



Heathrow Express Railway Act 1991

1991 CHAPTER vii

PART I

PRELIMINARY

1 Short title

This Act may be cited as the Heathrow Express Railway Act 1991.

2 Interpretation

(1) In this Act, unless the context otherwise requires, words and expressions to which meanings are assigned by the enactments incorporated herewith have in relation to the related subject-matter the same respective meanings; and

“the Act of 1845” means the Railways Clauses Consolidation Act 1845;

“the Act of 1965” means the Compulsory Purchase Act 1965;

“the appropriate authority” means—

(a) in relation to the Company’s works and in relation to any land in respect of which powers for compulsory purchase are conferred upon the Company by this Act, the Company;

(b) in relation to the Board’s works and in relation to any land in respect of which powers for compulsory purchase are conferred upon the Board by this Act, the Board;

“the Board” means the British Railways Board;

“the Board’s works” means Works Nos. 6 to 13 and any works, apparatus or conveniences constructed or provided by the Board as part of, or in connection with, or for the purposes of, those works or any of them;

“the Company” means Heathrow Airport Limited and includes any subsidiary (within the meaning of section 736 of the Companies Act 1985) of the Company;

“the Company’s works” means Works Nos. 1A to 5, the railway stations referred to in section 7 of this Act and any works, apparatus or conveniences

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constructed or provided by the Company as part of, or in connection with, or for the purposes of, those works or any of them;

“constructed in tunnel” means constructed in tunnel in such manner as does not necessitate the cutting through or the removal of the surface soil;

“the limits of deviation” means the limits of deviation shown on the deposited plans;

“the tribunal” means the Lands Tribunal;

“the underground railways” means such portions of Works Nos. 2A to 5, and any necessary works and conveniences connected therewith, as are constructed in tunnel; and

“the works” means the works authorised by this Act.

- (2) All directions, distances and lengths stated in any description of works, powers or lands shall be construed as if the words “or thereabouts” were inserted after each such direction and length and distances between points on a railway shall be taken to be measured along the railway.
- (3) References in this Act to points identified by letters with numbers shall be construed as references to the points so marked on the deposited plans.
- (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.

3 Incorporation of general enactments

- (1) The following enactments, so far as the same are applicable for the purposes of and are not inconsistent with this Act, are incorporated with this Act, and this Act shall be the special Act for the purposes of the said incorporated enactments:—
 - (a) the Act of 1845, except sections 1, 7, 8, 9, 11, 12, 13, 15, 17, 19, 20, 22, 23, 94 and 95 thereof; and
 - (b) in the Railways Clauses Act 1863, Part I (relating to the construction of a railway), except sections 13 to 19 thereof.
- (2)
 - (a) For the purposes of the enactments incorporated by subsection (1) above the expression “the company” where used in those enactments means the appropriate authority.
 - (b) For the purposes of sections 16 and 30 to 44 of the Act of 1845, as incorporated by subsection (1) above, Works Nos. 4A and 9 to 13 shall be deemed to be railways authorised by the special Act.
 - (c) Sections 18 and 21 of the Act of 1845, as incorporated by subsection (1) above, shall not extend to regulate the relations between the appropriate authority and any other person in respect of any matter or thing concerning which those relations are regulated in any respect by the provisions of—
 - (i) Part II of the Public Utilities Street Works Act 1950; or
 - (ii) section 37 (For protection of electricity, gas and water undertakers) of this Act.

4 Application of Part I of Compulsory Purchase Act 1965

- (1) Part I of the Act of 1965 (except sections 4 and 27 thereof and paragraph 3 (3) of Schedule 3 thereto), so far as it is applicable for the purposes of and is not inconsistent

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with this Act, shall apply to the compulsory purchase of land under this Act as it applies to a compulsory purchase to which the Acquisition of Land Act 1981 applies and as if this Act were a compulsory purchase order under the said Act of 1981.

- (2) In section 11 (1) of the Act of 1965 (which empowers the acquiring authority to enter on and take possession of land the subject of a notice to treat after giving not less than 14 days' notice), as so applied, for the words "fourteen days" there shall be substituted, in respect of the land referred to in Schedule 2 to this Act, the words "twenty-eight days" and, in the case of any other land, the words "three months".
- (3) The Lands Clauses Consolidation Act 1845 shall not apply to the purchase of land under this Act.