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STATUTORY INSTRUMENTS

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**2006 No. 3117**

**TRANSPORT AND WORKS, ENGLAND**  
**TRANSPORT, ENGLAND**

**The Network Rail (Thameslink 2000) Order 2006**

*Made* - - - - *22nd November*  
*2006*  
*Coming into force* *13th December 2006*

**THE NETWORK RAIL (THAMESLINK 2000) ORDER 2006**

PART 1

1. Citation and commencement
2. Interpretation
3. Incorporation of Railways Clauses Consolidation Act 1845

PART 2

WORKS PROVISIONS

*Principal powers*

4. Power to construct and maintain certain works
5. Power to construct and maintain ancillary works
6. Power to deviate
7. Station works at Blackfriars
8. Appropriation of works near Blackfriars Bridge
9. Further works at London Bridge
10. Disapplication of provision relating to land at Puddle Dock, Blackfriars
11. Disapplication of enactments relating to the Borough Market, Southwark
12. Release from obligations relating to footway at Bermondsey
13. Disapplication of enactment relating to Balcombe Bridge

*Streets*

14. Power to execute street works
15. Permanent stopping up of streets
16. Temporary stopping up of streets
17. Access to works

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

18. Construction and maintenance of new or altered streets
19. Construction of bridges and tunnels
20. Agreements with street authorities

*Supplemental powers*

21. Discharge of water
22. Protective works to buildings
23. Power to survey and investigate land etc.

PART 3

ACQUISITION AND POSSESSION OF LAND

*Powers of acquisition*

24. Power to acquire land
25. Application of Part 1 of the Compulsory Purchase Act 1965
26. Powers to acquire new rights
27. Powers to acquire subsoil only
28. Rights under streets

*Temporary possession of land*

29. Temporary use of land for construction of works

*Compensation*

30. Disregard of certain interests and improvements

*Supplementary*

31. Acquisition of part only of certain properties
32. Extinction or suspension of private rights of way
33. Time limit for exercise of powers of acquisition
34. Saving for regulated rights etc.
35. Saving for estate and interests of Transport for London

PART 4

MISCELLANEOUS AND GENERAL

*Noise*

36. Defence to proceedings in respect of statutory nuisance

*Tidal works in river Thames*

37. Tidal works not to be executed without approval of Secretary of State
38. Lights on tidal works during construction
39. Provision against danger to navigation
40. Abatement of works abandoned or decayed
41. Survey of tidal works
42. Permanent lights on tidal works

*Miscellaneous*

43. Agreement with Transport for London
44. Certain land to be treated as operational land

45. Disclosure of confidential information
46. Statutory undertakers etc.
47. Protective provisions
48. Certification of plans etc.
49. Service of notices
50. No double recovery
51. Arbitration  
Signature

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## SCHEDULES

### SCHEDULE 1 — THE SCHEDULED WORKS

### SCHEDULE 2 — ADDITIONAL WORKS AND LANDS

#### PART 1 — GENERAL

#### PART 2 — STATION WORKS

#### PART 3 — POWER REINFORCEMENT SITES

#### PART 4 — SIGNALLING EQUIPMENT

### SCHEDULE 3 — STREETS SUBJECT TO STREET WORKS

### 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 IS TO BE PROVIDED

### SCHEDULE 5 — STREETS TO BE TEMPORARILY STOPPED UP

### SCHEDULE 6 — ACCESS TO WORKS

### SCHEDULE 7 — 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 (which relates 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...

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

### SCHEDULE 9 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS ETC.

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*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 article 15...

*Railway and navigation undertakings*

3. (1) Subject to the following provisions of this paragraph, the...

SCHEDULE 10 — PROTECTIVE PROVISIONS

PART 1 — PROTECTION FOR ELECTRICITY, GAS AND WATER UNDERTAKERS

1. (1) For the protection of the several undertakers referred to...
2. Notwithstanding the temporary stopping up or diversion of any highway...
3. (1) Network Rail, in the case of the powers conferred...
4. Notwithstanding anything in this Order or shown on the deposited...
5. (1) If Network Rail, in the exercise of the powers...
6. (1) Where, in accordance with the provisions of this Part...
7. (1) Not less than 28 days before commencing the execution...
8. If in consequence of the exercise of the powers of...
9. Where, by reason of this Order, any part of any...
10. (1) Subject to the following provisions of this paragraph, Network...
11. (1) Where, by reason of the stopping up of any...
12. Any difference arising between Network Rail and an undertaker under...
13. Nothing in this Part of this Schedule shall affect the...

PART 2 — PROTECTION FOR OPERATORS OF AN ELECTRONIC COMMUNICATIONS CODE NETWORK

14. For the protection of any operator of an electronic communications...
15. The temporary stopping up or diversion of any highway under...
16. (1) Subject to sub-paragraphs (2) to (4), if by reason...
17. Any difference arising between Network Rail and the operator under...

PART 3 — PROTECTION FOR SEWERAGE UNDERTAKERS

18. (1) For the protection of sewerage undertakers the following provisions...
19. (1) Before commencing the construction or renewal of any specified...
20. (1) The specified work shall be constructed, or (in the...
21. (1) Subject to the following provisions of this Part of...
22. (1) An officer of the undertaker duly appointed for the...
23. (1) Notwithstanding the temporary stopping up or diversion of any...
24. Network Rail shall, so far as is reasonably practicable, so...
25. As soon as reasonably practicable after the completion of the...
26. Nothing in this Part of this Schedule shall affect the...
27. Any difference arising between Network Rail and the undertaker under...

PART 4 — FOR PROTECTION OF LONDON UNDERGROUND LIMITED

28. (1) For the protection of the Company the following provisions...
29. The provisions of Schedule 9 (provisions relating to statutory undertakers...
30. (1) Network Rail shall not in the exercise of the...
31. (1) Network Rail shall not under the powers of this...
32. Network Rail shall, before commencing the construction of any part...
33. The engineer's approval under paragraph 32 shall not be unreasonably...
34. If within 56 days after the plans have been furnished...
35. Upon signifying his approval or disapproval of the plans the...

36. Network Rail shall, before commencing the construction of the designated...
37. The engineer's approval under paragraph 36 shall not be unreasonably...
38. Upon signifying his approval or disapproval of the plans the...
39. Network Rail shall give to the engineer not less than...
40. The construction of the specified works, any protective works and...
41. Nothing in paragraph 40 shall impose any liability on Network...
42. Network Rail shall at all times afford reasonable facilities to...
43. During the construction of any works by LUL under this...
44. If any alterations or additions, either permanent or temporary, to...
45. If the cost of maintaining, working or renewing railway property...
46. Network Rail shall repay to LUL all reasonable costs, charges...
47. Network Rail shall in the design and construction of the...
48. If at any time after the completion of a specified...
49. Network Rail shall be responsible for, and make good to...
50. (1) Any liability of Network Rail under paragraph 49 shall...
51. Any difference arising between Network Rail and the Company under...  
PART 5 — PROTECTION FOR THE PORT OF LONDON AUTHORITY
52. In this Part of this Schedule— “the Port Authority” means...
53. (1) Subject to sub-paragraph (2) nothing in this Order shall...
54. (1) Subject to sub-paragraph (2) Network Rail shall not in...
55. The exercise by Network Rail in, under or over the...  
PART 6 — PROTECTION FOR LAND DRAINAGE, FLOOD DEFENCE,  
WATER RESOURCES AND FISHERIES
56. (1) The following provisions shall apply for the protection of...
57. (1) Before beginning to construct the specified works and again...
58. (1) Before beginning to construct any specified work, Network Rail...
59. Without prejudice to the generality of paragraph 58, the requirements...
60. (1) Subject to sub-paragraph (2), any specified work, and all...
61. (1) Subject to the provisions of this Part of this...
62. Subject to paragraph 64, if by reason of the construction...
63. (1) Network Rail shall take all such measures as may...
64. Nothing in paragraphs 60(5), 61(3), 62, 63(3) and (4) shall...
65. Network Rail shall indemnify the Agency in respect of all...
66. (1) Without prejudice to the other provisions of this Part...
67. The fact that any work or thing has been executed...
68. For the purposes of section 5 of the Metropolis Management...
69. Any dispute arising between Network Rail and the Agency under...

Explanatory Note