
STATUTORY INSTRUMENTS

2005 No. 3105

TRANSPORT AND WORKS, ENGLAND
TRANSPORT, ENGLAND

The Docklands Light Railway
(Capacity Enhancement) Order 2005

Made - - - - 4th November 2005

Coming into force 25th November 2005

THE DOCKLANDS LIGHT RAILWAY
(CAPACITY ENHANCEMENT) ORDER 2005

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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...
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SCHEDULE 8 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 9 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.

Apparatus of statutory undertakers, etc., on land acquired

1. (1) Sections 271 to 274 of the 1990 Act (power...

Apparatus of statutory undertakers, etc., in stopped up streets

2. (1) Where a street is stopped up under articles 12...
3. (1) Subject to the following provisions of this paragraph, the...

SCHEDULE 10 — FOR PROTECTION OF NETWORK RAIL INFRASTRUCTURE LIMITED

1. The following provisions of this Schedule shall, unless otherwise agreed...
2. In this Schedule— “C2C” means C2C Limited and includes its...
3. (1) Subject to paragraph (5), DLRL shall not pursuant to...
4. (1) DLRL shall before commencing construction of any specified work...
5. (1) Any specified work shall, when commenced, be constructed—
6. DLRL shall— (a) at all times afford reasonable facilities to...
7. Network Rail Infrastructure Limited shall at all times afford reasonable...
8. (1) If any alterations or additions, either permanent or temporary,...
9. DLRL shall repay to Network Rail Infrastructure Limited all reasonable...
10. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
11. If at any time after the completion of a specified...
12. DLRL shall not provide any illumination or illuminated sign or...
13. Any additional expenses which Network Rail Infrastructure Limited may reasonably...
14. (1) DLRL shall pay to Network Rail Infrastructure Limited all...
15. Network Rail Infrastructure Limited shall, on receipt of a request...
16. In the assessment of any sums payable to Network Rail...
17. DLRL and Network Rail Infrastructure Limited may subject in the...
18. In so far as any specified work or the acquisition...

SCHEDULE 11 — FOR PROTECTION OF LOCAL HIGHWAY AUTHORITIES

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

SCHEDULE 12 — FOR PROTECTION OF THE ENVIRONMENT AGENCY

1. The following provisions of this Schedule shall, unless otherwise agreed...

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

SCHEDULE 13 — FOR PROTECTION OF SPECIFIED UNDERTAKERS

Interpretation

1. In this Schedule—“apparatus” means— in the case of a...

Application of Schedule 9

2. Paragraphs 1(1) and 2 of Schedule 9 to this Order...

Apparatus in stopped up streets

3. Where any street is stopped up under article 12 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 11 apply where— (a) DLRL requires the...
9. DLRL shall, if it is practicable to do so, afford...
10. Any alternative apparatus to be constructed by the specified undertaker...
11. The specified undertaker shall, after the manner of construction and...

Removal of apparatus and construction of alternative apparatus by DLRL

12. Paragraphs 13 to 15 apply to so much of the...
13. If DLRL gives notice in writing to the specified undertaker...
14. In carrying out any work under paragraph 13 DLRL shall...
15. Nothing in paragraph 13 shall authorise DLRL to carry out...

Facilities and rights for alternative apparatus

16. Where, in accordance with the provisions of this Schedule, DLRL...
17. In determining the terms and conditions mentioned in paragraph 16...
18. If the facilities and rights to be afforded by DLRL...

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Retained apparatus: protection and plan approval

19. Not less than 56 days before commencing to construct or...
20. In relation to a work which is a specified work...
21. DLRL shall not commence the construction or renewal of any...
22. Any approval of the specified undertaker required under paragraph 21—...
23. In relation to a work to which paragraph 20 applies,...
24. A specified work shall be constructed (and in the case...
25. If within 42 days after the submission to it of...
26. Nothing in paragraphs 19 or 25 shall preclude DLRL from...
27. DLRL shall not be required to comply with paragraph 19...
28. Nothing in paragraph 27 shall entitle DLRL to carry out...

Co-operation

29. Where in consequence of the proposed construction of any of...

Access

30. If in consequence of the exercise of the powers of...

Expenses

31. Subject to the provisions of the following paragraphs of this...
32. There shall be deducted from any sum payable under paragraph...
33. If in pursuance of the provisions of this Schedule—
34. For the purposes of paragraph 33— (a) an extension of...
35. An amount which apart from this paragraph would be payable...
36. Paragraphs 31 to 35 shall not apply where the authorised...
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 protective 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 14 — FOR PROTECTION OF BRITISH WATERWAYS BOARD

1. (1) For the protection of the Board the following provisions...

2. DLRL shall not under the powers conferred by this Order...
3. (1) DLRL shall not in the exercise of the powers...
4. DLRL shall not use any land or property of the...
5. If in consequence of or in connection with the exercise...
6. Where so required by the engineer DLRL shall to the...
7. (1) Before the commencement of the initial construction of any...
8. (1) DLRL shall before commencing construction of any specified work...
9. Without prejudice to its obligations under the foregoing provisions of...
10. DLRL shall give to the engineer 56 days' notice of...
11. DLRL shall provide and maintain at its own expense in...
12. (1) Any specified works shall, when commenced, be constructed—
13. (1) Any pile, stump or other obstruction which becomes exposed...
14. DLRL shall not in the course of constructing any specified...
15. (1) DLRL shall at all times on being given reasonable...
16. (1) If during the construction of a specified work or...
17. (1) DLRL shall upon completion of any part of any...
18. If at any time after the completion of a specified...
19. Any additional expenses which the Board may reasonably incur in...
20. DLRL shall repay to the Board all fees, costs, charges...
21. (1) If any detriment shall be caused by the construction...
22. Where under any provision of this Schedule the Board or...
23. Except as provided by this Order, nothing in this Order...
24. Any difference arising between DLRL and the Board under this...

SCHEDULE 15 — TRAFFIC REGULATION

Explanatory Note