
STATUTORY INSTRUMENTS

2021 No. 937

The Network Rail (Teddington
Station Access for All) Order 2021

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Network Rail (Teddington Station Access for All) Order 2021 and comes into force on 1st September 2021.

Interpretation

2.—(1) In this Order—

“the 1961 Act” means the Land Compensation Act 1961(1);

“the 1965 Act” means the Compulsory Purchase Act 1965(2);

“the 1980 Act” means the Highways Act 1980(3);

“the 1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981(4);

“the 1990 Act” means the Town and Country Planning Act 1990(5);

“the 1991 Act” means the New Roads and Street Works Act 1991(6);

“the 2003 Act” means the Communications Act 2003(7);

“address” includes any number or address used for the purposes of electronic transmission;

“authorised works” means the works authorised by the planning permission and the highways planning permission;

“the book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;

“building” includes any structure or erection or any part of a building, structure or erection;

“carriageway” has the same meaning as in the 1980 Act;

“the deposited plans” means the plans certified by the Secretary of State as the deposited plans for the purpose of this Order;

“electronic transmission” means a communication transmitted—

(a) by means of an electronic communications network; or

(1) 1961. c. 33.
(2) 1965. c. 56.
(3) 1980. c. 66.
(4) 1981. c. 66.
(5) 1990. c. 8.
(6) 1991. c.22.
(7) 2003. c. 21.

(b) by other means but while in electronic form,

and in this definition “electronic communications network” has the same meaning as in section 32(1)(8) (meaning of electronic communications networks and services) of the 2003 Act;

“footway” has the same meaning as in the 1980 Act;

“highway” and “highway authority” have the same meaning as in the 1980 Act;

“highways planning permission” means the planning permission granted under the 1990 Act with reference 21/0843/FUL dated 6 May 2021 by the London Borough of Richmond upon Thames for the installation of temporary vehicular access point and any variation or replacement of that planning permission for substantively the same development;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and “maintenance” is to be construed accordingly;

“Network Rail” means Network Rail Infrastructure Limited (company registration number 02904587) whose registered office is at 1 Eversholt Street, London NW1 2DN;

“Order limits” means the limits of land to be acquired or used as shown on the deposited plans;

“owner”, in relation to land, has the same meaning as in section 7(9) (interpretation) of the Acquisition of Land Act 1981;

“planning permission” means the planning permission granted by the London Borough of Richmond upon Thames under the 1990 Act with reference 20/0029/FUL dated 8 June 2020 for the installation of two lift shafts to connect to the existing station footbridge at Teddington Station and any variation or replacement of that planning permission for substantively the same development;

“statutory undertaker” means—

- (a) any person who is a statutory undertaker for any of the purposes of the 1990 Act; and
- (b) any public communications provider within the meaning of section 151(1) of the 2003 Act;

“street” includes part of a street;

“street authority” in relation to a street, has the same meaning as in Part 3 of the 1991 Act;

“stopping up plan” means the plan certified by the Secretary of State as the stopping up plan for the purposes of this Order; and

“the tribunal” means the Lands Chamber of the Tribunal.

(2) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the airspace over its surface.

(3) All measurements stated in any description of land in the book of reference are approximate.

(4) References in this Order to numbered plots are references to plot numbers shown on the deposited plans.

Disapplication of legislative provisions

3.—(1) Section 48 of the South Western Railway (Various Powers) Act 1864(10) does not apply in relation to any land stopped up under the powers conferred by this Order.

(8) Section 32(1) was amended by [S.I. 2011/1210](#).

(9) [1981 c. 67](#). The definition of “owner” was amended by paragraph 9 of Schedule 15 to the Planning and Compensation Act 1991 ([c. 34](#)). There are other amendments to section 7 which are not relevant to this Order.

(10) [1864. c. ccxxvii](#).

(2) The Neighbourhood Planning Act 2017(**11**) does not apply in so far as it relates to temporary occupation of land under article 11 (temporary use of land for construction works).

Application of the 1991 Act

4.—(1) Works executed under this Order in relation to a highway which consists of or includes a carriageway are to be treated for the purposes of Part 3 (street works in England and Wales) of the 1991 Act as major transport works if—

- (a) they are of a description mentioned in any of paragraphs (a), (c) to (e), (g) and (h) of section 86(3) (which defines what highway authority works are major highway works) of that Act; or
- (b) they are works which, had they been executed by the highway authority, might have been carried out in exercise of the powers conferred by section 64(**12**) (dual carriageways and roundabouts) of the 1980 Act.

(2) The provisions of the 1991 Act mentioned in paragraph (3), which, together with other provisions of that Act, apply in relation to the carrying out of street works and any regulations made or code of practice issued or approved under those provisions apply (with the necessary modifications) in relation to the temporary stopping up, temporary alteration or temporary diversion of a street by Network Rail under the powers conferred by article 20 (temporary stopping up of streets) and the carrying out of works under article 18 (power to execute street works) whether or not the stopping up, alteration or diversion, or the carrying out of such works, constitutes street works within the meaning of that Act.

(3) The provisions of the 1991 Act(**13**) referred to in paragraph (2) are—

- (a) section 54(**14**) (advance notice of certain works), subject to paragraph (4);
- (b) section 55(**15**) (notice of starting date of works), subject to paragraph (4);
- (c) section 57(**16**) (notice of emergency works);
- (d) section 59(**17**) (general duty of street authority to co-ordinate works);
- (e) section 60 (general duty of undertakers to co-operate);
- (f) section 68 (facilities to be afforded to street authority);
- (g) section 69 (works likely to affect other apparatus in the street);
- (h) section 76 (liability for cost of temporary traffic regulation);
- (i) section 77 (liability for cost of use of alternative route); and

all such other provisions as apply for the purposes of the provisions mentioned above.

(4) Sections 54 and 55 of the 1991 Act as applied by paragraph (2) have effect as if references in section 57 of that Act to emergency works were a reference to a stopping up, alteration or diversion (as the case may be) required in a case of emergency.

(11) 2017 c.20.

(12) Section 64 was amended by section 102 of, and Schedule 17 to, the Local Government Act 1985 (c. 51) and section 168(2) of, and Schedule 9 to, the New Roads and Street Works Act 1991 (c. 22).

(13) Sections 54, 55, 57, 60, 68 and 69 were amended by section 40(1) and (2) of, and Schedule 1 to, the Traffic Management Act 2004 (c. 18).

(14) Section 54 was amended by section 49(1) of the Traffic Management Act 2004.

(15) Section 55 was amended by sections 49(2) and 51(9) of the Traffic Management Act 2004.

(16) Section 57 was amended by section 52(3) of the Traffic Management Act 2004.

(17) Section 59 was amended by section 42 of the Traffic Management Act 2004.