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## STATUTORY INSTRUMENTS

1992 No. 1268

## HARBOURS, DOCKS, PIERS AND FERRIES

The Manchester Ship Canal Harbour Revision Order  
1992

Made . . . . . 18th May 1992

Coming into force . . . . . 19th May 1992

Whereas the making of this Order is not opposed:

Now therefore, the Secretary of State for Transport (being the appropriate Minister under subsection (7) of section 14 of the Harbours Act 1964(a) for the purpose of making this Order) in exercise of the powers conferred by the said section 14 and now vested in him(b); and of all other powers enabling him in that behalf, and on the application of the Manchester Ship Canal Company, hereby makes the following Order:-

## Citation and commencement

1.—(1) This Order may be cited as the Manchester Ship Canal Harbour Revision Order 1992 and shall come into force on 19th May 1992.

(2) The Manchester Ship Canal Acts and Orders 1885 to 1990 and this Order may be cited together as the Manchester Ship Canal Acts and Orders 1885 to 1992.

## Interpretation

2. In this Order:-

"the canal" means the Manchester Ship Canal;

"the Company" means the Manchester Ship Canal Company;

"the directors" means the directors of the Company.

## Relief from obligation to open Trafford Road bridge

3.—(1) For the purposes of this article "the bridge" means the bridge across the canal known as Trafford Road bridge, being part of Work E authorised by section 6 (Power to make works &c.) of the Manchester Ship Canal (Alteration of Works) Act 1888(c);

(2) Notwithstanding anything in the Manchester Ship Canal Act 1885(d) or the Manchester Ship Canal (Alteration of Works) Act 1888 the Company may with effect from such date as the directors may by resolution determine close the bridge permanently and thereafter the Company shall cease to be under any obligation to maintain the bridge other than as a fixed bridge with a minimum soffit level of 26.45 metres above ordnance datum (Newlyn).

(a) 1964 c.40: section 14 and Schedule 3 were amended by the Transport Act 1981 (c.56) section 18 and Schedule 6 paragraphs 2 to 4, 12 and 14.

(b) See section 57(1) of the Harbours Act 1964 and S.I. 1981/238.

(c) 1888 c.cxi.

(d) 1885 c.cxxxviii.

[DET 3346]

(3) The enactments specified in the Schedule to this Order shall be repealed on the date determined by the directors for the purposes of paragraph (2) of this article to the extent specified in the third column of that Schedule.

(4) Within one month of the passing of a resolution under paragraph (2) of this article the Company shall give notice of the effect of the resolution by advertisement in such local newspaper as they may deem expedient for causing the resolution to be made known to persons affected thereby.

**Power to make agreements with highway authority**

4. The Company and a highway authority may enter into, and carry into effect, agreements—

- (a) for the transfer to, and vesting in, the highway authority or in two highway authorities jointly, on such terms as may be agreed, of any bridge owned by the Company which crosses the canal or any highway carried by the bridge or any approaches to the bridge for the maintenance of which the Company are responsible, together with all or any of the rights and obligations of the Company in relation to the bridge or to such highway or approaches, notwithstanding that the bridge was constructed under statutory powers;
- (b) for the transfer to the highway authority or to two highway authorities jointly, on such terms as may be agreed, of the responsibility for the reconstruction, improvement, maintenance or operation of such a bridge or for the improvement or maintenance of any highway carried by the bridge or of any approaches to it on such terms as may be agreed.

Signed by authority of the  
Secretary of State for Transport  
18th May 1992

*H. B. Wenban-Smith*  
An Under Secretary in the  
Department of Transport

**SCHEDULE**

Article 3

**REPEALS IN CONSEQUENCE OF ARTICLE 3(3)**

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1885 c.cxxxviii.	Manchester Ship Canal Act 1885.	So much of section 33 as applies to maintenance of the bridge other than as a fixed bridge or to the opening and closing of the bridge. Paragraphs 15, 16 and 17 of section 119.
1888 c.cixi.	Manchester Ship Canal (Alteration of Works) Act 1888.	So much of section 6 as provides that the bridge forming part of Work E is to be an opening bridge. Section 32.
1893 c.iii.	Manchester Ship Canal Act 1893.	Paragraph (4) of section 28.

### EXPLANATORY NOTE

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

This Order relieves the Manchester Ship Canal Company from any obligation to open Trafford Road bridge. The Order also makes provision for the minimum level at which the underside of the bridge is to be maintained. In addition, the Order enables the Company to make agreements with highway authorities with respect to the transfer of bridges crossing the Manchester Ship Canal and rights and obligations relating thereto. The Order effects consequential repeals in the Company's enactments.

The applicant for the Order is the Manchester Ship Canal Company, Dock Office, Trafford Road, Manchester, M5 2XB.

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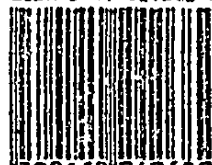
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