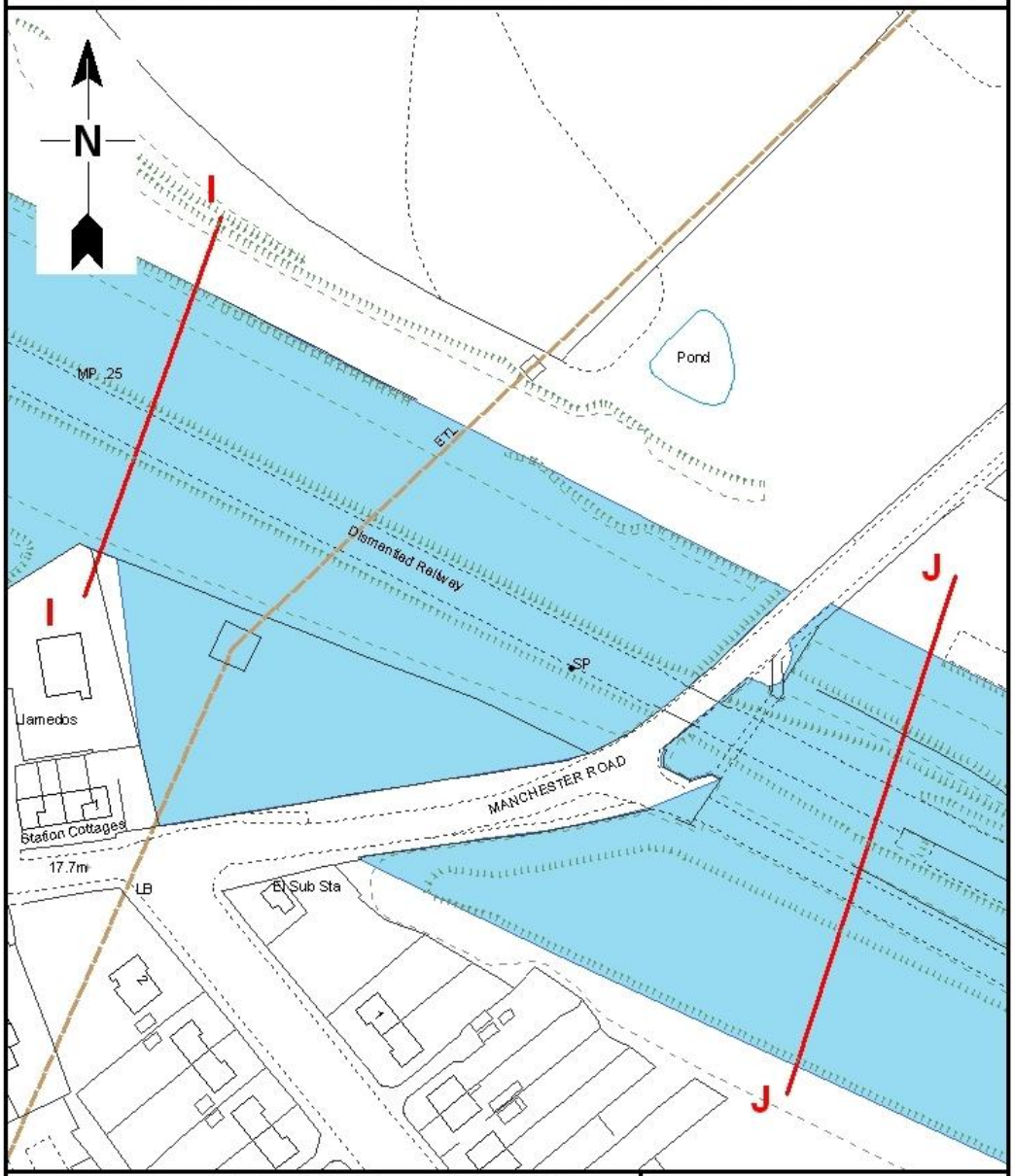


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Plan No:
NL06 Pt 9

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GLAZEBROOK - PARTINGTON PLAN 10 OF 14

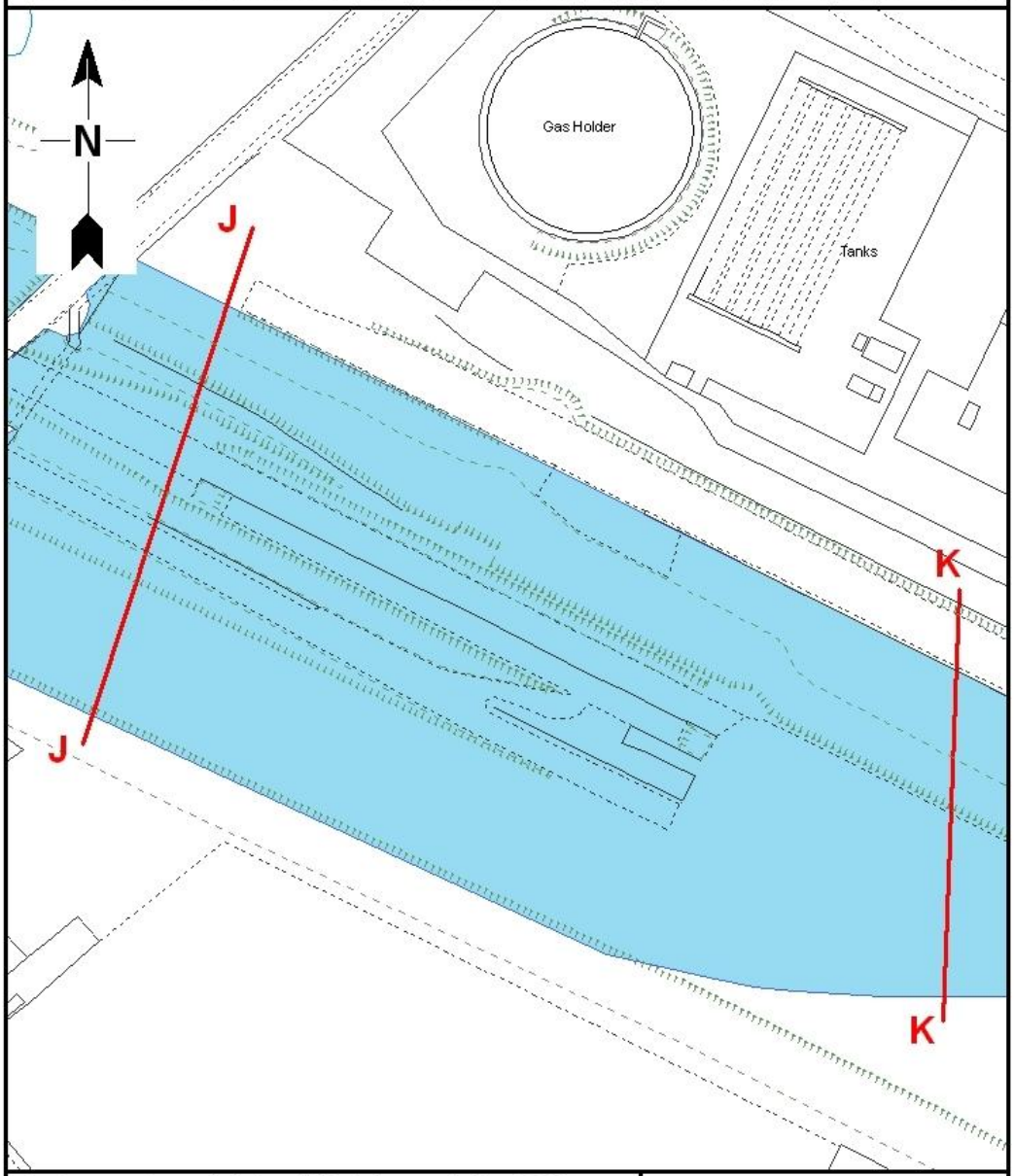


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Plan No:
NL06 Pt 10

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GLAZEBROOK - PARTINGTON PLAN 11 OF 14

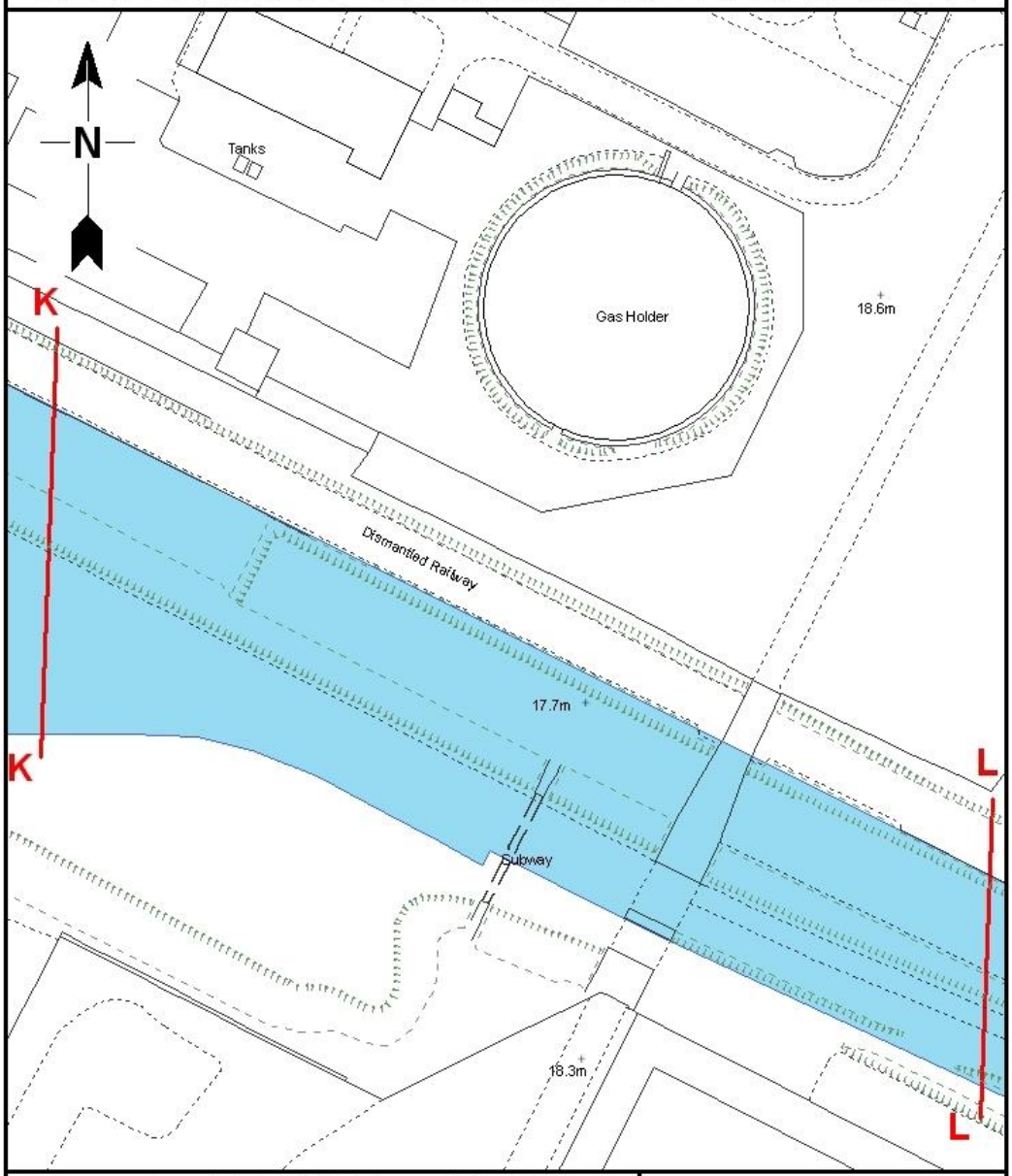


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Plan No:
NL06 Pt 11

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GLAZEBROOK - PARTINGTON PLAN 12 OF 14



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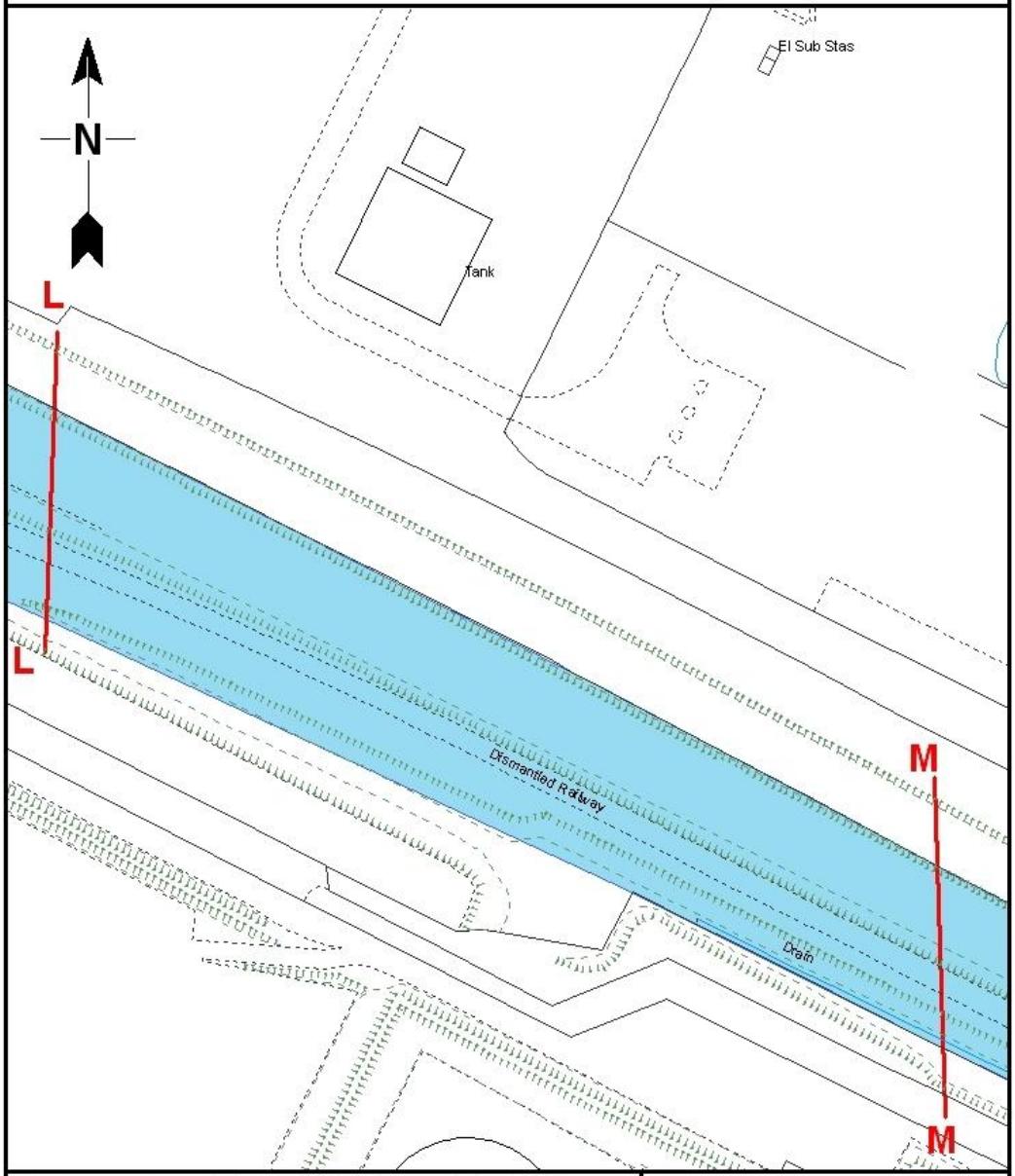
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GLAZEBROOK - PARTINGTON PLAN 13 OF 14

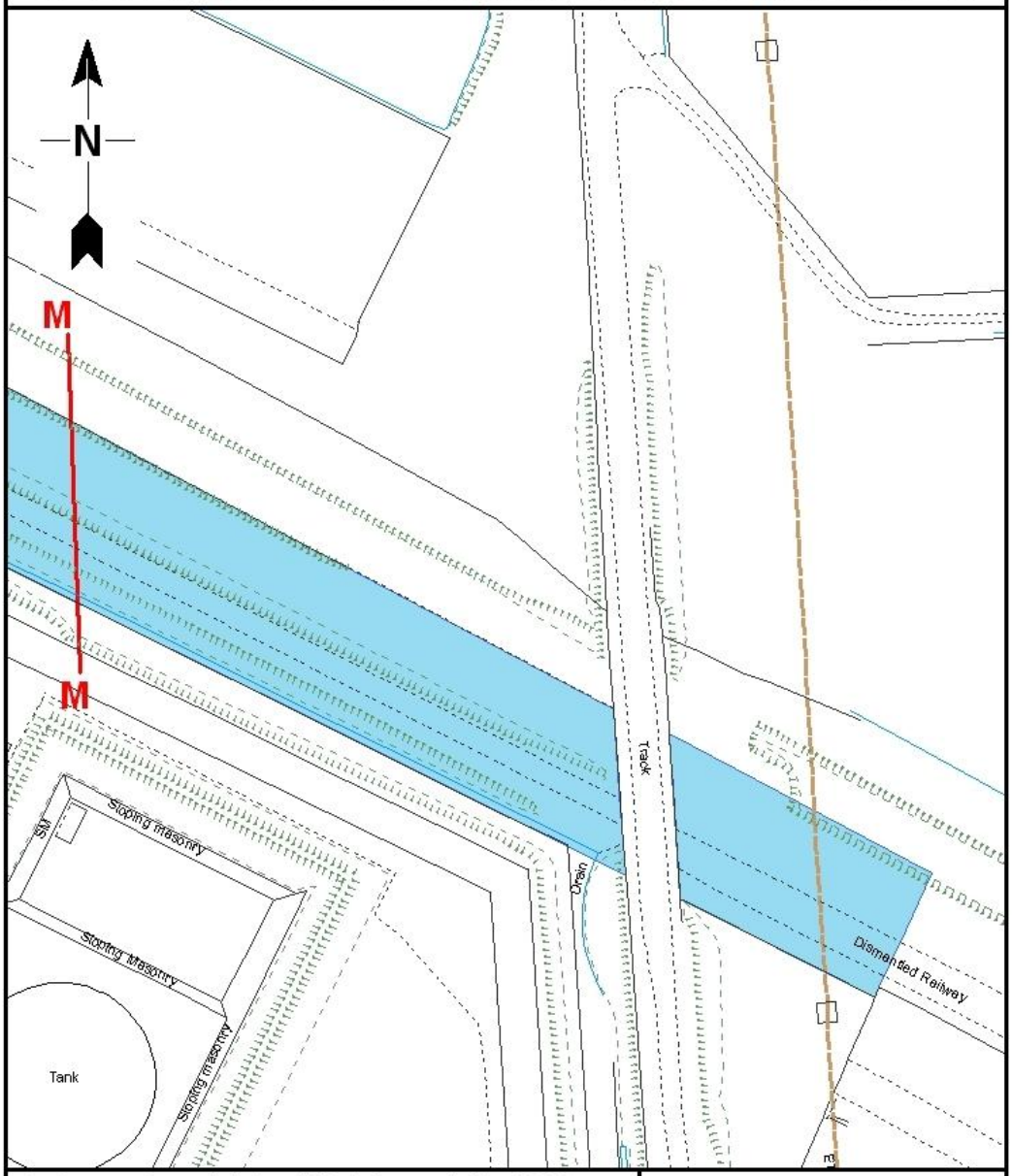


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Plan No:
NL06 Pt 13

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GLAZEBROOK - PARTINGTON PLAN 14 OF 14



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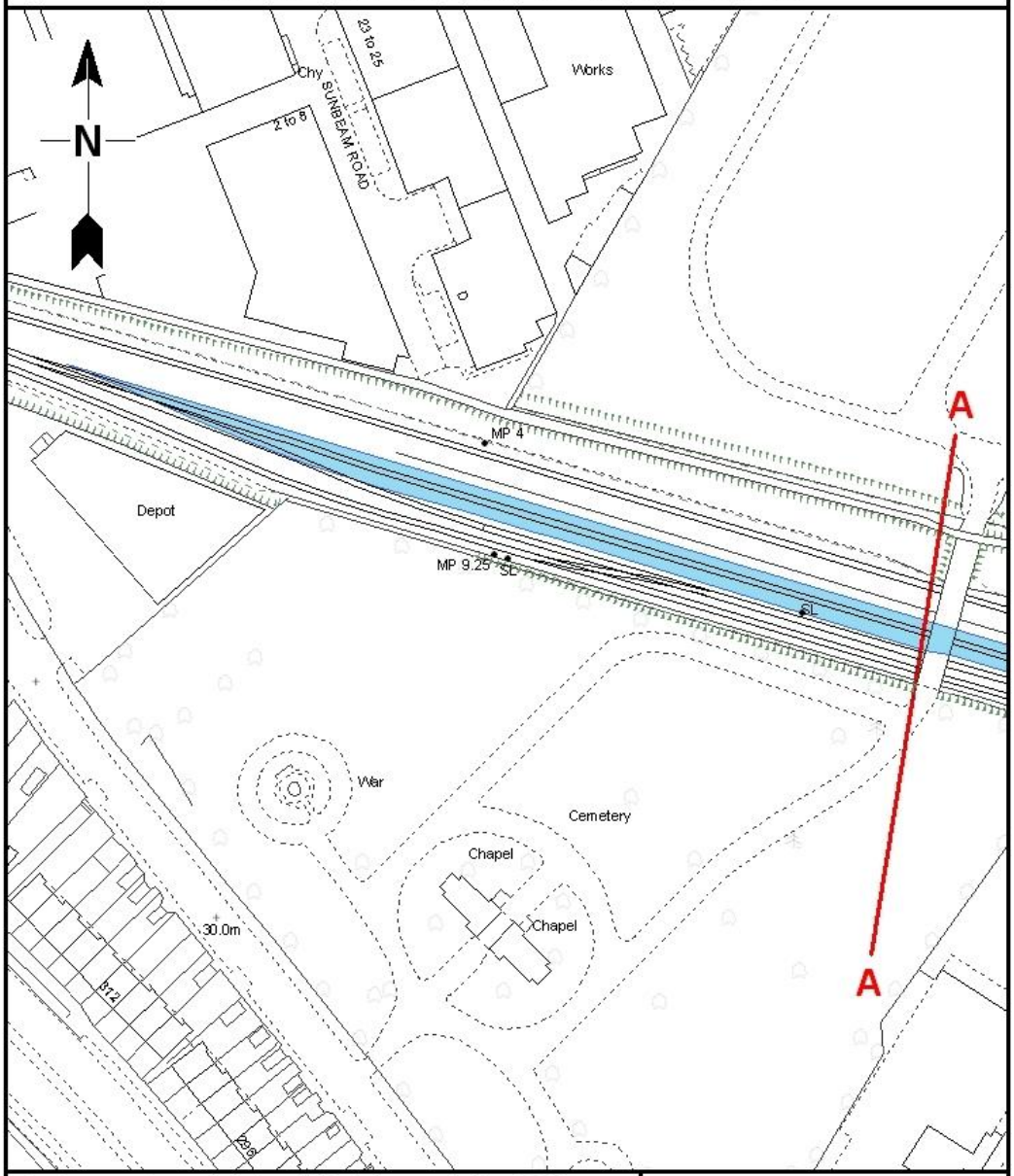
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NL06 Pt 14

Scale

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NORTH ACTON PLAN 1 OF 3

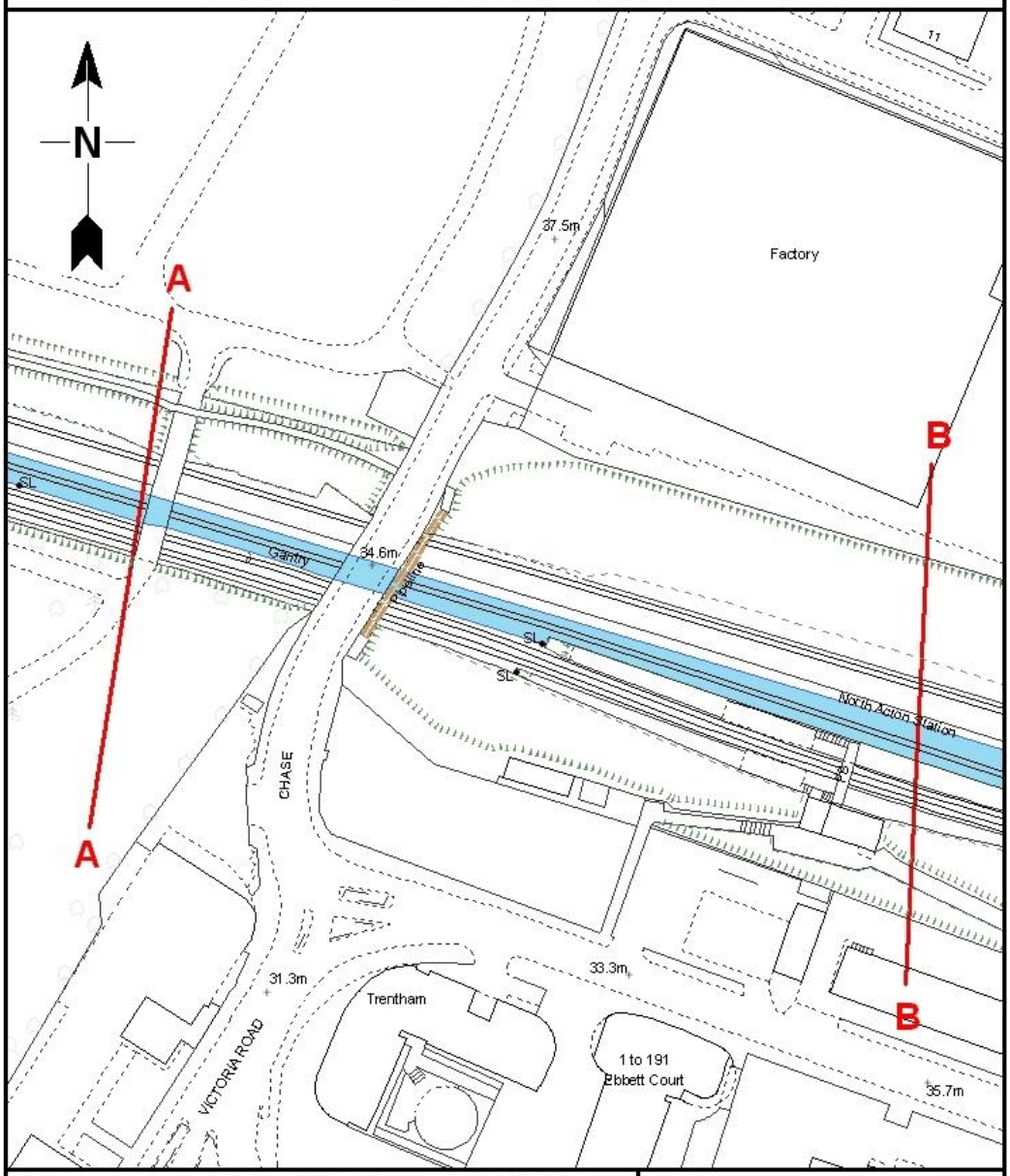


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Plan No:
NL07 Pt 1

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NORTH ACTON PLAN 2 OF 3

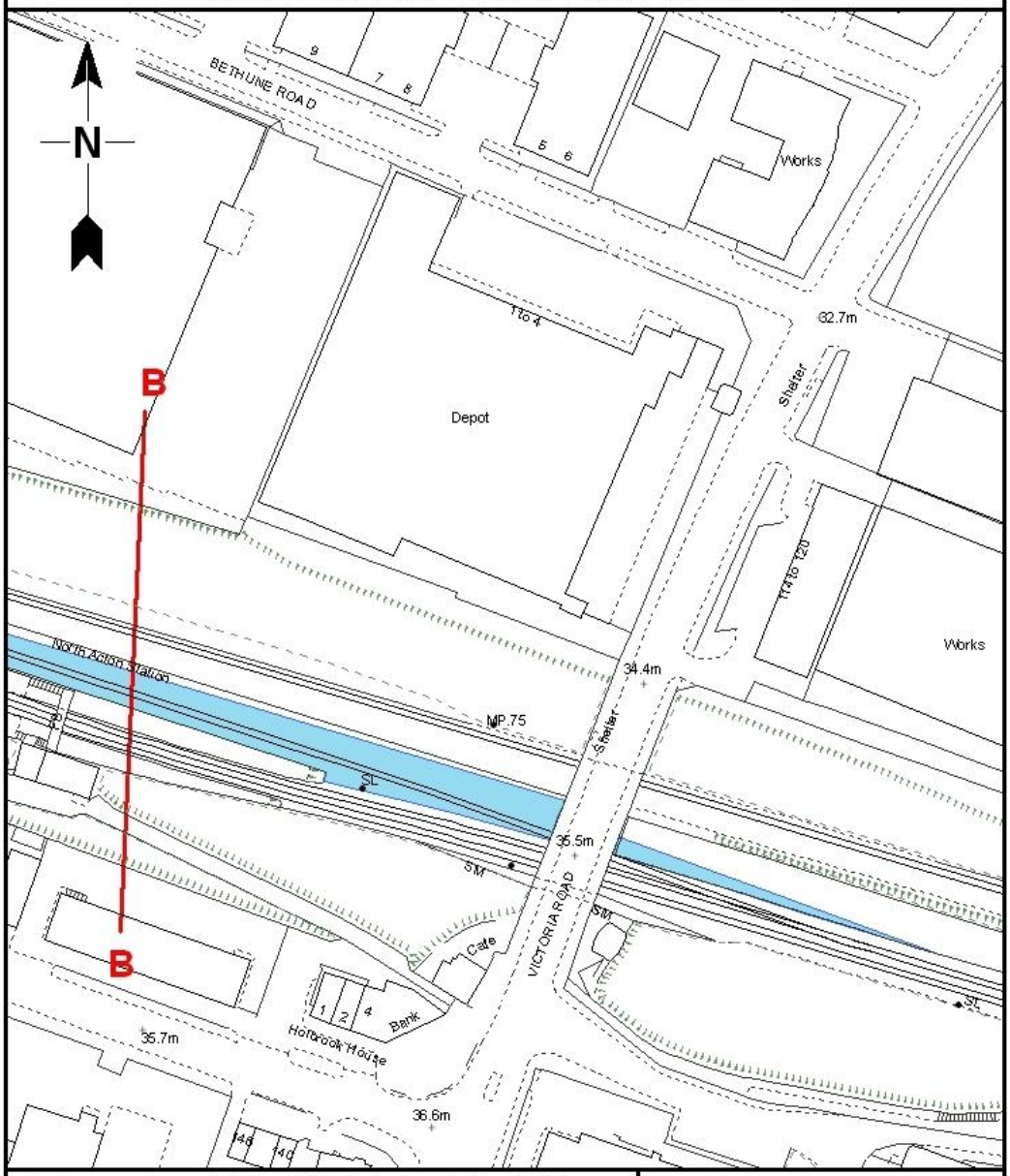


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Plan No:
NL07 Pt 2

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NORTH ACTON PLAN 3 OF 3

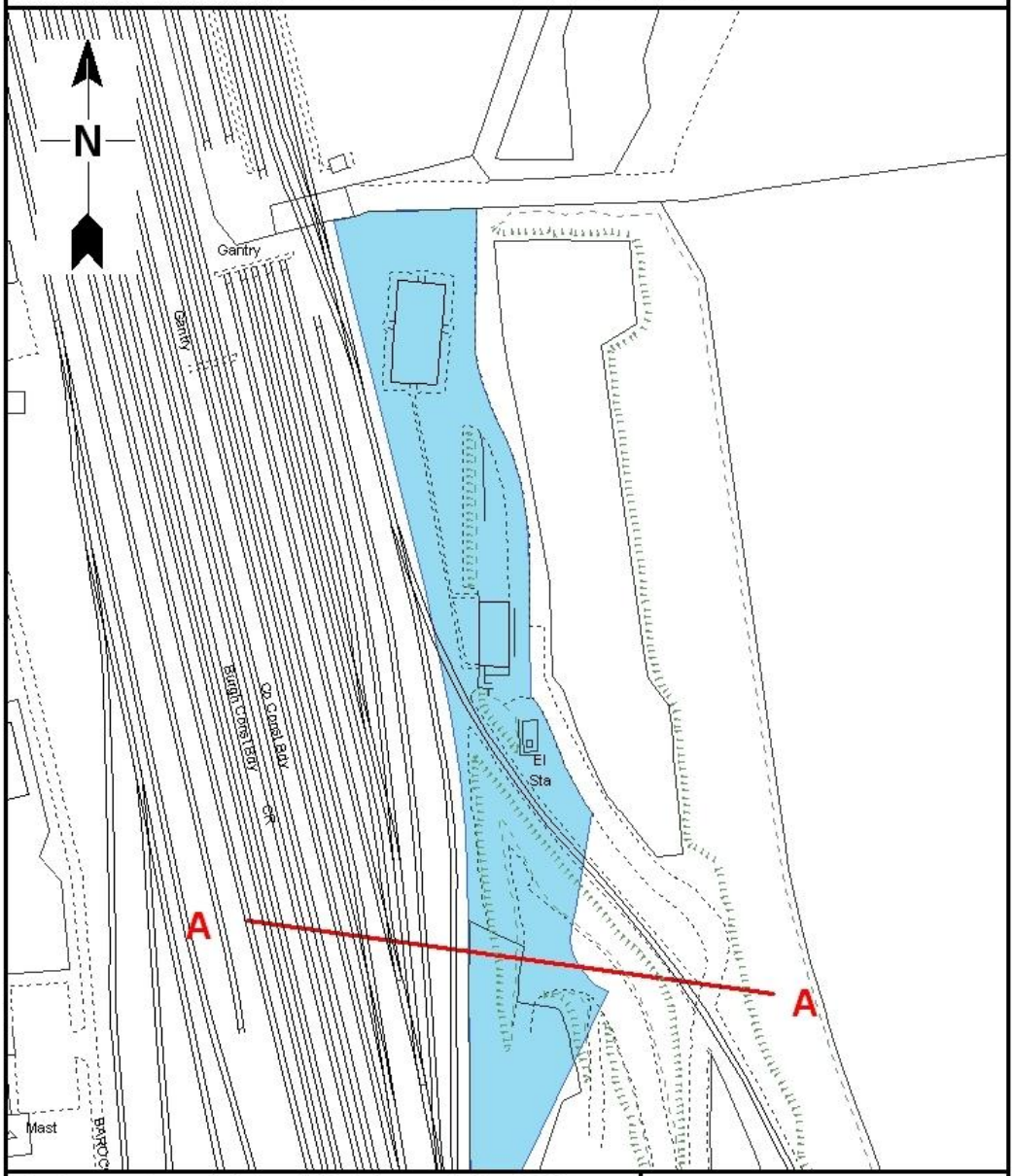


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Plan No:
NL07 Pt 3

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MOSSEND PLAN 1 OF 2

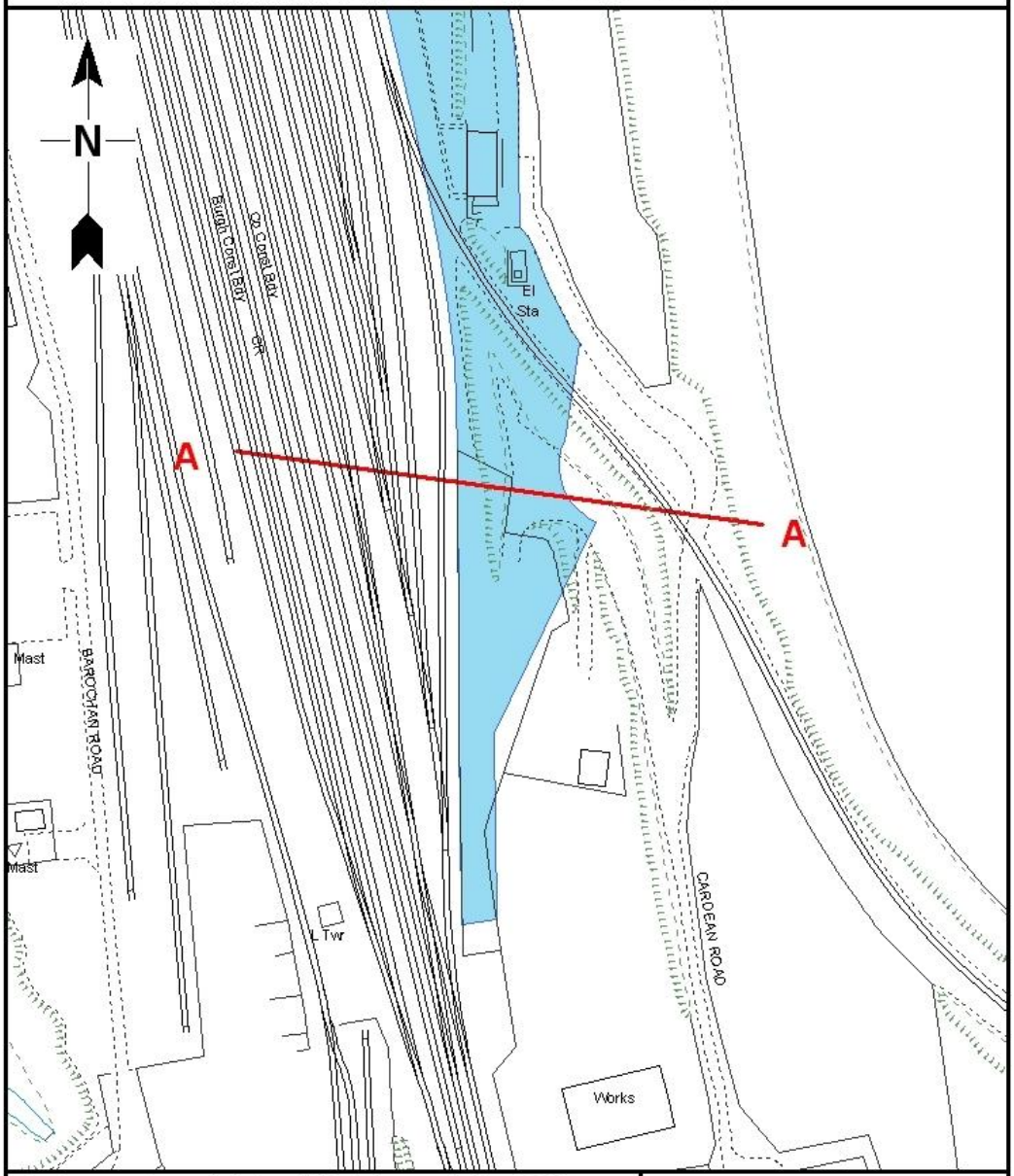


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Plan No:
NL08 Pt1

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MOSSEND PLAN 2 OF 2

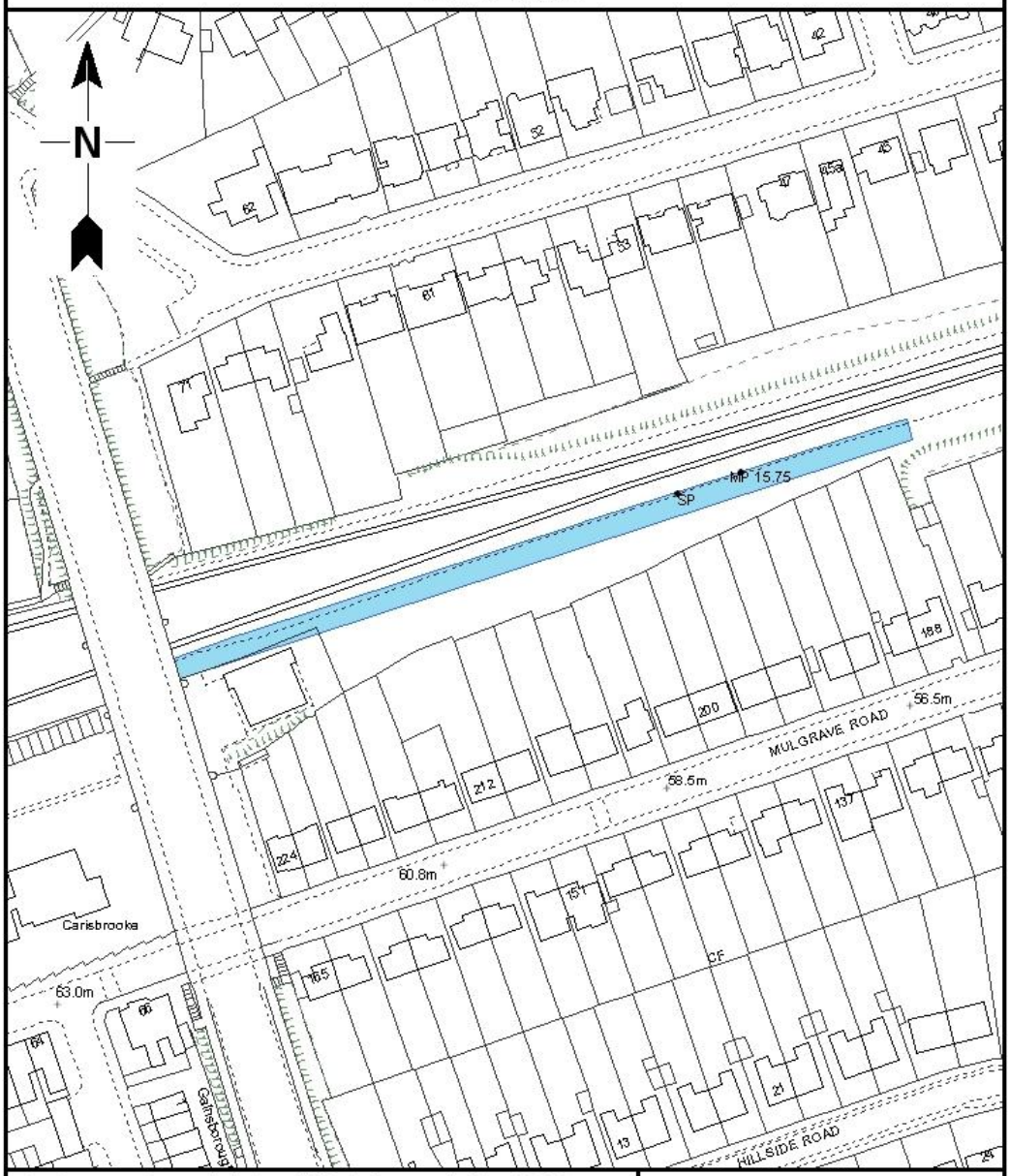


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Plan No:
NL08 Pt2

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CHEAM

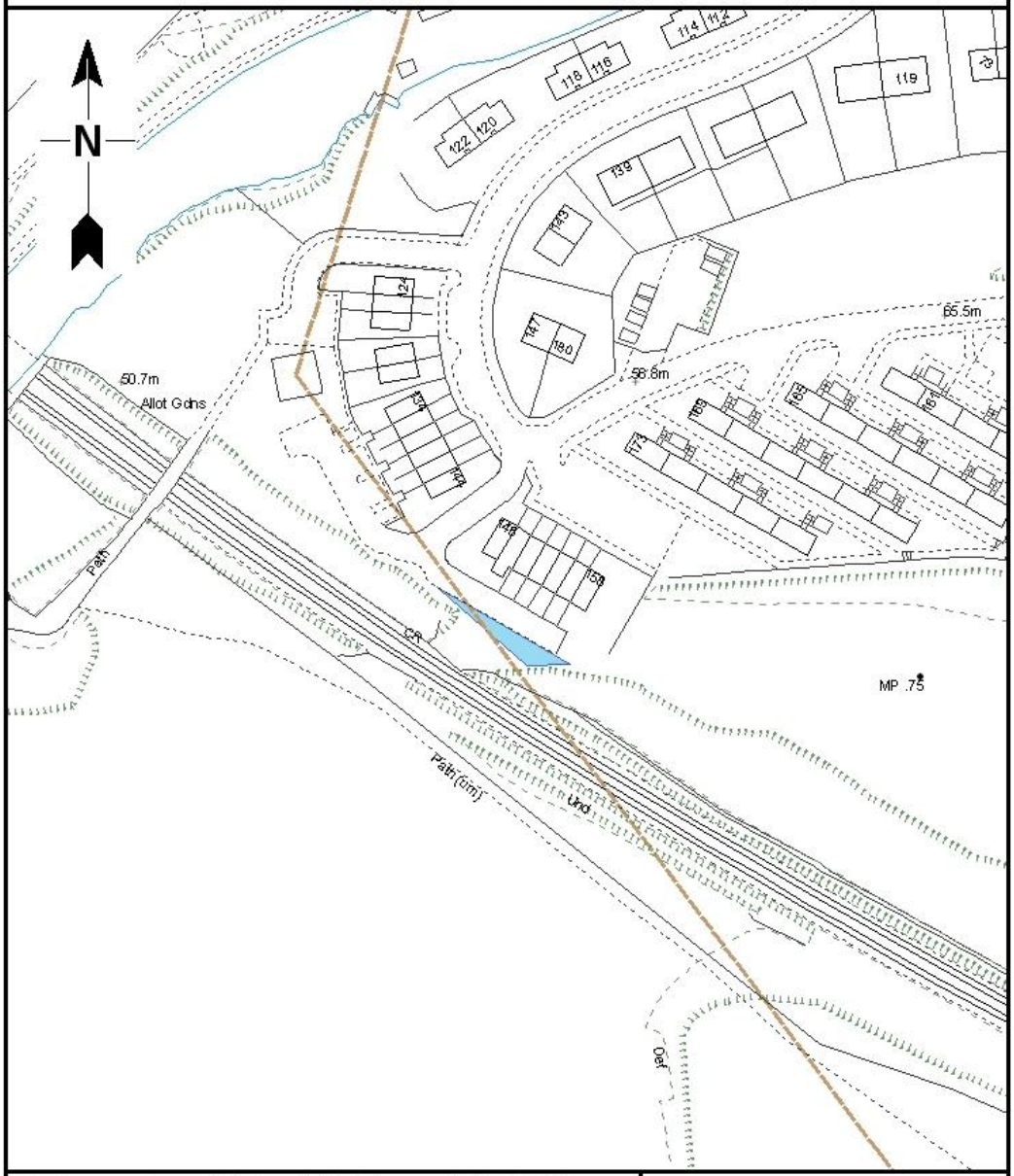


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Plan No:
NL09

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GLASGOW LAMBHILL

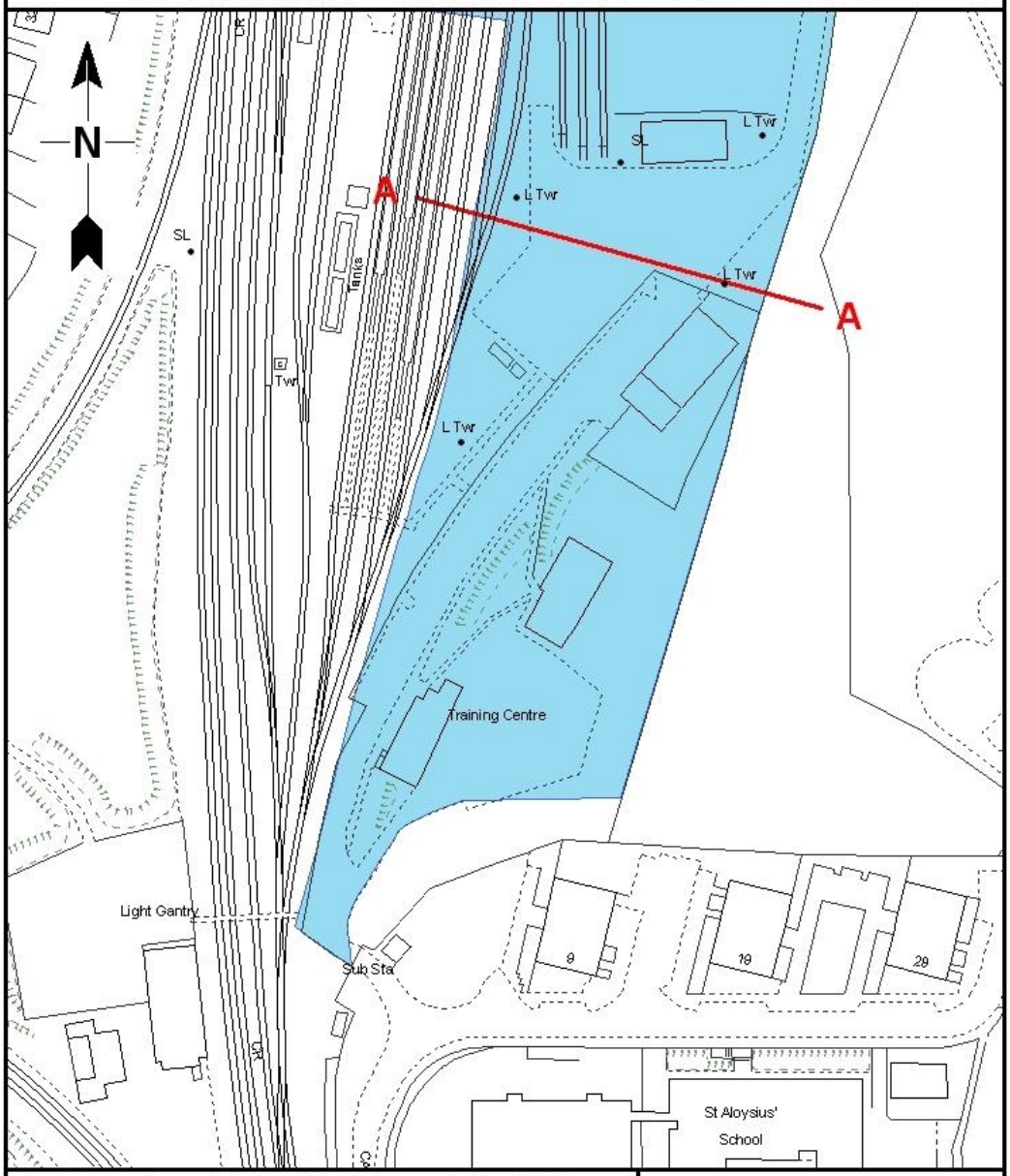


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Plan No:
NL10

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GLASGOW EASTFIELD PLAN 1 OF 3



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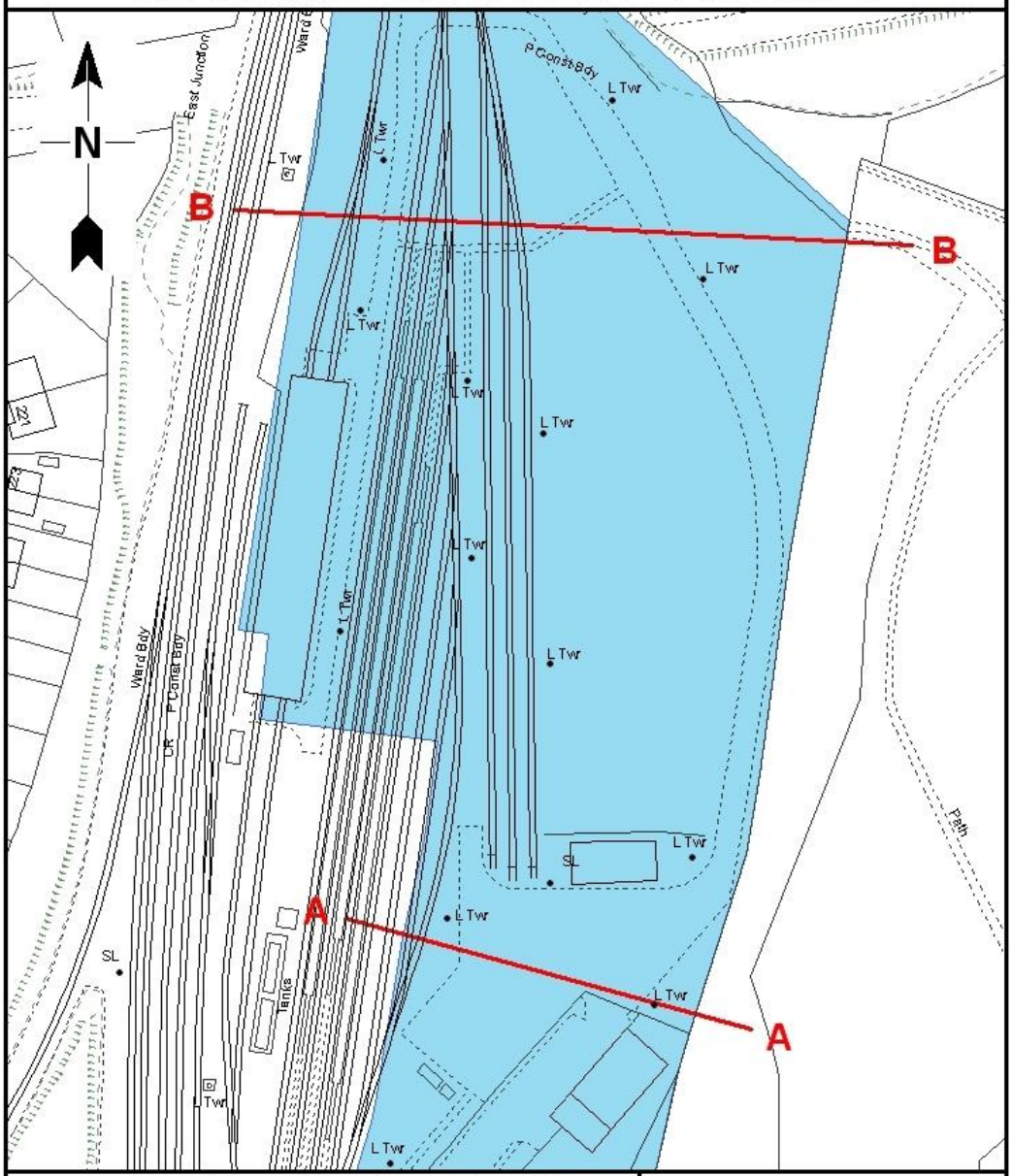
Plan No:

NL11 Pt 1

Scale

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GLASGOW EASTFIELD PLAN 2 OF 3

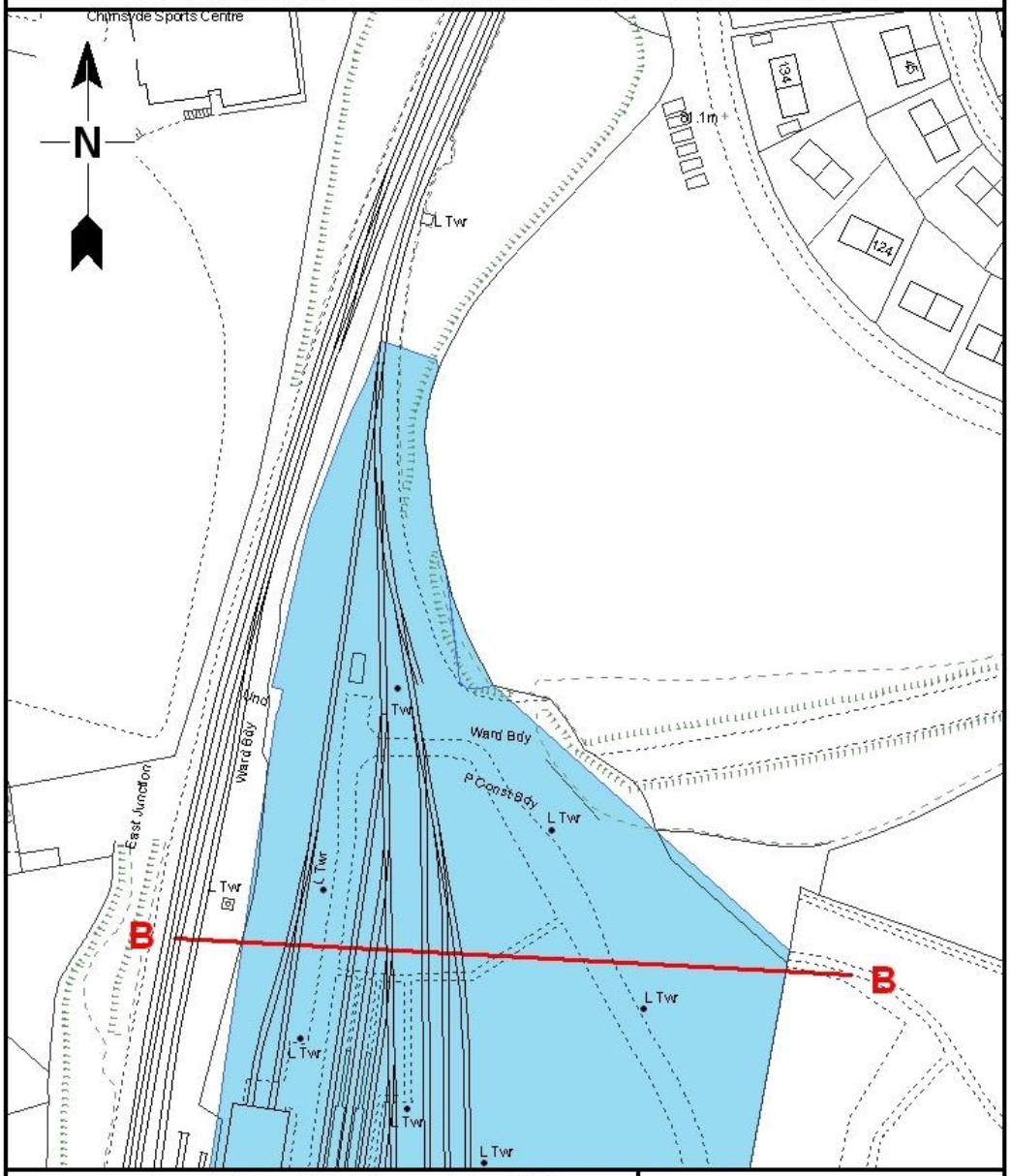


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Plan No:
NL11 Pt 2

	Scale
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GLASGOW EASTFIELD PLAN 3 OF 3

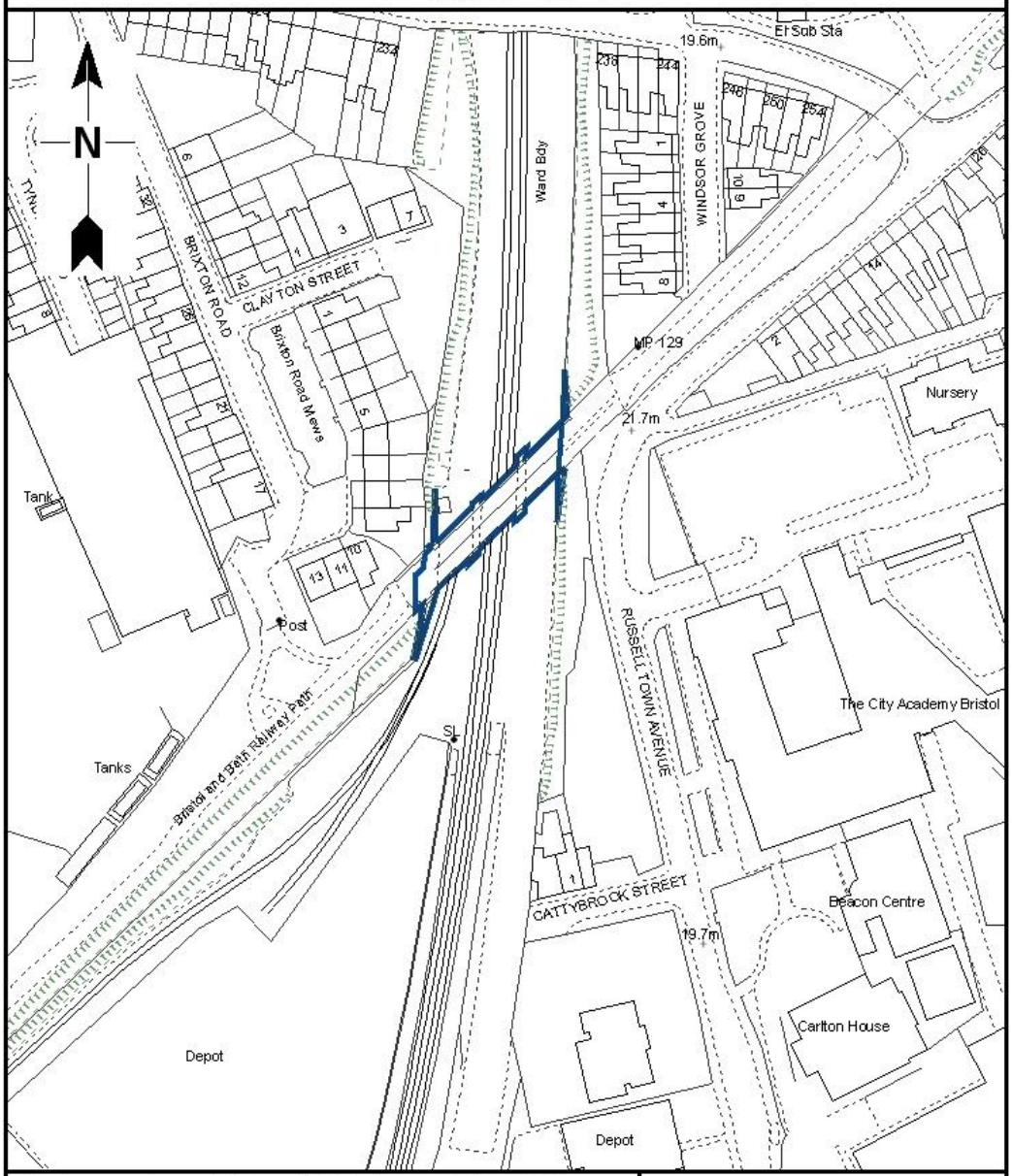


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Plan No:
NL11 Pt 3

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BRISTOL

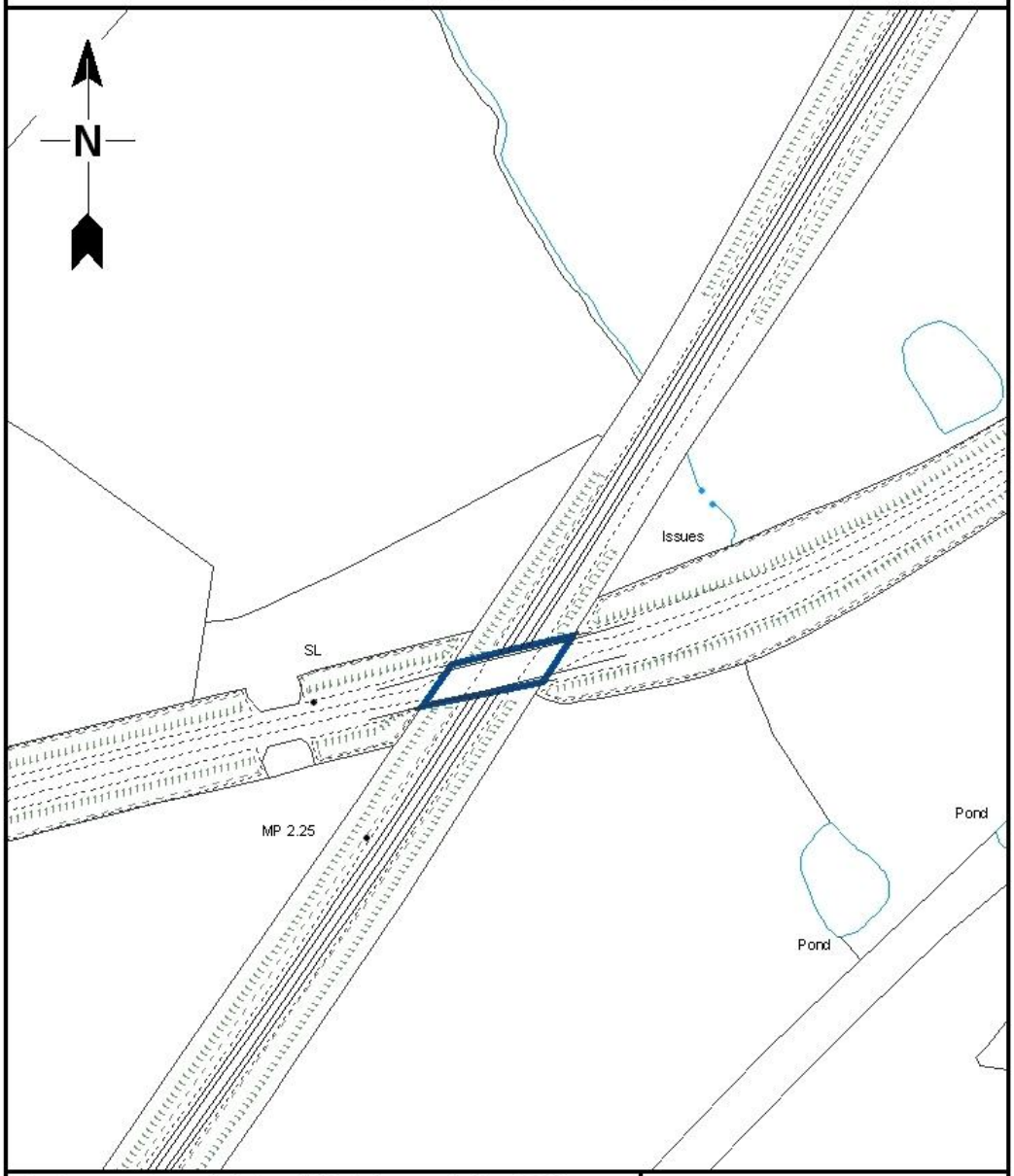


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Plan No:
NR01

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MICKLE TRAFFORD



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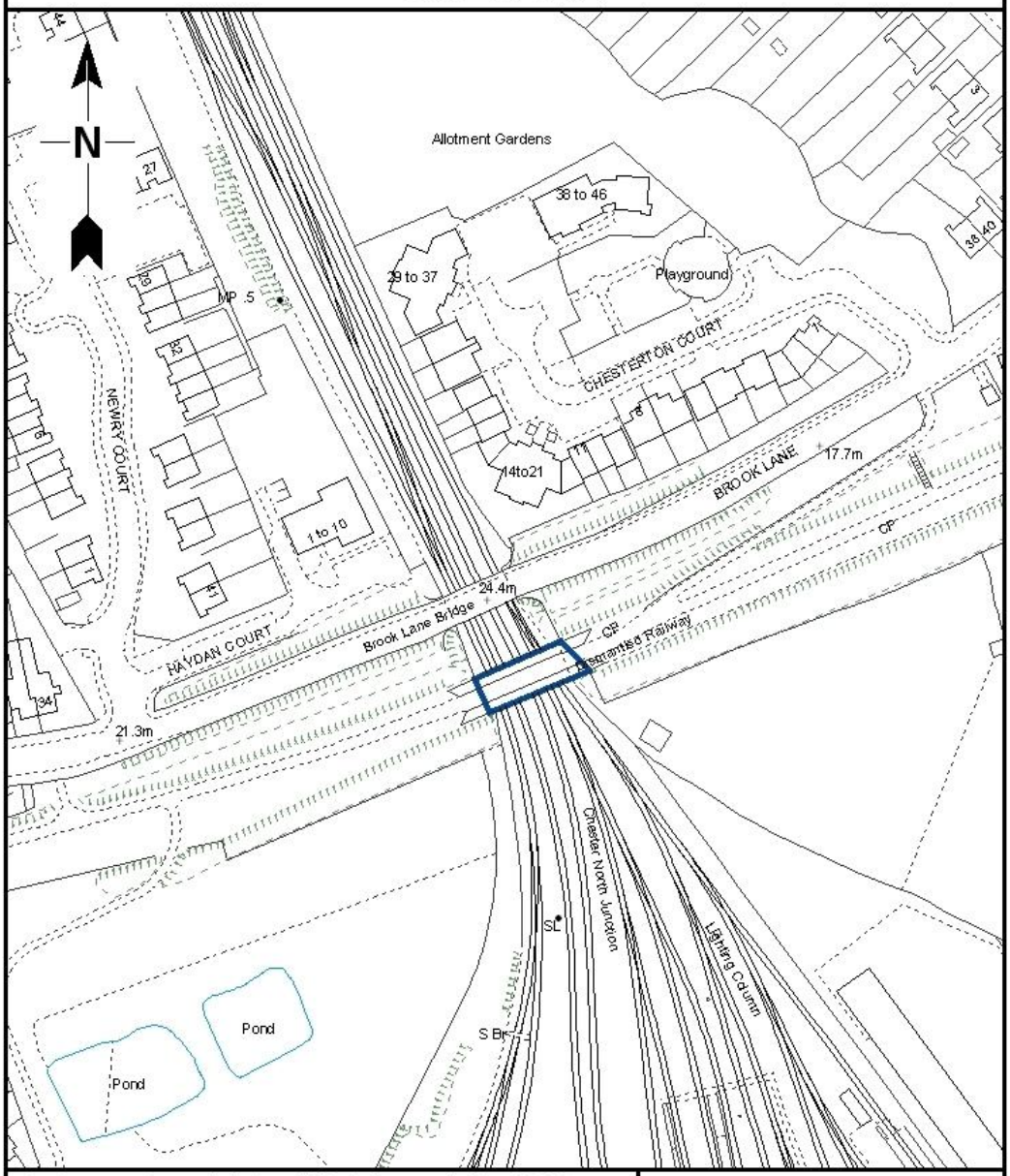
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NR02

Scale

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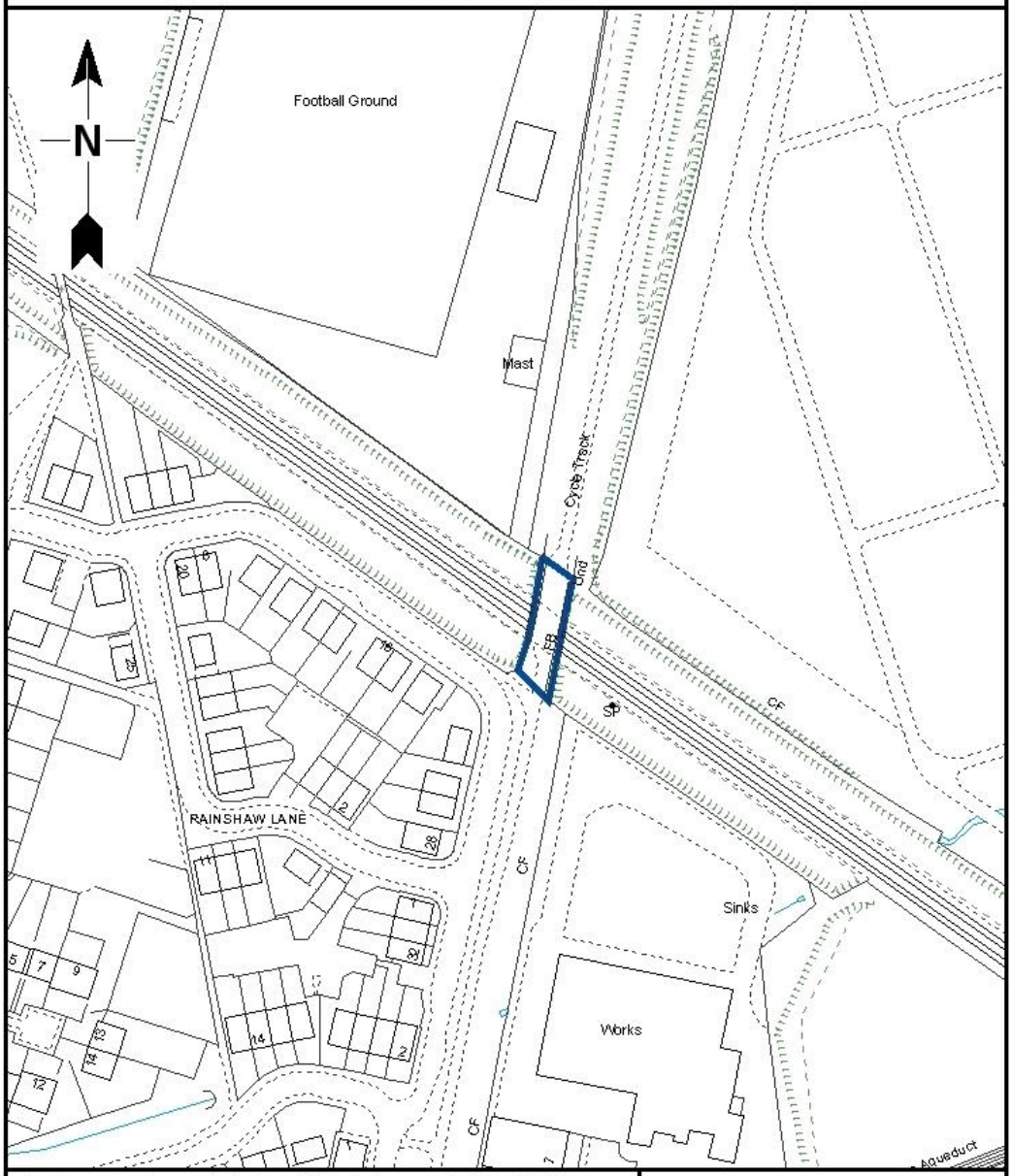
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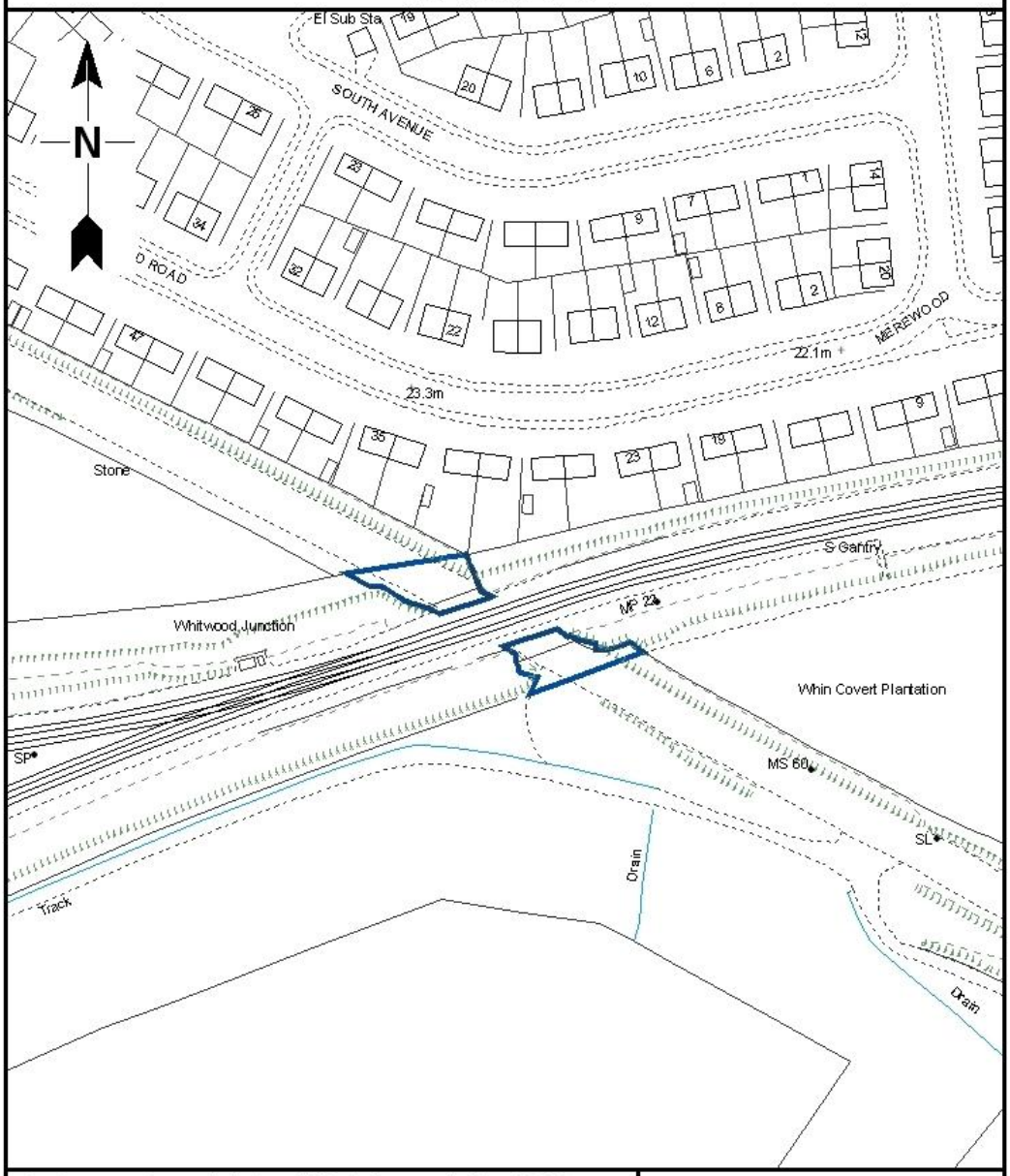
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NR04

Scale

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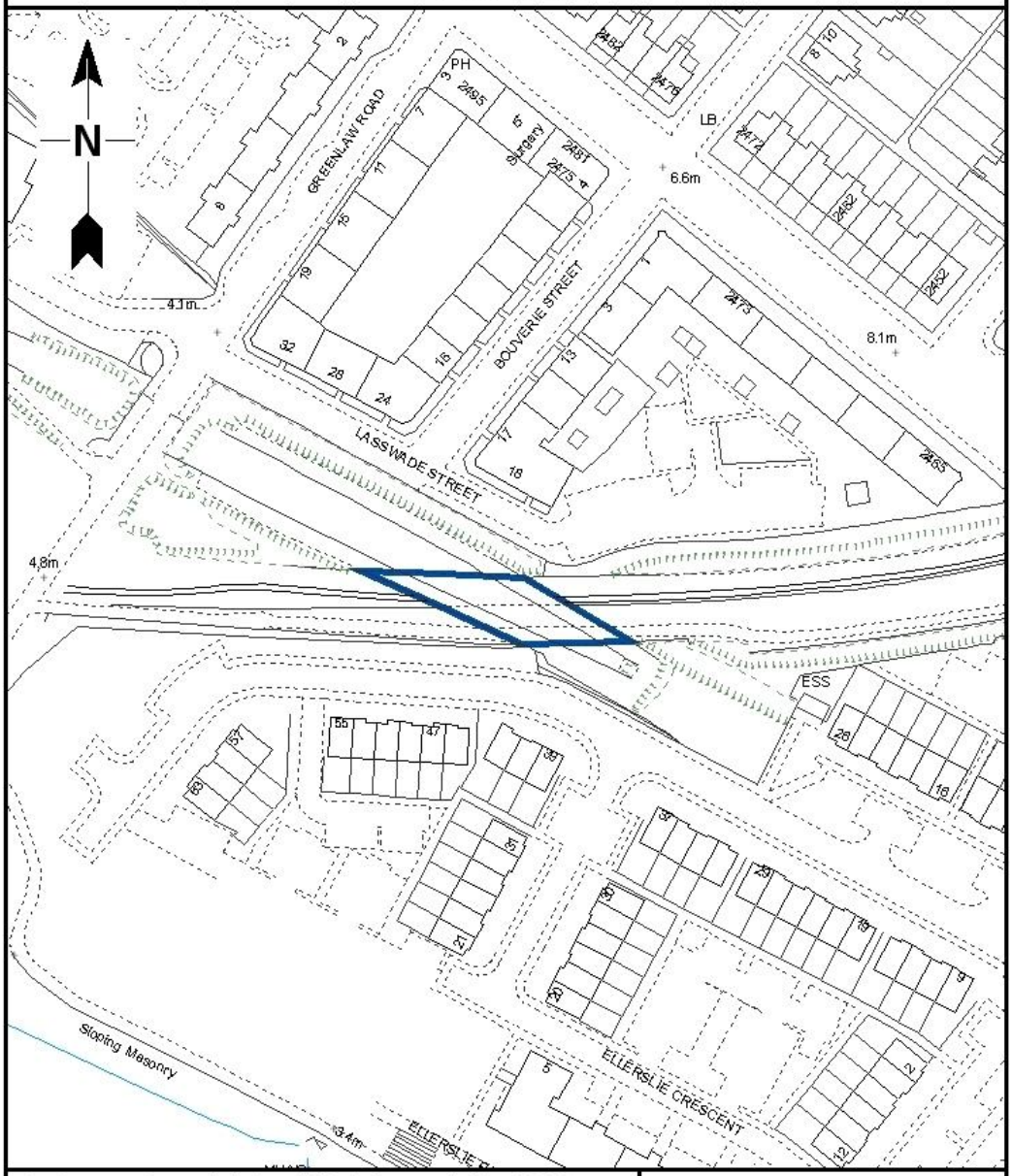
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NR05

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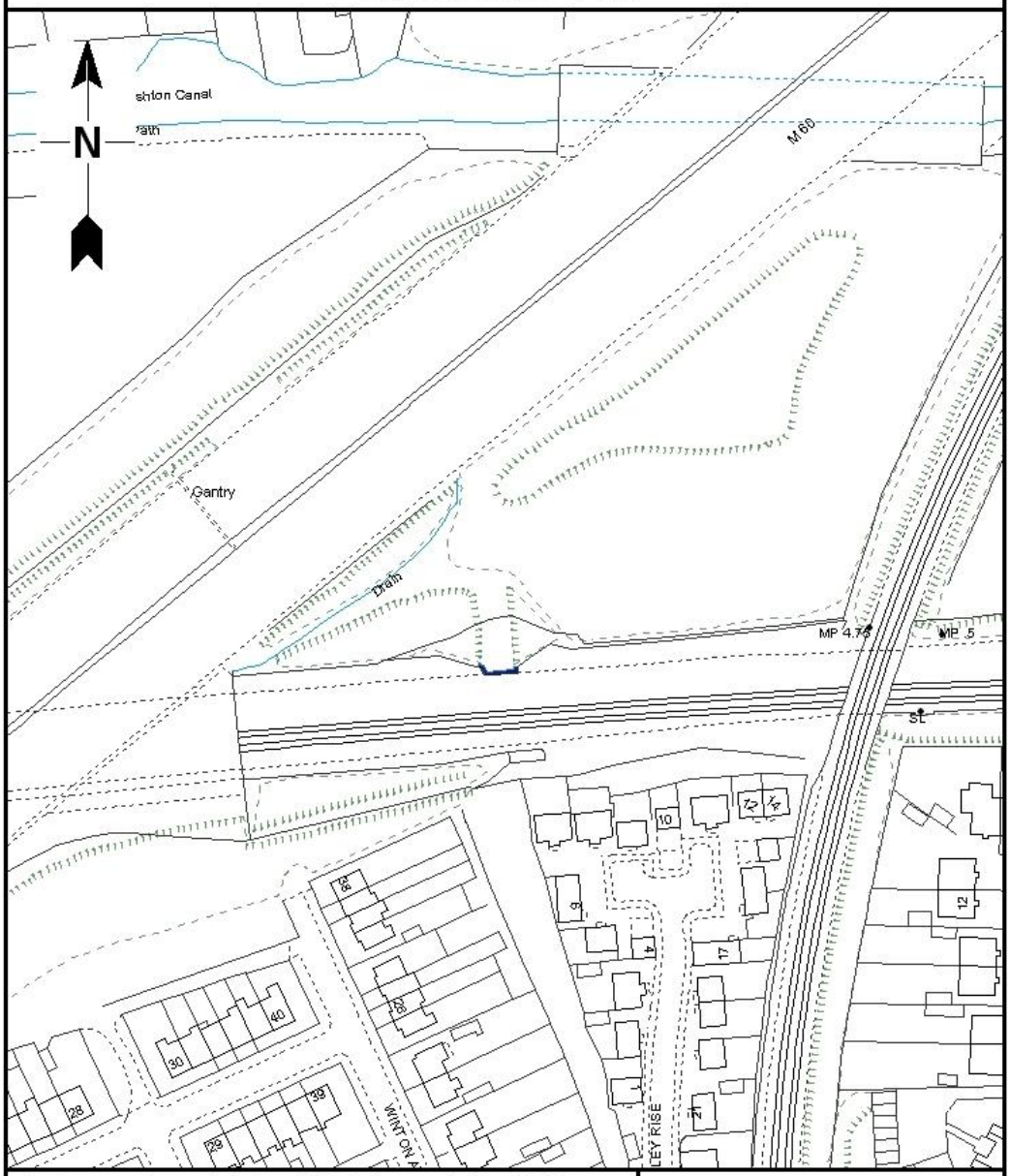


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NR06

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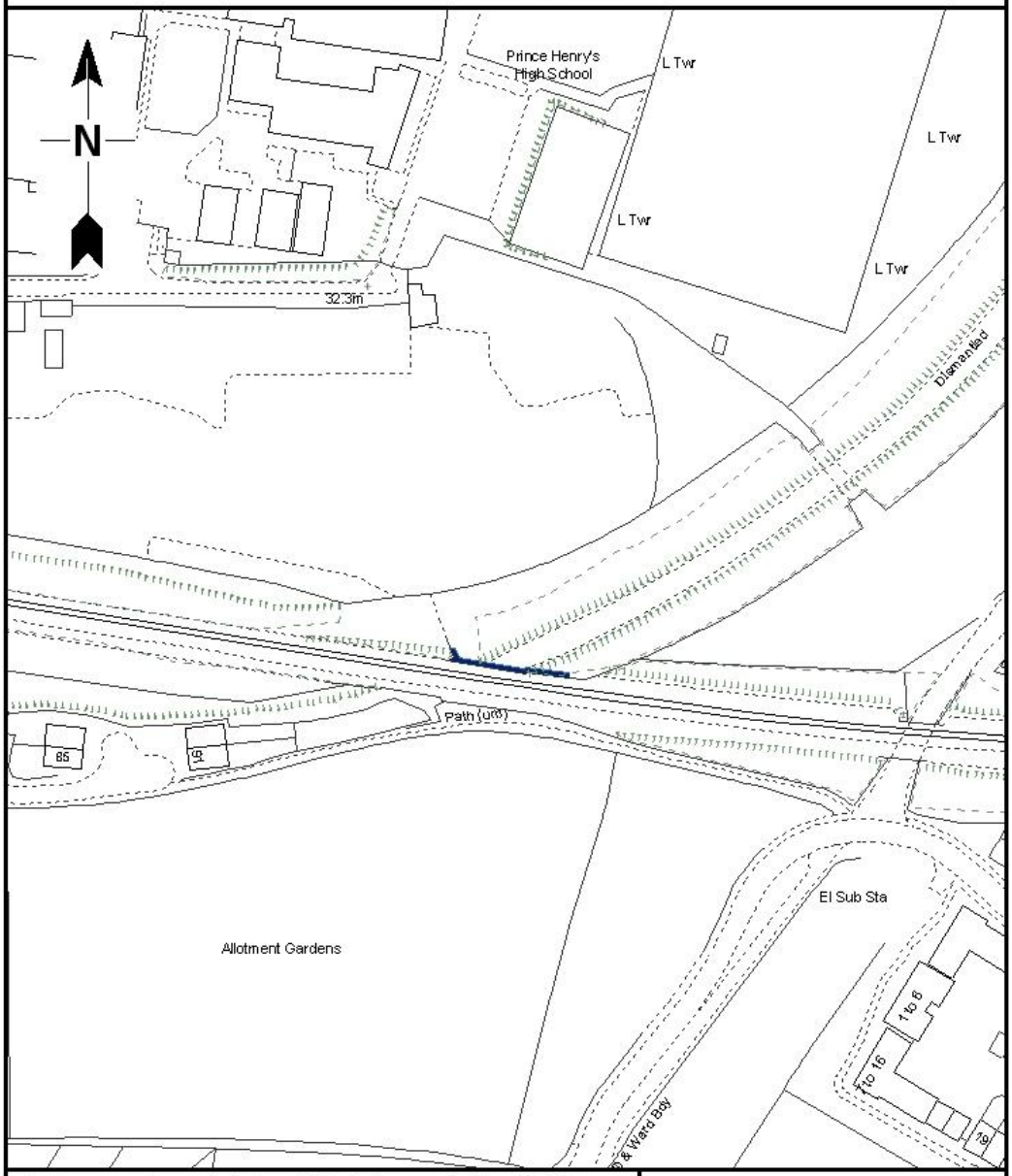
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NS01

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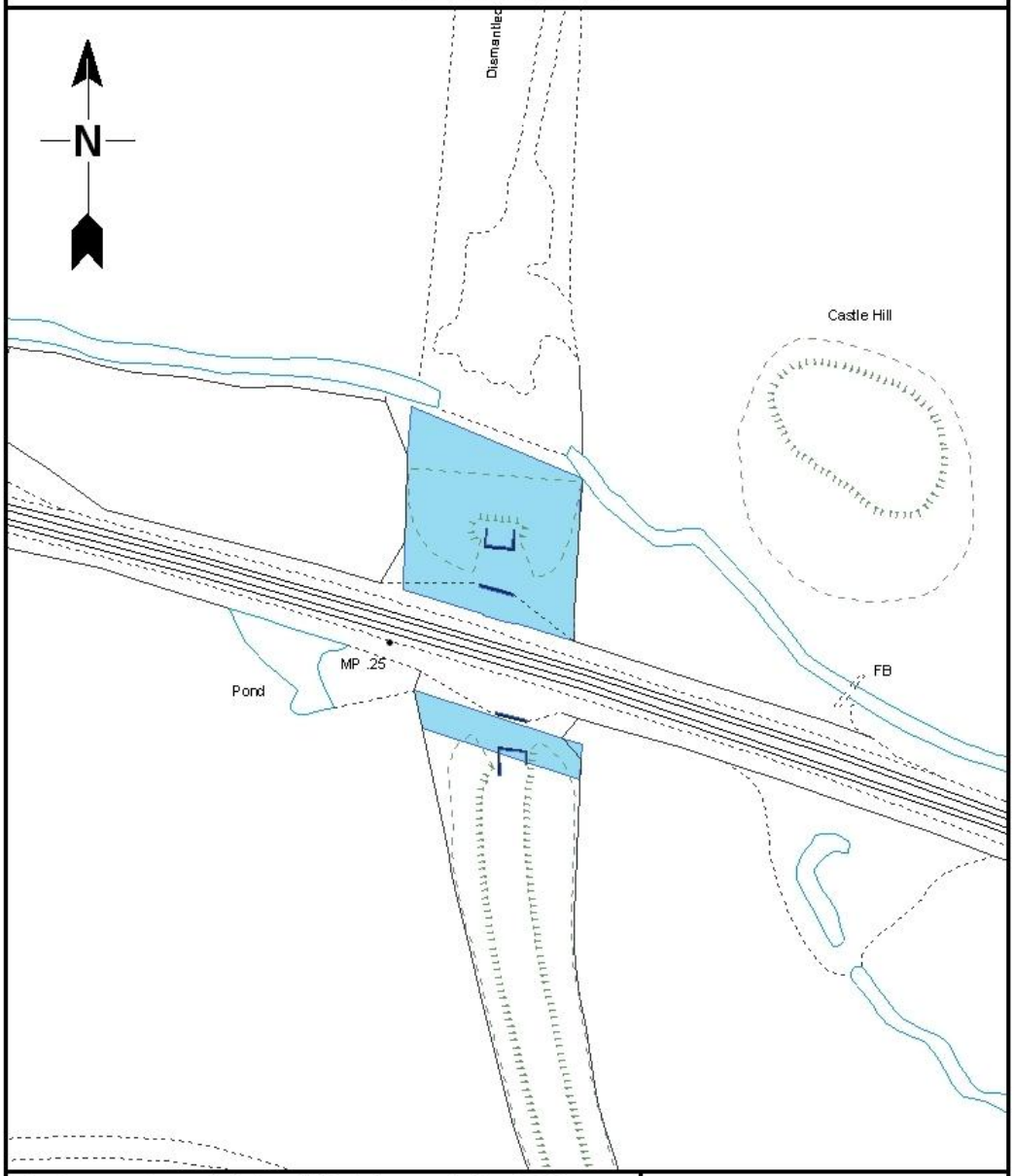
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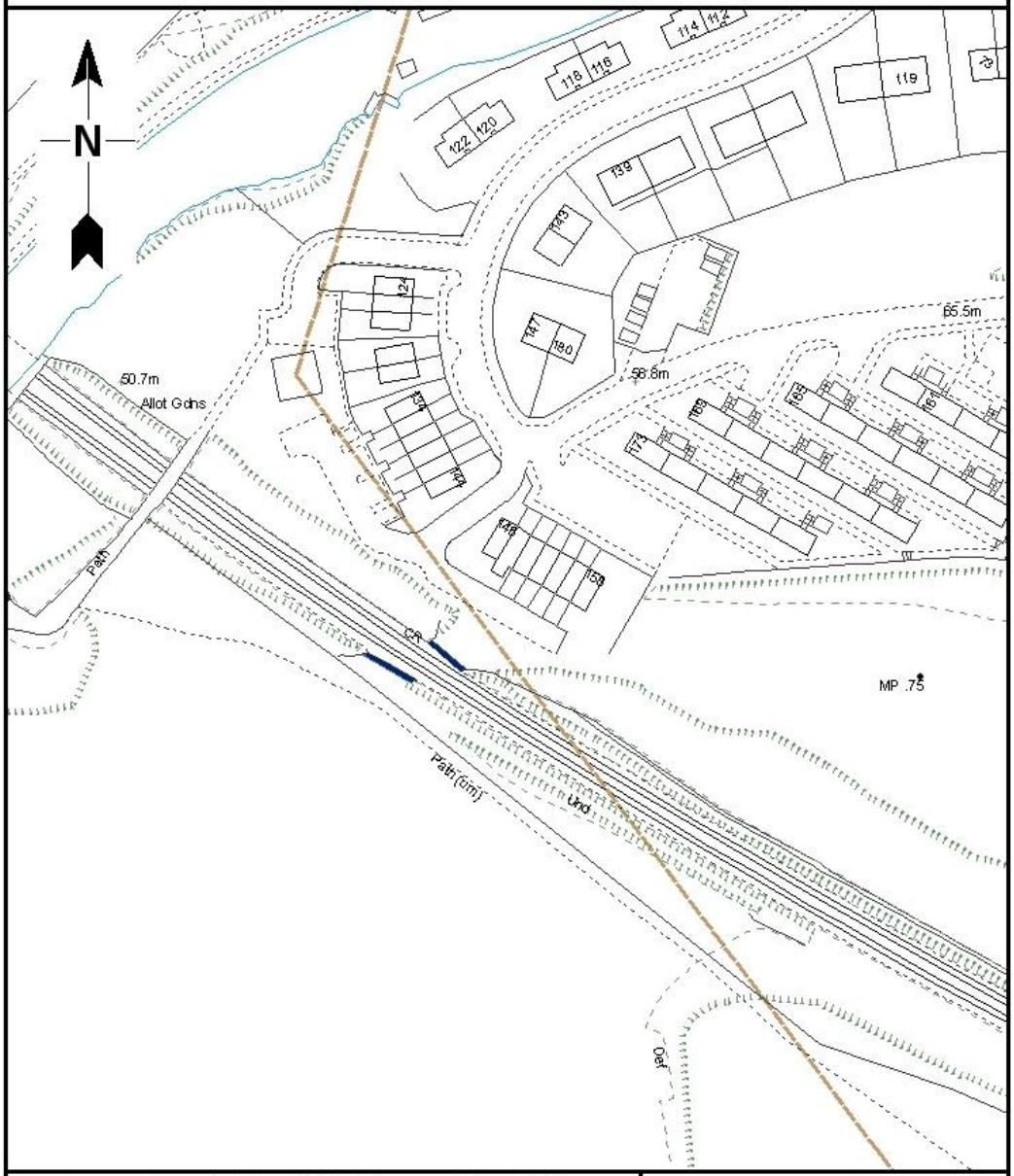
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NS03

Scale

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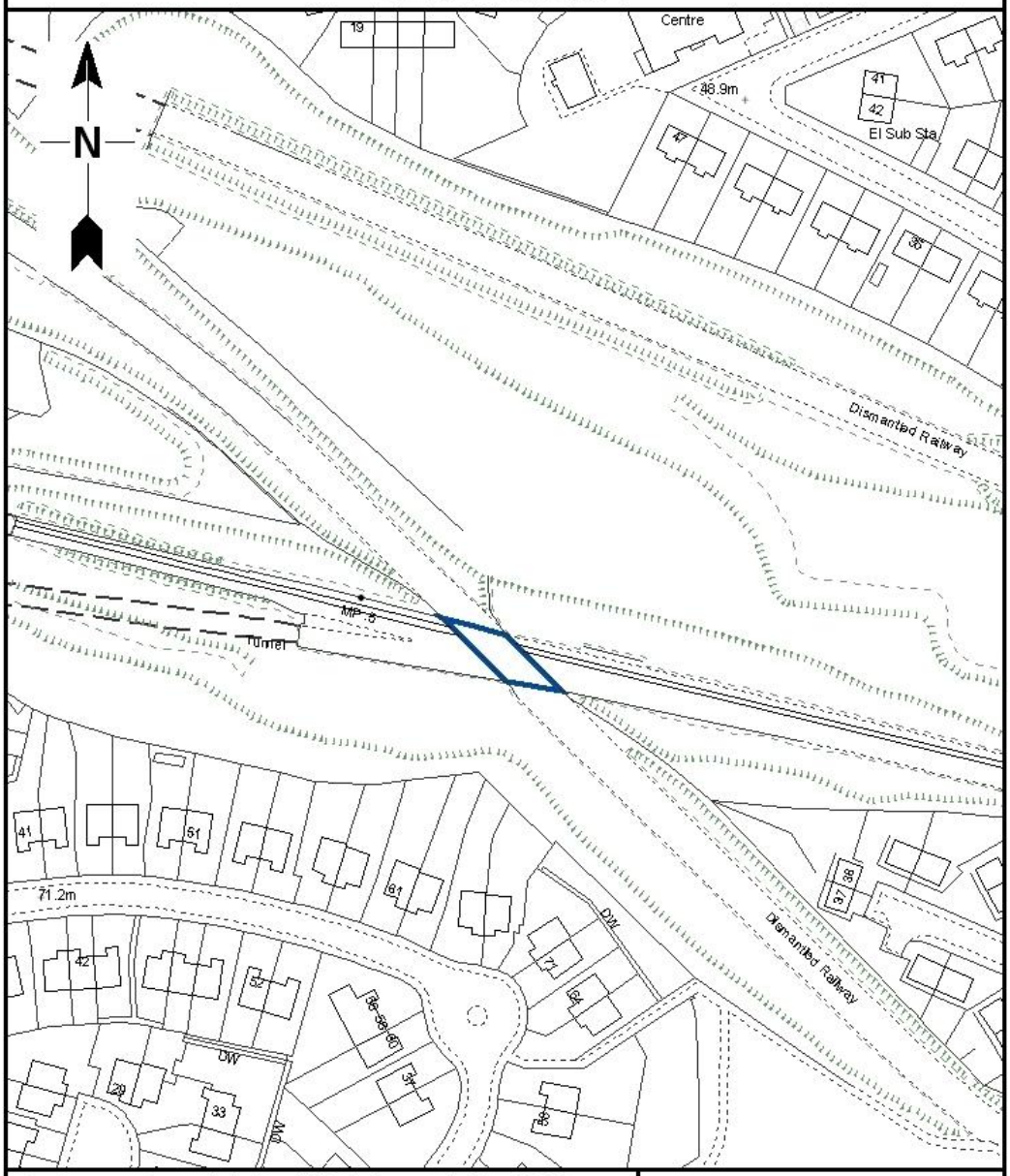


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Plan No:
NS04

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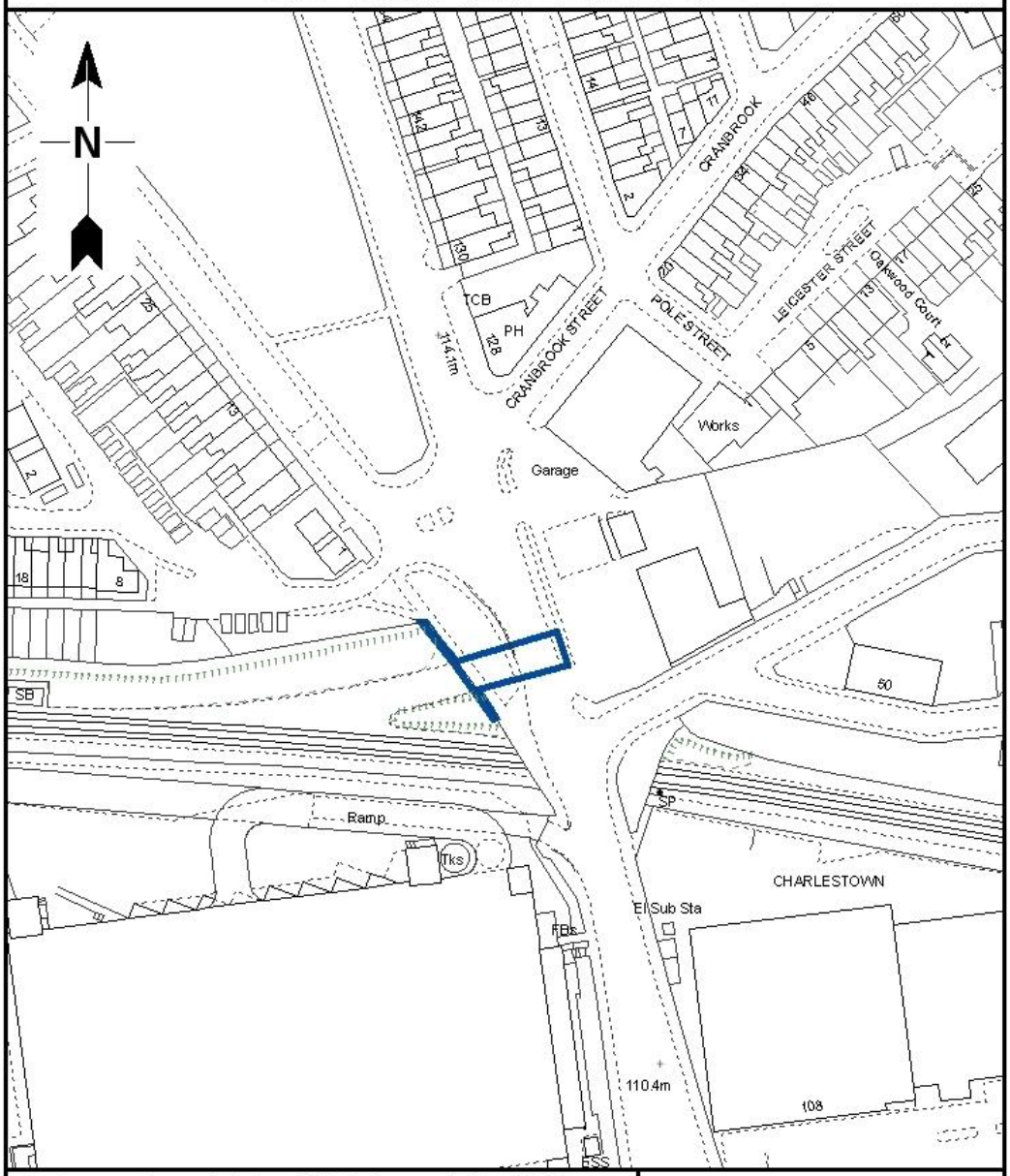
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NS05

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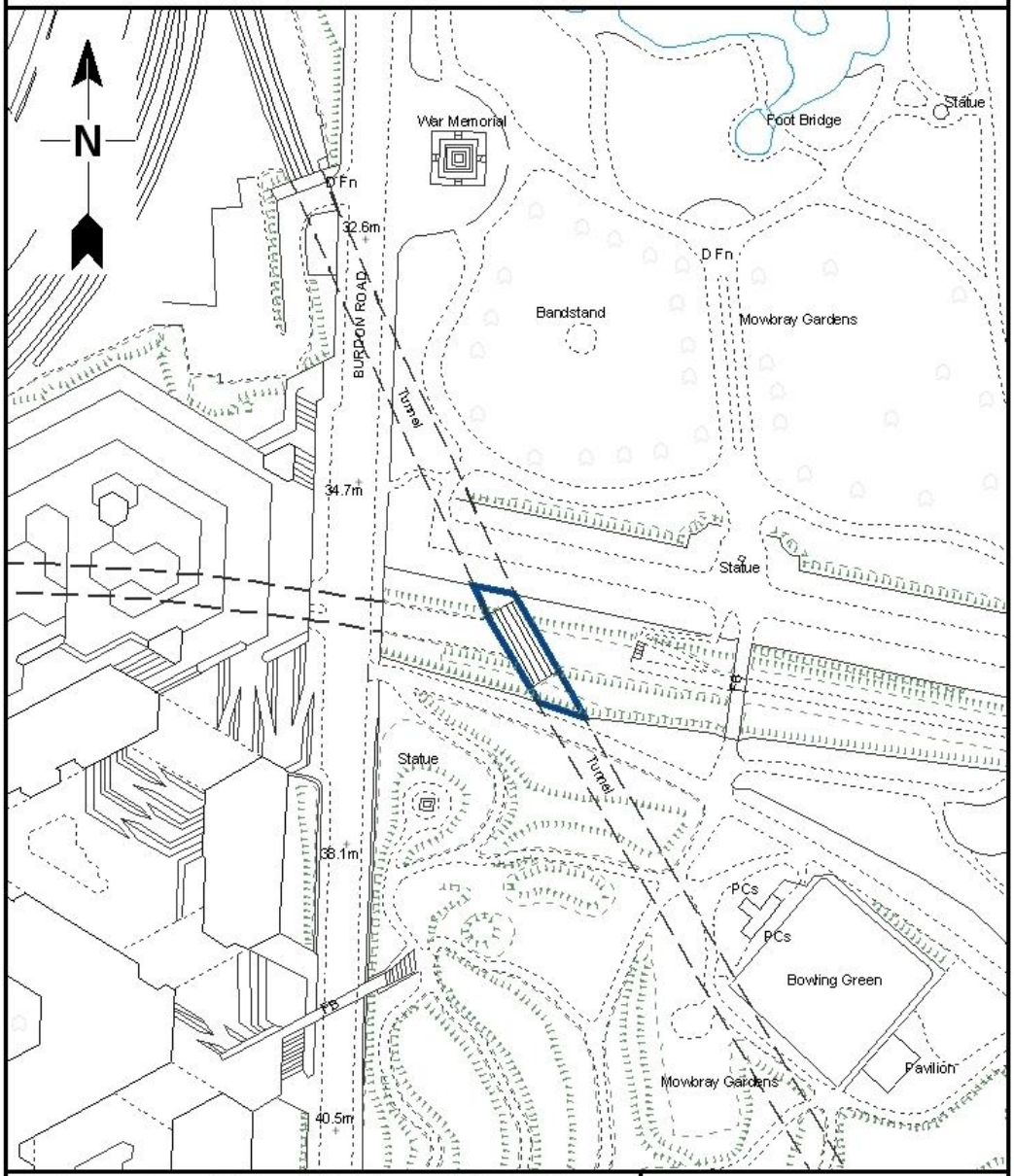


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NS06

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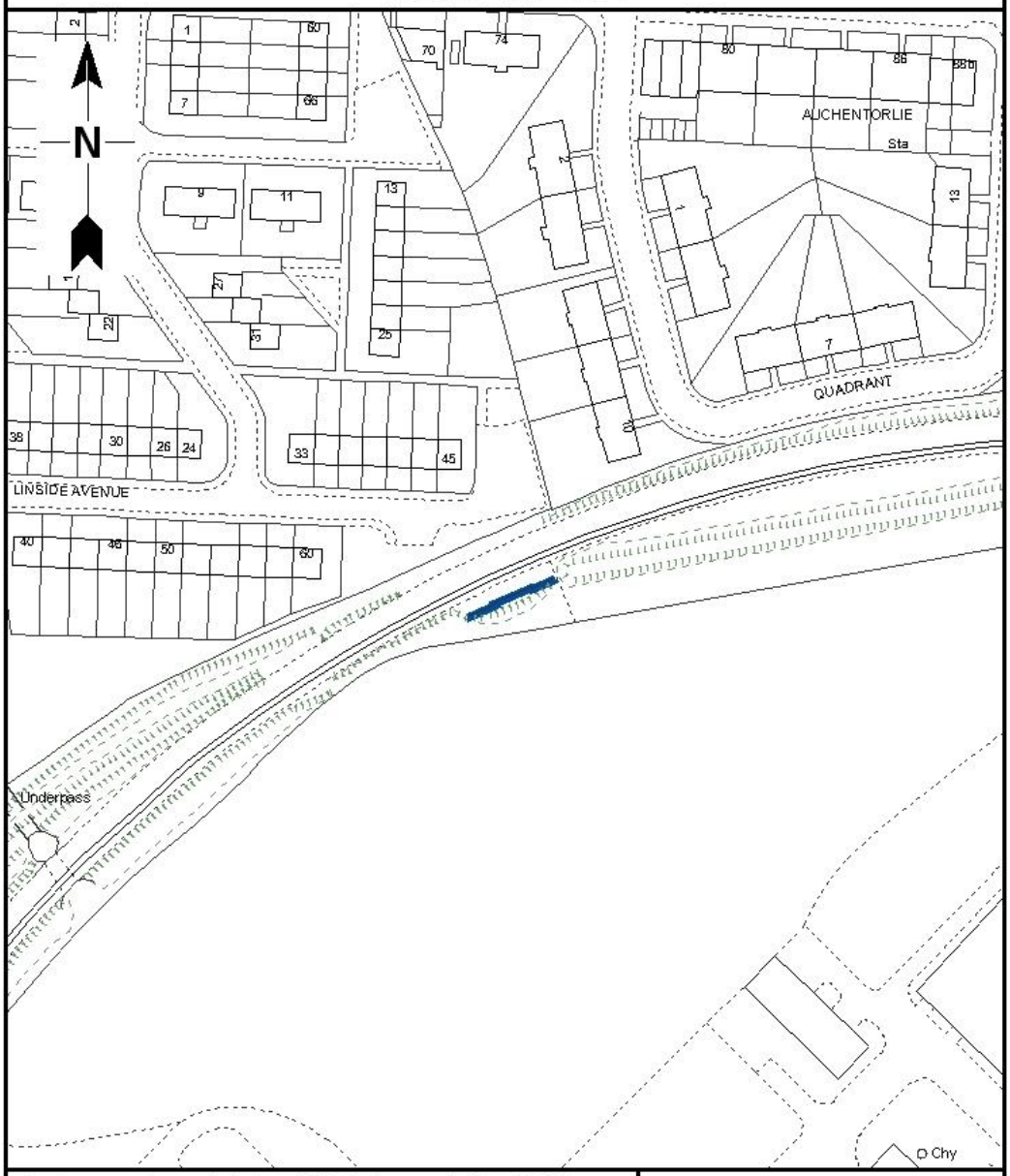


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NS07

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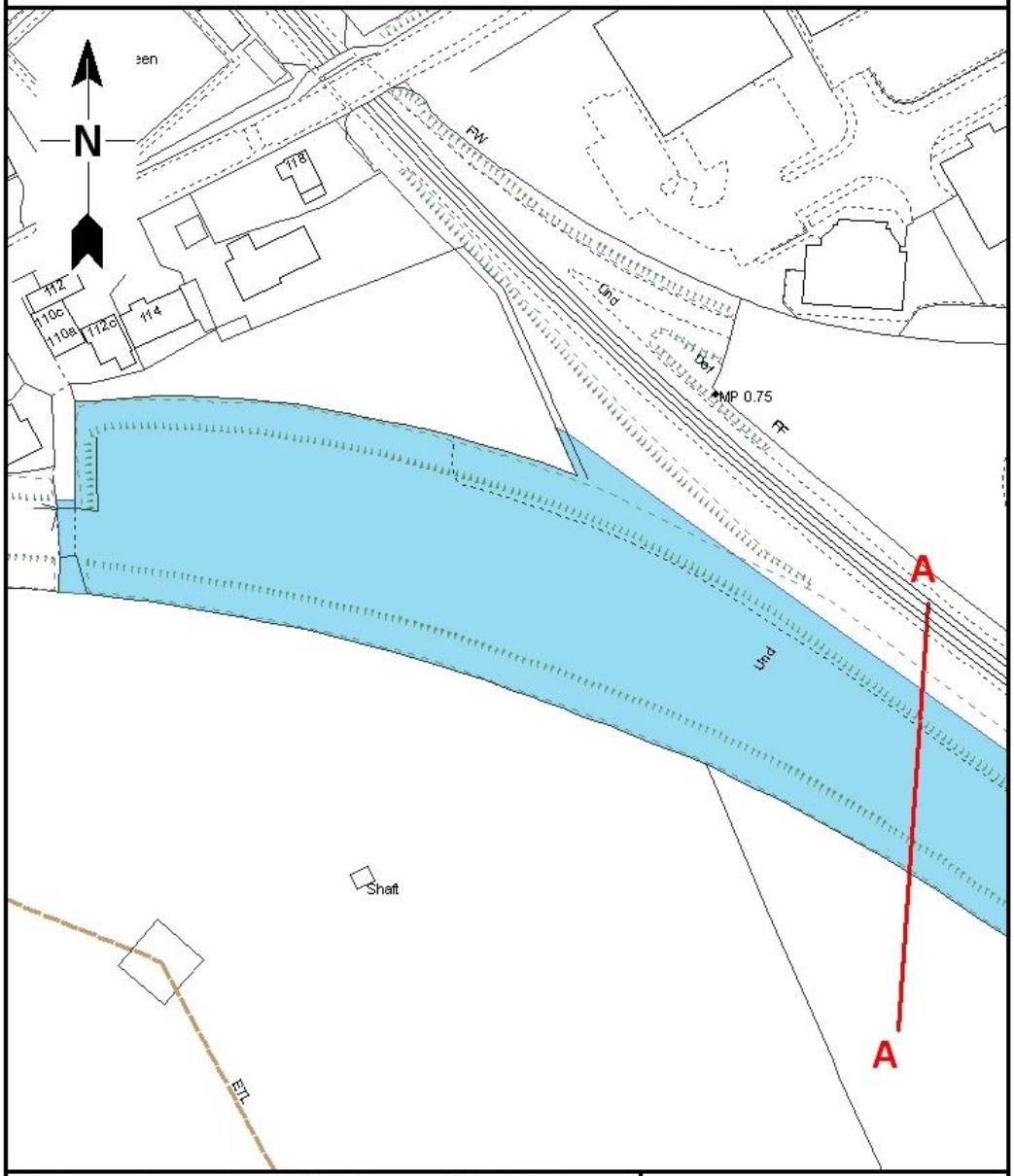
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NS08

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MUSSELBURGH PLAN 1 OF 3

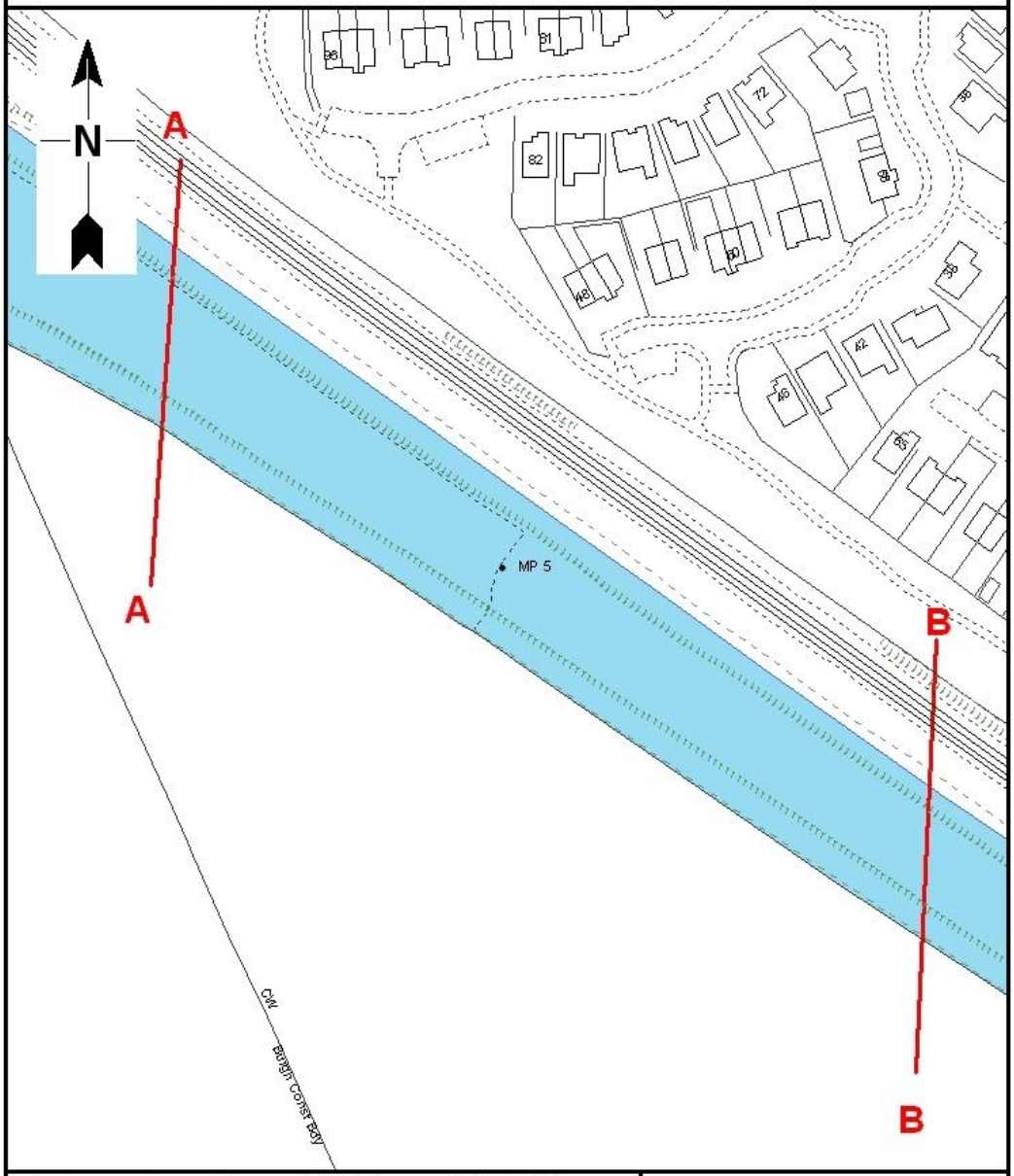


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Plan No:
NS09 Pt 1

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MUSSELBURGH PLAN 2 OF 3

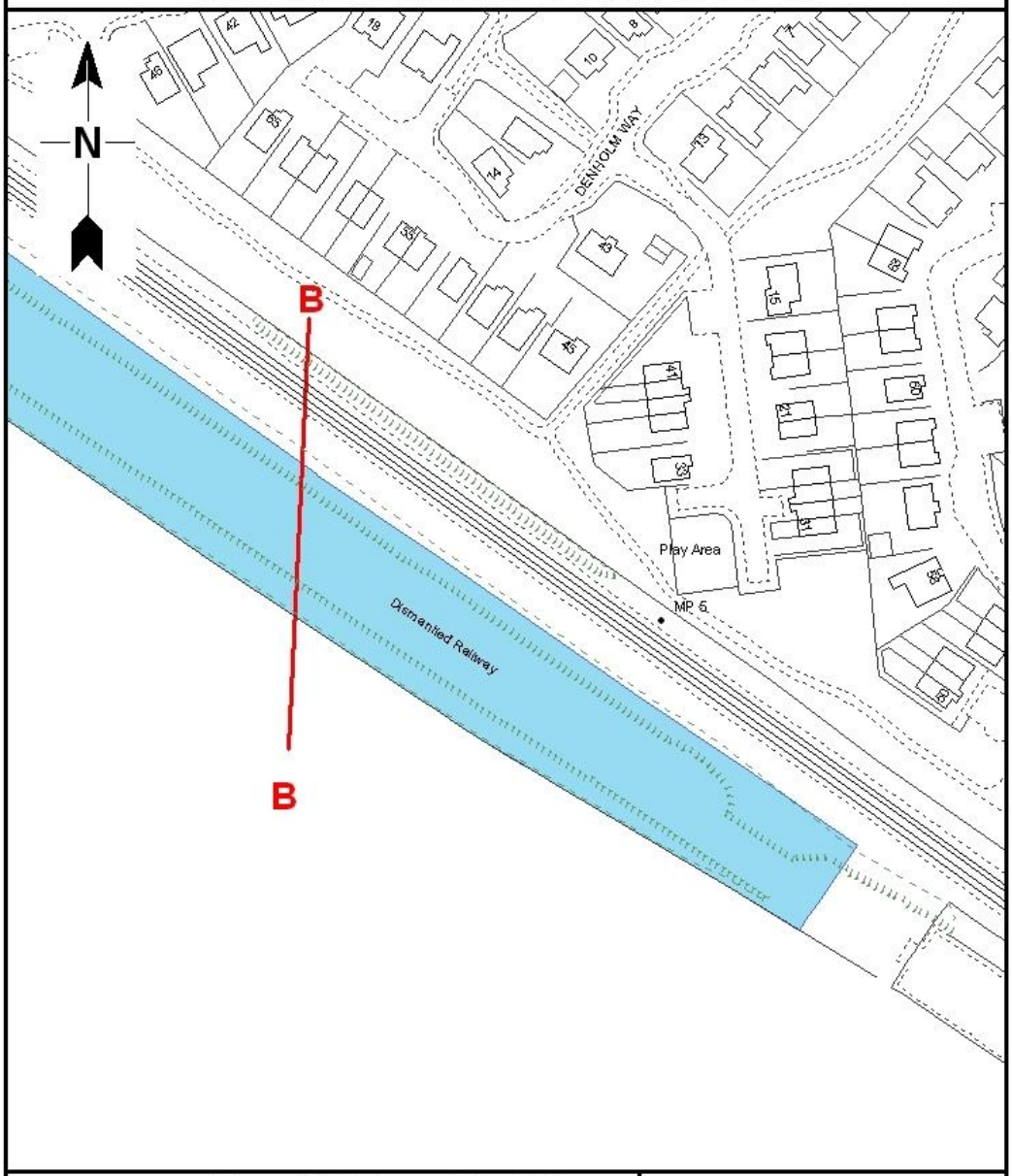


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Plan No:
NS09 Pt 2

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MUSSELBURGH PLAN 3 OF 3

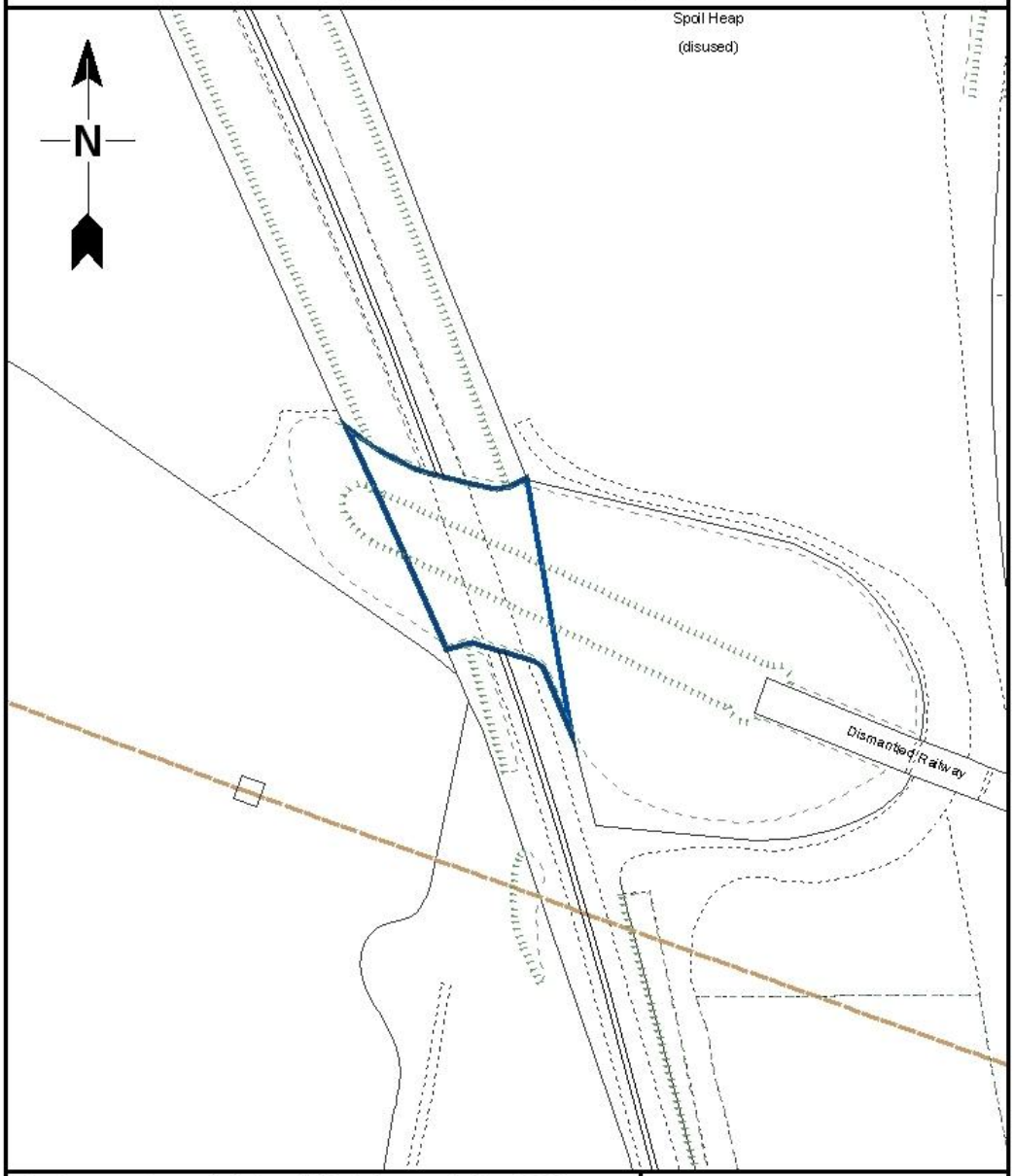


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Plan No:
NS09 Pt 3

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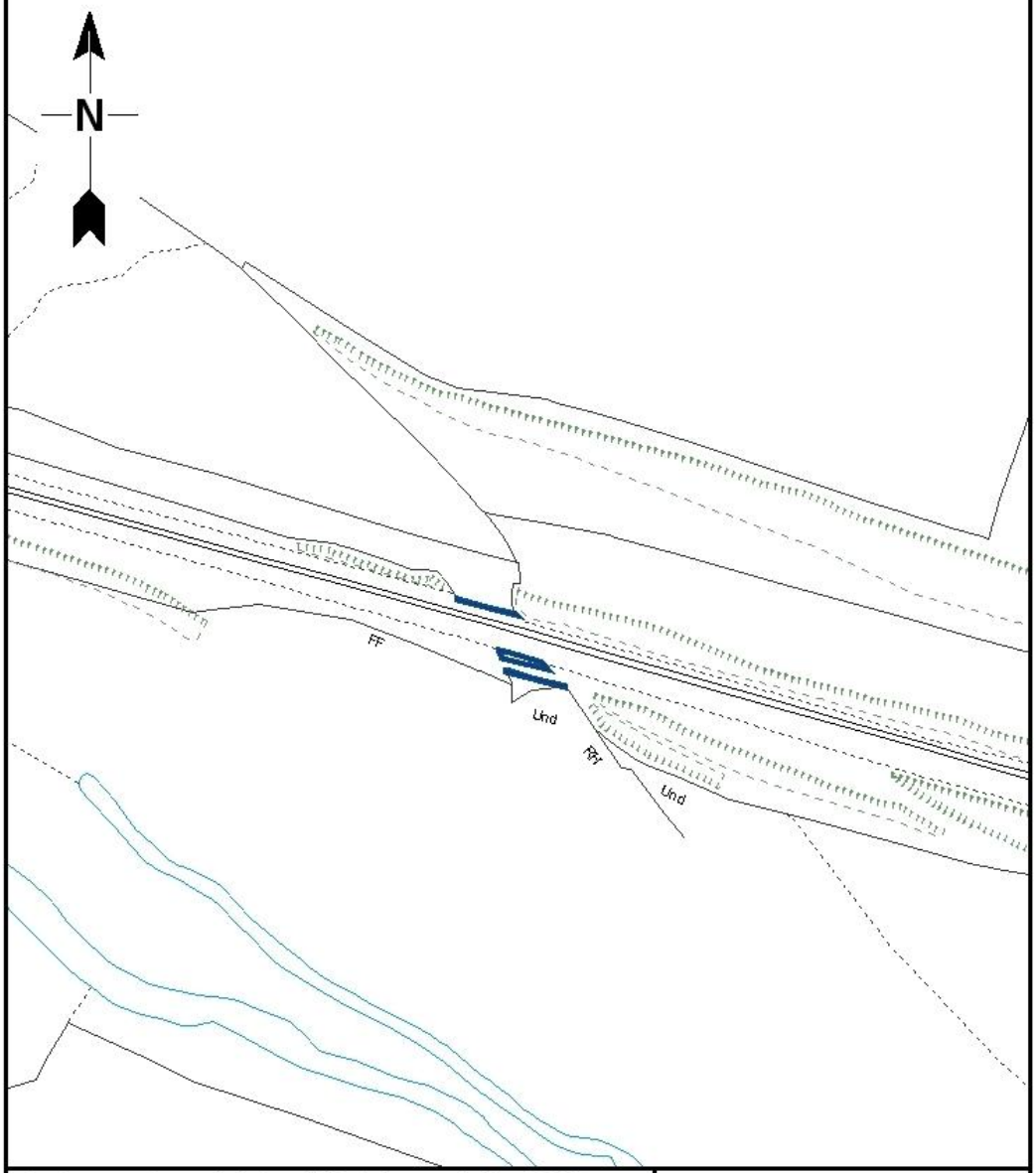


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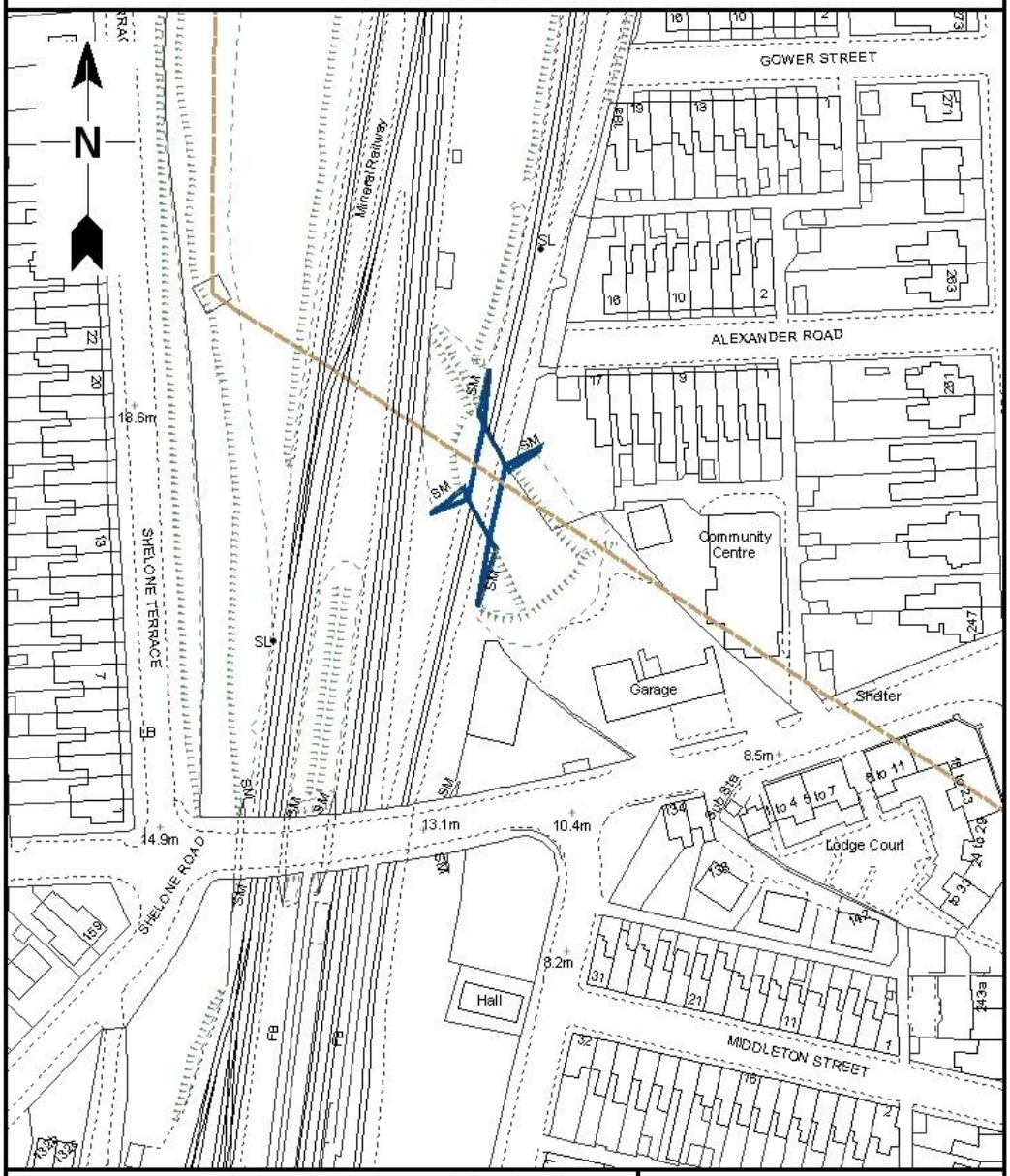
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NS11

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BRITON FERRY



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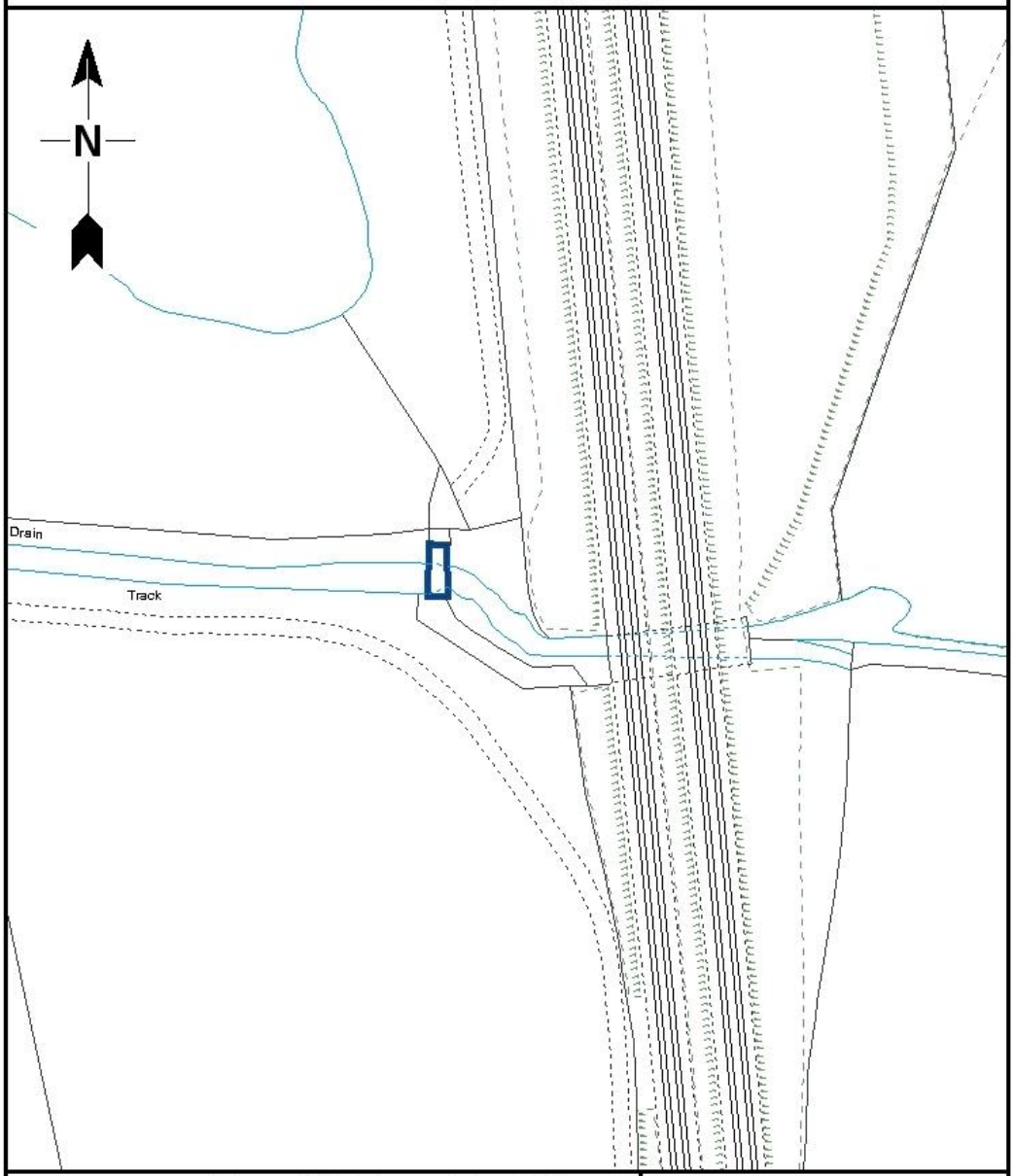
Plan No:

NS12

Scale

0 12.5 25 50 75 100 Metres

SHARNBROOK



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Plan No:
NS13

	Scale
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EXPLANATORY NOTE

(This note is not part of the Order)

This Order transfers the statutory functions of BRB (Residuary) Limited to the Secretary of State and Network Rail (Assets) Limited, abolishes BRB (Residuary) Limited and provides for the removal of BRB (Residuary) Limited's name from the register of companies (*articles 3 and 4*).

The Order makes consequential amendments to the Transport Act 1968 in relation to functions transferred to the Secretary of State under this Order in relation to bridges carrying highways over railways (*article 5*).

The Order also makes consequential amendments to the Edinburgh Tram (Line One) Act 2006, the Edinburgh Tram (Line Two) Act 2006, the House of Commons Disqualification Act 1975 and the Scottish Parliament (Disqualification) Order 2010 (*articles 6 to 8*).

The Order repeals the entry in relation to BRB (Residuary) Limited in Schedule 1(power to abolish: bodies and offices) to the Public Bodies Act 2011 (*article 9*).

An impact assessment has been produced by the Department for Transport in relation to the transfer of functions to Network Rail (Assets) Limited under this Order.

No impact assessment has been produced in relation to the abolition of BRB (Residuary) Limited or the transfer of functions to the Secretary of State under this Order as no cost to the business or voluntary sectors is foreseen in relation to the abolition or the transfer.

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