
STATUTORY INSTRUMENTS

2004 No. 757

TRANSPORT AND WORKS, ENGLAND
TRANSPORT, ENGLAND

The Docklands Light Railway (Woolwich
Arsenal Extension) Order 2004

Made - - - - - *12th March 2004*

Coming into force *2nd April 2004*

THE DOCKLANDS LIGHT RAILWAY (WOOLWICH
ARSENAL EXTENSION) ORDER 2004

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Application of 1991 Act

PART 2

WORKS PROVISIONS

Principal Powers

4. Power to construct works
5. Power to deviate
6. Stations

Streets

7. Power to alter layout of streets
8. Power to keep apparatus in streets
9. Power to execute street works
10. Stopping up of streets
11. Temporary stopping up of streets
12. Access to works
13. Construction and maintenance of new or altered streets
14. Agreements with street authorities

Changes to legislation: There are currently no known outstanding effects for the The Docklands Light Railway (Woolwich Arsenal Extension) Order 2004. (See end of Document for details)

The River Thames and King George V Dock

15. Works in the River and Dock
16. Protection of the tunnels, etc.

Supplemental

17. No apparatus in the tunnels without consent
18. Discharge of water
19. Safeguarding works to buildings
20. Town and country planning
21. Power to survey and investigate land, etc.
22. Obstruction of construction of authorised works

PART 3

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

23. Power to acquire land
24. Application of Part I of the Compulsory Purchase Act 1965
25. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
26. Powers to acquire new rights
27. Powers to acquire subsoil only
28. Subsoil or new rights only to be acquired under or in certain lands
29. Rights under or over streets

Temporary possession of land

30. Temporary use of land for construction of works
31. Temporary use of land for maintenance of works
32. Market traders

Compensation

33. Disregard of certain interests and improvements

Supplementary

34. Acquisition of part of certain properties
35. Extinction or suspension of private rights of way
36. Open space
37. Time limit for exercise of powers of acquisition

PART 4

OPERATION OF AUTHORISED WORKS

38. Maintenance of approved works, etc.
39. Power to lop trees overhanging authorised works
40. Trespass on authorised railway

PART 5

PROTECTIVE PROVISIONS

41. Statutory undertakers, etc.
42. For protection of railway interests

43. For protection of the London Boroughs of Newham and Greenwich
44. For protection of the Environment Agency
45. For protection of specified undertakers
46. For protection of navigation interests

PART 6

MISCELLANEOUS AND GENERAL

47. Traffic regulation
48. Powers of disposal, agreements for operation, etc.
49. Application of landlord and tenant law
50. Defence to proceedings in respect of statutory nuisance
51. Disclosure of confidential information
52. Certification of plans, etc.
53. Service of notices
54. No double recovery
55. Arbitration
Signature

SCHEDULES

SCHEDULE 1 — SCHEDULED WORKS

SCHEDULE 2 — ADDITIONAL LAND WHICH MAY BE ACQUIRED OR USED Key to Schedules 3 and 4 CD Cycleway diversion FD...

SCHEDULE 3 — STREETS SUBJECT TO ALTERATION OF LAYOUT

SCHEDULE 4 — STREETS TO BE PERMANENTLY STOPPED UP

PART 1 — *Streets for which a substitute is to be provided*

PART 2 — *Streets for which no substitute will be provided*

SCHEDULE 5 — STREETS TO BE TEMPORARILY STOPPED UP

SCHEDULE 6 — LAND NOT SUBJECT TO SAFEGUARDING WORKS POWER

SCHEDULE 7 — LAND NOT SUBJECT TO SURVEY AND INVESTIGATION POWER

SCHEDULE 8 — 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 prejudice to the generality of paragraph 1, the...
— *Adaptation of the 1965 Act*
3. (1) The 1965 Act shall have effect with the modifications...
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) shall...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

Changes to legislation: There are currently no known outstanding effects for the The Docklands Light Railway (Woolwich Arsenal Extension) Order 2004. (See end of Document for details)

- SCHEDULE 9 — ACQUISITION OF SUBSOIL AND NEW RIGHTS ONLY
PART 1 — *Land in which only subsoil or new rights in subsoil may be acquired*
PART 2 — *Land in which only new rights may be acquired*

SCHEDULE 10 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY NOT BE TAKEN

SCHEDULE 12 — 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...
— *Apparatus of statutory undertakers, etc., in stopped up streets*
2. (1) Where a street is stopped up under article 10...

SCHEDULE 13 — FOR PROTECTION OF RAILWAY INTERESTS

1. The following provisions of this Schedule shall have effect, unless...
3. (1) Where under this Schedule Network Rail is required to...
4. (1) DLRL shall not exercise the powers conferred by article...
5. (1) DLRL shall before commencing construction of any specified work...
6. (1) Any specified work shall, when commenced, be constructed—
7. DLRL shall— (a) at all times afford reasonable facilities to...
8. Network Rail shall at all times afford reasonable facilities to...
9. (1) If any alterations or additions, either permanent or temporary,...
10. DLRL shall repay to Network Rail all reasonable fees, costs,...
11. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
12. If at any time after the completion of a specified...
13. DLRL shall not provide any illumination or illuminated sign or...
14. Any additional expenses which Network Rail may reasonably incur in...
15. (1) DLRL shall pay to Network Rail all reasonable costs,...
16. Network Rail shall, on receipt of a request from DLRL,...
17. In the assessment of any sums payable to Network Rail...
18. DLRL and Network Rail may, subject in the case of...

SCHEDULE 14 — FOR PROTECTION OF THE LONDON BOROUGHS OF NEWHAM AND GREENWICH

1. (1) The following provisions of this Schedule shall, unless otherwise...
2. Before commencing to construct any scheduled work DLRL shall consult...
3. DLRL shall consult the appropriate Council as to—
4. Before commencing to construct any authorised work which will involve...
5. Any such highway shall be reinstated by DLRL in a...
6. DLRL shall not, except with the consent of the appropriate...
7. Except in an emergency or where reasonably necessary to secure...
8. DLRL shall, if reasonably so required by the appropriate Council,...
9. DLRL shall indemnify the appropriate Council against any claim which...
10. Wherever in this Schedule provision is made with respect to...
11. Unless otherwise agreed between the parties any difference arising between...

SCHEDULE 15 — FOR PROTECTION OF THE ENVIRONMENT AGENCY

1. For the protection of the Environment Agency (in this Schedule...

Changes to legislation: There are currently no known outstanding effects for the The Docklands Light Railway (Woolwich Arsenal Extension) Order 2004. (See end of Document for details)

2. In this Schedule—“construction” includes execution, placing, altering, replacing, relaying...
3. (1) Before beginning to construct any specified work and again...
4. (1) Before beginning to construct any specified work, DLRL shall...
5. Without prejudice to the generality of paragraph 4, the requirements...
6. (1) Any specified work, and all protective works required by...
7. (1) If by reason of the construction of any specified...
8. (1) Without prejudice to the other provisions of this Schedule,...
9. DLRL shall indemnify the Agency in respect of all costs,...
10. (1) Without prejudice to the other provisions of this Schedule,...
11. (1) The fact that any work or thing has been...
12. (1) Unless the parties agree to arbitration under article 55,...

SCHEDULE 16 — FOR PROTECTION OF SPECIFIED UNDERTAKERS

— *Interpretation*

1. In this Schedule—“apparatus” means— in the case of a...
— *Application of Schedule 12*
2. Paragraphs 1(1) and 2 of Schedule 12 to this Order...
— *Apparatus in stopped up streets*
3. Where any street is stopped up under article 10 of...
4. DLRL shall give not less than 28 days' notice in...
— *On-street apparatus*
5. This Schedule shall not apply to anything done or proposed...
— *Acquisition of land*
6. DLRL shall not acquire any apparatus from a specified undertaker...
7. DLRL may in exercise of the powers of this Order...
— *Removal of apparatus*
8. Paragraphs 9 to 12 apply where— (a) DLRL requires the...
9. DLRL shall, if it is practicable to do so, afford...
10. The obligation imposed upon the specified undertaker by paragraph 9...
11. Any alternative apparatus to be constructed by the specified undertaker...
12. The specified undertaker shall, after the manner of construction and...
— *Removal of apparatus and construction of alternative apparatus by DLRL*
13. Paragraphs 14 to 16 apply to so much of the...
14. If DLRL gives notice in writing to the specified undertaker...
15. In carrying out any work under paragraph 14 DLRL shall...
16. Nothing in paragraph 14 shall authorise DLRL to carry out...
— *Facilities and rights for alternative apparatus*
17. Where, in accordance with the provisions of this Schedule, DLRL...
18. In determining the terms and conditions mentioned in paragraph 17...
19. If the facilities and rights to be afforded by DLRL...
— *Retained apparatus: protection and plan approval*
20. Not less than 56 days before commencing to construct or...
21. In relation to a work which is a specified work...
22. DLRL shall not commence the construction or renewal of any...
23. Any approval of the specified undertaker required under paragraph 22—...
24. In relation to a work to which paragraph 21 applies,...
25. A specified work shall be constructed (and in the case...
26. If within 42 days after the submission to it of...
27. Nothing in paragraphs 20 or 26 shall preclude DLRL from...
28. DLRL shall not be required to comply with paragraph 20...
29. Nothing in paragraph 28 shall entitle DLRL to carry out...

Changes to legislation: There are currently no known outstanding effects for the The Docklands Light Railway (Woolwich Arsenal Extension) Order 2004. (See end of Document for details)

- *Co-operation*
- 30. Where in consequence of the proposed construction of any of...
 - *Access*
- 31. If in consequence of the exercise of the powers of...
 - *Expenses*
- 32. Subject to the provisions of the following paragraphs of this...
- 33. There shall be deducted from any sum payable under paragraph...
- 34. If in pursuance of the provisions of this Schedule—
- 35. For the purposes of paragraph 34— (a) an extension of...
- 36. An amount which apart from this paragraph would be payable...
- 37. In any case where work is carried out by DLRL...
 - *Indemnity*
- 38. If, by reason or in consequence of the construction, maintenance...
- 39. Nothing in paragraph 38 shall impose any liability on DLRL...
- 40. The specified undertaker shall give to DLRL reasonable notice of...
 - *Exercise of safeguarding and survey powers*
- 41. DLRL shall, so far as is reasonably practicable, so exercise...
- 42. DLRL shall not, in the exercise of the powers of...
 - *Arbitration*
- 43. Any difference arising between DLRL and a specified undertaker under...
 - *Transfer of powers*
- 44. DLRL shall give notice to every specified undertaker if any...
- 45. The obligation to give notice under paragraph 44 to a...
 - *Notices*
- 46. Any notice in writing to be given by DLRL to...

SCHEDULE 17 — FOR PROTECTION OF NAVIGATION INTERESTS

PART 1 — GENERAL

- 1. In this Part of this Schedule— “construction” includes execution, placing,...
 - *Lights, etc., during tidal works*
- 2. (1) DLRL shall— (a) during the whole time of the...
 - *Damage, etc., to tidal works*
- 3. (1) In case of damage to or destruction or decay...
 - *Offences*
- 4. (1) Where DLRL is guilty of an offence under paragraphs...
 - *Saving*
- 5. Nothing in this Part of this Schedule shall prejudice or...

PART 2 — PROTECTION OF RoDMA AND THE PORT OF LONDON AUTHORITY

- 6. In this Part of this Schedule— “the appropriate authority” means—...
- 7. The provisions of this Part of this Schedule shall, unless...
 - *Works*
- 8. (1) DLRL shall not commence any specified work until it...
- 9. (1) This paragraph applies in relation to any siltation or...
 - *Facilities for navigation*
- 10. (1) DLRL shall mark and light a specified work in...
 - *General protection*
- 11. (1) Subject to article 4(8) and to sub-paragraph (2) the...
- 12. (1) DLRL shall be responsible for and make good to...
- 13. (1) DLRL shall not in the exercise of the powers...
- 14. DLRL shall not exercise the powers of article 30(2) in...
- 15. (1) In constructing Works Nos 1 and 5 DLRL will...
 - (4) Following notice to the Port of London Authority given pursuant...

Changes to legislation: *There are currently no known outstanding effects for the The Docklands Light Railway (Woolwich Arsenal Extension) Order 2004. (See end of Document for details)*

16. Completion of Work No.1 DLRL shall supply to the Port...
17. Any difference arising between DLRL and the appropriate authority under...

SCHEDULE 18 — TRAFFIC REGULATION: PROHIBITION OF WAITING

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Docklands Light Railway (Woolwich Arsenal Extension) Order 2004.