# ondon Transport Act 1969

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#### ELIZABETH II



1969 CHAPTER 1

Act to empower the London Transport Board to construct works and to acquire lands; to extend the time for the compulsory purchase of certain lands; to confer further powers on the Board; and for other purposes.

[25th July 1969]

HEREAS by the Transport Act 1962 the London 1962 c. 46. Transport Board (in this Act referred to as "the Board") were established:

whereas it is the duty of the Board under the Transport 1962 (inter alia) to provide or secure the provision of an under and properly co-ordinated system of passenger transport like London Passenger Transport Area and to have due regard efficiency, economy and safety of operation as respects the ices and facilities provided by them:

"will whereas it is expedient that the Board should be empowered with the works authorised by this Act and to acquire lands referred to in this Act:

And whereas it is expedient that the period now limited for compulsory purchase of certain lands should be extended provided by this Act:

And whereas it is expedient that the other powers in this contained should be conferred upon the Board and that the other provisions in this Act contained should be enacted:

And whereas plans and sections showing the lines or situation and levels of the works to be constructed under the powers of the Act, and plans of the lands authorised to be acquired or used this Act, and a book of reference to such plans containing in names of the owners and lessees or reputed owners and lessee and of the occupiers of the said lands, were duly deposited in the office of the Clerk of the Parliaments and in the Private Office of the House of Commons and with the clerk of the Greater London Council, which plans, sections and book of reference are respectively referred to in this Act as the deposited plans the deposited sections and the deposited book of references.

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assemble and by the authority of the same, as follows:—

#### Part I

#### Preliminary

Short title.

1. This Act may be cited as the London Transport Act 1969.

Division of Act into Parts.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Works.

Part III.—Lands.

Part IV.—Protective provisions.

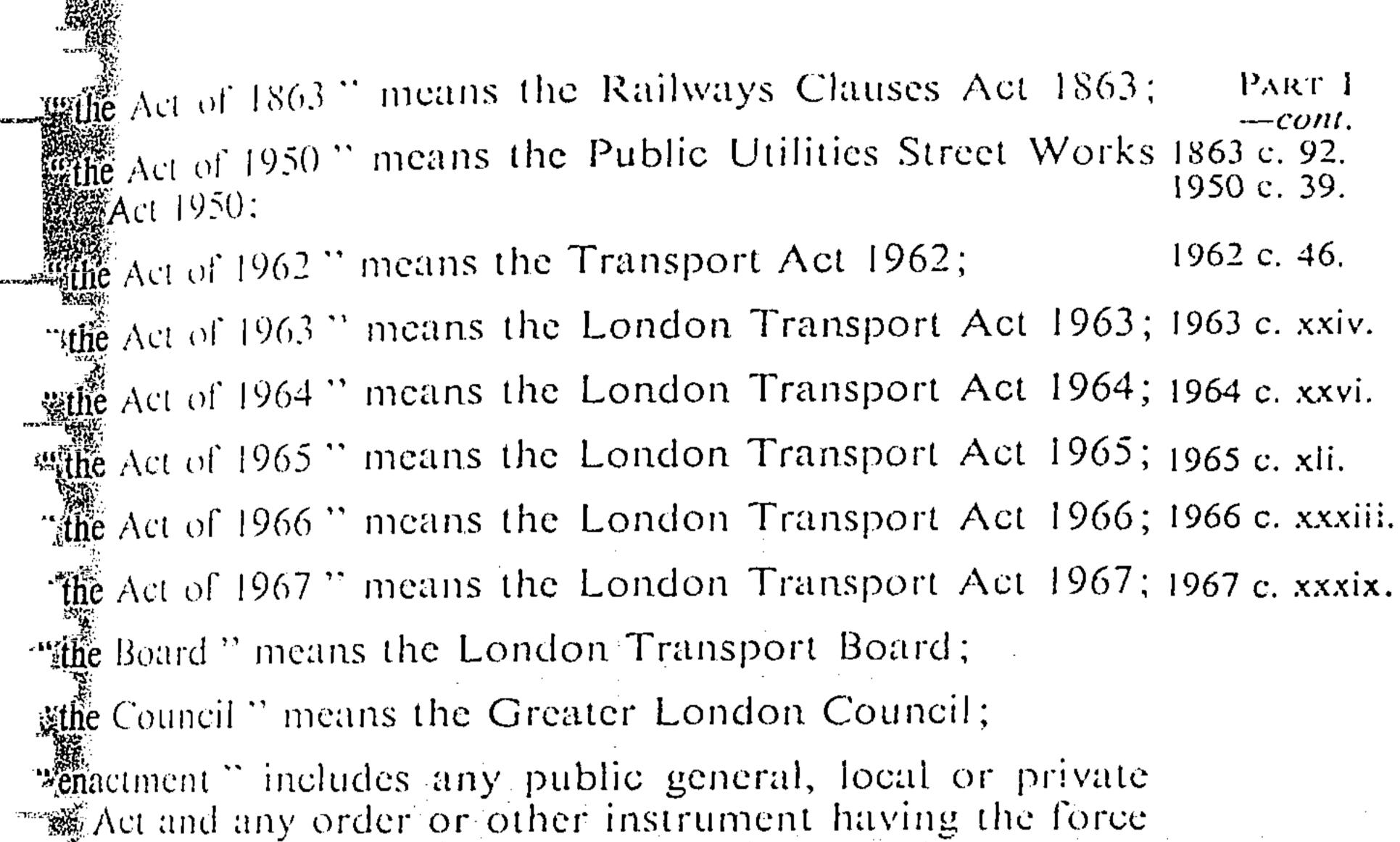
Part V.--Miscellaneous.

Interpretation.

3.—(1) In this Act, unless there be something in the or context repugnant to such construction, the several word expressions to which meanings are assigned by the Acts or partly incorporated herewith have in relation to the relation to th

1845 c. 20.

"the Act of 1845" means the Railways Clauses Consolidate Act 1845;



of an Act;
The limits of deviation "means the limits of deviation shown on the deposited plans;

the tribunal" means the Lands Tribunal;

the works "means the works authorised by Part II (Works) of this Act.

(2) Any reference in this Act to any enactment shall be conneed as a reference to that enactment as applied, extended, mended or varied by, or by virtue of, any subsequent enactment, cliding this Act.

All distances and lengths stated in any description of works, powers or lands, shall be construed as if the words " or therebouts, were inserted after each such distance and length and wances between points on a railway shall be taken to be wired along the railway.

Unless the context otherwise requires, any reference in this work identified by the number of such work shall be littled as a reference to the work of that number authorised was Act.

The following Acts and Parts of Acts, so far as the same Incorporation policiable for the purposes and are not inconsistent with or of general liby the provisions of this Act, are incorporated with and Acts.

""Part of this Act, and this Act shall be deemed to be the Act for the purposes of the said incorporated enactments:—

the Lands Clauses Acts, except sections 127 to 133 of the Lands Clauses Consolidation Act 1845;

1845 c. 18.

PART I —cont.

- (b) the Act of 1845, except sections 7, 8, 9, 11, 12, 13, 20, 22 and 23 thereof; and
- (c) Part I (relating to construction of a railway) and Part. (relating to extension of time) of the Act of 1863.

#### Provided that-

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- (i) for the purposes of the provisions of the Act of 1845 the Act of 1863, as incorporated with this Act
  - (A) the expression "the company" where used the said incorporated provisions means the Board.
  - (B) Works Nos. 3A, 5, 6, 6A and 7 shall be deen to be railways authorised by the special Act;
- (ii) the provisions of sections 18 and 21 of the Act of 184 as incorporated with this Act, shall not extend to regular the relations between the Board and any other person in respect of any matter or thing concerning which this relations are regulated in any respect—
  - (A) by the provisions of Part II of the Au-
  - (B) by the provisions of section 42 (For protections of gas, water and electricity undertakers) of the Act of 1963, as incorporated with this Act.

#### PART II

#### Works

Power to make works.

5. Subject to the provisions of this Act, the Board may in lines or situations shown on the deposited plans and according to the levels shown on the deposited sections, make and maintenance to the works hereinafter described with all necessary works and conveniences connected therewith:—

In Greater London-

In the city of Westminster—

(Railways at Westminster.)

Work No. I A railway (I mile 463 yards in the commencing by a junction with the northbut running tunnel of the Board's Bakerloo Line (Staim branch) railway beneath a point 105 yards westom junction of Boston Place with Melcombe Place; and terminating beneath a point in Wigmore 5 yards north-east of its junction with Maryleby Lane;

Work No. 2 A railway (1,675 yards in length)2.

mencing by a junction with the southbound run.

tunnel of the Board's Bakerloo Line (Stanmore branch) railway beneath a point where the said tunnel passes under Outer Circle, Regents Park and terminating beneath a point in Wigmore Street 5 yards north-east of its junction with Marylebone Lane;

PART II —cont.

- Work No. 3 A railway (2 miles 200 yards in length) commencing by a junction with Works Nos. 1 and 2 at their termination (hereinbefore described) and terminating beneath a point in the Strand 110 yards east of its junction with Montreal Place;
- with St. James's Street and terminating by a junction with Work No. 3 beneath a Green Park with St. James's Street and terminating by a junction with the Board's Piccadilly Line railway at Green Park station beneath a point in Piccadilly 30 yards south-west of its junction with Arlington Street.

### In the London borough of Lewisham—

Work No. 4 A tunnel (220 yards in length) commencing (Tunnel at beneath a point on land adjoining the East London New Cross.)

Line railway 274 yards north-west of the junction of Milton Court Road with Edward Street and terminating beneath a point on the said land 67 yards north-east of the junction of Whitcher Street with Woodpecker Road.

## The royal borough of Kensington and Chelsea—

Work No. 5 A subway (111 yards in length) commencing (Subway at at the ticket hall of the Board's District Line railway South at South Kensington station and terminating by a station.) junction with the station subway of the Board's Piccadilly Line railway at South Kensington station beneath a point in Pelham Street near the main entrance to such station.

## the city of Westminster-

Work No. 6 A subway (127 yards in length) commencing (Subway at beneath a point 50 yards north-east of the junction Pimlico.) of Rampayne Street with Bessborough Street and terminating by a junction with Work No. I authorised by the Act of 1966 beneath a point 67 yards west of the junction of Rampayne Street with Bessborough Street;

Work No. 6A A shaft and subway (32 yards in length) (Shaft and commencing beneath a point in the gardens of subway at Pimlico.)

necessary or convenient.

PART II —cont.

(Tunnel enlargement at Bayswater station.)

Power to deviate.

General provisions as to mode of construction of Works Nos. 1, 2 and 3.

St. George's Square 40 yards south-east of its junction on its south side with Moreton Street and terminating by a junction with Work No. I authorised by a Act of 1966 beneath a point in St. George's Square 55 yards north-west of its junction with Lupus Street.

Work No. 7 An enlargement of the tunnel of the Board's District Line railway commencing at the weetend of the station tunnel of Bayswater station arterminating at a point 4 yards west thereof in the running tunnel of the District Line railway.

7. The following provisions shall apply to the construction of Works Nos. 1, 2 and 3:—

6. In the execution of any, or any part, of the works in

on the deposited plans the Board may deviate from the lines or

situations thereof shown on the deposited plans to the extention

the limits of deviation and may deviate vertically from the leve

shown on the deposited sections to any extent not exceeding

10 feet upwards and to such extent downwards as may be formate

- (1) Work No. 3 shall be constructed in two tunnels to separate up and down traffic except at cross-overs and junctions where it may be constructed in single tunnels of enlarged diameter and Works Nos. I and 2 shall be constructed in single tunnels:
- (2) Works Nos. 1, 2 and 3 shall be approached by meaning stairs, inclines, subways, electric or other lifts we escalators:
- (3) (a) The tunnels of which Works Nos. 1. 2 and 3 will consist (including those for the stations) shall be lined throughout with iron or other sufficient metal plates of with concrete or other suitable material;
- (b) Every permanent shaft shall be constructed either underpinning or by sinking and shall be lined will cast iron, brick, concrete or other equally suitable and durable material;
- (c) The station tunnels of Works Nos. 1, 2 and 3 shallow have an internal diameter exceeding 30 feet, the cross over and junction tunnels shall not have an internal diameter exceeding 40 feet and the tunnels between the stations shall not (except at cross-overs and junctions or where necessary for adjustment at curves or for the exceeding 14 feet and the internal diameter of the shall not exceed 40 feet;

wild) Any space between the lining of the tunnels (including station, cross-over and junction tunnels) and the surrounding soil shall be properly filled up with lime sor cement grouting placed therein under pressure:

Part H -cont.

- 14) If water is found to be present in the works on Works Mos. 1. 2 and 3 in such quantity as to necessitate the employment of compressed air, the Board shall immediately stop all excavating work at the point where the same is so found and the further driving of the tunnels gat the working face at that point until the Board shall Bhave provided air-compressing machinery which will produce such a pressure of air as will prevent the inflow of any sand, water, gravel or soil and such machinery shall be maintained in full working order and the work at such working face carried on under compressed air as long as may be necessary:
- -(5) Except in the case of unforeseen accident or for the purpose of removing rain-water or other trifling amounts of water, no use shall be made of pumping or of other like modes of removing water from the tunnels of Works Nos. 1, 2 and 3 or from the shafts.

Na Subject to the provisions of this Act the Board may—

Power to open surface

for the purpose of constructing Works Nos. 3, 6 and 7 of streets. or some or one of them enter upon, open, break up and interfere with so much of the surface of the following streets in the city of Westminster as is within the limits of deviation:

Stratford Place;

South Molton Street;

Oxford Street;

Davies Street;

Piccadilly;

Strand;

Villiers Street;

Bessborough Street;

Rampayne Street;

Tachbrook Street;

Lupus Street;

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Caroline Place;

Poplar Place; and

for the purpose of providing access to Works Nos. 3 and 6 or either of them make and maintain permanent

Part II *-com.*  openings in the carriageways and footways of some of the following streets in the city of Westminstern is within the limits of deviation:

Oxford Street; Stratford Place; South Molton Street;

Strand;

Bessborough Street.

Temporary stoppage of street.

- 9.—(1) The Board during, and for the purpose of, the execution of Work No. 3 may temporarily stop up and interfere with so much of the street known as Villiers Street in the city of West minster as is within the limits of deviation and may for an reasonable time divert the traffic therefrom and prevent persons, other than those bona fide going to or from any house or building abutting on the said part of the street from passing along and using the same.
- (2) The Board shall provide reasonable access for iou passengers bona fide going to or from any such land, house building.

Incorporation of provisions of Acts of 1963 and 1965 relating to works.

10. The following provisions of the undermentioned Acts and incorporated with, and form part of this Part of, this Act.

The Act of 1963—

Section 7 (Repair of roads where level not permanents altered);

Section 9 (Plans, etc., to be approved by Minister before Work No. 1 commenced):

Section 10 (Provisions as to use of electrical power)

Section II (Compensation for damage by working);

Section 15 (Power to make trial holes); and

Section 16 (Use of sewers, etc., for removing water).

The Act of 1965—

Section 10 (Underpinning of houses near works)

Provided that-

(i) for the purposes of this Act references in the sall sections 9, 10 and 11 of the Act of 1963, as is incorporated, to Work No. 1 authorised by that Ac shall be construed as references to Works Nostrue and 3;

is the expression "river board" where used in the said section 16 of the Act of 1963, as so incorporated, shall mean a river authority established by an order under Part II of the Water Resources Act 1963, and shall 1963 c. 38. include the Conservators of the River Thames and the Lee Conservancy Catchment Board and the definition of "river board" in subsection (5) of the said section 16 shall be construed accordingly; and

Part H --cont.

(iii) for the purposes of the said section 16 of the Act of 1963, as so incorporated, the expression "local authority" 🈰 in section 144 of the Local Government Act 1948 shall 1948 c. 26. be deemed to include the Council.

### Part III

## LANDS

(1) Subject to the provisions of this Act, the Board may acquire land. witer upon, take and use such of the lands delineated on the deposited plans and described in the deposited book of reference they may require for the purposes of the works or for any with or ancillary to their undertaking.

- Without prejudice to the generality of the powers conferred month the Board by subsection (1) of this section, the Board may, biget to the provisions of this Act, enter upon, take and use for purposes specified in column (3) of Schedule 1 to this Act wings any of the lands referred to in columns (1) and (2) of that
- Subject to the provisions of this Act, the Board may enter use and appropriate so much of the subsoil and underifface of any public street, road, footway or place delineated on deposited plans and described in the deposited book or telerence as shall be necessary for the purposes mentioned in required to purchase the same or any easement therein or thereunder or to make \* payment therefor.
- Notwithstanding anything in this Act, the Board may, Power to the purposes of constructing, maintaining, protecting, acquire newing and using the works, enter upon, take and use so encourse with of the subsoil and under-surface of or may acquire such only in sements or rights as they may require in, under or over— certain cases.

(a) any railway, river, canal, navigation, watercourse, aqueduct, drain, dyke or sewer; or

any of the lands described in Schedule 2 to this Act;

Part III

without being obliged or compellable to acquire any greinterest in, under or over the same respectively, and may notice to treat in respect of such entry, taking and using additionary and the acquisition of any such easements or right describing the nature thereof and (subject to the foregoint provisions of this section and to the other provisions of this Act the provisions of the Lands Clauses Acts shall extend and apply in relation to the acquisition of such easements or rights as they were lands within the meaning of those Acts.

- (2) (a) If, in any case where the Board enter upon, take and use the subsoil and under-surface of, or require an easement, right in or under, any of the lands described in the said schedul, they also require to take, use and pull down or open any cell vault, arch or other construction forming part of any such landy they may enter upon, take and use such cellar, vault, archor other construction for the purposes of the works and (subjection the provisions of this Act) the provisions of the Lands Clause Acts shall extend and apply in relation to the purchase thereof as if such cellar, vault, arch or other construction were landed within the meaning of those Acts.
- (b) Section 12 (Acquisition of part only of certain properties) of the Act of 1964, as incorporated with this Act, shall apply the respect of the acquisition by the Board under this subsection of any cellar, vault, arch or other construction as if the same were a part of land to which that section applies.

Subsoil or easements only to be acquired under certain lands.

## 13.—(1) In this section—

- "the specified lands" means the lands referred a Schedule 3 to this Act; and
- "the level of the surface of the specified lands" mean ground surface level or, in the case of a building on the specified lands, means the level of the surface of the sur
- (2) (a) Notwithstanding the provisions of subsection of section II (Power to acquire lands) of this Act, the Board shall not acquire compulsorily under the powers of this Act any part of the specified lands, except as provided in paragraph (h) of this subsection.
- (b) The Board may, within the limits of lateral deviation prescribed by this Act in respect of Works Nos. 1, 2, 3, 3a, 6 and 6a, enter upon, take and use so much of the subsoil and under-surfaction of the specified lands as they may require for the purpose of constructing, maintaining, protecting, renewing and using the works and any necessary works and conveniences connected therewith, or acquire such easements and rights in the subsoil and

ander sufface of the specified lands as they may require for the mer said purposes without in either case being obliged or compellable ioacquire any greater interest in, under or over the specified lands, and may give notice to treat in respect of such entry, taking and ising and the acquisition of such easements or rights describing The mature thereof and (subject to the foregoing provisions of this section and to the other provisions of this Act) the provisions of Resigneds Clauses Acts shall extend and apply in relation to the Constition of such easements or rights as if they were lands within the meaning of those Acts:

Part III · -cont.

Provided that for the purposes of this section the subsoil and while the specified lands shall be deemed not to include such subsoil or undersurface which is within 30 feet of the of the surface of the specified lands.

In determining a question with respect to compensation Disregard of damed in consequence of the compulsory acquisition of land recent inder this Act. the tribunal shall not take into account any improvements interest in land, or any enhancement of the value of any interest and interests. by reason of any building erected, works executed or in in interaction made, whether on the land acquired Won any other land with which the claimant is, or was at the me of the erection, executing or making of the building, works, ment or alteration, directly or indirectly concerned, if the initial is satisfied that the creation of the interest, the erection The building, the execution of the works, or the making of the - Provement or alteration, as the case may be, was not reasonably wessary and was undertaken with a view to obtaining cominsation or increased compensation.

15. (1) The powers of the Board for the compulsory purchase Periods for the lands and easements which they are authorised by this compulsory acquire for the purposes of Works Nos. 1, 2, 3 and 3A shall purchase easezon 31st December 1975.

of lands and easements.

The powers of the Board for the compulsory purchase of Wither lands and easements which they are authorised by this acquire shall cease on 31st December 1972.

The following provisions of the under-mentioned Acts are Incorporation wond with, and form part of this Part of, this Act:— The Act of 1963—

of provisions of Acts of 1963, 1964, 1965 and 1966 relating to lands.

Section 21 (Power to enter for survey or valuation);

Section 26 (Grant of easements by persons under disability); and

Section 28 (As to cellars under streets not referenced).

The Act of 1964

Section 12 (Aequisition of part only of certain properties); Section 14 (Extinction of private rights of way).

PART III —cont.

The Act of 1965—

Section 13 (Correction of errors in deposited plansation book of reference).

The Act of 1966—

Section 13 (As to use of streets for permanent opening).

Section 14 (Power to expedite entry):

Provided that the provisions of the said section 21 of the Act of 1963, as so incorporated, shall have effect as if after the words "acquire" there were inserted the words "or use".

#### PART IV

#### PROTECTIVE PROVISIONS

Incorporation of provisions of Acts of 1963 and 1965.

17. The following provisions of the under-mentioned Acts are incorporated with, and form part of this Part of, this Act.

The Act of 1963—

Section 31 (For protection of Postmaster General)

Section 32 (For further protection of Postmaster General)

Section 42 (For protection of gas, water and electrical undertakers).

The Act of 1965—

Section 25 (As to works within Metropolitan Police District);

Section 27 (For protection of sewers of Greater London Council); and

Section 28 (As to metropolitan roads and roadstraction):

#### Provided that—

- (i) the provisions of the said section 31 of the Act of 1903. as so incorporated, shall have effect as if for the references therein to Work No. 1 authorised by the Action 1963 there were substituted references to Works Nos. 1 and 3;
- (ii) the provisions of the said section 32 of the Act of 1963 as so incorporated, shall have effect as if
  - (a) for the reference therein to section 13 (Temporary stoppage of street) of the Act of 1963 therewere substituted a reference to section 9 (Temporary stoppage of street) of this Act; and
  - (b) for the reference to the street known as Cloan Lane in the City of London there were substituted reference to the street known as Villiers Street in City of Westminster;

as so incorporated, shall have effect as if—

PART IV - cont.

- (a) for the reference to the said works in paragraph (2) thereof there were substituted a reference to the specified works;

  (b) for the reference in paragraph (7) thereof to
- (h) for the reference in paragraph (7) thereof to section II (Incorporation of provisions of Act of 1963 relating to works) there were substituted a reference to section 10 (Incorporation of provisions of Acts of 1963 and 1965 relating to works) of this Act;
- (c) the expression "sewer" included any main used for the conveyance of sewage sludge or sewage elluent:
- (iv) the provisions of the said section 28 of the Act of 1965, as so incorporated, shall have effect as if—
- (a) in paragraph (3) the words "(except in the case of Work No. 1)" were omitted and the words "(except in the case of any permanent opening authorised by this Act and in other cases except with such consent as aforesaid)" substituted therefor; and
- (b) in paragraph (7) the words "for that road" were inserted after the word "loading" and the proviso at the end thereof omitted.
- Orin any manner interfere with any land or hereditaments or lights of whatsoever description belonging to Her Majesty in white Crown and under the management of the Crown without the consent in writing of those limissioners on behalf of Her Majesty first had and obtained sould purpose.
- Except as provided in subsections (3) and (4) of this section this Act shall authorise the Board to take, use or in any substitute for with any land or hereditaments or any rights of solver description—
- without the consent in writing of that Minister on behalf of Her Majesty first had and obtained for that purpose;
  - belonging to a government department or held in trust for Her Majesty for the purposes of a government department without the consent in writing of that government department;

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and the Board shall comply with such conditions as the se Minister or government department may prescribe in giving such consent.

- (3) The Board may enter upon, occupy and use any such land and hereditaments as are referred to in paragraphs (a) and (b) of subsection (2) of this section for the purpose of constructing maintaining, protecting, renewing and using the works in sunder or over the said land or hereditaments within the limits of deviand provided that such occupation by the Board of the said land and hereditaments shall continue only so long as the works constructed in, under or over the said land and hereditaments continue to be used for the purpose of the Board's undertaking for the time being authorised.
- (4) Notwithstanding anything in this section, any land and hereditaments referred to in paragraphs (a) and (b) or section (2) of this section which may be required by the Board for occupation as a temporary working site for the purpose of the works shall be in such position and of such extent as shall be agreed with the Minister of Public Building and Works or government department concerned, as the case may be.
- (5) Nothing in this section shall prejudice or affect any statutory powers of the Board to carry out any works by reason only the such works involve or are likely to involve—
  - (a) the breaking open of a street in relation to which the provisions of Part II of and the Fourth Schedule to Act of 1950 apply; or
  - (b) an alteration in any telegraphic line of the Postmas. General in relation to which paragraphs (1) to (6).

    section 7 of the Telegraph Act 1878 apply.

1878 c. 76.

Saving rights of Duchy of Lancaster.

19. In particular and without prejudice to the general monthing in this Act contained shall extend or operate to authors the Board to take, use, enter upon or in any manner interesting with any land, soil, water or any manorial rights or any off whatsoever description belonging to Her Majestyl right of Her Duchy of Lancaster without the consent in writing of the Chancellor for the time being of the said Duchy first and obtained (which consent may be given either unconditional or subject to such conditions and upon such terms as the said Chancellor shall deem necessary or appropriate) or take the prejudice or diminish any estate, right, privilege, power or authors vested in or enjoyed or exercisable by Her Majesty, Her Heiter Successors in right of Her said Duchy.

For the protection of the Postmaster General the following sisions shall, unless otherwise agreed between the Board Postmaster General, have effect with regard to Works For protection and 3 authorised by this Act (in this section referred to of Postmaster mesaid works ") (that is to say):—

PART IV -cont. General.

Notwithstanding anything shown upon the deposited Iplans and sections or contained in this Act the Board Ishall not enter upon, take or use either permanently or temporarily the underground property without the consent in writing of the Postmaster General:

Provided that nothing in this subsection shall be deemed to prohibit the Board from acquiring the subsoil under or over the underground property for the purposes of constructing, maintaining, protecting, renewing and using or altering the said works or from acquiring such easements and rights in the said subsoil as they may require for the said purposes:

- (2) The Board shall carry out the said works so as not to interfere with the underground property:
- (3) The Board in constructing the said works under or over at or within 100 feet of the underground property (in this section called "the prescribed distance") shall not deviate from the levels shown on the deposited sections without the consent of the engineer of the Postmaster General, which consent shall not be unreasonably withheld:
- The Board shall, not less than twenty-one days before commencing the construction of the said works within the prescribed distance, furnish to the Postmuster General plans, sections and specifications of the work proposed to be carried out by the Board within the Prescribed distance and such plans, sections and specificaations shall be settled and agreed upon between the gengineer of the Board and the engineer of the Postmaster General or, in case of their failing to agree or of any difference arising between them, the same shall be retiled by arbitration and such work shall be carried out only in accordance with the plans, sections and specifica-躔 tions so agreed upon or settled. The Board shall give to " the Postmaster General not less than twenty-one days' notice (except in cases of emergency) before commencing any structural alterations or renewal of the said works within the prescribed distance with a sufficient descrip-Thon of such works. In case of emergency the Board shall give the Postmaster General the longest notice which they can reasonably give having regard to the urgency of the work to be executed and such notice shall

PART IV —cont.

- be accompanied by a sufficient description of the wor proposed to be carried out. All work referred to interest subsection shall be carried out under the supervision (if the same shall be given) and to the reasonal satisfaction of the engineer of the Postmaster General.
- (5) The Board shall at all times maintain the said works far as the same shall be within the prescribed distance substantial repair and good order and condition and and whenever the Board fail so to do the Postmar General may make and do all such works and time on and to the underground property as may be reasonably requisite for the protection thereof in that behave and the reasonable amount of his expenditure in the behalf shall be repaid to him by the Board:
- (6) If it shall at any time appear to the engineersoft. Postmaster General either besore or during there struction or after completion of the said works with the prescribed distance that any further or other work or appliances or measures of precaution are requireeither by way of addition to the underground property or in connection with or in relation to the methods construction of the said works so as to prevent subsiden or injury happening to the underground property of the und to or in consequence of the execution of the said well or any part thereof the Board shall, on being thereum required in writing under the hand of the engineer of the Postmaster General, within the prescribed distin make and carry out at their own expense and according to plans, sections and specifications to be reasonal approved by the said engineer such further works of such measures of precautions, including the use compressed air or the temporary cossation of the construction of the said works or the carrying on construction of the said works without cessation said engineer shall reasonably require. Any difference between the Board and the engineer of the Postman. General arising under this subsection shall be settle by arbitration:
- (7) If during and by the construction of the said work underground property shall be injured or damage. Postmaster General may forthwith make good injury or damage and execute such protective elsewhere than on the property of the Board assumengineer of the Postmaster General shall reason consider necessary for ensuring the safety of the ground property and the expense properly incurred the Postmaster General in so doing shall be reported the Board to the Postmaster General:

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The Board shall not in making and maintaining the said works in any manner obstruct, hinder or interfere with the free, uninterrupted and safe user of the underground property or any traffic on the railway referred to in subsection (15) of this section (hereinafter in this section referred to as "the said railway"):

PART IV —cont.

- (9) The Board shall, during the construction of any part of the said works which shall come within the prescribed distance, bear and on demand pay to the Postmaster General the reasonable expense of the employment by the Postmaster General of a sufficient number of inspectors and watchmen to be appointed by him for inspecting and watching the underground property with reference to and during such construction and for preventing as far as may be all interference, obstruction, danger or accident from any of the operations of the Board or from the acts or defaults of their contractors or of any person or persons in their employ or otherwise:
- (10) Notwithstanding anything in this Act the Board shall be responsible for and make good to the Postmaster General all costs, losses, damages, charges and expenses which may be occasioned to the Postmaster General or to the underground property or to the traffic on the said railway or otherwise by the construction or failure of the said works or of any act or omission of the Board or of any person in their employ or of their contractors or others and the Board shall effectually indemnify and hold harmless the Postmaster General from all claims and demands upon or against him by reason of such construction or failure or of any such act or omission:

(II) The Board shall from time to time repay to the Postmaster General any additional expense to which the Postmaster General may be put in maintaining the underground property by reason or in consequence of the construction of the said work:

The Board shall so construct and maintain their electric circuits and other works of all descriptions and shall so work the railways comprised in the said works as to prevent any injurious interference by induction or otherwise with the electric circuits from time to time used or to be used on the said railway or with the currents in such circuits:

Provided that at the expiration of two years from the completion of the said works the provisions of this section shall not operate to give any right to claim in respect of injurious interference with any electric wires, lines or apparatus used for working the said railway

PART IV —cont.

- or the currents therein unless in the construction erection, maintaining and working of such wires, line and apparatus all reasonable and proper precautions have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents:
- (13) The Board shall not by reason of the powers conferr by this Act either directly or indirectly oppose the granting of parliamentary powers to the Postmaster General for the alteration or extension of the said railway except for the purpose of obtaining protective clauses.
- (14) Any difference which may arise from time to time under the provisions of this section between the Board and the Postmaster General shall be settled by arbitration.
- (15) In this section "the underground property" means the railway of the Postmaster General authorised by the Post Office (London) Railway Act 1913, the works of property of the Postmaster General connected therewill the existing deep level underground works of the Postmaster General in the vicinity of the said work and the works or property of the Postmaster General connected with the said deep level underground works.

1913 c. cxvi.

For protection of British Railways Board and British Transport Hotels Limited.

21. The following provisions for the protection of the British Railways Board (in this section referred to as "the railways board") and British Transport Hotels Limited (in this section referred to as "the company") shall, unless otherwise agreed writing between the Board and the railways board and company, apply and have effect:—

(1) The Board shall not enter upon, take or use the surface of any of the lands numbered on the deposited plans of and 733 in the city of Westminster and belonging leased to the railways board or the company except connection with—

(a) stairwell entrances;

(b) temporary occupation on reasonable notice to the railways board and the company as working as for a limited period, such occupation to be accordance with stages to be agreed with the railway board and the company and subject to such reasonable conditions as to times of working as may be required by the railways board and the company and in the event of any disagreement regarding staging to conditions the matter shall be settled by arbitration in provided in this section; and

(c) one ventilator shaft if the necessity therefore railway or hotel property be shown to be essentially

In this section—

PART IV —cont.

railways board and any works connected therewith for the maintenance or operation of which the railways board are responsible and includes in particular the lands numbered on the deposited plans 732 and 733 in the city of Westminster;

"hotel property" means so much of the lands numbered on the deposited plans 733 in the city of Westminster as are leased by the company;

by this Act as may be situated upon, across, under or over or may in any way affect railway property or hotel property and includes the construction and reconstruction of such works;

"the engineer" means an engineer to be appointed by the railways board;

"plans" includes sections, drawings and particulars:

(3) The provisions of paragraphs (3) to (14) inclusive of section 41 (For protection of British Railways Board) of the Act of 1963 shall extend and apply for the protection of the railways board and the company in relation to the works as if those provisions were with any necessary modifications re-enacted in this section and as if—

- (a) for the references therein to "the works" there were substituted references to "the works" as defined by paragraph (2) of this section and as if that expression included the maintenance and repair of the works for the purposes of the application of paragraphs (7), (11) and (13) of the said section 41;
- (h) for the references therein to "railway property" there were substituted references to "railway or hotel property";
- (c) for the reference therein to the Act of 1963 there were substituted a reference to this Act;
- (d) for the reference therein to section 15 (Power to make trial holes) of the Act of 1963 there were substituted a reference to that section as incorporated by section 10 (Incorporation of provisions of Acts of 1963 and 1965 relating to works) of this Act:

Any difference which shall arise between the Board and the railways board, or the Board and the company, or the Board and the railways board and the company to the than a difference as to the meaning or construction of this section) shall, on the application of any of the

PART IV --cont.

parties after notice in writing to the other officine (as the case may be), be settled by a single arbitrator. be appointed by agreement between the parties failing agreement by the President of the Institutions... Civil Engineers and such arbitrator shall decident issue taking into account not only any engineering requirement or matter but as well the operational requirements of the parties in dispute.

1859 c. lxxxi.

1900 c. cclvi.

(5) It shall be lawful for the Board on the one hand and the railways board and the company or the railways boar alone on the other hand, notwithstanding the provision of section XCVI (Company to form area in fronting Station) of the Charing Cross Railway Act 1859 and Men sections 20 (Provisions for widening the Strand) 21 (For protection of the Commissioners of Woods Forests) of the South Eastern and London Chathana Dover Railway Companies Act 1900, to enter into and carry into effect agreements for the use by the Board as a temporary working site for the purposes of the construction of the works of the whole or part of sometiments of the open paved forecourt or area in front of Charin Cross railway station as lies within the limits of deviation of lands to be acquired by the Board under this Act and no temporary structures or erections which the Board may find it necessary or expedient to place on the said lands for the purposes of the construction of works shall be deemed to be buildings within the works are shall be deemed to be buildings within the same of the buildings within the same of the buildings within the buildings meaning of the said enactments.

For protection Corporation.

22. For the protection of the lord mayor, aldermen and citizen of Westminster of the city of Westminster (in this section referred to as will corporation") the following provisions shall, unless otherwise agreed in writing between the Board and the corporation application application application and the corporation application applic and have effect:--

(1) (a) In this section—

"highway" means a highway vested in or repair or maintained by the corporation other than a high which is for the time being a metropolitan road of highway for which. under the London Government Act 1963, the Minister is the highway authority.

"sewer" means a sewer vested in or undergue jurisdiction or control of the corporation:

1963 c. 33.

- (b) The works to which this section applies are Work Nos. 1, 2, 3, 3A, 6, 6A and 7 and the works and conveniences connected therewith authorised by this
- (2) Wherever in this section provision is made with rest. to the consent of the corporation such consent shall be in writing and may be given under the hand of

town clerk subject to such reasonable terms and conditions as the corporation may require, but shall not be inreasonably withheld:

PART IV —cont.

Before commencing to construct any part of the works to which this section applies which will involve interference with a highway the Board shall consult the corporation as to the time when such part shall be commenced, and as to the extent of the surface of the highway which it may be reasonably necessary for the Board to occupy in the construction of such part, and as to the conditions under which such part shall be constructed so as to reduce so far as possible inconvenience to the public and to ensure the safety of the public, and such part shall not be constructed and the surface of the highway shall not be occupied by the Board except at the time, to the extent and in accordance with conditions agreed between the Board and the corporation or, in default of agreement, settled by arbitration:

Provided that any condition agreed or settled under this paragraph shall not conflict with any condition laid down by the Council in regard to traffic management:

Descept as by this Act expressly authorised or with the consent of the corporation, the Board shall not open or make any permanent openings or any ventilators, air shafts or other similar openings in, or erect or construct any structure or crection above, the surface, carriageway or footway of any highway:

(5) It shall be lawful for the engineer or surveyor or other officer of the corporation duly appointed for the purpose at all reasonable times to enter upon and inspect any part of the works to which this section applies in, under or affecting any highway or which may affect any property of the corporation during the execution thereof, and the Board shall give to such engineer or surveyor or officer all reasonable facilities for such inspection, and if he shall be of opinion that the construction of such works is attended with danger to any highway or to any sanitary convenience, refuge, sewer, drain, lamp column, traffic sign and apparatus connected therewith or work belonging to or under the jurisdiction or control of the corporation the Board shall adopt such measures and precautions as may be reasonably necessary for the purpose of preventing any damage or injury thereto:

In the construction of any part of the works to which this section applies under a highway, or in relation to the provision or diversion of statutory undertakers' mains or services as a consequence of the said works, no part of the said works or of the said works or services shall

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PART IV ---cont.

(except with the consent of the corporation) be constructed as to interfere with the provision of proper means of drainage of the surface of any highway:

2 feet 6 inches to the surface of any highway:

- (7) The works to which this section applies, so far as involve any serious interference with the movement traffic in any highway, shall after the commencement thereof be carried on as expeditiously as reasonably practicable and the Board shall take all such stepsial may be reasonably necessary to reduce as far as possibly the period of such interference:
- (8) Nothing in this Act shall extend to prejudice diministrate alter or take away any of the rights, powers or authority vested, or to be vested, in the corporation in relation we sewers but all such rights, powers and authorities shall be as valid and effectual as if this Act had not passed:
- (9) At least fourteen days before commencing any vertice borings from the surface of any part of any higher the Board shall serve notice in writing on the corporation of their intention to commence the same, and notice shall describe the place or places at which borings are intended to be made, and if within fourteen days after the receipt of such notice any objection made by the corporation the matter shall (unless other wise agreed) be settled by arbitration before the born is commenced, but if no such objection is made said borings may be proceeded with:
- which this section applies as is constructed under or as to affect any highway shall be designed, constructed and maintained so as to carry the maximum loading recommended by the Minister for highway bridges at the time of the construction of such works and the Board shall indemnify the corporation against, and have good to the corporation, all expenses which the corporation may reasonably incur or be put to in the maintenance or repair of any highway or any tunnels, sewers, drain or apparatus therein by reason of any non-compliance by the Board with the provisions of this paragraph.
- (11) The Board shall not alter, disturb or in any interfere with any sanitary convenience, refuge, or drain, lamp column, traffic sign or apparatus connected therewith or other property or work of the corporation or under the control of or repairable by the corporation or the access thereto, without the consent of corporation and any alteration, diversion, replaced.

reconstruction of any such sanitary convenience, Fresuge, sewer, drain, lamp column, trassic sign or apparatus connected therewith or other property or work which may be necessary shall be made by the Ecorporation or the Board, as the corporation shall athink fit, and any costs and expenses reasonably incurred By the corporation in so doing shall be repaid to the corporation by the Board:

The Board shall not remove any soil or material from 鑑any highway except such as must be excavated in the carrying out of the works to which this section applies:

(13) If any extra expense be reasonably incurred by the corporation for the repair of any highway by reason of athe diversion thereto of traffic from a road of a higher elassification in consequence of the making or construction of the works to which this section applies, the Board shall repay the amount of such reasonable sexpense to the corporation:

Provided that prior notice of the diversion has been given to the Board:

\*(14) The Board shall not, except with the consent of the corporation, deposit any soil, subsoil or materials or stand any vehicle or plant on any highway so as to sobstruct the use of such highway by any person or, except with the like consent, deposit any soil, subsoil or materials on any such highway except within a hoarding:

ন্মুহ্য) All reasonable costs, charges and expenses incurred by the corporation in removing any soil deposited on any highway in contravention of this section shall be a debt due to the corporation and shall be paid by the Board to the corporation:

[6] Where any part of any highway shall have been temporarily broken up or disturbed by the Board the

Board shall make good the subsoil, foundations and surface of such part of the highway to the reasonable satisfaction of the corporation:

Provided that the reinstatement of such part of the highway shall in the first instance be of a temporary nature only and the permanent reinstatement thereof shall be carried out by the corporation as soon as practicable after the completion of the temporary reinstatement and the reasonable cost incurred by the corporation in so doing shall be repaid by the Board to the corporation: the corporation:

1(17) It shall not be lawful for the Board to place any hoardings on any part of the highway except for such period as may be necessary and then only in such manner as shall

PART IV --cont.

PART IV ---con1. 1959 c. 25

be reasonably necessary and the provisions ... Highways Act 1959 relating to hoardings shall apply to any hoarding erected on any part of any highway and for the purposes of the application of section 147 of the sai Act of 1959 any such hoarding shall be deemed to have been erected in compliance with subsection (1) of the section:

- (18) The Board shall make compensation to the corporation for any subsidence of, or damage to, any highway any sanitary convenience, refuge, sewer, drain, lar column, traffic sign and apparatus connected therewith or other property or work of the corporation. of the corporation. their control or repairable by them, which may caused by, or in conseugence of, any act or defaultion the Board, their contractors, servants or agents and whether such subsidence or damage shall happen during the construction of the works to which this section applies or at any time thereafter:
- (19) Within three months after the completion of any of the works to which this section applies in a highway, or such longer period as the corporation may agree, the Boar shall remove or, to the reasonable satisfaction of corporation, demolish or otherwise dispose of temporary buildings and structures erected for the purposes of, or in connection with the construction that work and shall remove all surplus materials plant machinery and appliances provided or approve connection therewith and shall so far as is reasonable practicable to the like satisfaction restore and make good the surface of the ground on which any temporary buildings and structures or any surplus materials, plant machinery and appliances as aforesaid have been placed or which may have been occupied for the purpose of or in connection with that work:
- (20) As soon as reasonably practicable after the completion of any part of the works to which this section appears in or under a highway, the Board shall furnished corporation with a plan and section showing the positions and level of such part of the works as constructed?
- (21) Any difference arising between the Board and the corporation under this section shall be settled b arbitration.

#### PART V

#### MISCELLANEOUS

23.—(1) The period now limited by the Act of 1966 for the compulsory purchase of the lands authorised to be acquired by Extension of time.

河河 (Power to acquire lands) of the Act of 1963 for the wirposes of Work No. 4 authorised by Part II (Works) of the " of 1963 is hereby extended until 31st December 1972.

PART V -cont.

- Minthis section the word "lands" includes any easements This in under or over land authorised to be acquired by -- Act of 1963.

In its application to the Board pursuant to the provisions Powers of wartell of the Second Schedule to the Transport Act 1962, police as to issection (3) of section 54 (Powers of police as to search and The British Transport Commission Act 1949, as amended ection 23 (Amendment of section 54 of British Transport 1902 c. 40. rommission Act 1949) of the Act of 1964, shall have effect as if words "one thousand nine hundred and seventy-four" were fitted for the words "one thousand nine hundred and iiv nine

search and arrest.

(1) The Board may make byclaws regulating the use and Byclaws for regiation of road transport garages, depots, bus stations, shelters road transport ill other road transport premises now or hereafter belonging to, premises. The or worked by the Board and the approaches thereto wifeafter in this section called "the premises") and the conduct Willipersons (including officers and servants of the Board) while withe premises, and in particular byclaws---

- (a) for preventing obstruction of or interference with the working of the premises;
- for prohibiting or restricting access to any part of the premises;

  (i) for requiring any part

  - for requiring any person, if so requested by a constable, to leave the premises or any particular part thereof.

Any byelaws made under this section may provide that any and contravening them shall be liable on summary conviction fine not exceeding twenty-five pounds for each offence

Without prejudice to the taking of proceedings under the fiforegoing subsection, if the contravention of any byelaw effect under this section is attended with danger or annoythe public or hindrance to the Board in the lawful use the premises, it shall be lawful for the Board summarily to be to obviate or remove the danger, annoyance or

The provisions of subsections (5) to (12) of section 67 of Act of 1962 shall apply to any byelaws made by the Board PART V — cont.

- (5) A constable may without warrant arrest a person within premises—
  - (a) if he has reasonable cause to believe that such personable cause to believe that such personable cause to believe that such person has contravened any byelaws made under this section and he does not know and cannot ascertain the narrand address of that person; or
  - (b) if such person, in contravention of any byelaw under this section, fails or refuses to leave the premis or any particular part thereof after being requested by constable to do so.

1938 c. xcii.

(6) Section 61 (Byelaws) of the London Passenger Transport Act 1938 is hereby repealed, but nothing in this subsection shall affect any regulation or byelaw in force at the passing of the Act, and any such regulation or byelaw may be repealed by byelaws made under this section.

As to London Transport Pension Fund.

- 26.—(1) In this section—
  - "the fund" means the London Transport Pension Fundas constituted by the Board in accordance with the terms of an interim trust deed dated 9th December 1966;
- (2) The fund shall be deemed not to be, and never to have been, a shop club or thrift fund as defined by section 7 of the Shop Clubs Act 1902.

1902 c. 21.

Transfer of statutory functions— Metropolitan (Hammer-smith and City) Line.

- 27.—(1) In this section—
  - "the railways board" means the British Railways Board
  - "function" has the same meaning as in subsection (1) section 92 of the Act of 1962;
  - "the railway" means so much of the railway of the railway board situate in the city of Westminster as for connection between Paddington (Suburban) and Westminster as for bourne Park stations for the purposes of the Matrix politan (Hammersmith and City) Line railway of Board;
  - "railway system" means the railways and railway premise of the Board;
  - "statutory provision" has the same meaning as in section (1) of section 92 of the Act of 1962.
- (2) During the continuance of any agreement made between the railways board and the Board for the exclusive use working of the railway by the Board—
  - (a) the functions of the British Transport Commission and any statutory provision relating to the railway which were transferred to the railways board under on the railways board under the rail

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railway be treated as functions of the Board; and Thany statutory provision of general application to the railway system shall apply to the railway as if it Repeal of constituted part of the railway system.

Part V -cont.

Section 62 (For protection of Eton College) of the Charing Hampstead gross Euston and Hampstead Railway Act 1902 is hereby renealed

section 62 of Charing Cross, Euston and Railway Act

1902 c. celvi.

The provisions of the Town and Country Planning Acts Saving for 1968 and any restrictions or powers thereby imposed or town and country miterred, in relation to land, shall apply and may be exercised in planning. - auton to any land notwithstanding that the development thereof may be, authorised or regulated by or under this Act.

1902.

Where under this Act any difference (other than a difference Arbitration. www.ich the provisions of the Lands Clauses Acts, as applied Whis Act, apply) is to be referred to or settled by arbitration, will be reserved times otherwise provided, such disserence shall be reserred wand settled by a single arbitrator to be agreed between the files or failing agreement, to be appointed, on the application wither party (after notice in writing to the other), by the President Institution of Civil Engineers.

All costs, charges and expenses of and incident to the Costs of Act. reparing for, obtaining and passing of this Act, or otherwise irelation thereto, shall be paid by the Board and may in whole part be defrayed out of revenue.

## SCHEDULES

#### SCHEDULE 1

LANDS REFERRED TO IN SUBSECTION (2) OF SECTION 11 (POWER TO ACQU Section 11. LANDS) OF THIS ACT

Area	No. on deposited plans	Purposes for which the limay be acquired or used.	
(1)	(2)	(3)	
City of Westminster	846	For the extension above below ground and improve ment of the existing Bakerlo Line ventilation shaft the purposes of Work Nove	
London borough of Lewisham	2	For the constructions of temporary access road Work No. 4.	

#### SCHEDULE 2

#### Section 12.

DESCRIBING LANDS IN RESPECT OF WHICH SUBSOIL OR MAY BE TAKEN AS PROVIDED BY SECTION 12 (POWER TO ACQUIREST OR EASEMENTS ONLY IN CERTAIN CASES) OF THIS ACT

		·
Aica	No. on deposited plans	
(1)	(2)	
Works N	Vos. 1, 2 AND 3	
City of Westminster	45, 95, 98, 323, 325, 340, 341, 3 359, 364, 380, 382, 384, 385, 3 392, 494, 498 to 500, 590 to 611, 708, 718D, 731 to 733, 784.	,
Work	No. 4	
London borough of Lewisham		AVIONED TO C
Work	No. 5	
Royal borough of Kensington and Chelsea	1, 3 to 5.	
Works No.	A DESCRIPTION OF THE PROPERTY	
City of Westminster	802, 808, 809, 820 to 836, 838.	FACTORY)

Sch. 2 No. on deposited plans -cont. Area (1)Work No. 7 \$40 to 842, 844, 845. City of Westminster ADDITIONAL LAND AT MARYLEBONE 846. City of Westminster SCHEDULE 3 ENDS REFERRED TO IN SECTION 13 (SUBSOIL OR EASEMENTS ONLY TO BE Section 13. ACQUIRED UNDER CERTAIN LANDS) No. on deposited plans Area (1)Works Nos. 1, 2 and 3 **EWestminster** 2, 3, 6, 8 to 12, 14 to 18, 20, 22, 23, 25, 26, 28, 30 to 44, 46 to 77, 77A, 778, 78 to 54, 97, 100, 103 to 108. 110 to 119, 121 to 128, 130 to 154, 156 to 189, 191 to 193, 195 to 209, 211 to 221, 223 to 225, 227 to 262, 265 to 286, 288 to 313, 316 to 322, 324, 329 to 335, 337, 339, 342 to 349, 351 to 356, 360 to 363, 366 to 378, 386 to 389, 393 to 399, 401, 403 to 419, 421 to 440, 442 to 450, 452 to 4.59, 461 to 467, 469 to 483, 485 to 493, 495 to 497, 501, 504 to 517, 519 to 521, 523 to 544, 549 to 583, 585 to 588, 593 to 596, 599 to 605, 607, 608, 610, 612 to 625, 627 to 635, 638 to 644, 646 to 655, 658, 660 to 662, 664 to 667, 669 to 678, 689 to 685, 687 to 698, 700 to 707, 709 to 712, 714 to 716, 718, 719, 722 (o 724, 727, 729, 764, 765, 767, 769, 771, 772, 783, 78*5*. WORK No. 3A wwofeWestminster 786, 787, 789, 790, 792 to 794, 796 to 799. WORKS NOS. 6 AND 6A

NENGLAND BY THE SOLICITORS' LAW STATIONERY SOCIETY, LTD., FOR HARRY PITCHFORTH

803 to 807, 810 to 815.

Miroller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

lestminster.