



London Underground (Safety Measures) Act 1991

1991 CHAPTER xviii

PART II

WORKS, ETC.

4 Power to make works

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 the works described in Schedule 1 to this Act, with all necessary works and conveniences connected therewith.

5 Power to open surface of streets

Subject to the provisions of this Act the Company may—

- (a) for the purposes of constructing such of the Company's works as are described in column (1) of Schedule 2 to this Act, enter upon, open, break up and interfere with so much of the surface of the streets in column (2) of that Schedule as lies within the limits of deviation of those works; and
- (b) for the purposes of providing access to Works Nos. 6 and 7 (Works at Holborn) and Work No. 6 (Works at Tottenham Court Road) make and maintain permanent openings in the footways of so much of Southampton Row, Theobalds Road and Tottenham Court Road as lies within the limits of deviation of those works.

6 Stopping up and narrowing of streets

(1) The Company may—

- (a) stop up and discontinue Falconberg Court in the city of Westminster between the points marked 'A' and 'B' on the deposited plans; and

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- (b) narrow, stop up and discontinue so much of Borough High Street and Southwark Street in the London borough of Southwark as lies between the points marked ‘A’ and ‘B’ on the deposited plans and so much of Southampton Row in the London borough of Camden as lies within the limits of deviation of Work No. 7 (Works at Holborn).
- (2) After any stopping up and discontinuing under subsection (1)(a) above or any narrowing, stopping up and discontinuing under subsection (1)(b) above all rights of way over or along the streets or portions of streets so authorised to be stopped up shall be extinguished and the Company may, subject to the provisions of the Act of 1845 with respect to mines and minerals lying under or near the railway, appropriate without making payment therefor, and use for the purposes of their undertaking, the sites of the streets so stopped up.
- (3) Any person who suffers any loss by the extinguishment of any private right under this section shall be entitled to be paid by the Company compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

7 Temporary stoppage of streets

- (1) The Company may during and for the purposes of constructing such of the Company’s works as are described in column (1) of Schedule 3 to this Act temporarily stop up and interfere with so much of the streets in column (2) of that Schedule 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 Company shall provide reasonable access for foot passengers bona fide going to or from any such land, house or building.

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 works under the powers of this Act, the Company shall (except in case of emergency) give 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 Temporary working sites at Holborn

- (1) The Company may during and for the purposes of constructing Works Nos. 1 to 7 at Holborn temporarily stop up and interfere with so much of Procter Street, Drake Street and the traffic island at the junction of Drake Street and Theobalds Road in the London borough of Camden as lies within the limits of deviation marked “Limits of temporary working sites” and may for such time or times as may reasonably be required—
 - (a) divert the traffic from those streets and prevent all persons, other than those bona fide going to or from any land, house or building abutting on any part of

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those streets so stopped up and interfered with, from passing along and using the same; and

(b) prevent any person from passing over or using the said traffic island.

(2) The Company shall provide reasonable access for foot passengers bona fide going to or from any land, house or building referred to in subsection (1)(a) above.

10 Access to subway at Holborn

In constructing Work No. 1 (Works at Holborn) the Company may, within the limits of deviation, make an access between the lands marked “Proposed ticket hall” on the deposited plans and the public subway numbered on the said plans 23 in the London borough of Camden together with all necessary works and conveniences connected therewith.

11 General mode as to construction of underground railways

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

- (a) the works, where constructed in tunnel, shall be constructed in 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 the station tunnel) 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;
 - (iii) the internal diameter of the station tunnel 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 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 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; 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

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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.

12 Use of sewers, etc., for removing water

- (1) The Company 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 Company 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 Company 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 shall be vested and approval of those plans by the relevant authority shall not be unreasonably withheld.
- (2) (a) Section 107 of the Water Act 1989 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 103 of that Act as if this section were not a local statutory provision for the purposes of section 108 (1) (d) of that Act.
 - (b) In the exercise of their powers under this section the Company 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 116 of the Land Drainage Act 1976.
- (3) The Company shall take all steps as may reasonably be 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 Company 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 shown on the deposited plans, the Company 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

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deposited sections to any extent upwards not exceeding 3 metres and to such extent downwards as may be found necessary or convenient.

14 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, platforms, stairs, lifts, escalators and other communications;
- (b) lighting;
- (c) signalling; and
- (d) ventilation;

and any 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.

15 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”.