

**ELIZABETH II**



**1986 CHAPTER xxiii**

An Act to empower London Regional Transport to construct works and to acquire lands; to confer further powers on London Regional Transport; and for other purposes.  
[18th December 1986]

**WHEREAS—**

(1) By the London Regional Transport Act 1984 the London Transport Executive which were established by the Transport (London) Act 1969 were reconstituted on 29th June 1984 under the name of London Regional Transport (in this Act referred to as “the Corporation”):

(2) It is the general duty of the Corporation under the said Act of 1984, in accordance with principles from time to time approved by the Secretary of State and in conjunction with the British Railways Board, to provide or secure the provision of public passenger transport services for Greater London, and in carrying out that duty the Corporation shall have due regard to (a) the transport needs for the time being of Greater London and (b) efficiency, economy and safety of operation:

(3) Under the powers conferred by the Local Government, Planning and Land Act 1980 the London Docklands

S.I. 1980/936. Development Corporation was established by the London Docklands Development Corporation (Area and Constitution) Order 1980 as the urban development corporation for London docklands for the purpose of securing the regeneration of its area and it is the view of the said corporation that the works authorised and the powers conferred by this Act will advance the securing of such regeneration:

(4) It is expedient that for the purposes aforesaid the Corporation should be empowered to construct the works authorised by, and to acquire the lands referred to in, this Act:

(5) It is expedient that the other powers in this Act contained should be conferred upon the Corporation and that the other provisions in this Act contained should be enacted:

(6) 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 proper officer 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:

(7) 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

Short title. 1. This Act may be cited as the London Docklands Railway (City Extension) Act 1986.

Interpretation. 2.—(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 related subject-matter the same respective meanings; and—

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

	PART I —cont.
“the Act of 1863” means the Railways Clauses Act 1863;	1863 c. 92.
“the Act of 1959” means the Highways Act 1959;	1959 c. 25.
“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.
“the Act of 1966” means the London Transport Act 1966;	1966 c. xxxiii.
“the Act of 1969” means the London Transport Act 1969;	1969 c. 1.
“the Act of 1975” means the London Transport Act 1975;	1975 c. xxxi.
“the Act of 1976” means the London Transport Act 1976;	1976 c. xxxvii.
“the Act of 1978” means the London Transport Act 1978;	1978 c. xv.
“the Act of 1980” means the Highways Act 1980;	1980 c. 66.
“the Act of 1981” means the London Transport Act 1981;	1981 c. xxxii.
“the Company” means London Underground Limited;	
“constructed in tunnel” means constructed in tunnel in such manner as does not necessitate the cutting through or removal of the surface soil;	
“the Corporation” means London Regional Transport;	
“the limits of deviation” means the limits of deviation shown on the deposited plans;	
“the underground railways” means such portions of Works Nos. 1A, 1B and 2 and any necessary works and conveniences connected therewith as are constructed in tunnel;	
“the works” means the works authorised by Part II (Works, etc.) of this Act.	

(2) Any reference to the London Transport Board in any of the provisions incorporated with this Act by section 12 (Incorporation of works provisions), section 21 (Incorporation of lands provisions) and section 22 (Incorporation of protective provisions) of this Act shall be construed as a reference to the Corporation.

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

(4) 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.

PART I  
—*cont.*  
Incorporation  
of general  
enactments.

3.—(1) The following enactments, 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:—

- 1845 c. 18.
- (a) the Lands Clauses Acts, except sections 127 to 133 of the Lands Clauses Consolidation Act 1845;
  - (b) the Act of 1845, except sections 7, 8, 9, 11, 12, 13, 14, 15, 17, 19, 20, 22, 23, 94 and 95 thereof; and
  - (c) in the Act of 1863, Part I (relating to construction of a railway) except sections 13, 14, 18 and 19 thereof.

(2) 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 Corporation; and
- (b) Work No. 1B shall be deemed to be a railway authorised by the special Act.

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

- 1950 c. 39.
- (a) Part II of the Public Utilities Street Works Act 1950; or
  - (b) section 42 (For protection of gas, water and electricity undertakers) of the Act of 1963, as incorporated with this Act.

## PART II

### WORKS, ETC.

Power to  
make works.

4. Subject to the provisions of this Act, the Corporation 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 following works with all necessary works and conveniences connected therewith:—

(Railways in  
City of  
London  
and Tower  
Hamlets.)

In Greater London—

In the city of London—

Work No. 1A A railway (750 metres in length) commencing beneath Lothbury at its junction with Princes Street and terminating beneath Eastcheap at a point 10 metres north-east of its junction with St. Mary at Hill;



Work No. 1B A passenger subway (140 metres in length) commencing at a point beneath the junction of Bucklersbury and Queen Victoria Street and terminating at a point 30 metres west of the junction of Lombard Street and King William Street.

PART II  
—cont.

In the city of London and the London borough of Tower Hamlets—

Work No. 2 A railway (1,060 metres in length) commencing in the city of London by a junction with the termination of Work No. 1A and terminating in the London borough of Tower Hamlets by a junction with Work No. 3 being constructed under the London Docklands Railway Act 1984 at a point 30 metres north-west of the junction of Royal Mint Street and Dock Street. 1984 c. iv.

In the London borough of Tower Hamlets—

Work No. 3 A railway (200 metres in length) commencing by a junction with Work No. 3 being constructed under the London Docklands Railway Act 1984 at a point 85 metres north-east of the junction of Mansell Street and Royal Mint Street and terminating by a junction with Work No. 2 at a point 45 metres west of the junction of Royal Mint Street and Dock Street.

5. Subject to the provisions of this Act, the Corporation may, for the purpose of constructing the works, enter upon, open, break up and interfere with so much of the surface of the streets in the city of London and the London borough of Tower Hamlets specified in column (1) of Schedule 1 to this Act for the purposes mentioned in column (2) of that schedule as lies within the limits of deviation. Power to open surface of streets.

6.—(1) Subject to the provisions of this Act, the Corporation may stop up and discontinue so much of the following streets in the city of London:— Stopping up of streets.

- (a) Lothbury as lies between the line marked “Limit of Lothbury to be stopped up” on the deposited plans;
- (b) Lombard Street as lies within the line marked “Limit of Lombard Street to be stopped up” on the deposited plans; and
- (c) Gracechurch Street as lies within the lines marked “Limits of Gracechurch Street to be stopped up” on the deposited plans.

PART II  
—cont.

(2) After such stoppings up all rights of way over or along the streets authorised to be stopped up shall be extinguished and the Corporation 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 street 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 Corporation compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

Temporary  
stoppage of  
streets.

7.—(1) The Corporation may, during and for the purpose of the execution of the works, temporarily stop up and interfere with so much of any of the streets in the city of London and the London borough of Tower Hamlets specified in Schedule 2 to this Act and between the points (if any) mentioned in the said schedule and depicted on the deposited plans as lies 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 any part of a street so stopped up and interfered with, from passing along and using the same.

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

General mode  
as to construc-  
tion of  
underground  
railways.

8.—(1) The following provisions shall apply to the construction of the underground railways:—

(a) The works where constructed in tunnel, shall be constructed in two tunnels for separate up and down traffic except—

(i) at cross-overs and junctions where they may be constructed in single tunnels of enlarged diameter; and

(ii) from the commencement of Work No. 1A to a point 219 metres to the east, where they may be constructed in a single tunnel:

(b) The underground railways shall be approached by means of stairs, inclines, subways, electric or other lifts or escalators:

(c) (i) The tunnels comprised in the underground railways (including those for the stations) shall be lined throughout with iron or other sufficient metal plates or with concrete or other suitable material;

(ii) Every permanent shaft shall be constructed either by underpinning or by sinking and shall be lined with

cast iron, brick, concrete or other equally suitable and durable material;

PART II  
—cont.

(iii) The internal diameter of the station tunnels of the underground railway shall not exceed 9 metres, the internal diameter of the cross-over and junction tunnels shall not exceed 12 metres, the internal diameter of the tunnels between the stations shall not (except at cross-overs and junctions or where necessary for adjustment at curves or for other constructional purposes) exceed 5 metres, the internal diameter of the shafts shall not exceed 12 metres, and escalator tunnels shall have an internal diameter not exceeding 10 metres;

(iv) Where the ground is suitable 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 or cement grouting placed therein under pressure:

(d) If water is found to be present in the construction of the underground railways in such quantity as to necessitate the employment of compressed air, the Corporation shall stop all excavating work at the point where the same is so found, and the further driving of the tunnels at the working face at that point, until air-compressing machinery shall have been provided to 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, so long as may be necessary; alternatively, instead of the work being carried on under compressed air, the Corporation may, in any case where it is expedient to staunch or limit any inflow of sand, water, gravel or soil into the tunnels, use chemicals to secure consolidation of the ground or may apply a freezing process for the freezing of the subsoil until the lining of the tunnel is fully erected or secured:

(e) 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 the underground railways or from the shafts.

(2) Nothing in this section shall prejudice or affect the operation of the relevant statutory provisions as defined in Part I of the Health and Safety at Work etc. Act 1974.

1974 c. 37.



PART II  
—cont.  
Power to  
deviate.

9. In the execution of any of the works shown on the deposited plans, the Corporation may deviate from the lines or situations thereof shown on the deposited plans to the extent of the limits of deviation and may deviate vertically from the levels shown on the deposited sections—

- (a) to such extent downwards as may be found necessary or convenient; and
- (b) to any extent upwards not exceeding 3 metres in the case of the underground railways and to such extent upwards as may be found necessary or convenient in the case of any other of the works.

Agreements  
with  
British  
Railways  
Board.  
1984 c. iv.

10. The provisions of section 10 (Agreements with British Railways Board) of the London Docklands Railway Act 1984, by virtue of which the British Railways Board and the Corporation may enter into agreements relating to certain works authorised by that Act, shall apply equally in respect of Works Nos. 2 and 3 as they relate to Works Nos. 3 and 4 of that Act.

Plans, etc., to  
be approved  
by Secretary  
of State.

11. The Corporation shall in connection with the works from time to time submit for the approval of the Secretary of State plans, sections and other details of their proposals with respect to—

- (a) permanent way, tunnels, bridges and viaducts, platforms, stairs, lifts, escalators and other communications;
- (b) rolling stock;
- (c) lighting;
- (d) signalling;
- (e) ventilation; and
- (f) the power required for traction, with particular reference to the use of overhead contact wires or conductor rail systems;

and any rolling stock and work included in the said proposals shall be constructed and maintained only in accordance with plans, sections and other details as approved by the Secretary of State.

Incorporation  
of works  
provisions.

12.—(1) The following provisions of the undermentioned Acts are incorporated with this Act:—

The Act of 1963—

- Section 10 (Provisions as to use of electrical power);
- Section 11 (Compensation for damage by working);
- and
- Section 15 (Power to make trial holes):



The Act of 1965—

Section 10 (Underpinning of houses near works)  
except the provisos to paragraphs (4) and  
(6) thereof:

PART II  
—cont.

The Act of 1978—

Section 10 (Use of sewers, etc., for removing water).

(2) For the purposes of this Act references in the said sections 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 the underground railways and the said section 10 shall have effect as if, after the reference to “insulated return” and “insulated returns” in paragraphs (5) and (7) thereof respectively, there were added “or uninsulated metallic returns of low resistance”.

### PART III

#### LANDS

13.—(1) Subject to the provisions of this Act, the Corporation 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. Power to acquire lands.

(2) Subject to the provisions of this Act, the Corporation 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) above without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

(3) The Corporation shall not under the powers of this Act acquire any interest in the lands delineated on the deposited plans and thereon numbered 52, 55, 56, 57 and 58 in the city of London and 1A, 3, 3A and 12 in the London borough of Tower Hamlets.

14.—(1) In this Part of this Act “new rights” in relation to any land means easements or other rights in, under or over such land, which are not in existence at the passing of this Act. Power to acquire subsoil or new rights only in certain cases.

(2) Notwithstanding anything in this Act, the Corporation may, for the purposes of constructing, maintaining, protecting, renewing and using the works, enter upon, take and use so

PART III  
—cont.

much of the subsoil and under-surface of or may acquire such new rights as they may require in, under or over—

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

(b) any of the lands described in Schedule 3 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.

(3) (a) If, in any case where the Corporation enter upon, take and use the subsoil and under-surface of, or acquire a new 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 Corporation 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 new rights only to be acquired under certain lands.

15.—(1) In this section—

“the specified lands” means the lands referred to in Schedule 4 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 or, in the case of a river, dock, canal, navigation, watercourse or other water area, means the level of the surface of the adjoining ground which is at all times above water level.

(2) (a) Notwithstanding the provisions of subsection (1) of section 13 (Power to acquire lands) of this Act, the Corporation shall not acquire compulsorily under the powers of this Act any part of the specified lands, except as provided in paragraph (b) below.

(b) The Corporation may, within the limits of lateral deviation prescribed by this Act in respect of the works, enter upon, take and use so much of the subsoil and under-surface of the specified lands as they may require for the purposes of constructing, maintaining, protecting, renewing and using the

works and any necessary works and conveniences connected therewith, or compulsorily purchase such new 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.

(c) 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 9 metres of the level of the surface of the specified lands.

**16.—(1)** The Lands Clauses Acts, as incorporated with this Act, shall have effect with the modifications necessary to make them apply to the compulsory purchase of rights under section 14 (Power to acquire subsoil or new rights only in certain cases) and section 15 (Subsoil or new rights only to be acquired under certain lands) of this Act as they apply to the compulsory purchase of land so that, in appropriate contexts, references in those Acts to land are read as referring, or as including references, to the rights or to land in, under or over which the rights are or are to be exercisable, according to the requirements of the particular context.

Application of  
Lands Clauses  
Acts to  
compulsory  
purchase of  
new rights.

(2) Without prejudice to the generality of subsection (1) above in relation to the purchase of new rights in pursuance of section 14 (Power to acquire subsoil or new rights only in certain cases) and section 15 (Subsoil or new rights only to be acquired under certain lands) of this Act—

- (a) the Lands Clauses Consolidation Act 1845 shall, subject to the provisions of subsection (3) below, have effect with the modifications specified in Schedule 1 (except paragraph 4) to the Act of 1976 and as if for the word “over”, wherever it occurs in paragraph 1 of that schedule, there were substituted the words “in, under or over”;
- (b) the enactments relating to compensation for the compulsory purchase of land shall apply with the necessary modifications as they apply to such compensation.

1845 c. 18.

(3) Notwithstanding anything in this section, section 92 of the Lands Clauses Consolidation Act 1845 shall not apply to any compulsory acquisition or purchase by the Corporation under section 14 (Power to acquire subsoil or new rights only in certain cases) or section 15 (Subsoil or new rights only to be acquired under certain lands) of this Act.



PART III  
—cont.Set-off for  
enhancement  
in value of  
retained land.

17.—(1) In this section “relevant land” means any land or any subsoil or under-surface of or new rights in, under or over any land acquired by the Corporation for the purposes of the works.

(2) In assessing the compensation payable to any person on the acquisition by the Corporation from him of any relevant land, the Lands Tribunal shall—

(a) have regard to the extent to which the lands or the remaining contiguous lands belonging to the same person may be benefited by the works; and

(b) set off against the value of the relevant land any increase in the value of the remaining contiguous lands belonging to the same person which will accrue to him by reason of the construction of the works.

1961 c. 33.

(3) The Land Compensation Act 1961 shall have effect subject to the provisions of this section.

Temporary  
possession of  
land.

18.—(1) This section applies to the land delineated on the deposited plans and thereon numbered 38 in the city of London (hereinafter in this section referred to as “the said land”).

(2) The Corporation may, for the purpose of enabling them to construct Works Nos. 1A and 2, enter upon and take possession temporarily of the said land after giving the owners, lessees and occupiers thereof not less than one month’s previous notice in writing and may remove any structures thereon and may construct temporary works and structures thereon for such purpose:

Provided that the Corporation—

(a) shall not without the agreement of the owners, lessees and occupiers thereof remain in possession of the said land under the powers of this section after a period of three years from the date of entry thereon;

(b) shall not be empowered to purchase compulsorily or be required to purchase the said land (except such subsoil or new rights as they require under the provisions of section 14 (Power to acquire subsoil or new rights only in certain cases) of this Act).

(3) Before relinquishing possession of the said land the Corporation shall remove all works and structures erected by them on the surface thereof and shall, subject to any agreement to the contrary with the respective owners, lessees or occupiers thereof, reinstate the said land so far as reasonably practicable to its condition immediately before entry thereon by the Corporation.



19. The powers of the Corporation for the compulsory purchase of lands and new rights under this Act shall cease on 31st December 1991.

20.—(1) Where, under any of the provisions of this Act, a notice is required to be served on an owner of land and the land 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 of an ecclesiastical benefice in relation to any such acquisition by the Corporation and not reimbursed by the Corporation;
- (c) 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.

21.—(1) The following provisions of the undermentioned Acts are incorporated with this Act:—

The Act of 1963—

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

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

The Act of 1964—

Section 12 (Acquisition of part only of certain properties);

Incorporation  
of lands  
provisions.

PART III  
—cont.

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).

(2) 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

Incorporation  
of protective  
provisions.

22.—(1) The following provisions of the undermentioned  
Acts are incorporated with this Act:—

The Act of 1963—

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

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

The Act of 1975—

Section 21 (As to metropolitan roads and road traffic,  
etc.):

The Act of 1976—

Section 13 (For protection of sewers of Thames Water  
Authority):

The Act of 1981—

Section 17 (For protection of British Telecommunica-  
tions).

(2) The provisions of the said section 21 of the Act of 1975,  
as so incorporated, shall have effect as if for references—

(a) to the Act of 1959 there were substituted references to  
the Act of 1980; and

(b) to section 147 of the Act of 1959 there were substituted  
references to section 172 of the Act of 1980.

(3) The provisions of the said section 13 of the Act of 1976, as so incorporated, shall have effect as if—

- (a) for the reference in paragraph (8) thereof to section 7 (Incorporation of provisions of Acts of 1963, 1965, 1969 and 1974 relating to works) of the Act of 1976 there were substituted a reference to section 12 (Incorporation of works provisions) of this Act; and
- (b) in the definition of “the specified works” in paragraph (1), for the reference to the works authorised by the Act of 1976 there were substituted a reference to the works.

(4) The provisions of the said section 17 of the Act of 1981, as so incorporated, shall have effect as if—

- (a) paragraph (2) of that section were omitted;
- (b) for reference to Work No. 2 of the Act of 1981 there were substituted reference to the works; and
- (c) for reference to British Telecommunications there were substituted a reference to a public telecommunications operator as defined in section 9 (3) of the Telecommunications Act 1984.

1984 c. 12.

23.—(1) Nothing in this Act affects prejudicially any estate, right, power, privilege or exemption of the Crown and in particular and without prejudice to the generality of the foregoing nothing in this Act authorises the Corporation to take, use or in any manner interfere with any land or hereditaments or any rights of whatsoever description—

- (a) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners; or
- (b) belonging to Her Majesty in right of Her Crown and under the management (pursuant to any statute or otherwise) of the Secretary of State without his consent in writing; or
- (c) 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.

(2) A consent under subsection (1) above may be given unconditionally or subject to such conditions and upon such terms as may be considered necessary or appropriate.

24. For the protection of the British Railways Board (in this section referred to as “the railways board”) the following provisions shall, unless otherwise agreed in writing between the Corporation and the railways board for the purposes of this

For protection  
of British  
Railways  
Board.

PART IV  
—cont.

section, apply and have effect:—

(1) In this section—

“construction” includes reconstruction and, where the context so admits, includes maintenance and repair of the specified works;

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

“plans” includes sections, drawings, particulars and schedules of construction;

“railway property” means any railway of the railways board, and any works, apparatus and equipment connected therewith for the maintenance or operation of which the railways board are responsible when the relevant specified works are begun and includes any lands held or used by the railways board for the purposes of such railway or works;

“the specified works” means so much of the works as may be situated upon, across, under, over or within 15 metres of railway property or may in any way affect railway property:

(2) The Corporation shall not under the powers of this Act without the consent of the railways board acquire or enter upon, take or use, whether temporarily or permanently, or acquire any new rights in or subsoil of, any of the lands of the railways board delineated on the deposited plans and therein numbered 15, 16, 18 to 23, 25, 26 and 28 in the London borough of Tower Hamlets:

(3) The exercise by the Corporation against the railways board of the powers of—

(a) section 15 (Power to make trial holes) of the Act of 1963, as incorporated by section 12 (Incorporation of works provisions) of this Act; and

(b) section 22 (Power to enter for survey or valuation) of the Act of 1963, as incorporated by section 21 (Incorporation of lands provisions) of this Act;

shall be confined to lands which the Corporation are empowered to acquire compulsorily under section 13 (Power to acquire lands) of this Act:

(4) The Corporation shall, before commencing the construction of the specified works, furnish to the railways board such proper and sufficient plans thereof as may reasonably be required for the reasonable approval of the engineer and shall not commence the specified works until plans thereof



have been approved in writing by the engineer or settled by arbitration:

PART IV  
—cont.

Provided that, if within 28 days after such plans have been furnished to the railways board the engineer shall not have notified his disapproval thereof and the grounds of his disapproval, he shall be deemed to have approved the plans as submitted:

- (5) If within 28 days after such plans have been furnished to the railways board the railways board give notice to the Corporation that the railways board desire themselves to construct any part of the specified works, which in the opinion of the engineer will or may affect the stability of railway property and the safe operation of the railways of the railways board, then, if the Corporation desire such part of the specified works to be constructed, the railways board shall construct it with all reasonable dispatch on behalf of, and to the reasonable satisfaction of, the Corporation in accordance with the plans approved or deemed to be approved or settled as aforesaid:
- (6) Upon signifying his approval or disapproval of the plans the engineer may specify any protective works, whether temporary or permanent, which in his opinion should be carried out before the commencement of the construction of the specified works to ensure the stability of railway property, the continuation of safe and effective operation of the railways of the railways board, including any relocation of works, apparatus and equipment necessitated by the specified works and the comfort and safety of passengers using the Bank station of the railways board, and such protective works as may be reasonably necessary for those purposes shall be constructed by the railways board with all reasonable dispatch or, if the railways board so desire, such protective works shall be carried out by the Corporation at their own expense, and the Corporation shall not commence the construction of the specified works until the engineer shall have notified the Corporation that the protective works have been satisfactorily completed:
- (7) The Corporation shall give to the engineer not less than 28 days' notice of their intention to commence the construction of any of the specified works and also, except in emergency (when they shall give such notice as may be reasonably practicable), of their intention to carry out any works for the repair or maintenance of the specified works in so far as such works of repair or maintenance affect or interfere with railway property:

PART IV  
—cont.

- (8) The construction of the specified works and of any protective works carried out by the Corporation by virtue of the provisions of paragraph (6) above shall, when commenced, be carried out with all reasonable dispatch in accordance with the plans approved or deemed to be approved or settled as aforesaid and under the supervision (if given), and to the reasonable satisfaction, of the engineer, and in such manner as to cause as little damage as may be to railway property and as little interference as may be with the conduct of traffic on the railways of the railways board and the use by passengers of railway property and, if any damage to railway property or any such interference shall be caused by the carrying out of the specified works, the Corporation shall, notwithstanding any such approval as aforesaid, make good such damage and shall pay to the railways board all reasonable expenses to which they may be put and compensation for any loss which they may sustain by reason of any such damage or interference:

Provided that nothing in this paragraph shall impose any liability on the Corporation with respect to any damage, cost, expense or loss which is attributable to the act, neglect or default of the railways board or their servants or agents:

- (9) Without prejudice to the generality of paragraphs (6) and (8) above the railways board may, in approving the plans of or in supervising the carrying out of the specified works or of any protective works carried out by the Corporation by virtue of the provisions of paragraph (6) above, impose reasonable conditions with a view to ensuring—

(a) that nothing shall be done by or on behalf of the Corporation which shall impede the free, uninterrupted and safe flow of passengers to and from the Bank station of the railways board;

(b) that dust sheets and other works and working methods are used so as to prevent so far as practicable any dust or dirt from the relevant works affecting such passengers; and

(c) that adequate signing of all alterations<sup>a</sup> of routes for passengers and of any hazards or obstructions to the free movement of passengers is provided:

- (10) The Corporation shall at all times afford reasonable facilities to the engineer for access to the specified works during their construction and shall supply him with all such information as he may reasonably

require with regard to the specified works or the method of construction thereof:

PART IV  
—cont.

- (11) During the construction of any works by the railways board under this section the railways board shall at all times afford reasonable facilities to the Corporation and their agents for access to those works, and shall supply the Corporation with such information as they may reasonably require with regard to such works or the method of construction thereof:
- (12) If any alterations or additions, either permanent or temporary, to railway property shall be reasonably necessary during the construction of the specified works, or during a period of 12 months after the completion thereof, in consequence of the construction of the specified works, such alterations and additions may be carried out by the railways board and, if the railways board give to the Corporation reasonable notice of their intention to carry out such alterations or additions, the Corporation shall pay to the railways board the reasonable cost thereof including, in respect of permanent alterations and additions, a capitalised sum representing any increase in the costs which may be expected to be reasonably incurred by the railways board in maintaining, working and, when necessary, renewing any such alterations or additions:

Provided that, if the cost of maintaining, working or renewing railway property is reduced in consequence of any such alterations or additions, a capitalised sum representing such saving shall be set off against any sum payable by the Corporation to the railways board under this section:

- (13) The Corporation shall repay to the railways board all costs, charges and expenses reasonably incurred by the railways board—
- (a) in constructing any part of the specified works on behalf of the Corporation as provided by paragraph (5) above or in constructing any protective works under the provisions of paragraph (6) above, including, in respect of any permanent protective works, a capitalised sum representing the costs which may be expected to be reasonably incurred by the railways board in maintaining and renewing such works;
- (b) in respect of the employment of any inspectors, signalmen, watchmen and other persons whom it shall be reasonably necessary to appoint for inspecting, signalling, watching and lighting



PART IV  
—cont.

railway property and for preventing, so far as may be reasonably practicable, interference, obstruction, danger or accident arising from the construction or failure of the specified works;

(c) in respect of any special traffic working resulting from any speed restrictions which may, in the opinion of the engineer, require to be imposed by reason or in consequence of the construction or failure of the specified works, or from the substitution or diversion of services which may be reasonably necessary for the same reason;

(d) in respect of any additional temporary lighting of railway property in the vicinity of the specified works, being lighting made reasonably necessary by reason or in consequence of the construction or failure of the specified works;

(e) in respect of the supervision by the engineer of the construction of the specified works:

- (14) The Corporation shall be responsible for, and make good to the railways board, all costs, charges, damages and expenses not otherwise provided for in this section which may be occasioned to, or reasonably incurred by, the railways board—

(a) by reason of the construction of the specified works or the failure thereof; or

(b) by reason of any act or omission of the Corporation or of any person in their employ, or of their contractors or others whilst engaged upon the construction of the specified works;

and the Corporation shall indemnify the railways board from and against all claims and demands arising out of or in connection with the construction of the specified works or any such failure, act or omission as aforesaid, and the fact that any act or thing may have been done in accordance with plans approved by the engineer, or in accordance with any requirement of the engineer or under his supervision, shall not (if it was not attributable to the act, neglect or default of the railways board, or of any person in their employ, or of their contractors or agents) excuse the Corporation from any liability under the provisions of this section:

Provided that the railways board shall give to the Corporation reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior consent of the Corporation:

- (15) Any difference arising between the Corporation and the railways board under this section (other than a



difference as to the meaning or construction of this section) shall be referred to and settled by arbitration.

PART IV  
—cont.

25. For the protection of the Company the following provisions shall, unless otherwise agreed in writing between the Corporation and the Company, apply and have effect:—

For protection  
of London  
Underground  
Limited.

(1) This section will only have effect in the event of the powers conferred by this Act being transferred from the Corporation to a body which is not a subsidiary of the Corporation and references in this section to the Corporation shall be construed accordingly:

(2) In this section—

“construction” includes execution, placing and altering and “construct” and “constructed” shall be construed accordingly;

“designated property” means any railways of the Company and any works connected therewith for the maintenance or operation of which the Company are responsible and includes any lands, premises, arches, cellars or vaults held or used by the Company for the purposes of such railways or works;

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

“plans” includes sections, drawings and particulars and “approved plans” means plans approved or deemed to be approved or settled by arbitration in accordance with the provisions of this section;

“the specified works” means so much of Works Nos. 1A, 1B and 2 as may be situated within 15 metres of, or may in any way affect, designated property and includes the construction, reconstruction and maintenance of such works:

(3) Notwithstanding anything in this Act or shown on the deposited plans, the Corporation shall not acquire compulsorily any designated property but they may, with the consent of the Company, which consent shall not be unreasonably withheld, acquire such easements or other rights in, under or over designated property in accordance with the provisions of section 14 (Power to acquire subsoil or new rights only in certain cases) or section 15 (Subsoil or new rights only to be acquired under certain lands) of this Act as they may reasonably require for the purpose of the specified works:

(4) The Corporation shall, before commencing the specified works, furnish to the Company proper and sufficient plans thereof for the reasonable approval of

PART IV  
—cont.

the engineer and shall not commence the specified works until plans thereof have been approved in writing by the engineer or settled by arbitration:

Provided that, if within 56 days after such plans have been furnished to the Company the engineer shall not have intimated his disapproval thereof and the grounds of his disapproval, he shall be deemed to have approved the same:

- (5) If within 28 days after such plans have been furnished to the Company the Company shall give notice to the Corporation that the Company desire themselves to construct any part of the specified works which in the opinion of the engineer will or may affect the stability of designated property or the safe operation of the Company's railway, then, if the Corporation desire such part of the specified works to be constructed, the Company shall construct it with all reasonable dispatch on behalf of and to the reasonable satisfaction of the Corporation in accordance with approved plans:
- (6) Upon signifying his approval or disapproval of the plans the engineer may specify any protective works whether temporary or permanent which in his opinion should be carried out before the commencement of the specified works to ensure the safety or stability of designated property and such protective works as may be reasonably necessary for those purposes shall be constructed with all reasonable dispatch and the Corporation shall not commence the construction of the specified works until the engineer shall have notified the Corporation that the protective works have been completed:
- (7) The Corporation shall give to the engineer not less than 28 days' notice of their intention to commence the construction of any of the specified works and also, except in emergency (when they shall give such notice as may be reasonably practicable), of their intention to carry out any works for the repair or maintenance of the specified works in so far as such works of repair or maintenance affect or interfere with designated property:
- (8) The specified works shall when commenced be carried out—
  - (a) with all reasonable dispatch in accordance with approved plans;
  - (b) under the supervision (if given) and to the reasonable satisfaction of the engineer; and

(c) in such manner as to cause—

- (i) as little damage to designated property as may be; and
- (ii) as little interference as may be with the conduct of traffic on any railway of the Company and the use by passengers of designated property;

and, if any damage to designated property or any such interference shall be caused by the carrying out of the specified works, the Corporation shall, notwithstanding any such approval as aforesaid, make good such damage and shall on demand pay to the Company all reasonable expenses to which they may be put and compensation for any loss which they may sustain by reason of any such damage or interference:

Provided that nothing in this paragraph shall impose any liability on the Corporation with respect to any damage, costs, expenses or loss which is attributable to the act, neglect or default of the Company or their servants, contractors or agents:

PART IV  
—cont.

- (9) The Corporation shall at all times afford reasonable facilities to the engineer for access to the specified works during their construction and shall supply him with all such information as he may reasonably require with regard to the specified works or the method of construction thereof:
- (10) The Company shall at all times afford reasonable facilities to the Corporation and their agents for access to any works carried out by the Company under this section during their construction and shall supply the Corporation with such information as they may reasonably require with regard to such works or the method of construction thereof:
- (11) If any alterations or additions, either permanent or temporary, to designated property shall be reasonably necessary during the construction of the specified works or during a period of 12 months after the completion thereof in consequence of the construction of the specified works, such alterations and additions may be effected by the Company after not less than 28 days' notice in writing has been given to the Corporation and the Corporation shall pay to the Company on demand the cost thereof as certified by the engineer:



PART IV  
—cont.

(12) The Corporation shall repay to the Company all costs, charges and expenses reasonably incurred by the Company—

(a) in constructing any part of the specified works on behalf of the Corporation as provided by paragraph (5) above or in constructing any protective works under the provisions of paragraph (6) above;

(b) in respect of the employment of any inspectors, signalmen, watchmen and other persons whom it shall be reasonably necessary to appoint for inspecting, watching, lighting and signalling any railway of the Company and for preventing, as far as may be reasonably practicable, interference, obstruction, danger or accident arising from the construction or failure of the specified works;

(c) in respect of any special traffic working resulting from any speed restrictions which may, in the opinion of the engineer, require to be imposed and which may be due to the construction or failure of the specified works or from the substitution, suspension or diversion of railway services of the Company which may be necessary for the same reason;

(d) in respect of any additional temporary lighting of designated property in the vicinity of the works, being lighting made reasonably necessary during and by reason of the construction or failure of the specified works;

(e) in respect of the supervision by the engineer of the specified works:

(13) The Corporation shall be responsible for and make good to the Company all costs, charges, damages and expenses not otherwise provided for in this section which may be occasioned to or reasonably incurred by the Company—

(a) by reason of the specified works or the failure thereof; and

(b) by reason of any act or omission of the Corporation or of any persons in their employ or of their contractors or others whilst engaged upon the construction of the specified works;

and the Corporation shall effectively indemnify and hold harmless the Company from and against all claims and demands arising out of or in connection with the construction of the specified works or any such failure, act or omission as aforesaid and the fact



that any act or thing may have been done by the Company on behalf of the Corporation, or in accordance with approved plans, or in accordance with any requirement of the engineer or under his supervision shall not (if it was done without negligence on the part of the Company or of any person in their employ or of their contractors or agents whilst engaged upon the construction of the specified works) excuse the Corporation from any liability under the provisions of this section:

PART IV  
—cont.

Provided that the Company shall give to the Corporation reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without prior consent of the Corporation:

- (14) Any differences between the Corporation and the Company under this section shall be referred to and settled by arbitration.

## PART V

### MISCELLANEOUS

26.—(1) In this section—

“additional fare” means an additional fare payable by virtue of subsection (3) below;

“excess distance” means a distance travelled by a person beyond that for which he has paid his fare;

“the prescribed figure” means 10 or such other figure not being greater than 10 as the Secretary of State may by order appoint;

“the railway” means Works Nos. 1A, 1B, 2 and 3.

(2) The provisions of this section apply to the railway.

(3) On and after the appointed day if any person—

(a) travels or attempts to travel without paying the fare for his journey; or

(b) having paid the fare for his journey travels an excess distance without paying the fare for the excess distance;

he shall, unless before being requested to do so he has tendered the fare for his journey or the fare for the excess distance (as the

Additional  
fares.

PART V  
—cont.

case may be), be liable to pay (within 21 days of the date of his journey) an additional fare of 50 pence, or (if it is a greater amount) the fare chargeable for his journey multiplied by the prescribed figure, or in the case of a person travelling an excess distance 50 pence or (if it is a greater amount) the fare for the excess distance multiplied by the prescribed figure as if the excess distance were a separate journey:

Provided that the Corporation shall not seek to recover the amount of any additional fare from any person where the facts which would otherwise have given rise to a liability to pay such a fare are, so far as is relevant, the same as the facts which have given rise to a prosecution of that person in respect of an alleged offence under section 5 (3) of the Regulation of Railways Act 1889.

1889 c. 57.

(4) In any proceedings for the recovery of the additional fare it shall be a defence for a person to show that he did not intend to avoid payment of his fare or the fare for the excess distance.

(5) For the purposes of subsection (3) above, a person shall be deemed to have tendered a fare if he presents it to a ticket inspector or otherwise indicates to such inspector his willingness immediately to pay his fare or, as the case may be, the fare for the excess distance.

(6) No person shall be liable under subsection (3) above, to pay an additional fare unless at the material time a notice, warning persons that, if they fail to pay their fares, or if they exceed the journey for which they have paid the fare, they will be liable to pay an additional fare in accordance with that subsection, is posted in every carriage of the train so as to be readily seen by members of the public using the carriage.

(7) No proceedings shall be taken under section 5 of the Regulation of Railways Act 1889 against any person where the facts which would otherwise have given rise to a prosecution of that person are, so far as relevant, the same as the facts which have given rise to a liability to pay an additional fare and—

(a) the additional fare has been paid by him to the Corporation within the period mentioned in subsection (3) above; or

(b) the amount of the additional fare is payable by him under a judgment of a county court.

(8) (a) In this section “the appointed day” means such day as may be fixed in accordance with paragraph (b) below by resolution of the Corporation.

(b) The Corporation shall publish in a newspaper circulating in the city of London and in the London borough of Tower Hamlets notice—

- (i) of the passing of any such resolution and of the day fixed thereby; and
- (ii) of the general effect of the provisions for the purposes of which the day has been fixed;

PART V  
—cont.

and the day so fixed shall not be earlier than the expiration of 28 days from the date of the publication of the notice.

(c) A photostatic or other reproduction certified by the secretary of the Corporation or some other person authorised by the Corporation for that purpose to be a true reproduction of a page or part of a page of any newspaper, being a page or part of a page bearing the date of its publication and containing the notice mentioned in paragraph (b) above, shall be evidence of the publication of the notice and of the date of publication.

(9) In the proviso to subsection (3) of both section 24 (Additional fares) of the London Docklands Railway Act 1984 1984 c. iv. and section 22 (Additional fares) of the London Docklands Railway Act 1985 the words “and he has been acquitted” are 1985 c. vi. repealed.

27.—(1) In this section “Class XII development” means Planning development authorised by article 3 of, and Class XII in permission. Schedule 1 to, the Town and Country Planning General Development Order 1977 (which permits development S.I. 1977/289. authorised by private Act designating specifically both the nature of the development thereby authorised and the land on which it may be carried out).

(2) Subject to the provisions of subsection (3) below, in its application to development authorised by this Act, the planning permission granted for Class XII development shall have effect as if the authority to develop given by this Act were limited to development begun by 31st December 1997.

(3) Subsection (2) above shall not apply to the carrying out of any development consisting of the alteration, maintenance or repair of works authorised by this Act or the substitution of new works therefor.

28. Where under this Act any difference (other than a Arbitration. 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.

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



## SCHEDULES

Section 5.

### SCHEDULE 1

STREETS REFERRED TO IN SECTION 5 (POWER TO OPEN SURFACE OF  
STREETS) OF THIS ACT

Name of street (1)	Purpose for which powers required (2)
In the city of London Work No. 1A	
Lothbury.	Temporary access shaft and permanent ventilation shaft.
Lombard Street.	Cut and cover work, stairways in footpath and realigned kerbs.
King William Street.	Cut and cover work and realigned kerbs.
Gracechurch Street.	Temporary access shaft and permanent ventilation shaft.
Works Nos. 1A & 1B	
Bucklersbury.	Temporary access shaft.
Work No. 2	
Shorter Street.	Cut and cover work.
In the London borough of Tower Hamlets Work No. 2	
Mansell Street.	Cut and cover work.
Shorter Street.	Cut and cover work.
Royal Mint Street.	Cut and cover work.

SCHEDULE 2

Section 7.

STREETS REFERRED TO IN SECTION 7 (TEMPORARY STOPPAGE OF STREETS) OF THIS ACT

Name of street	Points (if any) between which the street may be temporarily stopped up as depicted on the deposited plans
In the city of London Work No. 1A	
Lothbury.	A to B.
Lombard Street.	E to F.
Gracechurch Street.	G to H and J to K.
Fish Street Hill.	—
Works Nos. 1A & 1B	
Bucklersbury.	C to D.
Work No. 2	
Tower Hill.	—
Minories.	—
Shorter Street.	—
In the London borough of Tower Hamlets Work No. 2	
Tower Hill.	—
Mansell Street.	—
Shorter Street.	—
Royal Mint Street.	—
Leman Street.	—

## Section 14.

## SCHEDULE 3

LANDS REFERRED TO IN SECTION 14 (POWER TO ACQUIRE SUBSOIL OR NEW RIGHTS ONLY IN CERTAIN CASES) OF THIS ACT

Area (1)	No. on deposited plans (2)
	Work No. 1A
City of London.	7, 8, 28, 29, 30, 33, 34, 35, 36, 38.
	Work No. 2
City of London.	62.
	Works Nos. 2 & 3
London borough of Tower Hamlets.	2, 4, 4A, 7, 8, 10, 11, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28.

## Section 15.

## SCHEDULE 4

LANDS REFERRED TO IN SECTION 15 (SUBSOIL OR NEW RIGHTS ONLY TO BE ACQUIRED UNDER CERTAIN LANDS) OF THIS ACT

Area (1)	No. on deposited plans (2)
	Work No. 1A
City of London.	9, 11, 12, 13, 16, 17, 19, 20, 21, 22, 24, 25, 27, 40, 42, 43, 44, 46, 47A, 47B.
	Work No. 1B
City of London.	03, 05, 07.
	Works Nos. 1A & 2
City of London.	47D.
	Work No. 2
City of London.	50, 53.

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# London Docklands Railway (City Extension) Act 1986

## CHAPTER xxiii

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Schedule 4—Lands referred to in section 15 (Subsoil or new rights only to be acquired under certain lands) of this Act.