



# Channel Tunnel Rail Link Act 1996

## CHAPTER 61

### CHANNEL TUNNEL RAIL LINK ACT 1996

#### PART I

##### THE CHANNEL TUNNEL RAIL LINK

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### SCHEDULES

#### SCHEDULE 1 — Scheduled Works

##### *Description of works*

1 The works which the nominated undertaker is authorised by section...

##### *Interpretation*

2 In paragraph 1 above— references to the Tilbury Loop Railway...

#### SCHEDULE 2 — Works: Further and Supplementary Provisions

##### *Subsidiary works*

1 (1) The nominated undertaker may, for the purposes of or...

##### *Highway accesses*

2 Without prejudice to paragraph 1(1)(b) above, the nominated undertaker may,...

##### *Overhead line diversions*

3 (1) Without prejudice to paragraph 1(1)(e) above, the nominated undertaker...

##### *Mitigation and protection works*

4 The nominated undertaker may within the limits of deviation for...

##### *Euston Road and York Way improvement works*

5 (1) The nominated undertaker may, within the limits of deviation...

##### *Underpinning of buildings*

6 (1) This paragraph applies where it is necessary or expedient...

- 7 (1) This paragraph applies where it is necessary or expedient...  
 8 (1) Where the nominated undertaker exercises any power under paragraph...

*Discharge of water*

- 9 (1) The nominated undertaker may use any watercourse or any...

*Entry for preparatory purposes*

- 10 (1) The nominated undertaker may, for the purposes of this...

*Temporary interference with waterways*

- 11 (1) The powers conferred by this paragraph shall be exercisable...

## SCHEDULE 3 — Highways

*Stopping up: non-level crossings*

- 1 (1) Subject to the provisions of this paragraph, the nominated...  
 2 (1) Subject to the provisions of this paragraph, the nominated...  
 3 (1) On a highway or part of a highway being...

*Stopping up: level crossings*

- 4 (1) The nominated undertaker may, in connection with the construction...

*Permanent obstruction*

- 5 (1) The powers conferred by paragraph 1 or 4 of...

*Temporary interference*

- 6 (1) For the purposes of the works authorised by this...

*Street works*

- 7 (1) The nominated undertaker may, for the purposes of the...  
 8 (1) Works to which sub-paragraph (2) below applies shall be...

*Construction*

- 9 (1) Where under this Part of this Act the nominated...  
 10 (1) Sub-paragraph (2) below applies where under this Part of...

*Maintenance*

- 11 (1) Sub-paragraph (2) below applies where under this Part of...  
 12 Notwithstanding anything in section 46 of the Railways Clauses Consolidation...

*Bridges carrying highways*

- 13 Each of sections 116 and 117 of the Transport Act...

*Agreements with highway authorities etc.*

- 14 (1) Where under this Schedule the nominated undertaker is authorised...

*Use of subsoil*

- 15 The nominated undertaker may enter upon, take and use for...

SCHEDULE 4 — Acquisition of Land within Limits Shown on Deposited Plans

Part I — PURPOSES FOR WHICH CERTAIN LAND MAY BE ACQUIRED OR USED

Part II — APPLICATION OF LEGISLATION RELATING TO COMPULSORY PURCHASE

*Lands Clauses Consolidation Act 1845*

- 1 The Lands Clauses Consolidation Act 1845 shall not apply to...

*Compulsory Purchase Act 1965*

- 2 Part I of the Compulsory Purchase Act 1965, so far...  
3 (1) In its application by virtue of paragraph 2 above,...

*Compulsory Purchase (Vesting Declarations) Act 1981*

- 4 The Compulsory Purchase (Vesting Declarations) Act 1981 shall apply as...  
5 (1) In its application by virtue of paragraph 4 above,...

Part III — SUPPLEMENTARY PROVISIONS

*Acquisition of subsoil*

- 6 (1) In the case of land specified in the following...

*Acquisition of existing tunnels*

- 7 In the case of land specified in the following table...

*Acquisition of new rights*

- 8 (1) The power conferred by section 4(1)(a) or (b) above...  
9 (1) The modifications referred to in paragraph 8(2)(a) above are...  
10 (1) The Secretary of State may by order provide, in...

*Acquisition of part only of certain properties*

- 11 (1) Where— (a) a notice to treat under Part I...  
12 (1) Where under paragraph 11 above a notice to treat...

*Minerals*

- 13 (1) Parts II and III of Schedule 2 to the...

*Power to require acquisition where time limit extended*

- 14 (1) If the Secretary of State makes an order under...  
15 (1) Paragraph 14 above shall not apply to any subsoil...

*Compensation*

16 Section 4 of the Acquisition of Land Act 1981 (assessment...)

SCHEDULE 5 — Temporary Possession and Use of Land

*Occupation and use for construction of works*

- 1 (1) The nominated undertaker may, in connection with the construction...
- 2 (1) Before giving up possession of land of which possession...
- 3 (1) Where the power under paragraph 1 above to take...

*Occupation and use for maintenance of works*

- 4 (1) At any time during the maintenance period relating to...

*Suspension of private rights of way*

- 5 (1) All private rights of way over land of which...

SCHEDULE 6 — Planning Conditions

Part I — QUALIFYING AUTHORITIES

*Specification*

- 1 (1) As soon after the day on which this Act...

*Transition*

- 2 (1) An order under paragraph 1 above may contain such...
- Part II — DEVELOPMENT IN GREATER LONDON

*Introductory*

- 3 This Part of this Schedule has effect in relation to...

*Planning regimes*

- 4 (1) The requirement set out in paragraph 5 below shall...

*Conditions: non-qualifying authority*

- 5 (1) Development shall be carried out in accordance with plans...

*Conditions: qualifying authority*

- 6 (1) To the extent that development consists of any operation...
- 7 (1) Development shall be carried out in accordance with arrangements...
- 8 (1) To the extent that development consists of—
- 9 (1) No work to which this paragraph applies shall be...
- 10 —Where the local planning authority approves a scheme for the...

*Conditions: general*

- 11 (1) Where development consists of or includes the carrying out...
- Part III — DEVELOPMENT IN ESSEX OR KENT

*Introductory*

12 This Part of this Schedule has effect in relation to...

*Planning regimes: district councils*

13 (1) The requirement set out in paragraph 14 below shall...

*District conditions: non-qualifying authority*

14 (1) Development shall be carried out in accordance with plans...

*District conditions: qualifying authority*

- 15 (1) To the extent that development consists of any operation...  
16 (1) Development shall be carried out in accordance with arrangements...  
17 (1) No work to which this paragraph applies shall be...  
18 Where the district planning authority approves a scheme for the...

*District conditions: general*

19 (1) Where development consists of or includes the carrying out...

*Planning regimes: county councils*

20 (1) The requirement set out in paragraph 21 below shall...

*County conditions: non-qualifying authority*

21 (1) Development shall be carried out in accordance with plans...

*County conditions: qualifying authority*

- 22 (1) To the extent that development consists of any operation...  
23 (1) Development shall be carried out in accordance with arrangements...  
24 (1) To the extent that development consists of—  
25 (1) Development shall be carried out in accordance with arrangements...

Part IV — SUPPLEMENTARY

*Programming of requests for planning approvals*

26 A planning authority shall not be required to entertain a...

*Consultation*

- 27 (1) Where a planning authority considers that a request for...  
28 (1) Where a planning authority considers that a request for...  
29 (1) Where a planning authority considers that a request for...

*Intervention by Secretary of State*

- 30 (1) The appropriate Ministers may by directions require a planning...  
31 (1) The appropriate Ministers may by directions restrict a planning...

*Appeals*

- 32 (1) Where the nominated undertaker is aggrieved by a decision...  
33 No appeal under section 78 of the Town and Country...

- 34 (1) Unless the appropriate Ministers direct otherwise, their functions in...
- 35 The decision of the person appointed under paragraph 34 above,...
- 36 (1) An appeal under paragraph 32 above shall be dealt...
- 37 (1) Regulations under paragraph 32 or 36 above may make...

*Interpretation*

- 38 (1) In this Schedule— “building” includes any structure, other than—...

## SCHEDULE 7 — Heritage

*Listed buildings and conservation areas*

- 1 (1) Subject to sub-paragraph (2) below, if a listed building...
- 2 (1) In the case of a listed building to which...
- 3 Section 59 of the Planning (Listed Buildings and Conservation Areas)...

*Ancient monuments etc.*

- 4 (1) This paragraph has effect in relation to the Ancient...
- 5 (1) The power of entry conferred by section 36(1) of...

## SCHEDULE 8 — Heritage: rights of entry

*Historic Buildings and Monuments Commission for England*

- 1 (1) Any person duly authorised in writing by the Commission...

*Royal Commission on the Historical Monuments of England*

- 2 (1) The nominated undertaker shall not carry out any decontrolled...
- 3 (1) Following the giving of a notice under paragraph 2(1)...

*Interpretation*

- 4 In this Schedule— “the Commission” means the Historic Buildings and...

## SCHEDULE 9 — Application of Other Railway Legislation

## Part I — RAILWAYS CLAUSES ACTS

*Railways Clauses Consolidation Act 1845 (c. 20)*

- 1 (1) The Railways Clauses Consolidation Act 1845, insofar as applicable...

*Railways Clauses Act 1863 (c. 92)*

- 2 (1) Part I of the Railways Clauses Act 1863, insofar...
- Part II — OTHER LEGISLATION

*Highway (Railway Crossings) Act 1839 (c. 45)*

- 3 The Highway (Railway Crossings) Act 1839 shall not apply to...



*Railway Regulation Act 1842 (c. 55)*

4 Section 9 of the Railway Regulation Act 1842 shall not...

*Regulation of Railways Act 1871 (c. 78)*

5 In section 2 of the Regulation of Railways Act 1871,...

*Railway Companies (Accounts and Returns) Act 1911 (c. 34)*

6 For the purposes of the Railway Companies (Accounts and Returns)...

*British Transport Commission Act 1949 (c. xxix)*

7 (1) This paragraph has effect in relation to the British...

*Miscellaneous*

8 (1) In their application to— (a) a rail link undertaker,...

SCHEDULE 10 — Disapplication and Modification of Miscellaneous Controls

*Ecclesiastical law*

1 (1) No obligation or restriction imposed under ecclesiastical law or...

*Overground wires*

2 Nothing in the London Overground Wires &c. Act 1933, or...

*London Building Acts (Amendment) Act 1939*

3 (1) This paragraph has effect in relation to the London...

*Coast works*

4 The following provisions of the Coast Protection Act 1949, namely—...

*Highways etc.*

5 (1) The following enactments, namely— (a) section 15(1) of the...

*Areas of special scientific interest*

6 Sections 28(5) and 29(3) of the Wildlife and Countryside Act...

*Building regulations*

7 (1) Nothing in Part I of the Building Act 1984...

*Deposits in the sea*

8 (1) Section 5 of the Food and Environment Protection Act...

*London lorries: general*

9 (1) This paragraph applies where an application for the issue...

*London lorries: emergency permits*

- 10 (1) This paragraph applies where a person proposes to undertake...  
 11 (1) An authority responsible for dealing with applications for permits...

*Works under streets in Greater London*

- 12 The following provisions of the Greater London Council (General Powers)...

*Communication with public sewers in London*

- 13 Section 106(8) of the Water Industry Act 1991 (which qualifies...

## SCHEDULE 11 — Burial Grounds: Removal of Human Remains and Monuments

*Notice of removal*

- 1 (1) Before removing from the land in question any remains...

*Removal of remains*

- 2 (1) In the case of remains in relation to which...  
 3 (1) In the case of remains in relation to which...

*Removal of monuments*

- 4 (1) Where a licence to remove any remains is issued...  
 5 (1) Where the nominated undertaker removes any remains under paragraph...

*Records*

- 6 (1) Where any remains are removed under this Schedule, the...

*Supplementary*

- 7 (1) Where the nominated undertaker removes remains in relation to...

## SCHEDULE 12 — The A2 and M2 Improvement Works

## Part I — THE AUTHORISED WORKS

*Description of works*

- 1 The works which the Secretary of State is authorised by...

*Interpretation of Part I*

- 2 In paragraph 1 above— references to the M2 are to...  
 Part II — INTERFERENCE WITH HIGHWAYS AND MEANS OF ACCESS

*Stopping up of highways*

- 3 (1) Subject to the provisions of this paragraph, the Secretary...

*Stopping up of private access to premises*

- 4 (1) Subject to the provisions of this paragraph, the Secretary...

*Temporary interference with highways*

- 5 (1) The Secretary of State may, for the purpose of...  
Part III — MISCELLANEOUS

*Status of new highways*

- 6 (1) On the date on which this Act is passed...  
7 On the date on which this Act is passed—  
8 (1) On the date certified by the Secretary of State...

*Status of operations and works*

- 9 The construction by the Secretary of State of a highway...  
10 (1) The following operations and works, namely—

*Treatment of provisions of this Schedule for Highways Act purposes*

- 11 (1) Where, by virtue of any of the provisions of...

*Regulation of traffic on new roads*

- 12 (1) Subject to sub-paragraph (2) below, any power under the...

SCHEDULE 13 — A2 and M2 Improvement Works: Purposes for which Certain  
Land may be Acquired or Used

SCHEDULE 14 — Overhead lines: consent

*Scope of Schedule*

- 1 This Schedule applies to any electric line to which section...

*Consent requirement*

- 2 (1) An electric line to which this Schedule applies shall...

*Applications for consent*

- 3 (1) An application for consent under this Schedule shall be...  
4 An application for consent under this Schedule shall be supplemented,...

*Publicity*

- 5 (1) A person applying for consent under this Schedule shall...

*Consultation*

- 6 (1) Within 14 days of receiving an application for consent...  
7 (1) If the appropriate Ministers consider that an application for...

*Grant of consent*

- 8 (1) This paragraph applies to an application for consent under...  
9 A consent under this Schedule may include such conditions (including...

*Variation and revocation of consent*

- 10 (1) A consent under this Schedule may be varied or...

*Duration of consent*

- 11 Subject to paragraph 10 above, a consent under this Schedule...

*Anticipatory applications*

- 12 (1) This paragraph applies where— (a) an application to the...

*Interpretation*

- 13 In this Schedule, references to the appropriate Ministers are to...

## SCHEDULE 15 — Protective Provisions

## Part I — PROTECTION FOR HIGHWAYS AND TRAFFIC

- 1 (1) The following provisions of this Part of this Schedule...  
 2 Wherever in this Part of this Schedule provision is made...  
 3 (1) The nominated undertaker shall not exercise the powers conferred...  
 4 Before carrying out any work for the construction or maintenance...  
 5 The nominated undertaker shall not, without the consent of the...  
 6 In the construction of any part of the said works...  
 7 (1) The provisions of this paragraph have effect in relation...  
 8 The nominated undertaker shall secure that so much of the...  
 9 Any officer of the highway authority duly appointed for the...  
 10 (1) The nominated undertaker shall not alter, disturb or in...  
 11 The nominated undertaker shall not remove any soil or material...  
 12 (1) If the highway authority, after giving to the nominated...  
 13 (1) The nominated undertaker shall not, except with the consent...  
 14 The nominated undertaker shall, if reasonably so required by the...  
 15 (1) Where any part of any highway has been broken...  
 16 If any damage to any highway or any property of...  
 17 The fact that any act or thing may have been...  
 18 Any dispute arising between the nominated undertaker and the  
 highway...

Part II — PROTECTION FOR ELECTRICITY, GAS, WATER AND SEWERAGE  
UNDERTAKERS

- 1 (1) The following provisions of this Part of this Schedule...  
 2 (1) The following provisions of this paragraph have effect in...  
 3 (1) Before exercising any right to adjust or alter apparatus...  
 4 The nominated undertaker shall give the undertakers not less than...  
 5 (1) If the undertakers desire to alter or adjust any...  
 6 (1) This paragraph applies where— (a) the nominated undertaker for...  
 7 (1) Any alternative apparatus to be constructed by the undertakers...  
 8 The undertakers shall, after the manner of construction and the...  
 9 (1) If the nominated undertaker gives notice in writing to...  
 10 (1) Where, in accordance with the provisions of this Part...  
 11 (1) Not less than 28 days before commencing to construct...  
 12 If in consequence of the exercise of the powers of...  
 13 Where, in consequence of Part I of this Act, any...  
 14 (1) Subject to the following provisions of this paragraph, the...  
 15 (1) Subject to sub-paragraphs (2) and (3) below, if by...  
 16 The nominated undertaker shall, so far as is reasonably practicable,...  
 17 Notwithstanding the temporary stopping up or diversion of any  
 highway...  
 18 (1) Any dispute arising between the nominated undertaker and the...

Part III — PROTECTION OF LAND DRAINAGE, FLOOD DEFENCE, WATER RESOURCES AND FISHERIES

- 1 (1) The following provisions of this Part of this Schedule...
- 2 (1) Before beginning to construct any specified work, the nominated...
- 3 The requirements which the Agency may make under paragraph 2...
- 4 (1) Any specified work, and all protective works required by...
- 5 (1) Any work constructed under Part I of this Act...
- 6 (1) If by reason of the construction of any specified...
- 7 (1) The nominated undertaker shall take all such measures as...
- 8 (1) The nominated undertaker shall indemnify the Agency from all...
- 9 Nothing in paragraph 8 above shall require the nominated undertaker...
- 10 The fact that any work or thing has been executed...
- 11 For the purposes of section 5 of the Metropolis Management...
- 12 (1) Any dispute arising between the nominated undertaker and the...

Part IV — PROTECTION OF TELECOMMUNICATIONS OPERATORS

- 1 (1) The following provisions of this Part of this Schedule...
- 2 (1) Paragraph 21 of the telecommunications code shall not apply...
- 3 The temporary stopping up or diversion of any highway under...
- 4 (1) Where a highway is stopped up under paragraph 1...
- 5 (1) Subject to sub-paragraphs (2) to (4) below, if by...
- 6 Any dispute arising under this Part of this Schedule shall...

Part V — PROTECTION OF PORT OF SHEERNESS LIMITED

- 1 (1) The following provisions of this Part of this Schedule...
- 2 (1) Before beginning any operations for the construction of any...
- 3 The nominated undertaker shall carry out all operations for the...
- 4 (1) The nominated undertaker shall not, without the consent of...
- 5 If any pile, stump or other obstruction to navigation becomes...
- 6 (1) If— (a) by reason of the construction of any...
- 7 The nominated undertaker shall, at or near every tidal work,...
- 8 (1) If any tidal work is abandoned or falls into...
- 9 (1) Without prejudice to the provisions of paragraph 7 above,...
- 10 On the completion of the construction of the viaduct over...
- 11 The nominated undertaker shall not, except for the purpose of...
- 12 (1) The nominated undertaker shall indemnify the port authority from...
- 13 Nothing in paragraph 12 above shall impose any liability on...
- 14 Any dispute arising between the nominated undertaker and the port...

Part VI — PROTECTION OF BRITISH WATERWAYS BOARD

- 1 (1) The following provisions of this Part of this Schedule...
- 2 The Secretary of State shall not under the powers of...
- 3 (1) Before beginning to construct any specified work, the nominated...
- 4 (1) Any specified work, and any protective works required by...
- 5 In constructing the bridge, or bridges, forming parts of Works...
- 6 (1) The nominated undertaker shall not deposit any polluting material...
- 7 In its application to the discharge of water into the...
- 8 (1) If as a result of the construction of any...
- 9 (1) The nominated undertaker shall indemnify the Board from all...
- 10 Nothing in paragraph 9 above shall impose any liability on...
- 11 (1) Any dispute arising between the nominated undertaker and the...

Part VII — PROTECTION OF PORT OF LONDON AUTHORITY

- 1 (1) The provisions of this Part of this Schedule shall,...
- 2 (1) Before beginning any operations for the construction of any...
- 3 The nominated undertaker shall carry out all operations for the...
- 4 (1) The nominated undertaker shall not, without the consent of...

*Status: This is the original version (as it was originally enacted).*

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- 5 If any pile, stump or other obstruction to navigation becomes...
- 6 If— (a) by reason of the construction of any specified...
- 7 The nominated undertaker shall, at or near every specified work,...
- 8 (1) If any specified work or any other work of...
- 9 Paragraph 9(4) of Schedule 2 to this Act shall apply...
- 10 Any dispute arising between the nominated undertaker and the Port...