



# London Underground Act 1992

## 1992 CHAPTER iii

### PART II

#### WORKS, ETC.

#### 4 Power to make works

- (1) The Company may, in the lines or situations shown on the deposited plans and according to the levels shown on the deposited sections, make and maintain in Greater London the works described in Schedule 1 to this Act with all necessary works and conveniences connected therewith.
- (2) The Corporation may, after completion of any necessary work by the Company on such land, make and maintain with all necessary works and conveniences connected therewith a bus station on any part of the land shown numbered 5 to 10 and 59 to 64 in the London borough of Newham on the deposited plans.
- (3) The Company may make and maintain—
  - (a) platforms adjacent to the East London Line on the land shown numbered 281 to 284 in the London borough of Southwark on the deposited plans together with accesses therefrom to any station built as part of Work No. 2 on such land;
  - (b) a widening on both sides thereof of—
    - (i) Stainer Street, in the London borough of Southwark;
    - (ii) Brunel Street, in the London borough of Newham;to the extent shown on the (No. 2) plans;
  - (c) a road in the London borough of Newham between points J and K; and
  - (d) a footbridge in the London borough of Newham between points Q and T;with all necessary works and conveniences connected therewith.
- (4) On the completion of Work No. 12, the Company may fill in so much of the Channelsea River as lies between points U, V, W, X and Y as will be rendered unnecessary by that work.

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## **5 Power to open surface of streets**

The appropriate authority may, during and for the purpose of the execution of the works, enter upon, open, break up and interfere with so much of the surface of any of the streets named in column (2) of Schedule 2 to this Act as is within the limits of deviation or within the limits of land to be acquired or used shown on the (No. 2) plans.

## **6 Stopping up of streets and footpath**

- (1) The appropriate authority may stop up and discontinue so much of each of the streets and footpath specified in column (2) of Schedule 3 to this Act as is set out in column (3) of that Schedule.
- (2) After such stoppings up all rights of way over or along the streets and footpath authorised to be stopped up shall be extinguished and the appropriate authority 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 or footpath 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 appropriate authority compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

## **7 Temporary stoppage of streets and footpaths**

- (1) The appropriate authority may, during and for the purpose of the execution of the works, temporarily stop up and divert, and interfere with, any street or footpath 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 street or footpath from passing along and using the same.
- (2) In relation to any stopping up, diversion or interference authorised by subsection (1) above, the appropriate authority shall provide reasonable access for foot passengers bona fide going to or from any such land, house or building.
- (3) Without prejudice to the generality of subsection (1) above, the Company may, for a period not exceeding six years from the date of the passing of this Act—
  - (a) narrow and stop up—
    - (i) so much of Mephram Street numbered 28 in the London borough of Lambeth on the deposited plans as lies between points C and D;
    - (ii) so much of Tenison Way numbered 30 in the London borough of Lambeth on the deposited plans as lies between points E and F;
    - (iii) so much of Whichcote Street and Tenison Way numbered 21 and 30 in the London borough of Lambeth on the deposited plans as lies between points G and H;
    - (iv) so much of Buckley Street numbered 24 and 30 in the London borough of Lambeth on the deposited plans as lies between points J and K;
    - (v) so much of London Bridge Street numbered 174 in the London borough of Southwark on the deposited plans as lies between points C and D;

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- (vi) so much of the public footpath in Grace Kimmins Gardens numbered 216E in the London borough of Southwark on the deposited plans as lies between points E and F;
  - (vii) so much of Tidal Basin Road and Dock Road numbered 97 and 98 in the London borough of Newham on the deposited plans as lies between points A1, B1 and C1;
  - (viii) so much of the western side of Victoria Dock Road numbered 4A in the London borough of Newham on the deposited plans as lies between points A, B, C, D and A; and
  - (ix) so much of Manor Road numbered 29A in the London borough of Newham on the deposited plans as lies between points G and H;
- (b) stop up so much of each of the streets named in column (2) of Schedule 4 to this Act as is set out in column (3) of that Schedule.
- (4) (a) Subsection (1) above shall not apply to any part of the Queen’s Walk except so much of the air space over the Queen’s Walk as may be required for the provision of an overhead conveyor.
- (b) For the purposes of paragraph (a) above the expression “the Queen’s Walk” shall have the same meaning as in section 36 (For protection of London Residuary Body) of this Act.

## **8 Notice of interference with streets**

Before breaking up or otherwise interfering with any street to which the public has access in connection with the construction of any of the works the Company shall (except in case of emergency) give not less than 14 days’ notice in writing to—

- (a) the London Fire and Civil Defence Authority; and
- (b) the chief officer of police;

and make such arrangements with the chief officer of police as may be reasonably necessary so as to cause as little interference with the traffic in such street during the construction of such works as may be reasonably practicable.

## **9 Works in river Thames**

- (1) In this section “the affected areas” means so much of the banks, bed and foreshores of the river Thames as are specified in Schedule 5 to this Act and as are within the limits of deviation.
- (2) The Company may, for the purpose of constructing the works, alter or interfere with the affected areas and construct, place, maintain, alter and remove all such works and conveniences within those areas as they may deem expedient or necessary.
- (3) The Company may, with the consent of the port authority (whose consent shall not be unreasonably withheld) and subject to such reasonable conditions (including conditions as to payment) as the port authority may impose, for the purpose of constructing the works, moor or anchor temporarily vessels, barges, lighters or other craft in the river Thames or at any pier or jetty in the affected areas and may load and unload into and from such craft, equipment, machinery, soil and any other materials arising out of, or related to, the construction of the works.

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## 10 Works at Westminster

The Company may, for the purpose of constructing Works Nos. 2, 6B, 7 and 8, together with all necessary works and conveniences connected therewith, in, on or under so much of the land in the city of Westminster as lies within the limits of land to be used shown on the deposited plans—

- (a) temporarily stop up, divert and interfere with any street referred to in Schedule 2 to this Act; and
- (b) stop up—
  - (i) any pedestrian subway; and
  - (ii) any part of any such street for the purpose of providing access to any of the said works and conveniences connected therewith.

## 11 General mode of construction of underground railways

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

- (a) The works 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) Works Nos. 1A and 1B may be constructed in single tunnels:
- (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 under-pinning or by sinking and shall be lined with cast iron, brick, concrete or other equally suitable and durable material;
  - (iii) The internal diameter of the station tunnels of the underground railway shall not exceed 10 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 14 metres when circular and 20 metres by 10 metres when rectangular, 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 or other suitable materials 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 Company 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;

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alternatively instead of the work being carried on under compressed air, the Company 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.

- (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.

## **12 Use of sewers, etc., for removing water**

- (1) The appropriate authority may use for the discharge of any water pumped or found by them during the construction of the works any available stream or watercourse, or any sewer or drain of a relevant authority in or through whose area the works may be constructed or pass, and for that purpose may lay down, take up and alter conduits, pipes and other works and make any convenient connections with any such stream, watercourse, sewer or drain within the limits of deviation but—
- (a) the appropriate authority shall not discharge any water into any sewer or drain vested in or under the control of a relevant authority except with the consent of the relevant authority and subject to such terms and conditions as the relevant authority may reasonably impose; and
  - (b) the appropriate authority shall not make any opening into any such sewer or drain save in accordance with plans approved by, and under the superintendence (if given) of, the relevant authority in whom the sewer or drain is vested and approval of those plans by the relevant authority shall not be unreasonably withheld.
- (2) (a) Section 85 of the Water Resources Act 1991 shall apply to, or to the consequence of, a discharge under the powers of this section into any controlled waters within the meaning given by section 104 of that Act as if this section were not a local statutory provision for the purposes of section 88 (1) (f) of that Act.
- (b) In the exercise of their powers under this section the appropriate authority shall not damage or interfere with the bed of any watercourse forming part of a main river or the banks thereof within the meaning of section 113 of the Water Resources Act 1991.
- (3) The appropriate authority shall take all steps reasonably required to secure that any water discharged by them under the powers of this section shall be as free as may be reasonably practicable from any gravel, soil or other solid substance or oil or matter in suspension.
- (4) Any difference arising between the appropriate authority and a relevant authority under this section shall be settled by arbitration.
- (5) In this section “relevant authority” means Thames Water Utilities Limited, the National Rivers Authority or a London borough council.

## **13 Power to deviate**

In the execution of any of the works, the Company may deviate laterally 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—

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- (a) to such extent downwards as may be found necessary or convenient;
- (b) to any extent upwards not exceeding 10 metres in the case of so much of Work No. 3A as lies between the points measured along its centre line at a distance of 1,000 metres and 1,400 metres from its commencement;
- (c) to any extent upwards not exceeding 3 metres in the case of so much of Works Nos. 2 and 3A as lies beneath the lands shown on the deposited plans numbered—
  - (i) 102 and 103 in the city of Westminster;
  - (ii) 1 in the London borough of Lambeth;
  - (iii) 322 and 322A in the London borough of Southwark;
  - (iv) 1 and 66 in the London borough of Tower Hamlets;
  - (v) 1, 10, 11 and 12 in the London borough of Greenwich; and
  - (vi) 85 in the London borough of Newham;
- (d) to any extent upwards not exceeding 5 metres in the case of so much of the remainder of Work No. 3A as is constructed in tunnel and all of the other underground railways; and
- (e) to such extent upwards as may be found necessary or convenient in the case of any other of the works.

## 14 Agreements with British Railways Board

(1) In this section—

“the affected properties” means the Waterloo and London Bridge stations of the railways board, any viaduct or part of a viaduct carrying train services operated by the railways board and the North London Line, including the subsoil beneath those stations and viaducts and the North London Line; and

“the specified works” means so much of the works as will be constructed under, on or over any of the affected properties.

- (2) Any work of alteration or adaptation of property of the railways board which may be necessary in order to construct the specified works and thereafter, the use, maintenance, repair and renewal of such property and of the specified works shall be carried out and regulated by the Company or the railways board, or jointly by both of them, in accordance with such terms and conditions as may be agreed in writing between the Company and the railways board.
- (3) (a) Any agreement made under this section may relate to the whole or part of the affected properties and may contain such incidental, consequential or supplementary provisions as may be so agreed, including (but without prejudice to the generality of the foregoing) provisions—
  - (i) with respect to the defraying of, or the making of contributions towards, the cost of such works of alteration or adaptation or the costs of such maintenance, repair and renewal as are referred to in subsection (2) above by the Company or by the railways board or by the Company and railways board jointly; and
  - (ii) for the exercise by the railways board, or by the Company, or by the railways board and the Company jointly, of all or any of the powers and rights of the railways board and the Company (as the case may be) in respect of any part of the specified works under any enactment or contract.

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- (b) The exercise by the Company or the railways board or by the Company and the railways board jointly, of any powers and rights under any enactment or contract pursuant to any such agreement as is authorised by paragraph (a) above shall be subject to all statutory and contractual provisions relating thereto which would apply if such powers and rights were exercised by the Company or the railways board (as the case may be) alone, and accordingly such provisions shall with any necessary modifications, apply to the exercise of such powers and rights by the Company or the railways board, or by the Company and the railways board jointly, as the case may be.
- (4) The Company and the railways board may enter into, and carry into effect, agreements for the transfer to the Company, or the Company and the railways board jointly, of any part of the affected properties.
- (5) In constructing Works Nos. 2, 3A and 4 on any part of the affected properties the Company may, on such terms as may be agreed with the railways board, re-align the existing North London Line and relocate the Canning Town station of the railways board in such position and on such terms as are agreed between the Company and the railways board.
- (6) Any difference between the Company and the railways board under this section (other than a difference as to its meaning or construction) shall be referred to and settled by arbitration.

## **15 Agreements with landowners**

- (1) In this section—
  - “the affected properties” means the land shown numbered 7, 7A, 8, 44 and 45 in the London borough of Tower Hamlets on the deposited plans;
  - “the specified works” means so much of Work No. 3A as will be constructed under or near the affected properties, together with all necessary works and conveniences connected therewith; and
  - “the landowners” means the owners, lessees and occupiers of the affected properties.
- (2) Any work of construction, alteration or adaptation of property of the landowners which may be necessary in order to construct the specified works and thereafter the use, maintenance, repair and renewal of such property and of the specified works shall be carried out and regulated by the Company or the landowners, or jointly by both of them, in accordance with such terms and conditions as may be agreed in writing between the Company and the landowners.
- (3) (a) Any agreement made under this section may relate to the whole or part of the affected properties and may contain such incidental, consequential or supplementary provisions as may be so agreed, including (but without prejudice to the generality of the foregoing) provisions—
  - (i) with respect to the defraying of, or the making of contributions towards, the cost of such works of alteration or adaptation or the costs of such maintenance, repair and renewal as are referred to in subsection (2) above by the Company or the landowners or by the Company and the landowners jointly; and
  - (ii) for the exercise by the Company, or by the landowners or by the Company and the landowners jointly, of all or any of the powers and

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rights of the Company or the landowners (as the case may be) in respect of any part of the specified works under any enactment or contract.

- (b) The exercise by the Company or the landowners or by the Company and the landowners jointly, of any powers and rights under any enactment or contract pursuant to any such agreement as is authorised by paragraph (a) above shall be subject to all statutory and contractual provisions relating thereto as would apply if such powers and rights were exercised by the Company or the landowners (as the case may be) alone, and accordingly such provisions shall with any necessary modifications, apply to the exercise of such powers and rights by the Company or the landowners, or by the Company and the landowners jointly, as the case may be.

## **16 Listed building provisions, etc., not to apply to works**

- (1) The provisions of this Act authorising the carrying out of the works (“the works powers”) shall have effect notwithstanding—
- (a) the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990; and
  - (b) the provisions of the enactments relating to historic buildings and ancient monuments;

and section 42 of the Local Government (Miscellaneous Provisions) Act 1976 (certain local Acts, etc., to be subject to the planning enactments, etc., except as otherwise provided) shall not apply to the extent that it would make the works powers subject to those provisions:

Provided that nothing in paragraph (a) above shall apply in relation to—

- (i) works for the demolition of any relevant building other than one specified in Part I of Schedule 6 to this Act; or
  - (ii) works for the permanent alteration or extension of any relevant building, other than one specified in Part I or Part II of that Schedule, so as to affect its character as a building of special architectural or historic interest.
- (2) Paragraph (a) of subsection (1) above shall only apply in relation to works for the permanent alteration or extension of a building specified in column (1) of Part II of Schedule 6 to this Act which affect its character as a building of special architectural or historic interest if the works are carried out for the purpose specified in relation to that building in column (2) of that Part.
- (3) In this section “relevant building” means a building which was, on 1st February 1991, a listed building or in a conservation area; and expressions used in this section and in the Planning (Listed Buildings and Conservation Areas) Act 1990 have the same meaning in this section as in that Act.

## **17 Nos. 1, 1B and 2 Bridge Street**

Notwithstanding the provisions of paragraph (a) of subsection (1) of section 16 (Listed building provisions, etc., not to apply to works) of this Act, that paragraph shall not have effect in relation to the demolition of Nos. 1, 1B and 2 Bridge Street in the city of Westminster until a resolution approving a design for the new Parliamentary building to be constructed on the site thereof has been approved by the House of Commons.



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## **18 Marking of tidal works**

- (1) The Company shall—
- (a) at or near every tidal work exhibit such lights and lay down such buoys and take such other steps for preventing danger to navigation as the port authority may from time to time reasonably direct;
  - (b) in the case of injury to or destruction or decay of a tidal work or any part thereof immediately notify the port authority, and the port authority may thereupon give to the Company reasonable directions as to the steps to be taken for preventing danger to navigation.
- (2) If the Company fail to comply with any provision of or direction given under this section, they shall be liable on summary conviction to a fine not exceeding the statutory maximum and on conviction on indictment to a fine.

## **19 Plans, etc., to be approved by Secretary of State**

The Company 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.

## **20 Incorporation of works provisions**

- (1) The following provisions of the undermentioned Acts are, with necessary modifications, 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.
- (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”.