STATUTORY INSTRUMENTS

2015 No. 1877

TRANSPORT

The Greater Manchester (Light Rapid Transit System) (Exemptions) (Amendment) Order 2015

Made - - - -	*10th November 2015*
Laid before Parliament	*13th November 2015*
Coming into force - -	*6th December 2015*

The Secretary of State in exercise of the powers conferred on him by sections 7(1), (2) and (9), 16B(1), (2), (3) and (5), 20(1), (2) and (8), 24(1), (2) and (8), 143(3) and 151(5) of the Railways Act 1993(**a**) and sections 25(7) and 38(1) of the Railways Act 2005(**b**) makes the following Order.

In accordance with sections 7(1), 16B(1) and 20(1) of the Railways Act 1993 the Secretary of State has consulted with the Office of Rail and Road(**c**).

Citation and commencement

1. This Order may be cited as the Greater Manchester (Light Rapid Transit System) (Exemptions) (Amendment) Order 2015 and comes into force on 6th December 2015.

Amendment of the Greater Manchester (Light Rapid Transit System) (Exemptions) Order 2013

2. The Greater Manchester (Light Rapid Transit System) (Exemptions) Order 2013(**d**) is amended as follows.

(**a**) 1993 c.43. Section 7(1) was amended by the Transport Act 2000 (c.38) (in these footnotes "the 2000 Act"), Schedule 17 (paragraphs 1 and 2), the Railways and Transport Safety Act 2003 (c.20) (in these footnotes "the 2003 Act"), Schedule 2 (paragraphs 1 and 3), the Railways Act 2005 (c.14) (in these footnotes "the 2005 Act"), Schedule 1 (paragraph 1(1)) and Schedule 13 (Part 1) and by S.I. 2015/1682, the Schedule, paragraph 1. Section 7(9) was amended by the 2005 Act, Schedule 1 (paragraph 1(2)). Sections 16A to 16I were inserted by the 2000 Act, section 223 and section 16B(1) was amended by the 2003 Act, Schedule 2 (paragraphs 1 and 3), the 2005 Act, Schedule 1 (paragraph 11(4)) and by S.I. 2015/1682, the Schedule, paragraph 1. Section 20(1) was amended by the 2000 Act, Schedule 27 (paragraphs 17 and 23(1) and (2)), the 2003 Act, Schedule 2 (paragraphs 1 and 3) and by S.I. 2015/1682, the Schedule, paragraph 1. Section 20(2) was amended by the 2000 Act, Schedules 27 (paragraphs 17 and 23(1), (3)) and 31 (Part IV). Section 24(1) and (2) was amended by the 2005 Act, Schedule 1 (paragraph 14(1), (2)). Section 143(3) was amended by the 2005 Act, Schedule 11 (paragraphs 1 and 15). The "appropriate facilities authority" is defined, for the purposes of sections 16B to G, in section 16A(3A) (inserted by the 2005 Act, Schedule 1, paragraph 11(3)). A definition of "appropriate designating authority" was inserted into section 23(3) of the Railways Act 1993, for the purposes of Part 1 of that Act, by Schedule 1, paragraph 13(4) of the 2005 Act.

(**b**) 2005 c.14. "the national authority" is defined for the purposes of section 38(1) in section 38(2) of the 2005 Act.

(**c**) The Office of Rail and Road was established as a body corporate by section 15 of the 2003 Act. The body was formerly known as the Office of Rail Regulation but its name was changed to the Office of Rail and Road to reflect its new role as Highways Monitor for the strategic road network in England under Part I of the Infrastructure Act 2015 (c.7). The name change was effected by the Office of Rail Regulation (Change of Name) Regulations 2015 (S.I. 2015/1682), made pursuant to section 15A of the 2003 Act (as inserted by section 10(9) of the Infrastructure Act 2015), and which came into force on 16th October 2015.

(**d**) S.I. 2013/339 (in these footnotes "the 2013 Order").

3. After article 18 insert—

"**Review**

19.—(1) The Secretary of State must from time to time—

(a) carry out a review of this Order,

(b) set out the conclusions of the review in a report, and

(c) publish the report.

(2) The report must in particular—

(a) set out the objectives intended to be achieved by this Order,

(b) assess the extent to which those objectives are achieved, and

(c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved in another way.

(3) The first report under this article must be published before 6th December 2020.

(4) Reports under this article are afterwards to be published at intervals not exceeding five years.".

4. In the Schedule(**a**) for the map substitute the map in the Schedule to this Order.

Signed by the authority of the Secretary of State for Transport

Andrew Jones
Parliamentary Under Secretary of State
Department for Transport

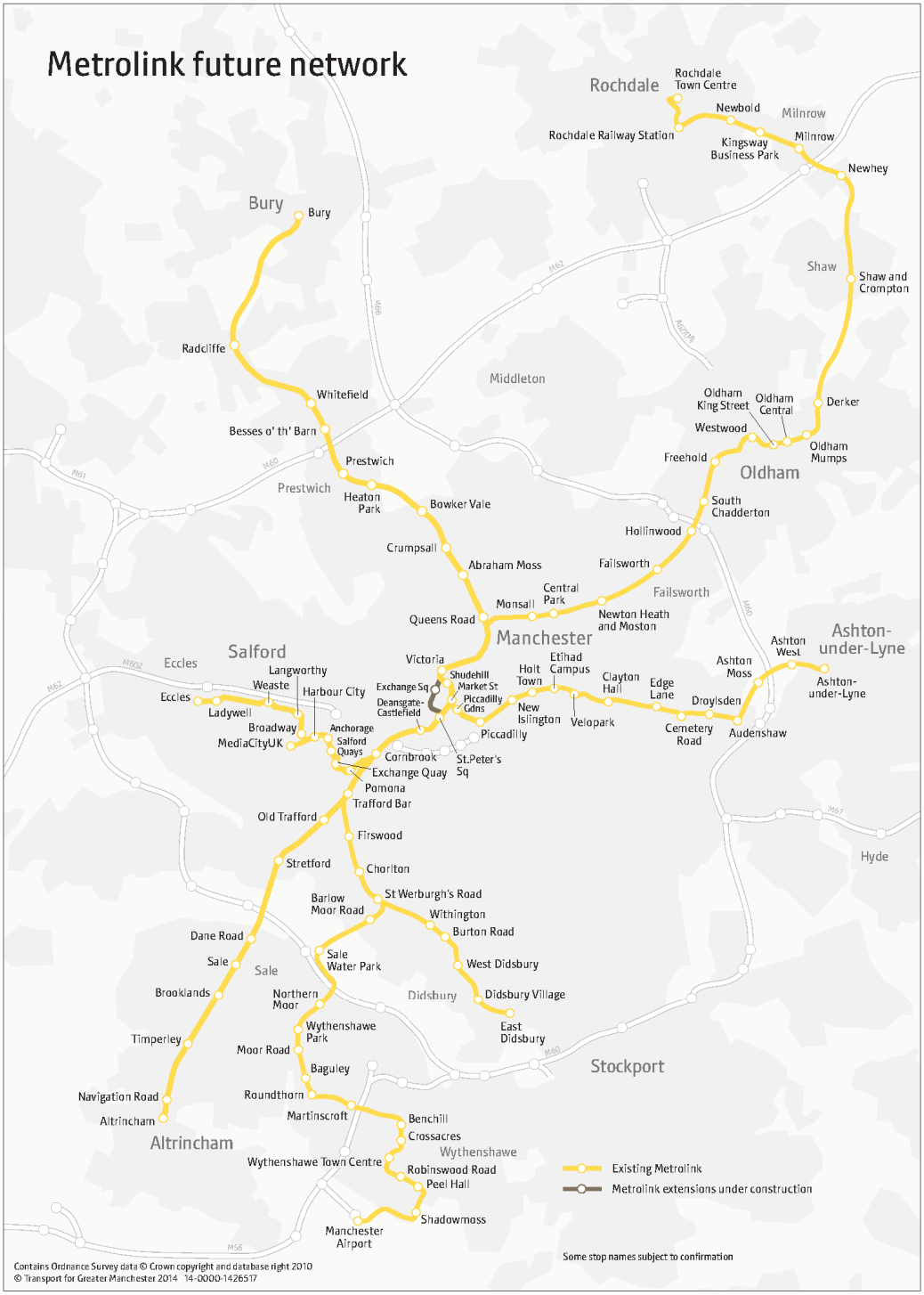
10th November 2015

(**a**) The Schedule to the 2013 Order is introduced by article 2 of that Order, which defines "the Metrolink network" as the network constructed or to be constructed on the routes shown on the map in the Schedule.

SCHEDULE

Article 4

Map of Manchester Metrolink Network



EXPLANATORY NOTE

(This note is not part of the Order)

This Order relates to the Greater Manchester Light Rapid Transit System, also known as Metrolink (the "Metrolink network").

The Order amends the Greater Manchester (Light Rapid Transit System) (Exemptions) Order 2013 ("the 2013 Order") by inserting a new article which requires the Secretary of State to review the operation and effect of that Order and publish a report before 6th December 2020 and within every five years after that (*article 3*). Following a review it will fall to the Secretary of State to consider whether the 2013 Order should remain as it is, or be revoked or amended. A further instrument would be needed to revoke the 2013 Order or to amend it.

The Order also amends the 2013 Order by replacing the map contained in the Schedule to that Order with a revised map of the Metrolink network (*article 4)*. The revised map includes a short section of additional track and a new station that are in the course of being constructed. The effect is to extend the exemptions granted by the 2013 Order to the extension of the Metrolink network.

The exemptions granted by the 2013 Order and that are so extended by this Order are as follows (described by reference to the Articles of the 2013 Order):

Article 3 exempts certain persons operating railway assets used in connection with railway passenger services on the Metrolink network ("Metrolink Services") from the requirement of section 6 of the Railways Act 1993 ("the 1993 Act") that they be licensed to do so.

Article 4 exempts certain persons operating railway assets used in connection with Metrolink Services ("Metrolink facilities") from the provisions of section 16A(2) of the 1993 Act under which they could otherwise be required by direction of the Office of Rail and Road ("the ORR") to improve or develop those assets.

Article 5 exempts certain persons owning Metrolink facilities from being subject to sections 17, 18 and 22A of the 1993 Act, which relate to the role of the ORR in respect of access agreements.

Article 6 exempts certain persons from the scope of section 23 of the 1993 Act (relating to the designation of services eligible for provision under franchise agreements) in respect of Metrolink services.

Article 7 disapplies, in relation to Metrolink services, sections 22 to 24 of the Railways Act 2005 ("the 2005 Act") relating to the discontinuance of railway passenger services.

Article 8 disapplies, in relation to the Metrolink network, sections 26 to 28 of the 2005 Act relating to the discontinuance of operation of passenger networks.

Article 9 disapplies, in relation to stations or parts of stations used for the provision of Metrolink services, sections 29 to 31 of the 2005 Act relating to the discontinuance of use or operation of stations.

Article 10 designates every Metrolink service as a special procedure excluded service for the purposes of section 25 of the 2005 Act.

An impact assessment has not been produced for this instrument as no cost to business or voluntary sectors is foreseen. An Explanatory Memorandum is available alongside the instrument on the website www.legislation.gov.uk.

© Crown copyright 2015

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£5.25

UK201511104 11/2015 19585

http://www.legislation.gov.uk/id/uksi/2015/1877

ISBN 978-0-11-114074-1

9 780111 140741