

London Transport Act 1971

CHAPTER xl

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ELIZABETH II



1971 CHAPTER xl

An Act to empower the London Transport Executive to construct works and to acquire lands; to extend the time for the compulsory purchase of certain lands; to confer further powers on the Executive and London Country Bus Services Limited; and for other purposes.
[27th July 1971]

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

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

And whereas by the Transport (London) Act 1969 (hereinafter referred to as "the London Act") the London Transport Executive (in this Act referred to as "the Executive") were established: 1969 c. 35.

And whereas it is the general duty of the Executive under the London Act to exercise and perform their functions, in accordance with principles from time to time laid down or approved by the Greater London Council, in such manner as, in conjunction with the British Railways Board and the National Bus Company, and with due regard to efficiency, economy and safety of operation,

to provide or secure the provision of such public passenger transport services as best meet the needs for the time being of Greater London:

And whereas under section 16 of the London Act all the property, rights and liabilities of the Board were on 1st January, 1970, transferred to and vested in the Executive except the property, rights and liabilities specified in subsection (2) of the said section 16 which on the said date were transferred to and vested in London Country Bus Services Limited (in this Act referred to as "the Company") being the wholly-owned subsidiary of the National Bus Company designated for the purpose:

And whereas under section 17 of the London Act the statutory functions of the Board were, to the extent provided by that section, transferred on 1st January, 1970, to the Executive and to the Company:

And whereas on 1st January, 1970, the Board ceased to exist:

And whereas it is provided by section 6 of the London Act that, if any action had been taken by the Board for the purpose of promoting a Bill in Parliament in pursuance of the powers conferred by, and with the consent of the Minister of Transport under, section 17 of the Transport Act 1962, the Executive might proceed with the promotion of that Bill as if that action had been taken by them in pursuance of the powers conferred by, and with the consent of the Greater London Council under, the said section 17 as applied to the Executive:

1962 c. 46.

And whereas the Board in November, 1969, deposited the Bill for this Act in Parliament and the Executive have, pursuant to section 6 of the London Act, proceeded with the promotion of the Bill:

And whereas it is expedient that the Executive should be empowered to construct the works authorised by this Act and to acquire the lands referred to in this Act:

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

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

And whereas plans and sections showing the lines or situations and levels of the works to be constructed under the powers of this Act, and plans of the lands authorised to be acquired or used by this Act, and a book of reference to such plans containing the

names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands, were duly deposited in the office of the Clerk of the Parliaments and in the Private Bill 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 reference:

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 assembled, and by the authority of the same, as follows:—

PART I

PRELIMINARY

1. This Act may be cited as the London Transport Act 1971. Short title.

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

Division of
Act into
Parts.

Part I.—Preliminary.

Part II.—Works.

Part III.—Lands.

Part IV.—Protective provisions.

Part V.—Miscellaneous.

3.—(1) In this Act, unless there be something in the subject or context repugnant to such construction, the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have in relation to the relative subject-matter the same respective meanings and—

Interpretation.

“ the Act of 1845 ” means the Railways Clauses Consolidation Act 1845; 1845 c. 20.

“ the Act of 1863 ” means the Railways Clauses Act 1863; 1863 c. 92.

“ the Act of 1950 ” means the Public Utilities Street Works Act 1950; 1950 c. 39.

“ the Act of 1961 ” means the British Transport Commission Act 1961; 1961 c. xxxvi.

“ the Act of 1962 ” means the Transport Act 1962; 1962 c. 46.

“ the Act of 1963 ” means the London Transport Act 1963; 1963 c. xxiv.

“ the Act of 1964 ” means the London Transport Act 1964; 1964 c. xxvi.

“ the Act of 1965 ” means the London Transport Act 1965; 1965 c. xli.

PART I

—cont.

1966 c. xxxiii.

1967 c. xxxix.

1969 c. 1.

- “ the Act of 1966 ” means the London Transport Act 1966;
 “ the Act of 1967 ” means the London Transport Act 1967;
 “ the Act of 1969 ” means the London Transport Act 1969;
 “ the Board ” means the former London Transport Board established under the Act of 1962;
 “ the Company ” means London Country Bus Services Limited;
 “ the Council ” means the Greater London Council;
 “ enactment ” includes any public general, local or private Act and any order or other instrument having the force of an Act;
 “ the Executive ” means the London Transport Executive;
 “ 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 to the Board in any of the provisions incorporated with this Act under section 11 (Incorporation of provisions of Acts of 1963, 1965 and 1969 relating to works), section 18 (Incorporation of provisions of Acts of 1963, 1964, 1965, 1966 and 1969 relating to lands) and section 19 (Incorporation of protective provisions of Acts of 1963, 1965 and 1969) of this Act shall be construed as a reference to the Executive.

(3) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment, including this Act.

(4) All distances and lengths stated in any description of works, powers or lands, shall be construed as if the words “ or thereabouts ” were inserted after each such distance and length and distances between points on a railway shall be taken to be measured along the railway.

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

**Incorporation
of general
Acts.**

4. The following Acts and Parts of Acts, so far as the same are applicable for the purposes and are not inconsistent with or varied by the provisions of this Act, are incorporated with and form part of this Act, and this Act shall be deemed to be the special Act for the purposes of the said incorporated enactments:—

- (a) the Lands Clauses Acts, except sections 127 to 133 of the Lands Clauses Consolidation Act 1845;

1845 c. 18.

(b) the Act of 1845, except sections 7, 8, 9, 11, 12, 13, 19, 20, 22 and 23 thereof; and

(c) Part I (relating to construction of a railway) and Part II (relating to extension of time) of the Act of 1863:

Provided that—

(i) for the purposes of the provisions of the Act of 1845 and the Act of 1863, as incorporated with this Act—

(A) the expression “the company” where used in the said incorporated provisions means the Executive;

(B) Works Nos. 2 and 3 shall be deemed to be railways authorised by the special Act;

(ii) the provisions of sections 18 and 21 of the Act of 1845, as incorporated with this Act, shall not extend to regulate the relations between the Executive and any other person in respect of any matter or thing concerning which those relations are regulated in any respect—

(A) by the provisions of Part II of the Act of 1950; or

(B) by the provisions of section 42 (For protection of gas, water and electricity undertakers) of the Act of 1963, as incorporated with this Act.

PART II

WORKS

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

Power to make works.

In Greater London—

In the cities of Westminster and London and in the London borough of Tower Hamlets—

Work No. 1 A railway (2 miles 150 yards in length) commencing in the city of Westminster beneath a point in the Strand 40 yards south-west of its junction with Melbourne Place by a junction with the termination of Work No. 3 authorised by the Act of 1969 and terminating in the London borough of Tower Hamlets beneath a point 40 yards north-east of the junction of Cartwright Street and Darby Street.

(Railway—Strand to Fenchurch Street).

In the Royal borough of Kensington and Chelsea—

Work No. 2 A subway (105 yards in length) commencing in the property numbered 122-124 Gloucester Road and numbered on the deposited plans 11 in the Royal borough of Kensington and Chelsea

(Subway at Gloucester Road station).

PART II
—cont.

and terminating by a junction with the station tunnels of the Executive's Piccadilly Line railway at Gloucester Road station.

In the London borough of Islington—

(Ventilation subway at Archway station).

Work No. 3 A ventilation subway (46 yards in length) commencing by a junction with the existing disused lift shaft at Archway station of the Executive's Northern Line railway and terminating by a junction with the northbound station tunnel of the said station.

Power to open surface of streets.

6. Subject to the provisions of this Act the Executive may—
- (a) for the purpose of constructing Work No. 1 enter upon, open, break up and interfere with so much of the surface of the following streets as is within the limits of deviation:—

In the city of Westminster—

Strand;
Aldwych;
Arundel Street;

In the city of London—

Cannon Street;
King William Street;
Bush Lane;

- (b) for the purpose of providing access to Work No. 1 make and maintain permanent openings in the carriage-ways and footways of so much of the streets known as Strand and Aldwych in the city of Westminster as is within the limits of deviation.

Temporary stoppage of streets.

7.—(1) The Executive during, and for the purpose of, the execution of Work No. 1 may temporarily stop up and interfere with so much of the street known as Bush Lane in the city of London as is within the limits of deviation and may for any reasonable time divert the traffic therefrom and prevent all persons, other than those bona fide going to or from any land, house or building abutting on the said part of the street from passing along and using the same.

(2) The Executive shall provide reasonable access for foot-passengers bona fide going to or from any such land, house or building.

Stopping up of passageway and road.

8. Subject to the provisions of this Act the Executive may stop up and discontinue the passageway and road hereinafter mentioned:—

In Greater London—

(a) In the city of London—

the passageway known as Bride Court and numbered 72 on the deposited plans;

(b) In the Royal borough of Kensington and Chelsea—
the road known as Lenthall Place and numbered 5 on the deposited plans.

PART II
—cont.

9.—(1) Where this Act authorises the stopping up of a road or passageway or portion thereof without providing a substitute, such stopping up shall not take place until the Executive are the owners in possession of all lands abutting on both sides of such road or passageway or portion thereof along the complete length to be stopped up except so far as the owners, lessees and occupiers of those lands may otherwise agree.

Stopping up roads and passageways without providing substitute.

(2) After such stopping up all rights of way over or along the road or passageway or portion thereof authorised to be stopped up shall be extinguished and the Executive may, subject to the provisions of the Act of 1845 with respect to mines lying under or near the railway, appropriate without making any payment therefor and use for the purposes of their undertaking the site of the road or passageway or portion thereof so stopped up.

(3) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Executive compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

10.—(1) Nothing in this Act shall authorise the Executive to construct so much of Work No. 1 and any work or convenience connected therewith as is within the prescribed area (as defined in the City of London (St. Paul's Cathedral Preservation) Act 1935) except under and in accordance with the provisions of that Act.

Saving for City of London (St. Paul's Cathedral Preservation) Act 1935.

(2) Section 14 (Saving for London Passenger Transport Board) of the said Act of 1935 shall not apply to the construction of Work No. 1 or any work or convenience connected therewith.

1935 c. lii.

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

Incorporation of provisions of Acts of 1963, 1965 and 1969 relating to works.

The Act of 1963—

- Section 7 (Repair of roads where level not permanently altered);
- Section 8 (General provisions as to mode of construction of Work No. 1);
- Section 9 (Plans, etc., to be approved by Minister before Work No. 1 commenced);
- Section 10 (Provisions as to use of electrical power);
- Section 11 (Compensation for damage by working);
- Section 15 (Power to make trial holes); and
- Section 16 (Use of sewers, etc., for removing water).

PART II
—cont.

The Act of 1965—

Section 10 (Underpinning of houses near works).

The Act of 1969—

Section 6 (Power to deviate):

Provided that—

- (i) for the purposes of this Act references in the said sections 8, 9, 10 and 11 of the Act of 1963, as so incorporated, to Work No. 1 authorised by that Act shall be construed as references to Work No. 1 authorised by this Act and for the word “fourteen” where used in paragraph (3) (c) of the said section 8 of the Act of 1963, as so incorporated, the word “fifteen” shall be substituted;
- (ii) 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 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
- (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 be deemed to include the Council.

1953 c. 38.

1948 c. 26.

PART III

LANDS

Power to
acquire
lands.

12.—(1) Subject to the provisions of this Act, the Executive may enter upon, take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of the works or for any purpose connected with or ancillary to their undertaking.

(2) Subject to the provisions of this Act, the Executive may enter upon, use and appropriate so much of the subsoil and under-surface of any public street, road, footway or place delineated on the deposited plans and described in the deposited book of reference as shall be necessary for the purposes mentioned in subsection (1) of this section without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

(3) The Executive shall not under the powers of this Act acquire compulsorily any interest of Underwoods (Cash Chemists)

Limited or of Harold Woolf, Brian Philip Kerner and Joseph Shapiro in the lands delineated on the deposited plans and described in the deposited book of reference and therein numbered 11 in the royal borough of Kensington and Chelsea.

PART III
—cont.

13.—(1) Notwithstanding anything in this Act, the Executive may, for the purposes of constructing, maintaining, protecting, renewing and using the works, enter upon, take and use so much of the subsoil and under-surface of or may acquire such easements or rights as they may require in, under or over—

Power to acquire subsoil or easements only in certain cases.

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

(b) any of the lands described in Schedule 1 to this Act;

without being obliged or compellable to acquire any greater interest in, under or over the same respectively, and may give notice to treat in respect of such entry, taking and using and, in respect of the acquisition of any such easements or rights, describing the nature thereof and (subject to the foregoing 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 if they were lands within the meaning of those Acts.

(2) (a) If, in any case where the Executive enter upon, take and use the subsoil and under-surface of, or require an easement or right in or under, any of the lands described in the said schedule, they also require to take, use and pull down or open any cellar, vault, arch or other construction forming part of any such lands, they may enter upon, take and use such cellar, vault, arch or other construction for the purposes of the works and (subject to the provisions of this Act) the provisions of the Lands Clauses Acts shall extend and apply in relation to the purchase thereof as if such cellar, vault, arch or other construction were lands 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 in respect of the acquisition by the Executive 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.

14.—(1) In this section—

“the specified lands” means the lands referred to in Schedule 2 to this Act; and

“the level of the surface of the specified lands” means ground surface level or, in the case of a building on the specified lands, means the level of the surface of the ground adjoining the building.

Subsoil or easements only to be acquired under certain lands.

PART III
—cont.

(2) (a) Notwithstanding the provisions of subsection (1) of section 12 (Power to acquire lands) of this Act, the Executive shall not acquire compulsorily under the powers of this Act any part of the specified lands, except as provided in paragraph (b) of this subsection.

(b) The Executive may, within the limits of lateral deviation prescribed by this Act in respect of Works Nos. 1, 2 and 3, enter upon, take and use so much of the subsoil and under-surface of the specified lands as they may require for the purpose of constructing, maintaining, protecting, renewing and using those works and any necessary works and conveniences connected therewith, or acquire such easements and rights in the subsoil and under-surface of the specified lands as they may require for the said purposes without in either case being obliged or compellable to acquire any greater interest in, under or over the specified lands, and may give notice to treat in respect of such entry, taking and using and the acquisition of such easements or rights describing the nature thereof and (subject to the foregoing 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 if they were lands within the meaning of those Acts:

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

Periods for
compulsory
purchase
of lands and
easements.

15.—(1) The powers of the Executive for the compulsory purchase of the lands and easements which they are authorised by this Act to acquire for the purposes of Work No. 1 shall cease on 31st December, 1976.

(2) The powers of the Executive for the compulsory purchase of the other lands and easements which they are authorised by this Act to acquire shall cease on 31st December, 1973.

As to
church lands.

16.—(1) In this section “the church lands” means the following disused sites of churches and burial grounds in the city of London:—

- (a) the disused burial ground of the former churches of St. Margaret, New Fish Street and St. Michael, Crooked Lane delineated on the deposited plans and thereon numbered 267 in the city of London;
- (b) the disused site and burial ground of the former church of St. Martin Orgar delineated on the deposited plans and thereon numbered 255 in the city of London.

(2) As from the date on which the Executive acquire under the powers of this Act any part of either of the church lands that

part of such lands shall be freed and discharged from all trusts, uses, obligations, disabilities and restrictions whatsoever (including the effects of consecration) which at the time of such acquisition are attached thereto under ecclesiastical law or otherwise and from all rights and interests of any person who is a personal representative or relative of any deceased person whose remains are interred in the said lands or any part thereof and from all other trusts, uses, obligations, disabilities and restrictions whatsoever which attached thereto at the time of such acquisition by reason of the said lands or any part thereof having been or formed the enclosure of a church or having been used or set apart for the interment of human remains or otherwise.

PART III
—cont.

(3) Notwithstanding anything contained in any enactment but subject to the provisions of this Act, it shall be lawful as from the date on which the Executive acquire under the powers of this Act any part of the church lands to use, deal with or dispose of that part of such lands for the purposes of or in connection with Work No. 1 or for the erection of any building or for any other purpose in like manner as if no part thereof had ever been or formed the enclosure of a church or been used or set apart for the interment of human remains.

(4) Before the Executive carry out under the powers of this Act any work in or under any part of either of the church lands likely to involve the disturbance of human remains (any question as to which shall be determined by the Secretary of State whose decision shall be final) the Executive shall give notice of their intention to remove, or cause to be removed, from that part the remains of any deceased person which may be found to have been interred therein by publishing a notice once in each of two successive weeks in a newspaper circulating in the city of London with an interval between publications of not less than six days, and shall display a like notice in a conspicuous place on the church lands and such notice shall have embodied in it the substance of subsections (5) to (11) of this section.

(5) At any time within two months after the first publication of such notice any person who is a personal representative or relative of any deceased person whose remains are interred in the part of the church lands from which the remains are proposed to be removed may give notice in writing to the Executive of his intention to undertake the removal of such remains, and thereupon he shall be at liberty without any faculty for the purpose, but subject as hereinafter mentioned and to any regulations made by the Bishop of London for the time being or during a vacancy in the see of London the guardian of the spiritualities thereof, to cause such remains to be removed to and reinterred in any consecrated burial ground or cemetery in which burials may legally

PART III
—cont.

take place but, in the case of a churchyard, only with the previous consent of the incumbent of the benefice concerned, or to be removed to and cremated in any crematorium.

(6) If any person giving such notice as aforesaid fails to satisfy the Executive that he is such personal representative or relative as he claims to be, the question shall be determined on the application of either party in a summary manner by the registrar of the consistory court of the diocese of London who shall have power to make an order specifying who shall remove the remains and as to the payment of the costs of the application.

(7) The expense of such removal and reinterment or cremation (not exceeding, in respect of remains removed from any one grave, the sum of seventy-five pounds) shall be defrayed by the Executive, such sum to be apportioned, if necessary, equally according to the number of remains in the grave.

(8) If—

- (a) within the aforesaid period of two months no such notice as aforesaid shall have been given to the Executive in respect of the remains in any grave; or
- (b) within two months after such notice has been given no application has been made under subsection (6) of this section and the person who gave the notice fails to remove the remains; or
- (c) within two months after any order is made by the registrar under the said subsection the person, not being the Executive, specified in the order fails to remove the remains;

the Executive shall, without any faculty for the purpose, cause the remains of the deceased person to be removed and reinterred in such other consecrated burial ground or cemetery in which burials may legally take place and which, subject to the consent of the said bishop, the Executive think suitable for the purpose, or cremated in such crematorium as the Executive think suitable for the purpose, but, in the case of reinterment in a churchyard, the previous consent of the incumbent of the benefice concerned shall also be required.

(9) Upon the removal and reinterment or cremation of any remains under this section a certificate of reinterment or cremation shall be sent to the Registrar General by the Executive, giving the date of removal and reinterment or cremation respectively and identifying the place from which the remains were removed and the place in which they were reinterred or cremated showing the particulars of each removal separately.

(10) Any monument or tombstone relating to the remains of any deceased person removed under this section shall, at the expense of the Executive, be removed and re-erected at the place of reinterment or cremation of such remains, or at such place as the said bishop may direct on the application (if any) of such personal representative or relative as aforesaid or, failing such application, on the application of the Executive and the Executive shall cause a record to be made of each monument and tombstone taken from the church lands under this section containing—

PART III
—cont.

(i) a copy of the inscription on it; and

(ii) if it is intended to preserve the monument or tombstone, a statement naming the place to which it has been taken;

and shall deposit a copy of the record with the Registrar General:

Provided that, in the case of a monument or tombstone in respect of which no application is made by such personal representative or relative as aforesaid, it shall not be necessary to re-erect the monument or tombstone if the Executive consider that, by reason of its ruinous condition, it is unsuitable for re-erection and any such monument or tombstone may be disposed of in such manner as the Executive, subject to the faculty jurisdiction within the diocese, may direct.

(11) The removal of the remains of any deceased person under this section shall be carried out in accordance with any directions that may be given by the Secretary of State.

17.—(1) Where, under any of the provisions of this Act, a Ecclesiastical notice is required to be served on an owner of land and the land property is ecclesiastical property, a like notice shall be served on the London Diocesan Fund.

(2) Where any ecclesiastical property is to be acquired compulsorily under the powers of this Act and the benefice in question is vacant, then the fee simple of such property shall for the purposes of the acquisition be treated as being vested in the Bishop of London.

(3) Any moneys agreed or awarded upon any acquisition under the powers of this Act of ecclesiastical property shall not be paid as directed by the Lands Clauses Acts but shall be paid to the London Diocesan Fund and shall be applied by them as follows:—

(a) in defraying a fair proportion of the costs, charges and expenses incurred by the Bishop of London, the London Diocesan Fund or an incumbent of an ecclesiastical benefice in opposing the Bill for this Act;

(b) in defraying any expenses incurred by the Bishop of London, the London Diocesan Fund or an incumbent

PART III
—cont.

of an ecclesiastical benefice in relation to any such acquisition by the Executive and not reimbursed by the Executive;

- (c) in the event of the removal and reinterment or cremation of the human remains and the removal and re-erection or disposal of monuments or tombstones under section 16 (As to church lands) of this Act being carried out by the London Diocesan Fund and not by the Executive, in defraying the costs and expenses thereof;
- (d) as to any remaining balance and as to both capital and income, for such ecclesiastical purposes within the Diocese of London as may be charitable and as the Bishop of London may from time to time direct.

(4) In this section “ecclesiastical property” means land belonging to an ecclesiastical benefice or being or forming part of a church or churchyard subject to the jurisdiction of the Bishop of London or being or forming part of a burial ground subject to such jurisdiction.

Incorporation
of provisions
of Acts of
1963, 1964,
1965, 1966
and 1969
relating to
lands.

18. 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 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 (Acquisition of part only of certain properties);
Section 14 (Extinction of private rights of way).

The Act of 1965—

- Section 13 (Correction of errors in deposited plans and book of reference).

The Act of 1966—

- Section 13 (As to use of streets for permanent openings);
Section 14 (Power to expedite entry).

The Act of 1969—

- Section 14 (Disregard of recent improvements and interests):

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

PART IV

PROTECTIVE PROVISIONS

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

Incorporation
of protective
provisions of
Acts of 1963,
1965 and
1969.

The Act of 1963—

Section 33 (As to works within city of London and Metropolitan Police District); and

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

The Act of 1965—

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

Section 28 (As to metropolitan roads and road traffic, etc.).

The Act of 1969—

Section 18 (Crown rights):

Provided that—

(i) the provisions of the said section 27 of the Act of 1965, as so incorporated, shall have effect as if—

(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 section 11 (Incorporation of provisions of Act of 1963 relating to works) there were substituted a reference to section 11 (Incorporation of provisions of Acts of 1963, 1965 and 1969 relating to works) of this Act;

(c) the expression “sewer” included any main used for the conveyance of sewage sludge or sewage effluent;

(ii) 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.

PART IV
—cont.For protection
of Post
Office.

20.—(1) For the protection of the Post Office the following provisions shall, unless otherwise agreed in writing between the Executive and the Post Office, apply and have effect in relation to Work No. 1:—

(a) Notwithstanding anything shown upon the deposited plans and sections or contained in this Act, the Executive shall not without the consent in writing of the Post Office enter upon, take or use, either permanently or temporarily, the underground property (which in this subsection means the existing deep level underground works of the Post Office in the vicinity of Work No. 1 and the works or property of the Post Office connected with the said deep level underground works):

Provided that nothing in this subsection shall be deemed to prohibit the Executive from acquiring the subsoil under or over the underground property for the purposes of constructing, maintaining, protecting, renewing and using or altering Work No. 1 or from acquiring such easements and rights in the said subsoil as they may require for the said purposes:

- (b) The Executive shall carry out Work No. 1 so as not to interfere with the underground property:
- (c) The Executive in constructing Work No. 1 under or over 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 Post Office, which consent shall not be unreasonably withheld:
- (d) The Executive shall, not less than twenty-one days before commencing the construction of Work No. 1 within the prescribed distance, furnish to the Post Office plans, sections and specifications of the work proposed to be carried out by the Executive within the prescribed distance and such plans, sections and specifications shall be settled and agreed upon between the engineer of the Executive and the engineer of the Post Office and such work shall be carried out only in accordance with the plans, sections and specifications so agreed upon or, in the event of failure to agree, settled by arbitration in accordance with paragraph (p) hereof. The Executive shall give to the Post Office not less than twenty-one days’ notice (except in case of emergency) before commencing any structural alterations or renewal of Work No. 1 within the prescribed distance with a sufficient description of such works. In case of emergency the Executive shall give to the Post Office the longest notice which they can

reasonably give having regard to the urgency of the work to be executed and such notice shall be accompanied by a sufficient description of the work proposed to be carried out under the supervision (if the same shall be given) and to the reasonable satisfaction of the engineer of the Post Office:

- (e) The Executive shall at all times maintain Work No. 1, so far as the same shall be within the prescribed distance, in substantial repair and good order and condition, and if and whenever the Executive fail so to do, the Post Office may make and do all such works and things on and to the underground property as may be reasonably requisite for the protection thereof in that behalf and the reasonable amount of expenditure in that behalf shall be repaid to the Post Office by the Executive:
- (f) If it shall at any time appear to the engineer of the Post Office either before or during the construction or after completion of Work No. 1 within the prescribed distance that any further or other works or appliances or measures of precaution are required either by way of addition to the underground property or in connection with or in relation to the method of construction of Work No. 1 so as to prevent subsidence or injury happening to the underground property owing to or in consequence of the execution of Work No. 1 or any part thereof, the Executive shall, on being thereunto required in writing under the hand of the engineer of the Post Office, within the prescribed distance make and carry out at their own expense and according to plans, sections and specifications to be reasonably approved by the said engineer such further works or take such measures of precaution, including the use of compressed air or the temporary cessation of the construction of Work No. 1 or the carrying on of the construction of Work No. 1 without cessation, as the said engineer shall reasonably require:
- (g) If during and by the construction of Work No. 1 the underground property shall be injured or damaged the Post Office may forthwith make good such injury or damage and execute such protective works elsewhere than on the property of the Executive as the engineer of the Post Office shall reasonably consider necessary for ensuring the safety of the underground property and the expense properly incurred by the Post Office in so doing shall be repaid to the Post Office by the Executive:
- (h) The Executive shall not, in making and maintaining Work No. 1, in any manner obstruct, hinder or interfere with the free, uninterrupted and safe user of the underground property:

PART IV
—cont.

- (i) The Executive shall, during the construction of any part of Work No. 1 which shall come within the prescribed distance, bear and on demand pay to the Post Office the reasonable expense of the employment by the Post Office of a sufficient number of inspectors and watchmen 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 Executive or from the acts or defaults of their contractors or of any person or persons in their employ or otherwise:
- (j) Notwithstanding anything in this Act, the Executive shall be responsible for and make good to the Post Office all costs, losses, damages, charges and expenses which may be occasioned to the Post Office by the construction or failure of Work No. 1 or of any act or omission of the Executive or of any person in their employ or of their contractors or others and the Executive shall effectually indemnify and hold harmless the Post Office from all claims and demands upon or against it by reason of such construction or failure or of any such act or omission:
- (k) The Executive shall from time to time repay to the Post Office any additional expense to which the Post Office may be put in maintaining the underground property by reason or in consequence of the construction of Work No. 1:
- (l) The Executive shall so construct their electric lines and works of all descriptions and shall so work that part of their undertaking which consists of such parts of Work No. 1 as are for the time being worked by electrical power in all respects as to prevent any interference, whether by induction or otherwise, with the telegraphic lines from time to time laid down or used by the Post Office or with telegraphic communication by means of such lines:
- Provided that this paragraph shall not apply to any such telegraphic line laid down or placed in or along Work No. 1 or in or along any underground railway of the Executive immediately connected or communicating with Work No. 1:
- (m) If any such telegraphic line situate within one mile of any portion of the works of the Executive is injuriously affected and the Post Office is of opinion that such injurious affection is or may be due to the construction of the Executive's works, or to the working of the same, the engineer of the Post Office or any person appointed in writing by him may, at all times when electrical

energy is being generated or used by or supplied to the Executive, enter any of the Executive's works for the purpose of inspecting the Executive's plant and the working of the same, and the Executive shall, in the presence of such engineer or such appointed person as aforesaid, make any electrical tests required by the Post Office and shall produce for the inspection of the Post Office the records kept by the Executive pursuant to any regulations made by the Secretary of State for the Environment which may for the time being be in force with respect to the said works:

- (n) If any such telegraphic line situate within one mile of any portion of the works of the Executive is injuriously affected and the Post Office is unable to ascertain whether such injurious affection is caused by the Executive or by any other persons generating or using electrical currents for traction purposes, the Post Office may give notice to the Executive requiring them to make at such times as the Post Office may specify such experiments (by working their generating stations, running their carriages or cars, or otherwise working any part of their undertaking, or in case of continuous working by stopping the electricity generated for the purposes of their undertaking at such times as would not unduly interfere with the traffic) as the Post Office may deem necessary to enable it to discover which of the undertakings causes the disturbance and such experiments shall be carried out by the Executive as and when required by the Post Office:
- (o) For the purposes of this section such a telegraphic line shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is, whether through induction or otherwise, in any manner affected by such act or work or by any use made of such work:
- (p) Any difference (including failure to agree) which may arise from time to time under the provisions of paragraphs (a) to (k) of this subsection between the Executive and the Post Office shall be settled by arbitration.

(2) The exercise of the powers conferred by section 7 (Temporary stoppage of streets) of this Act in relation to the street known as Bush Lane in the city of London shall not affect the powers of the Post Office under the Telegraph Acts 1863 to 1916 to place, maintain, inspect, repair, renew or remove telegraphic lines or to open or break up that street for any of those purposes,

PART IV
—cont.
1878 c. 76.
1882 c. 56.

(3) In this section the expression “ telegraphic line ” has the same meaning as in the Telegraph Act 1878, and the expression “ electric line ” has the same meaning as in the Electric Lighting Act 1882.

For
protection of
British
Railways
Board.

21. The following provisions for the protection of the British Railways Board (in this section referred to as “ the board ”) shall, unless otherwise agreed in writing between the Executive and the board, apply and have effect:—

(1) In this section—

“ railway property ” means any railway of the board and any works connected therewith for the maintenance or operation of which the board are responsible and includes any lands held or used by the board for the purposes of such railway or works including the lands numbered on the deposited plans 235 in the city of London;

“ the works ” means so much of Work No. 1 as may be situated upon, across, under or over or may in any way affect railway property and includes the construction and reconstruction of such works;

“ the engineer ” means an engineer to be appointed by the board;

“ plans ” include sections, drawings and particulars:

- (2) There shall be excluded from the acquisition by the Executive of the lands numbered on the deposited plans 14 in the London borough of Tower Hamlets the surface of a strip 10 feet wide where the said lands adjoin the railway viaduct and the Executive shall not under the powers of this Act acquire any easement or right on or over the said strip except by agreement with the board:
- (3) The Executive shall enter upon, take and use only so much of the lands numbered on the deposited plans 235 in the city of London as may be reasonably required for the purpose of the works:
- (4) Before the Executive commence any works on or in the lands numbered on the deposited plans 349, 352 or 360A in the city of London they shall consult with the board with a view to ensuring that the works interfere as little as is reasonably practicable with any future development of Fenchurch Street Station:
- (5) The provisions of paragraphs (3) to (15) inclusive of section 41 (For protection of British Railways Board)

of the Act of 1963 shall extend and apply for the protection of the board in relation to the works as if those provisions were with any necessary modification re-enacted in this section and as if—

PART IV
—cont.

(a) for references therein to “the board” there were substituted references to “the Executive”;

(b) for references therein to “the works” there were substituted references to “the works” as defined by paragraph (1) of this section and as if this 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;

(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 11 (Incorporation of provisions of Acts of 1963, 1965 and 1969 relating to works) of this Act.

22. For the protection of the lord mayor, aldermen and citizens of the city of Westminster (in this section referred to as “the corporation”) the following provisions shall, unless otherwise agreed in writing between the Executive and the corporation, apply and have effect:—

For
protection of
Westminster
Corporation.

(1) (a) In this section—

“highway” means a highway vested in or repairable or maintained by the corporation other than a highway which is for the time being a metropolitan road or a highway for which, under the London Government Act 1963, the Secretary of State is the highway authority; 1963 c. 33.

“sewer” means a sewer vested in or under the jurisdiction or control of the corporation;

(b) The work to which this section applies is Work No. 1 and the works and conveniences connected therewith authorised by this Act:

(2) Wherever in this section provision is made with respect to the consent of the corporation, such consent shall be in writing and may be given under the hand of the town clerk subject to such reasonable terms and conditions as the corporation may require, but shall not be unreasonably withheld:

(3) Before commencing to construct any part of the work to which this section applies which will involve interference with a highway, the Executive shall consult the

PART IV
—cont.

corporation as to the time when such part shall be commenced, as to the extent of the surface of the highway which it may be reasonably necessary for the Executive 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 Executive except at the time, to the extent and in accordance with conditions agreed between the Executive 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:

- (4) Except as by this Act expressly authorised or with the consent of the corporation, the Executive 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 erection 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 work 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 Executive 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 work 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 Executive shall adopt such measures and precautions as may be reasonably necessary for the purpose of preventing any damage or injury thereto:
- (6) Subject to the provisions of Part II of the Act of 1950, in the construction of any part of the work 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 work, no part of the said work or of the said mains or services shall (except with the consent of the corporation) be so constructed as to interfere with the provision of proper means of drainage of the surface of any highway nor,

except in the case of any permanent opening authorised by this Act and in other cases except with such consent as aforesaid, be nearer than 2 feet 6 inches to the surface of any highway:

PART IV
—cont.

- (7) The work to which this section applies, so far as it involves any serious interference with the movement of traffic in any highway, shall after the commencement thereof be carried on as expeditiously as reasonably practicable and the Executive shall take all such steps as may be reasonably necessary to reduce as far as possible the period of such interference:
- (8) Nothing in this Act shall extend to prejudice, diminish, alter or take away any of the rights, powers or authorities vested, or to be vested, in the corporation in relation to sewers but all such rights, powers and authorities shall be as valid and effectual as if this Act had not been passed:
- (9) At least fourteen days before commencing any vertical borings from the surface of any part of any highway the Executive shall serve notice in writing on the corporation of their intention to commence the same, and such notice shall describe the place or places at which such borings are intended to be made, and if within fourteen days after the receipt of such notice any objection is made by the corporation the matter shall (unless otherwise agreed) be settled by arbitration before the boring is commenced, but if no such objection is made the said borings may be proceeded with:
- (10) The Executive shall secure that so much of the work to which this section applies as is constructed under or so as to affect any highway shall be designed, constructed and maintained so as to carry the maximum loading recommended by the Secretary of State for highway bridges at the time of the construction of such work and the Executive shall indemnify the corporation against, and make 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, drains or apparatus therein by reason of any non-compliance by the Executive with the provisions of this paragraph:
- (11) The Executive shall not alter, disturb or in any way interfere with any sanitary convenience, refuge, sewer, drain, lamp column, traffic sign or apparatus connected therewith or other property or work of the corporation,

PART IV
—cont.

or under the control of or repairable by the corporation or the access thereto, without the consent of the corporation and any alteration, diversion, replacement or reconstruction of any such sanitary convenience, refuge, sewer, drain, lamp column, traffic sign or apparatus connected therewith or other property or work which may be necessary shall be made by the corporation or the Executive, as the corporation shall think fit, and any costs and expenses reasonably incurred by the corporation in so doing shall be repaid to the corporation by the Executive:

- (12) The Executive shall not remove any soil or material from any highway except such as must be excavated in the carrying out of the work 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 the diversion thereto of traffic from a road of a higher classification in consequence of the making or construction of the work to which this section applies, the Executive shall repay the amount of such reasonable expense to the corporation, provided that prior notice of the diversion has been given to the Executive:
- (14) The Executive 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 obstruct 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:
- (15) 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 Executive to the corporation:
- (16) Where any part of any highway shall have been temporarily broken up or disturbed by the Executive, the Executive 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 Executive to the corporation:

PART IV
—cont.

- (17) It shall not be lawful for the Executive 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 be reasonably necessary and the provisions of the 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 said Act of 1959 any such hoarding shall be deemed to have been erected in compliance with subsection (1) of that section: 1959 c. 25.
- (18) The Executive shall make compensation to the corporation for any subsidence of, or damage to, any highway or any sanitary convenience, refuge, sewer, drain, lamp column, traffic sign and apparatus connected therewith or other property or work of the corporation, or under their control or repairable by them, which may be caused by, or in consequence of, any act or default of the Executive, their contractors, servants or agents and whether such subsidence or damage shall happen during the construction of the work to which this section applies or at any time thereafter:
- (19) Within three months after the completion of the work to which this section applies in a highway, or such longer period as the corporation may agree, the Executive shall remove or, to the reasonable satisfaction of the corporation, demolish or otherwise dispose of all temporary buildings and structures erected for the purposes of, or in connection with the construction of, that work and shall remove all surplus materials, plant, machinery and appliances provided or approved in connection therewith and shall so far as is reasonably 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 work to which this section applies in or under a highway, the Executive shall furnish the corporation with a plan and section showing the position and level of such part of the work as constructed:

PART I
—cont.

(21) Any difference arising between the Executive and the corporation under this section shall be settled by arbitration.

For
protection of
Corporation
of London.

23. For the protection of the mayor and commonalty and citizens of the city of London (in this section referred to as “the corporation”) the following provisions shall apply and have effect:—

(1) The provisions of section 22 (For protection of Westminster Corporation) of this Act shall extend and apply for the protection of the corporation and, as so extended and applied, shall have effect subject to the following modifications:—

(a) for the references to the corporation as defined in that section there shall be substituted references to the corporation as defined in this section;

(b) in paragraph (2) for the words “the town clerk” there shall be substituted the words “the engineer of the city of London”;

(c) in paragraph (17) for the words “Highways Act 1959” there shall be substituted the words “City of London Sewers Act 1848” and the words “and for the purposes of the application of section 147 of the said Act of 1959 any such hoarding shall be deemed to have been erected in compliance with subsection (1) of that section” shall be omitted:

(2) The Executive shall carefully preserve and remove all objects of geological or antiquarian interest discovered by them in the execution of the works within the city of London, and, subject to the rights of the Crown and except so far as the same may be proved to be the property of any other person, any such objects discovered shall be deposited in the Guildhall Museum as the property of the corporation:

(3) The Executive shall afford to any officer of the corporation all facilities to inspect any objects discovered by them in the execution of the works within the city of London.

PART V

MISCELLANEOUS

Extension of
time.

24.—(1) The period now limited by the Act of 1967 for the compulsory purchase of the lands authorised to be acquired by section 27 (Power to acquire lands) of the Act of 1961 for the purposes of Works Nos. 6 and 7 authorised by Part II (Works) of the Act of 1961 is hereby extended until 31st December 1973.

1959 c. 25.

1848 c. clxiii.

(2) In this section the word "lands" includes any easements or rights in, under or over land authorised to be acquired by the Act of 1961.

PART V
—cont.

25. Section 5 of the Regulation of Railways Act 1889 as amended by section 84 of the Act of 1962 in its application to any railway of the Executive shall have effect as respects any offence under that section committed after the passing of this Act as if in subsection (1) thereof for the words "ten pounds" there were substituted the words "twenty pounds" and as if in subsection (3) thereof for the first reference to the words "twenty-five pounds" there were substituted the words "fifty pounds" and for the second reference to the words "twenty-five pounds" there were substituted the words "one hundred pounds".

Amendment
of section 5
of Regulation
of Railways
Act 1889.
1889 c. 57.

26.—(1) A constable may without warrant arrest a person—

Enforcement
of byelaws.

(a) if he has reasonable cause to believe that such person has contravened any byelaw for the time being in force and made by the Executive in pursuance of any power in that behalf, and he does not know and cannot ascertain the name and address of that person; or

(b) if such person, in contravention of any such byelaw, fails or refuses to leave any premises, vehicle or vessel, or any part thereof, after being requested by that or any other constable to do so.

(2) Subsection (5) of section 25 (Byelaws for road transport premises) of the Act of 1969 is hereby repealed.

(3) For the purposes of this section the term "vehicle" includes a hovercraft and "hovercraft" has the same meaning as in the Hovercraft Act 1968.

1968 c.59.

27.—(1) In this section—

"the regulations" means the Town and Country Planning (Control of Advertisements) Regulations 1969;

"advertisement" has the meaning assigned to it by the regulations.

Advertise-
ments on
shelters,
etc.

(2) Notwithstanding the provisions of subsection (4) of section 104 of the London Passenger Transport Act 1934 the Executive and the Company may place or permit to be placed on or in any shelter or other accommodation erected in a highway in pursuance of the said section 104, in addition to the advertisements authorised by the said section, any advertisement the display of which complies with the requirements of the regulations.

1934 c. xcvi.

PART V
—cont.

Transfer of
statutory
functions—
Upminster
local line.

28.—(1) In this section—

- “ the railways board ” means the British Railways Board;
- “ function ” has the same meaning as in subsection (1) of section 92 of the Act of 1962;
- “ the Upminster local line ” means the local railway line approximately 12½ miles in length commencing at Campbell Road junction, Bow in the London borough of Tower Hamlets and terminating at Upminster in the London borough of Havering;
- “ the railway ” means so much of the Upminster local line as is worked by the Executive but is situated on land which is not owned by or leased to them;
- “ railway system ” means the railways and railway premises of the Executive;
- “ statutory provision ” has the same meaning as in subsection (1) of section 92 of the Act of 1962.

(2) (a) The functions of the British Transport Commission under any statutory provision relating to the railway which were transferred to the railways board under or in pursuance of the Act of 1962 shall in respect of the railway be treated as functions of the Executive.

(b) Any statutory provision of general application to the railway system shall apply to the railway as if it constituted part of the railway system.

Saving for
town and
country
planning.

29. The provisions of the Town and Country Planning Acts 1962 to 1968 and any restrictions or powers thereby imposed or conferred, in relation to land, shall apply and may be exercised in relation to any land notwithstanding that the development thereof is, or may be, authorised or regulated by or under this Act.

Arbitration.

30. Where under this Act any difference (other than a difference to which the provisions of the Lands Clauses Acts, as applied by this Act, apply) is to be referred to or settled by arbitration, then, unless otherwise provided, such difference shall be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed, on the application of either party (after notice in writing to the other), by the President of the Institution of Civil Engineers.

Costs of Act.

31. All costs, charges and expenses of and incident to the preparing for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Executive and may in whole or in part be defrayed out of revenue.

SCHEDULES

SCHEDULE 1

Section 13.

DESCRIBING LANDS IN RESPECT OF WHICH SUBSOIL OR EASEMENTS
MAY BE TAKEN AS PROVIDED BY SECTION 13 (POWER TO ACQUIRE SUBSOIL
OR EASEMENTS ONLY IN CERTAIN CASES) OF THIS ACT

Area (1)	No. on deposited plans (2)
WORK No. 1	
City of Westminster	11, 12, 14, 38, 39.
City of London	23 to 25, 65, 67 to 77, 93, 95, 185, 235 to 239, 241, 255 to 257, 262 to 267, 342, 345 to 352, 360A, 379.
London borough of Tower Hamlets	14.
WORK No. 2	
Royal borough of Kensington and Chelsea	1, 5 to 12, 19 to 25.
WORK No. 3	
London borough of Islington ...	1 to 6.

Section 14.

SCHEDULE 2

LANDS REFERRED TO IN SECTION 14 (SUBSOIL OR EASEMENTS ONLY TO BE ACQUIRED UNDER CERTAIN LANDS) OF THIS ACT

Area (1)	No. on deposited plans (2)
WORK No. 1	
City of Westminster	3 to 6, 8, 9, 16, 18 to 22, 24 to 34, 36, 37, 40 to 42.
City of London	1, 3 to 20, 22, 27 to 29, 31, 33 to 37, 39, 42 to 44, 47, 49 to 53, 55 to 59, 61 to 64, 80 to 86, 88, 90, 94, 99 to 102, 104 to 110, 112 to 117, 119 to 124, 126 to 129, 131 to 133, 135 to 137, 139, 141, 142, 144 to 151, 154 to 162, 164 to 166, 169, 170, 173, 175, 177 to 182, 186 to 188, 192 to 203, 205, 206, 208 to 215, 218 to 232, 242 to 245, 248 to 250, 252, 253, 258, 269 to 273, 275, 277 to 283, 285 to 287, 289 to 292, 294 to 297, 300 to 302, 304 to 308, 310, 311, 313 to 317, 319 to 321, 323 to 325, 327 to 329, 329A, 331 to 335, 340, 341, 343, 344, 354, 356, 357, 359, 360, 361 to 363, 364A, 365, 368 to 370, 372 to 377, 380, 381, 383, 385 to 390, 393, 394.
London borough of Tower Hamlets	1 to 4, 9 to 12, 16, 18, 20 to 22.

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