



# Crossrail Act 2008

## 2008 CHAPTER 18

An Act to make provision for a railway transport system running from Maidenhead, in the County of Berkshire, and Heathrow Airport, in the London Borough of Hillingdon, through central London to Shenfield, in the County of Essex, and Abbey Wood, in the London Borough of Greenwich; and for connected purposes. [22nd July 2008]

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:—

### *Works*

#### **1 Construction and maintenance of scheduled works**

- (1) The nominated undertaker may construct and maintain the works specified in Schedule 1 (“the scheduled works”), being—
  - (a) works for the construction of an underground railway between, in the west, a tunnel portal at Royal Oak in the City of Westminster and, in the east, tunnel portals at Custom House and Pudding Mill Lane in the London Borough of Newham,
  - (b) works for the construction of other railways in the London Boroughs of Barking & Dagenham, Bexley, Ealing, Greenwich, Hammersmith and Fulham, Havering, Hillingdon, Newham, Redbridge and Tower Hamlets, the City of Westminster, the Royal Borough of Kensington & Chelsea, the District of Basildon and the Borough of Brentwood in the County of Essex, the Royal Borough of Windsor & Maidenhead and the Borough of Slough in the County of Berkshire and the District of South Bucks in the County of Buckinghamshire,
  - (c) works consequent on, or incidental to, the construction of the works mentioned in paragraph (a) or (b).
- (2) Subject to subsections (3) to (5), the scheduled works shall be constructed—

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- (a) in the lines or situations shown on the deposited plans,
  - (b) in accordance with the levels shown on the deposited sections, and
  - (c) in the case of any station, depot or shaft for which an upper limit is shown on the deposited sections, within the limit so shown.
- (3) In constructing or maintaining any of the scheduled works, the nominated undertaker may deviate laterally from the lines or situations shown on the deposited plans to any extent within the limits of deviation for that work so shown.
- (4) In constructing or maintaining any of the scheduled works, the nominated undertaker may deviate vertically from the level shown for that work on the deposited sections to any extent downwards.
- (5) In constructing or maintaining any of the scheduled works, the nominated undertaker may, subject to subsection (6), deviate vertically from the level shown for that work on the deposited sections to the following extent upwards—
- (a) in the case of the following, to any extent not exceeding 6 metres—
    - (i) so much of Work No. 1/3B as lies between a point 10,200 metres from its commencement and its termination;
    - (ii) so much of Work No. 1/4B as lies between its commencement and a point 600 metres from its commencement;
    - (iii) so much of Work No. 2/1B as lies between its commencement and a point 800 metres from its commencement;
  - (b) in the case of the remainder of the scheduled works, to any extent not exceeding 3 metres.
- (6) In the case of any station, depot or shaft for which an upper limit is shown on the deposited sections, the power of deviation under subsection (5) is subject to the limit so shown.

## 2 Works: further and supplementary provisions

Schedule 2 (which contains further and supplementary provisions about works) has effect.

## 3 Highways

Schedule 3 (which makes provision in relation to highways in connection with the works authorised by this Act) has effect.

## 4 Overhead lines

- (1) Section 37(1) of the Electricity Act 1989 (c. 29) (which requires the consent of the Secretary of State to overhead lines) shall not apply in relation to any electric line which—
- (a) for the purposes of or in connection with the exercise of any of the powers conferred by this Act with respect to works, or
  - (b) in pursuance of any of the protective provisions included in this Act,
- is installed above land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used.

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- (2) Schedule 4 (which makes alternative provision for consent in relation to lines to which subsection (1) applies) has effect.
- (3) On the revocation or expiry of consent under Schedule 4, the line to which the consent relates shall cease to be a line to which subsection (1) applies.
- (4) On granting consent under Schedule 4 to electricity undertakers, the appropriate Ministers may direct that planning permission shall be deemed to be granted for the carrying out of development to which the consent relates, and any ancillary development, subject to such conditions (if any) as may be specified in the direction.
- (5) In subsection (4)—
  - (a) “electricity undertakers” means the holder of a licence under section 6 of the Electricity Act 1989 (c. 29), and
  - (b) the reference to the appropriate Ministers is to the Secretary of State for Business, Enterprise and Regulatory Reform and the Secretary of State for Transport acting jointly.

### *Land*

## **5 Temporary possession and use**

Schedule 5 (which contains provisions about temporary possession and use of land for the purposes of this Act) has effect.

## **6 Acquisition of land within limits shown on deposited plans**

- (1) The Secretary of State is authorised by this section to acquire compulsorily—
  - (a) so much of the land shown on the deposited plans within the limits of deviation for the scheduled works as may be required for or in connection with the works authorised by this Act or otherwise for or in connection with Crossrail, and
  - (b) so much of the land so shown within the limits of land to be acquired or used as may be so required.
- (2) Without prejudice to the generality of subsection (1), the purposes for which land may be acquired under that subsection include, in the case of so much of any land specified in columns (1) and (2) of Part 1 of Schedule 6 as is within the limits of land to be acquired or used, the purpose specified in relation to that land in column (3) of that Part of the Schedule as one for which that land may be acquired or used.
- (3) Part 2 of Schedule 6 (application of legislation relating to compulsory purchase) and Part 3 of that Schedule (supplementary provisions) have effect.
- (4) The power conferred by subsection (1) shall not be exercisable in relation to land the surface of which is comprised in a highway where the land is specified in the table in paragraph 15(2) of Schedule 3.
- (5) The power conferred by subsection (1) shall not be exercisable in relation to land specified in the table in paragraph 1(1) of Schedule 5 unless it is also specified in the table in paragraph 11(1) of Schedule 6.
- (6) After the end of the period of 5 years beginning with the day on which this Act is passed—

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- (a) no notice to treat shall be served under Part 1 of the Compulsory Purchase Act 1965 (c. 56), as applied to the acquisition of land under subsection (1), and
  - (b) no declaration shall be executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 (c. 66), as applied by paragraph 4 of Schedule 6.
- (7) The Secretary of State may by order extend the period under subsection (6) in relation to any land.
- (8) The Secretary of State may only exercise the power in subsection (7) in relation to any land—
- (a) once, and
  - (b) so as to extend the period under subsection (6) by not more than 5 years.
- (9) An order under subsection (7) shall be subject to special parliamentary procedure.

## **7 Acquisition of land not subject to the power under section 6(1)**

- (1) The Secretary of State may acquire compulsorily land outside the limits of deviation for the scheduled works and the limits of land to be acquired or used which is required for or in connection with the works authorised by this Act or otherwise for or in connection with Crossrail.
- (2) The Secretary of State may acquire compulsorily land within the limits of deviation for the scheduled works or the limits of land to be acquired or used which—
- (a) is required for or in connection with the works authorised by this Act or otherwise for or in connection with Crossrail, and
  - (b) is not land in relation to which the power conferred by section 6(1) is exercisable.
- (3) Subsection (2) shall have effect as if land specified in the table in paragraph 8, 9, 11(1) or 12 of Schedule 6, or in columns (1) and (2) of the table in paragraph 10 of that Schedule, were not land in relation to which the power conferred by section 6(1) is exercisable, but the power conferred by subsection (2) shall not be exercisable—
- (a) in the case of land specified in the table in paragraph 8, 9 or 12, in relation to the creation and acquisition of any easement or other right over land in relation to the creation and acquisition of which the power under section 6(1) is exercisable;
  - (b) in the case of land specified in columns (1) and (2) of the table in paragraph 10, in relation to so much of the land as falls within the description specified in relation to it in column (3) of the table;
  - (c) in the case of land specified in the table in paragraph 11(1) or 12, in relation to so much of the subsoil or under-surface of the land as lies more than 9 metres beneath the level of the surface of the land.
- (4) Without prejudice to the generality of subsections (1) and (2), the land which may be compulsorily acquired under those subsections shall include land which is or will be required—
- (a) for use in mitigating the effect on the environment of any of the works authorised by this Act,
  - (b) for use in relocating apparatus which it is expedient to divert or replace in consequence of the carrying out of any of the works authorised by this Act, or

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- (c) for the purpose of being given in exchange for land forming part of a common, open space or fuel or field garden allotment which is acquired under section 6(1).
- (5) The power of acquiring land compulsorily under subsection (1) or (2) shall include power to acquire an easement or other right over land by the grant of a new right.
- (6) The Acquisition of Land Act 1981 (c. 67) shall apply to the compulsory acquisition of land under subsection (1) or (2); and Schedule 3 to that Act shall apply to a compulsory acquisition by virtue of subsection (5).
- (7) Part 1 of the Compulsory Purchase Act 1965 (c. 56), and the enactments relating to compensation for the compulsory purchase of land, shall apply to a compulsory acquisition by virtue of subsection (5) above with the modifications mentioned in paragraph 6(2)(a) and (b) of Schedule 6.
- (8) In this section—
  - “apparatus” includes a sewer, drain or tunnel and any structure for the lodging therein of apparatus or for gaining access to apparatus;
  - “common” includes any land subject to be enclosed under the Inclosure Acts 1845 to 1882, and any town or village green;
  - “fuel or field garden allotment” means any allotment set out as a fuel allotment, or a field garden allotment, under an Inclosure Act;
  - “open space” means any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground.

## **8 Extinguishment of private rights of way**

- (1) This section applies to land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used which is held by the Secretary of State as being required for or in connection with the works authorised by this Act.
- (2) All private rights of way over land to which this section applies shall be extinguished—
  - (a) in the case of land held immediately before the coming into force of this Act, on the coming into force of this Act, and
  - (b) in the case of land acquired after the coming into force of this Act, at the appropriate time.
- (3) Subsection (2) does not apply to—
  - (a) a right of way over land which, were it held otherwise than by the Secretary of State, would not be capable of being acquired under section 6(1), or
  - (b) a right of way to which section 271 or 272 of the Town and Country Planning Act 1990 (c. 8) (extinguishment of rights of statutory undertakers etc.) applies.
- (4) Subsection (2)(b) does not apply to a right of way that is excepted from the application of that provision by direction of the Secretary of State given before the appropriate time.
- (5) Subject to subsection (6), the references in subsections (2)(b) and (4) to the appropriate time are to the time of acquisition.
- (6) Where land—
  - (a) is acquired compulsorily, and

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(b) is land in respect of which the power conferred by section 11(1) of the Compulsory Purchase Act 1965 (c. 56) (power of entry following notice to treat) is exercised,

the references to the appropriate time are to the time of entry under that provision.

- (7) Any person who suffers loss by the extinguishment of any right of way under this section shall be entitled to be compensated by the nominated undertaker.
- (8) Any dispute as to a person's entitlement to compensation under this section, or as to the amount of such compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961 (c. 33).

## **9 Extinguishment of rights of statutory undertakers etc.**

- (1) Sections 271 to 273 of the Town and Country Planning Act 1990 (c. 8) (extinguishment of rights of statutory undertakers etc.) shall apply in relation to land held by the Secretary of State as being land which is required for or in connection with the works authorised by this Act as they apply in relation to land acquired or appropriated as mentioned in section 271(1) of that Act.
- (2) In the application of sections 271 to 273 of that Act by virtue of subsection (1), references to the acquiring or appropriating authority shall be construed as references to the nominated undertaker.
- (3) In their application by virtue of subsection (1), sections 271 and 272 of that Act shall also have effect with the following modifications—
- (a) in subsection (2), for the words from “with” to “appropriated” there shall be substituted “ authorised by the Crossrail Act 2008 ”, and
  - (b) in subsection (5), for the words from “local” to “or undertakers” there shall be substituted “ a person other than a Minister, he ”.
- (4) In the Town and Country Planning Act 1990, any reference to, or to any provision of, section 271, 272 or 273 shall include a reference to, or to that provision of, that section as applied by subsection (1).
- (5) In their application by virtue of subsection (4), the following provisions of that Act shall have effect with the following modifications—
- (a) in section 274(3), for “local authority or statutory undertaker” there shall be substituted “ person ”, and
  - (b) in sections 274(5), 279(2) to (4) and 280(6), references to the acquiring or appropriating authority shall be construed as references to the nominated undertaker.

### *Planning*

## **10 Planning: general**

- (1) Subject to subsection (2), planning permission shall be deemed to be granted under Part 3 of the Town and Country Planning Act 1990 for the carrying out of development authorised by this Act.
- (2) In the case of any development authorised by this Act which consists of the carrying out of a work other than a scheduled work, subsection (1) only applies if—

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- (a) the development is not of a kind in relation to which it is necessary to take environmental information into account before granting planning permission, or
  - (b) it is development in relation to which information contained in a statement specified for the purposes of this paragraph constituted at the time of the statement's deposit or publication an environmental statement within the meaning of the EIA regulations.
- (3) For the purposes of subsection (2)(a), development is of a kind in relation to which it is necessary to take environmental information into account if—
- (a) it is of a description mentioned in Schedule 1 to the EIA regulations, or
  - (b) it is of a description mentioned in column (1) of the table in Schedule 2 to those regulations and likely to have significant effects on the environment by virtue of factors such as its nature, size or location,
- and it is not exempt development within the meaning of those regulations.
- (4) The following are the statements specified for the purposes of subsection (2)(b)—
- (a) the statement deposited in connection with the Crossrail Bill in the Private Bill Office of the House of Commons in February 2005 in pursuance of Standing Order 27A of the Standing Orders of the House of Commons relating to private business (environmental assessment);
  - (b) the statements containing additional environmental information published in connection with the Crossrail Bill by the Secretary of State, notice of the publication of which was published in the London Gazette on 27th May 2005, 18th January, 9th May, 8th November 2006 and 16th May 2007.
- (5) In relation to development excepted by subsection (2) from the planning permission deemed by subsection (1) to be granted, the EIA regulations shall have effect with the omission, in the definition of “Schedule 2 development” in regulation 2(1), of the words from “where” to the end.
- (6) Schedule 7 (which makes provision about planning conditions) has effect in relation to development for which planning permission is deemed by subsection (1) to be granted.
- (7) Development for which permission is deemed by subsection (1) to be granted shall be treated as not being development of a class for which planning permission is granted by the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) (or any order replacing that order).
- (8) Planning permission which is deemed by subsection (1) to be granted shall be treated as specific planning permission for the purposes of section 264(3)(a) of the Town and Country Planning Act 1990 (c. 8) (specific planning permission for the development of statutory undertakers' land relevant to whether the land is operational land).
- (9) In this Act, “the EIA regulations” means the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (S.I. 1999/293) (or any regulations replacing those regulations).

## 11 Permitted development: time limit

- (1) It shall be a condition of the planning permission deemed by section 10(1) to be granted, so far as relating to development consisting of the carrying out of a scheduled work, that the development must be begun not later than the end of 10 years beginning with the day on which this Act is passed.

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- (2) The Secretary of State may, in relation to any development to which the condition imposed by subsection (1) applies, by order extend the period by reference to which the condition operates.
- (3) The power conferred by subsection (2) shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) Nothing in section 91 of the Town and Country Planning Act 1990 (c. 8) (limit on duration of planning permission) shall apply to the planning permission deemed by section 10(1) to be granted.

## 12 Fees for planning applications

- (1) The appropriate Ministers may by regulations make provision about fees for relevant planning applications.
- (2) Regulations under subsection (1) may in particular—
  - (a) make provision for the payment to the authority to which a relevant planning application is made of a fee of a prescribed amount;
  - (b) make provision for the remission or refunding of a prescribed fee (in whole or part) in prescribed circumstances;
  - (c) make provision for a prescribed fee to be treated as paid in prescribed circumstances;
  - (d) make provision about the time for payment of a prescribed fee;
  - (e) make provision about the consequences of non-payment of a prescribed fee, including provision for the termination of the application concerned or any appeal against its refusal;
  - (f) make provision for the resolution of disputes.
- (3) Regulations under subsection (1) may—
  - (a) make such supplementary, incidental or consequential provision as the appropriate Ministers think fit, and
  - (b) make different provision for different cases.
- (4) The power to make regulations under subsection (1) shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Nothing in regulations under section 303 of the Town and Country Planning Act 1990 (fees for planning applications) shall apply to a relevant planning application.
- (6) In this section—
  - “appropriate Ministers” means the Secretary of State for Communities and Local Government and the Secretary of State for Transport acting jointly;
  - “prescribed” means prescribed in regulations under subsection (1);
  - “relevant planning application” means a request for approval under the planning permission deemed by section 10(1) to be granted.



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### 13 Power to disapply section 10(1)

- (1) The Secretary of State may, in relation to any work constructed in exercise of the powers conferred by this Act, by order provide that section 10(1), so far as relating to development consisting of operations for the maintenance or alteration of the work, shall be treated as not applying in relation to operations begun on or after such day as may be specified in the order.
- (2) The Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) (or any order replacing that order) shall have effect in relation to any development excepted from section 10(1) by subsection (1) as if this Act were a local Act.
- (3) Orders under subsection (1) may make different provision for different cases.
- (4) The power conferred by subsection (1) shall be exercisable by statutory instrument.
- (5) A statutory instrument containing an order under subsection (1) shall be laid before Parliament after being made.

### 14 EIA regulations: replacement development

- (1) The EIA regulations shall have effect as if the definition of “EIA development” in regulation 2(1) of the regulations included any development not included in paragraph (a) or (b) of the definition which—
  - (a) consists of the construction of a building in place of a building demolished, or substantially demolished, in exercise of the powers conferred by this Act,
  - (b) is not development for which planning permission is deemed by section 10(1) to be granted,
  - (c) is development in relation to which the first or second condition is met, and
  - (d) is not exempt development within the meaning of those regulations.
- (2) The first condition is that the building which the development replaces is specified in the following table.

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<i>Area</i>	<i>Building</i>
City of Westminster	4-18 (even) Bishops Bridge Road 191-195 (odd) Praed Street 354-358 (even) Oxford Street 1 Marylebone Lane 65 Davies Street 18 and 19 Hanover Square 1a Tenterden Street 3 and 9 Diadem Court 9-12 (odd and even) Great Chapel Street 93 to 96 (odd and even) Dean Street 2 and 3 Fareham Street 91-101 (odd) Oxford Street 1-8 (odd and even) Great Chapel Street 97-102 (odd and even) Dean Street 6 and 7 Fareham Street 1-15 (odd) Oxford Street

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	157-167 (odd) Charing Cross Rd (including the Astoria Theatre) 1-6 (odd and even) Falconberg Court 135a-155 (odd) Charing Cross Road 12 Sutton Row 12 Goslett Yard
London Borough of Camden	138-146 (even) Charing Cross Road 2 Fisher Street 2-6 (even) Catton Street and 1 Fisher Street 8 and 10 Southampton Row
London Borough of Islington	2a-12 (even) Farringdon Road and 48-53 (odd and even) Cowcross Street (Cardinal House) 38-42 (even) Charterhouse Street
City of London	2-5 Lindsey Street (odd and even) (including Smithfield House) 54-64 (even) Charterhouse Street 8 and 9 Hayne Street 20-23 (odd and even) Long Lane 33-37 (odd and even) Charterhouse Square 91-109 (odd) Moorgate 12-24 (even) Moorfields 11 and 12 Blomfield Street
London Borough of Tower Hamlets	68-80 (even) Hanbury Street (Britannia House) 80-102 (even) Hanbury Street
London Borough of Greenwich	12, 14, 15, and 16 Gunnery Terrace

(3) The second condition is that the development would be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

(4) In this section, “building” includes any structure.

## 15 Extension of permitted development rights

(1) Article 3(10) of the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) (exception from permission in case of development for which environmental assessment required) shall not apply to development—

- (a) which falls within a class of development described in Part 15, 16, 17, 24 or 25 of Schedule 2 to that Order as permitted development, and
- (b) in relation to which information contained in a statement specified for the purposes of this paragraph constituted at the time of the statement's deposit or publication an environmental statement within the meaning of the EIA regulations.

(2) The following are the statements specified for the purposes of subsection (1)(b)—

- (a) the statement deposited in connection with the Crossrail Bill in the Private Bill Office of the House of Commons in February 2005 in pursuance of Standing

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Order 27A of the Standing Orders of the House of Commons relating to private business (environmental assessment);

- (b) the statements containing additional environmental information published in connection with the Crossrail Bill by the Secretary of State, notice of the publication of which was published in the London Gazette on 27th May 2005, 18th January, 9th May, 8th November 2006 and 16th May 2007.
- (3) Schedule 8 (which contains supplementary provisions) has effect.

### *Heritage*

## **16 Disapplication and modification of controls**

- (1) Schedule 9 (which makes provision for the disapplication or modification, in relation to authorised works, of controls relating to listed buildings, buildings in conservation areas and ancient monuments etc.) has effect.
- (2) The Secretary of State may by order make any provision specified in subsection (3) in relation to any work constructed in exercise of the powers conferred by this Act.
- (3) The provision referred to in subsection (2) is—
  - (a) provision that paragraphs 1(1)(a) and 2(1)(a) of Schedule 9 shall not apply in relation to any relevant works;
  - (b) provision that paragraphs 1(1)(b) to (d) and 2(1)(b) to (d) of that Schedule shall not apply in relation to any proposed relevant works;
  - (c) provision that paragraph 1(4) of that Schedule shall not apply in relation to any demolition of a building undertaken in connection with any relevant works;
  - (d) provision that paragraph 3 of that Schedule shall not apply in relation to any relevant works;
  - (e) provision that paragraph 4(2) of that Schedule shall not apply in relation to any relevant works;
  - (f) provision that paragraph 4(3) of that Schedule shall not apply in relation to any land used for or in connection with the carrying out of any relevant works;
  - (g) provision that paragraph 4(8)(a) and (b) of that Schedule shall not apply in relation to any relevant works;
  - (h) provision that paragraph 4(10) and (11) of that Schedule shall not apply in relation to any operations carried out in exercise of the powers conferred by this Act which are, or are carried out in connection with, relevant works;
  - (i) provision that paragraph 4(12) of that Schedule shall not apply in relation to any use of a metal detector for the purposes of or in connection with any relevant works;
  - (j) provision that paragraph 4(13) of that Schedule shall not apply in relation to any removal of objects discovered by any such use;
  - (k) provision that paragraph 5(1) of that Schedule shall not apply in relation to any land used, or intended for use, for or in connection with the carrying out of any relevant works;
  - (l) provision that paragraph 5(3) of that Schedule shall not apply in relation to any land on which relevant works are being carried out.

- (4) In this section—

“relevant works” means works which are—

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- (a) carried out in exercise of the powers conferred by this Act for the maintenance or alteration of the work referred to in subsection (2), and
- (b) begun on or after the relevant day;  
“relevant day” means such day as may be specified in an order under subsection (2).

- (5) Orders under subsection (2) may make different provision for different cases.
- (6) The power conferred by subsection (2) shall be exercisable by statutory instrument.
- (7) A statutory instrument containing an order under subsection (2) shall be laid before Parliament after being made.

## 17 Rights of entry

Schedule 10 (which makes provision about rights of entry for the Historic Buildings and Monuments Commission for England) has effect.

### *Trees*

## 18 Power to deal with trees on neighbouring land

- (1) Where any tree overhangs land used for the purposes of Crossrail or otherwise for the purposes of works authorised by this Act, the nominated undertaker may by notice to the occupier of the land on which the tree is growing require the tree to be removed, topped or lopped if it is necessary for that to be done—
  - (a) to enable works authorised by this Act to be maintained, or
  - (b) for reasons of safety in connection with the operation of Crossrail.
- (2) The person to whom a notice under subsection (1) is given may object to the notice by giving the nominated undertaker a counter-notice to that effect before the end of the period of 28 days beginning with the day on which the notice under subsection (1) is given.
- (3) If a counter-notice is given under subsection (2), the notice under subsection (1) shall have no effect unless confirmed by an order of the county court.
- (4) The nominated undertaker may carry out the works required by a notice under subsection (1) if the notice has been in effect for a continuous period of at least 28 days and has not been complied with.
- (5) Where the power conferred by subsection (4) is exercisable, the nominated undertaker may—
  - (a) enter the land on which the tree concerned is growing, for the purpose of exercising the power in relation to it, and
  - (b) take with it such vehicles and equipment as are necessary for that purpose.
- (6) If the nominated undertaker tops or lops a tree in exercise of the power conferred by subsection (4), it shall do so in a husbandlike manner and in such a way as to cause the minimum of damage to the tree.
- (7) On application by a person who—
  - (a) has incurred expenses in complying with a notice under subsection (1), or

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(b) has suffered any loss or damage in consequence of the carrying out of works required by such a notice,  
the county court shall order the nominated undertaker to pay him such compensation in respect of the loss, damage or expenses as it thinks fit.

## 19 Disapplication of controls

- (1) Neither of the following shall apply to tree works which are authorised for the purposes of this section—
  - (a) an order under section 198(1) of the Town and Country Planning Act 1990 (c. 8) (tree preservation orders), and
  - (b) section 211(1) and (5) of that Act (preservation of trees in conservation areas).
- (2) Tree works are authorised for the purposes of this section if—
  - (a) they are required by a notice under section 18(1),
  - (b) they are carried out, for the purposes of or in connection with the construction of the works authorised by this Act, in relation to a tree growing on land within the relevant limits, or
  - (c) they are carried out in relation to a tree growing on land used for the purposes of or in connection with Crossrail and are necessary to enable the works authorised by this Act to be maintained or for reasons of safety in connection with the operation of any railway used for the purposes of or in connection with Crossrail.
- (3) In this section, references to tree works are to works consisting of the removal, topping or lopping of a tree.

### *Noise*

## 20 Control of construction sites: appeals

- (1) In the Control of Pollution Act 1974 (c. 40), sections 60 (control of noise on construction sites) and 61 (prior consent for work on construction sites) shall have effect, in relation to works carried out in exercise of the powers conferred by this Act, with the following modifications.
- (2) In subsection (7) (appeal against failure to give consent or the giving of qualified consent), for “a magistrates' court” there shall be substituted “the Secretary of State”.
- (3) After that subsection there shall be inserted—

“(7A) If within seven days of the giving of notice of appeal under subsection (7) of this section the appellant and the local authority so agree, the appeal shall, instead of being determined by the Secretary of State, be referred to arbitration.”
- (4) The Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Transport acting jointly may, in relation to appeals which are referred to arbitration under subsection (7A) of section 60 or 61 of the Control of Pollution Act 1974 (c. 40), by regulations made by statutory instrument make any such provision as may be made by regulations under section 70 of that Act in relation to appeals under Part 3 of that Act to the Secretary of State.

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- (5) A statutory instrument containing regulations under subsection (4) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

## 21 Proceedings in respect of statutory nuisance: defence

- (1) Where proceedings are brought under section 82(1) of the Environmental Protection Act 1990 (c. 43) (summary proceedings by person aggrieved by statutory nuisance) in relation to—

- (a) a nuisance falling within paragraph (g) of section 79(1) of that Act (noise emitted from premises), or
- (b) a nuisance falling within paragraph (ga) of that provision (noise emitted by vehicle, machinery or equipment in a street),

no order shall be made, and no fine may be imposed, under section 82(2) of that Act if the defendant shows that subsection (2) applies.

- (2) This subsection applies if—

- (a) the nuisance relates to premises or, as the case may be, to a vehicle, machinery or equipment, used by the nominated undertaker for the purposes of or in connection with the exercise of the powers conferred by this Act with respect to works, and
- (b) the nuisance is attributable to the carrying out of works which are being carried out in accordance with a notice served under section 60, or a consent given under section 61 or 65, of the Control of Pollution Act 1974.

- (3) The following provisions of the Control of Pollution Act 1974—

- (a) section 61(9) (consent for work on construction site to include statement that it does not of itself constitute a defence to proceedings under section 82 of the Environmental Protection Act 1990), and
- (b) section 65(8) (corresponding provision in relation to consent for registered noise level to be exceeded),

shall not apply where the consent relates to the use of premises or, as the case may be, of a vehicle, machinery or equipment by the nominated undertaker for the purposes of or in connection with the exercise of the powers conferred by this Act with respect to works.

### *Railway matters*

## 22 Objective of ORR in relation to Crossrail

- (1) The list of objectives in section 4(1) of the Railways Act 1993 (c. 43) (objectives of Office of Rail Regulation and Secretary of State) shall be treated, in relation to the Office of Rail Regulation only, as including the objective of facilitating the construction of Crossrail.
- (2) The Office of Rail Regulation shall consult the Secretary of State about the duty under section 4(1) of the Railways Act 1993 (c. 43) (as modified by subsection (1)).
- (3) This section shall cease to have effect on such day as the Secretary of State may by order made by statutory instrument specify.

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- (4) A statutory instrument containing an order under subsection (3) shall be laid before Parliament after being made.

### **23 Duty of ORR to publish reports**

- (1) The Office of Rail Regulation shall from time to time publish a report on—
- (a) what it has done, or proposes to do, to further the objective given to it under section 22;
  - (b) how it has exercised or proposes to exercise its functions in connection with the operation of Crossrail passenger services.
- (2) The Office of Rail Regulation shall publish a report under subsection (1) if at any time the Secretary of State requires it to do so.
- (3) The Office of Rail Regulation shall have regard to a report under this section in the exercise of any of its functions to which that report is relevant.
- (4) In this section, “Crossrail passenger service” means a service for the carriage of passengers by railway on a line the whole of which, or part of which, forms part of the railway mentioned in section 1(1)(a).
- (5) This section shall cease to have effect on such day as the Secretary of State may by order made by statutory instrument specify.
- (6) A statutory instrument containing an order under subsection (5) shall be laid before Parliament after being made.

### **24 Licensing**

- (1) Section 6(1) of the Railways Act 1993 (which prohibits any person from acting as the operator of a railway asset unless authorised by a licence under section 8 of that Act) shall not apply in relation to—
- (a) any network constructed in exercise of the powers conferred by this Act which is not yet ready for commercial use, or
  - (b) any train being used on any such network.
- (2) For the purposes of subsection (1)(a), a network shall be taken to be ready for commercial use only if the Secretary of State has laid before Parliament notice of his determination that it is ready for such use.
- (3) Any expression used in this section and Part 1 of the Railways Act 1993 has the same meaning in this section as it has in that Part.

### **25 Award of Crossrail franchises to public-sector operators**

- (1) Section 25 of the Railways Act 1993 (c. 43) (public-sector operators not to be franchisees) does not apply in relation to the franchisee in respect of a franchise agreement—
- (a) which relates wholly or mainly to the provision of one or more Crossrail passenger services, or
  - (b) which relates wholly or mainly to the provision of one or more other services for the carriage of passengers by railway where—
    - (i) the services run wholly or partly on the route of Crossrail, and

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- (ii) the services are likely to be subject to substantial disruption because of the construction of Crossrail.
- (2) The following may in particular be taken into account in determining whether, for the purposes of subsection (1)(b), services are likely to be subject to substantial disruption—
  - (a) the frequency with which the services are likely to be disrupted;
  - (b) the duration of the period in which the services are likely to be disrupted (and, in particular, its duration relative to the length of the franchise term);
  - (c) the severity of any likely disruption.
- (3) In this section—
  - “Crossrail passenger service” has the meaning given by section 23(4);
  - “franchisee”, “franchise agreement” and “franchise term” have the meanings given by section 23 of the Railways Act 1993 (designated passenger services to be provided under franchise agreements).

## 26 Disapplication of franchising and access exemptions

- (1) The Secretary of State may by order amend, or revoke provisions of, the Heathrow Express Order—
  - (a) for the purpose of restricting or ending an exemption granted by a relevant provision,
  - (b) for the purpose of adding to the conditions subject to which such an exemption is granted, or
  - (c) for the purpose of making such a condition more onerous.
- (2) For the purposes of subsection (1), each of the following is a “relevant provision”—
  - article 3(1) of the Heathrow Express Order, and
  - article 4(1) of the Heathrow Express Order.
- (3) Where exercise of the power under subsection (1) has effect to end an exemption granted by article 3(1) of the Heathrow Express Order in relation to any track, station or depot, the Secretary of State may by order—
  - (a) make provision for, or in connection with, treating as void—
    - (i) every access contract, including one entered into before the making of the order, where the permission concerned is permission to use that facility, or
    - (ii) a contract such as is mentioned in sub-paragraph (i) if it is specified in the order or is of a description so specified;
  - (b) provide for exceptions to any provision made under paragraph (a).
- (4) The powers—
  - (a) under subsection (1), so far as relating to an exemption granted by article 3(1) of the Heathrow Express Order, and
  - (b) under subsection (3)(a),
 are exercisable only for the purpose of, or for purposes that include, facilitating Crossrail passenger services.
- (5) The powers under subsection (1), so far as relating to an exemption granted by article 4(1) of the Heathrow Express Order, are exercisable only for, or for purposes that include, either or both of the following—



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- (a) facilitating Crossrail passenger services, and
  - (b) enabling Crossrail passenger services to be designated under section 23(1) of the Railways Act 1993 (c. 43) (services which ought to be provided under franchise agreements).
- (6) The power to make an order under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section—
- “the Heathrow Express Order” means the Railways (Heathrow Express) (Exemptions) Order 1994 (S.I. 1994/574), as from time to time amended;
  - “access contract” has the meaning given by section 17(6) of the Railways Act 1993;
  - “Crossrail passenger service” has the meaning given by section 23(4).

## 27 Closures

- (1) If the Secretary of State considers that discontinuance falling within any of the closure provisions of the Railways Act 2005 is necessary or expedient because of the operation of Crossrail or the carrying out of any of the works authorised by this Act, he may direct that those provisions shall be treated as not applying to it.
- (2) The reference in subsection (1) to the closure provisions of the Railways Act 2005 is to—
- sections 22 to 25 (discontinuance of railway passenger services),
  - sections 26 to 28 (discontinuance of operation of passenger networks),
  - sections 29 to 31 (discontinuance of use or operation of stations), and
  - section 37 (discontinuance of experimental passenger services).

## 28 Key system assets

- (1) Section 216(1)(b) of the Greater London Authority Act 1999 (c. 29) (consent of Transport for London required for creation etc. of interests in, or rights over, assets designated as key system assets in connection with certain railway-related public-private partnership agreements) shall not apply in relation to—
- (a) the creation of an interest in, or right over, a key system asset, or
  - (b) an agreement to create an interest in, or right over, a key system asset,
- if the interest or right is, or is to be, created in order to facilitate any of the matters mentioned in subsection (2).
- (2) Those matters are—
- (a) the construction of the railway mentioned in section 1(1)(a);
  - (b) the maintenance of that railway;
  - (c) the operation of services for the carriage of passengers or goods by railway on a line the whole of which, or part of which, forms part of that railway.
- (3) In this section “key system asset” has the meaning given by section 213(1) of the Greater London Authority Act 1999 (c. 29).

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## **29 Power to designate persons as “protected railway companies”**

- (1) The Secretary of State may, with the consent of a company to which this subsection applies, by order make provision for the company to be treated as a protected railway company for the purposes of Part 1 of the Railways Act 1993 (c. 43).
- (2) Subsection (1) applies to a company if—
  - (a) it is a private sector operator and it has, for the time being, the management of a railway facility that is or is part of, or is associated with, the railway mentioned in section 1(1)(a), or
  - (b) it is a private sector operator and it owns, or has rights in relation to, such a railway facility.
- (3) The power to make an order under subsection (1) shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) In this section “private sector operator” and “railway facility” have the same meanings as in Part 1 of the Railways Act 1993.

## **30 Duty to co-operate**

- (1) Where the nominated undertaker considers that a matter affects—
  - (a) the construction, maintenance or operation of Crossrail, and
  - (b) the construction, maintenance or operation of a railway asset which is not a Crossrail asset,
 it may by notice in writing require a controller of the asset to enter into an agreement with it about how the matter is to be dealt with.
- (2) Where a controller of a railway asset which is not a Crossrail asset considers that a matter affects—
  - (a) the construction, maintenance or operation of the asset, and
  - (b) the construction, maintenance or operation of Crossrail,
 it may by notice in writing require the nominated undertaker to enter into an agreement with it about how the matter is to be dealt with.
- (3) The terms of an agreement under subsection (1) or (2) shall be such as the nominated undertaker and the controller of the asset may agree or, in default of agreement, as may be determined by arbitration.
- (4) For the purposes of subsections (1) and (2), a railway asset is a Crossrail asset if—
  - (a) in the case of a railway asset consisting of any network, station or light maintenance depot, it is comprised in Crossrail, and
  - (b) in the case of a railway asset consisting of any train being used on a network, the network is comprised in Crossrail.
- (5) Subsections (1) and (2) do not apply in relation to—
  - (a) a matter which pursuant to any enactment must or may be dealt with by the Office of Rail Regulation, or
  - (b) a matter relating to an agreement which pursuant to any provision of that or any other agreement must or may be dealt with by the Office of Rail Regulation.

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(6) In this section—

“controller”, in relation to a railway asset, means—

- (a) the person having the management of the asset for the time being, or
- (b) a person who owns, or has rights in relation to, the asset;

“light maintenance depot”, “network”, “railway asset” and “station” have the same meanings as in Part 1 of the Railways Act 1993 (c. 43).

### **31 Arbitration after referral under section 30(3)**

- (1) This section applies where a difference is referred under section 30(3) to arbitration.
- (2) The parties must notify the Secretary of State of the referral without delay after the commencement of the arbitral proceedings.
- (3) The Secretary of State may, on request or otherwise, direct the arbitrator as to results that are to be achieved by the agreement for which terms are to be determined by the arbitration.
- (4) A direction under subsection (3) may be made even though the making of the direction affects the outcome of proceedings to which the Secretary of State himself, or a body in which he has an interest, is a party.
- (5) A request for a direction under subsection (3) may be made by the arbitrator (as well as by a party).
- (6) For the purpose of determining whether or not the arbitrator has to comply with a direction under subsection (3), the rule is that he must comply with the direction in determining terms of the agreement if the direction—
  - (a) is relevant to the determination of those terms, and
  - (b) is given to him before he has made his award determining those terms.
- (7) For the purpose of determining what the arbitrator has to do to comply with a direction under subsection (3) with which he has to comply, the rule is that he must carry out his function of determining terms of the agreement so as to secure, so far as is reasonably practicable, that the results concerned are achieved by the agreement.

### **32 Arbitration under section 30(3): multiple proceedings**

- (1) The Secretary of State may, on request or otherwise, direct—
  - (a) that a group of proceedings is to be consolidated, or
  - (b) that concurrent hearings are to be held in a group of proceedings.
- (2) In subsection (1) “group of proceedings” means a group consisting of—
  - (a) section 30(3) proceedings, and
  - (b) any one or more of the following—
    - (i) other section 30(3) proceedings,
    - (ii) arbitral proceedings related to the proceedings mentioned in paragraph (a), and
    - (iii) arbitral proceedings related to section 30(3) proceedings that are to be consolidated with the proceedings mentioned in paragraph (a).

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- (3) A request for a direction under subsection (1) may be made by the arbitrator or any of the arbitrators (as well as by a party).
- (4) A direction under subsection (1) shall specify the terms on which the proceedings are to be consolidated or on which concurrent hearings are to be held.
- (5) Where a direction under subsection (1) provides for the consolidation of proceedings that do not all have the same arbitrator, the terms that may be specified in the direction include (in particular)—
  - (a) terms specifying the person who is to be the arbitrator in the consolidated proceedings;
  - (b) terms under which that person is to be determined.
- (6) For the purposes of this section—
  - (a) “section 30(3) proceedings” means proceedings on arbitration of a difference referred under section 30(3), and
  - (b) arbitral proceedings are “related” to section 30(3) proceedings if—
    - (i) the arbitral proceedings are not section 30(3) proceedings,
    - (ii) at least one of the parties to the arbitral proceedings is also a party to the section 30(3) proceedings, and
    - (iii) the Secretary of State considers that the subject-matter of the arbitral proceedings is connected with the subject-matter of the section 30(3) proceedings.

### **33 Transfer of functions relating to works**

- (1) If the Secretary of State acquires any land for the purposes of this Act from a railway operator and there are situated on the land works authorised by statute, he may by order provide for the transfer to himself, or to a person specified under section 39, of any statutory power or duty relating to the works previously exercisable by the railway operator.
- (2) The Secretary of State may by order provide for the further transfer to himself, or to a person specified under section 39, of a power or duty transferred under subsection (1) or this subsection.
- (3) If a railway operator acquires from the Secretary of State any land on which there are situated works authorised by this Act, the Secretary of State may, with the consent of the railway operator, by order provide for the transfer to the railway operator of any duty under this Act relating to the works.
- (4) An order under this section may contain such supplementary, incidental, consequential or transitional provision as the Secretary of State considers necessary or expedient in connection with the order.
- (5) In subsections (1) and (3), references to a railway operator are to a person who has the management for the time being of any network, station or light maintenance depot.
- (6) In this section, “light maintenance depot”, “network” and “station” have the same meanings as in Part 1 of the Railways Act 1993 (c. 43).

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### **34 Application of section 122 of the Railways Act 1993**

For the purposes of section 122 of the Railways Act 1993 (under which availability of the defence of statutory authority depends on the operator of a railway asset being the holder of a licence under section 8 of that Act or having the benefit of a licence exemption) a person who has the benefit of exemption under section 24(1) shall be treated as having the benefit of an exemption granted under section 7 of that Act.

### **35 Application of other railway legislation**

Schedule 11 (application of railway legislation) has effect.

#### *Transfers*

### **36 Transfer schemes**

Schedule 12 (power of Secretary of State to make schemes to transfer property, rights and liabilities from Cross London Rail Links Limited, the Greater London Authority, the London Development Agency or Transport for London, their wholly-owned subsidiaries, the Secretary of State or companies wholly owned by the Secretary of State) has effect.

### **37 Transfer schemes: tax provisions**

Schedule 13 (tax provisions relating to transfer schemes) has effect.

### **38 Application of Greater London Authority Act 1999**

(1) This section applies where—

- (a) Transport for London or a subsidiary of Transport for London enters into an agreement or arrangements with the Secretary of State (alone or with other persons), and
- (b) for purposes connected with Crossrail, provision is made in the agreement or arrangements for the transfer of any property, rights or liabilities of Transport for London or a subsidiary of Transport for London to the Secretary of State or a company which is wholly owned by the Secretary of State.

(2) Sections 154(3) and 155(1) of the 1999 Act shall not prevent or restrict, or authorise the prevention or restriction of, the discharge by Transport for London, or any subsidiary of Transport for London, of its functions in accordance with the provision referred to in subsection (1)(b).

(3) Consent is not required—

- (a) under subsection (1) of section 163 of the 1999 Act for any disposal of a freehold interest in land, or grant of a leasehold interest in land, which is made in accordance with the provision referred to in subsection (1)(b), or
- (b) under subsection (2) of that section for any transaction so made.

(4) In subsection (1)(b)—

- (a) the reference to the transfer of any property includes the creation of an interest in, or right in relation to, the property, and

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- (b) the reference to a company wholly owned by the Secretary of State is to be construed in accordance with the provision made by paragraph 3(2) of Schedule 12.

(5) In this section—

- “the 1999 Act” means the Greater London Authority Act 1999 (c. 29);
- “subsidiary” has the same meaning as in that Act.

#### *Nominated undertaker*

### **39 Holder of functions of nominated undertaker**

(1) The Secretary of State may by order—

- (a) provide that a person specified in the order shall be the nominated undertaker for such purposes of such provisions of this Act as may be so specified;
- (b) provide, in relation to any provision under paragraph (a), that the provision shall cease to have effect in such circumstances as may be specified in the order.

(2) Where, in the case of any provision of this Act which refers to the nominated undertaker, there is any purpose of the provision for which there is no one who is the nominated undertaker under subsection (1), any reference in the provision to the nominated undertaker shall be construed, in relation to that purpose, as a reference to the Secretary of State.

(3) The Secretary of State may fetter the exercise of his discretion under subsection (1) by agreement with—

- (a) the Mayor of London, or
- (b) a person who is, or is proposed to be, specified in an order under that subsection.

(4) Before exercising the power under subsection (1) or (3)(b), the Secretary of State shall consult the Mayor of London.

(5) Subsection (4) does not apply to exercise of the power under subsection (1) in accordance with an agreement under subsection (3).

(6) The Secretary of State may by order make such modifications of any provision of this Act referring to the Secretary of State, so far as applying for a purpose in relation to which subsection (2) has effect, as appear to him to be necessary or expedient in consequence of his having functions by virtue of that subsection.

(7) An order under this section may contain such supplementary, incidental, consequential or transitional provision as the Secretary of State considers necessary or expedient in connection with the order.

(8) The power to make an order under this section shall be exercisable by statutory instrument.

(9) A statutory instrument containing an order under subsection (6) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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### Miscellaneous

#### 40 Disapplication and modification of miscellaneous controls

Schedule 14 (which makes provision for the disapplication and modification of miscellaneous statutory and other controls in relation to things done under this Act and otherwise for the purposes of this Act) has effect.

#### 41 Burial grounds

- (1) Nothing in any enactment relating to burial grounds and no obligation or restriction imposed under ecclesiastical law or otherwise shall have effect to prohibit, restrict or impose any condition on the use of any land comprised in a burial ground for the purpose of constructing any of the works authorised by this Act.
- (2) Subsection (1) shall not apply in relation to land in which human remains are interred unless—
  - (a) the remains have been removed and reinterred or cremated in accordance with the provisions of Schedule 15, and
  - (b) any monument to the deceased has been dealt with in accordance with those provisions.
- (3) Subsection (2) shall not apply where the use of the land for the purpose mentioned in subsection (1) does not involve disturbing the human remains which are interred in it.
- (4) In this section (and Schedule 15)—
  - (a) “enactment” includes an enactment in any local or private Act of Parliament, and an order, rule, regulation, byelaw or scheme made under an Act of Parliament;
  - (b) “monument” includes a tombstone or other memorial;
  - (c) references to a monument to any person are to a monument commemorating that person, whether or not also commemorating any other person.

#### 42 Application of landlord and tenant law

- (1) No enactment or rule of law regulating the rights and obligations of landlords and tenants shall apply, in relation to the rights and obligations of the parties to a lease granted by the Secretary of State in pursuance of a development agreement—
  - (a) so as to exclude or in any respect modify any of the rights and obligations of those parties under the terms of the lease, whether with respect to the termination of the tenancy or any other matter,
  - (b) so as to confer or impose on either party any right or obligation arising out of or connected with anything done or omitted on or in relation to land which is the subject of the lease, in addition to any such right or obligation provided for by the terms of the lease, or
  - (c) so as to restrict the enforcement (whether by action for damages or otherwise) by either party to the lease of any obligation of the other party under the lease.
- (2) In subsection (1), references to a lease granted by the Secretary of State in pursuance of a development agreement include any provisions of a development agreement providing for the grant of a lease of any land by the Secretary of State.

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- (3) In this section, “development agreement” means an agreement to which the Secretary of State is a party and under which another party has responsibilities in relation to the design, construction, financing or maintenance of Crossrail.

#### **43 Disposal of Crown land**

- (1) The Secretary of State may grant—
- (a) a lease of land to which subsection (2) applies, or
  - (b) an easement or other right over such land,
- for such period, for such consideration (if any) and otherwise on such terms as the Secretary of State thinks fit.
- (2) This subsection applies to land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used which—
- (a) is subject to management under section 22 of the Crown Lands Act 1851 (c. 42) (which relates to the management of royal parks etc.), and
  - (b) appears to the Secretary of State to be required for or in connection with the works authorised by this Act or otherwise for or in connection with Crossrail.
- (3) Section 3(1) and (2) of the Crown Estate Act 1961 (c. 55) (limitations on Crown Estate Commissioners' powers of disposal in relation to land under their management) shall not apply in relation to land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used which appears to the Crown Estate Commissioners to be required for or in connection with the works authorised by this Act or otherwise for or in connection with Crossrail.

#### **44 Prohibitions or restrictions on land use imposed for Crossrail purposes**

- (1) This section applies where—
- (a) a prohibition of or restriction on the use of land is imposed by a covenant or agreement between a person interested in the land (“the promisor”) and the Secretary of State, and
  - (b) the covenant or agreement is made for purposes connected with Crossrail.
- (2) The Secretary of State may enforce the prohibition or restriction against persons deriving title from or under the promisor in respect of land to which it relates as if—
- (a) the Secretary of State were possessed of adjacent land, and
  - (b) the covenant or agreement had been expressed to be made for the benefit of such land.
- (3) Section 2(c) of the Local Land Charges Act 1975 (c. 76) (under which a prohibition or restriction enforceable by a Minister of the Crown under a covenant or agreement is not a local land charge if binding on successive owners because made for the benefit of land of the Minister) shall not apply to the prohibition or restriction.

#### **45 Compensation for injurious affection**

Section 10(1) of the Compulsory Purchase Act 1965 (c. 56) (compensation for injurious affection) shall have effect, in relation to land injuriously affected by the execution of works under this Act, with the substitution for “acquiring authority have” of “nominated undertaker has”.



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## 46 Compensation for water abstraction

- (1) Section 48A(1) of the Water Resources Act 1991 (c. 57) (duty not to cause loss or damage to another by the abstraction of water) shall not apply in relation to the abstraction of water in connection with the exercise of the powers conferred by this Act.
- (2) Where—
  - (a) the nominated undertaker causes loss or damage to another person by the abstraction of water in connection with the exercise of the powers conferred by this Act, and
  - (b) the circumstances are such that causing the loss or damage would have constituted breach of the duty under section 48A(1) of the Water Resources Act 1991, but for subsection (1),it shall compensate the other person for the loss or damage.
- (3) Compensation under subsection (2) shall be assessed on the same basis as damages for breach of the duty under section 48A(1) of the Water Resources Act 1991.
- (4) Section 48A(5) of the Water Resources Act 1991 (prohibition of claims in respect of loss or damage caused by abstraction of water which are not claims under that section) has no application to claims under this section or Part 3 of Schedule 17.
- (5) In this section, “abstraction” has the same meaning as in the Water Resources Act 1991.

## 47 Temporary possession agreements

- (1) This section applies where the Secretary of State and an owner of land subject to the power under section 6(1) enter into an agreement which provides for the owner's interest in the land to be subject to paragraph 1 of Schedule 5.
- (2) This Act shall have effect as if the table in paragraph 1(1) of Schedule 5 contained an entry in which—
  - (a) column (1) specified such works as the agreement may provide or, in the absence of such provision, any of the works authorised by this Act,
  - (b) columns (2) and (3) specified the land to which the agreement relates, and
  - (c) column (4) specified such purpose as the agreement may provide or, in the absence of such provision, any purpose connected with the works authorised by this Act or otherwise connected with Crossrail.
- (3) In their application by virtue of subsection (2), paragraphs 1(1)(b) and (3) to (7) and 2 of Schedule 5, so far as relating to the owner's interest in the land, shall have effect with such modifications as the agreement may provide.
- (4) In its application by virtue of subsection (2), paragraph 1 of Schedule 5 shall have effect as if for sub-paragraph (2) there were substituted—
  - (2) Not less than 3 months before entering upon and taking possession of land under this paragraph, the nominated undertaker shall give notice to the owners and occupiers of the land—
    - (a) of its intention to do so, and
    - (b) stating that section 47 applies and explaining its effect.”

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- (5) Subsection (4) shall not apply where the land which it is proposed to enter upon and take possession of is occupied by virtue of the interest which is the subject of the agreement.
- (6) Where the power under paragraph 1(1)(a) of Schedule 5 is exercised in relation to land to which the agreement relates, this Act shall have effect in relation to interests in the land which are not the subject of an agreement by virtue of which this section applies as if—
- (a) section 6(5) and (6)(a), paragraphs 1(4) and (5), 2 and 5(3) and (4) of Schedule 5 and paragraph 3(3) of Schedule 6 had not been enacted,
  - (b) notice to treat had been given under section 5 of the Compulsory Purchase Act 1965 (c. 56), and notice of entry had been given under section 11(1) of that Act, in respect of the land on the day on which notice was given of intention to exercise the power under paragraph 1(1)(a) of Schedule 5 in relation to it, and
  - (c) possession of the land had been taken under section 11(1) of the Compulsory Purchase Act 1965 on the day on which the power under paragraph 1(1)(a) of Schedule 5 was exercised in relation to it.
- (7) The agreement may be amended or revoked by an agreement between the Secretary of State and the owner of the interest to which the agreement relates.
- (8) Where the agreement is amended under subsection (7), subsections (2), (3) and (5) to (7) shall have effect as if references to the agreement were references to the agreement as amended.
- (9) Where the agreement is revoked under subsection (7), this section shall cease to apply by virtue of the agreement.
- (10) The agreement, and any variation of it under subsection (7), shall be a local land charge.
- (11) An agreement which—
- (a) has been entered into before the day on which this Act is passed, and
  - (b) is in force immediately before that day,
- shall be treated for the purposes of this section as having been entered into on that day.
- (12) In this section “owner”, in relation to any land, includes a person holding or entitled to the rents and profits of the land under a lease or agreement the unexpired term of which does not exceed 3 years.

#### **48 Application of Act to extensions**

- (1) Subsection (2) applies to an order under section 1 of the Transport and Works Act 1992 (c. 42) (orders as to railways etc.) which relates to—
- (a) an extension of Crossrail, or
  - (b) the provision, otherwise than as part of an extension of Crossrail, of a railway facility for use for the purposes of or in connection with Crossrail.
- (2) An order to which this subsection applies may apply any provision of this Act, with any modifications, in relation to anything authorised by the order, so far as relating to a matter mentioned in subsection (1)(a) or (b).

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- (3) An order under section 1 of the Transport and Works Act 1992 which relates to an extension of Crossrail may also provide for any provision of this Act to have effect as if Crossrail included the extension.
- (4) The following provisions are excepted from the power conferred by subsection (2)—
  - section 6(7) and (8),
  - paragraphs 18 and 19 of Schedule 6,
  - Schedule 9, and
  - Schedule 10.
- (5) In subsection (1)(b), “railway facility” has the same meaning as in Part 1 of the Railways Act 1993 (c. 43).

#### **49 Reinstatement of discontinued facilities**

Schedule 16 (which authorises the reinstatement of discontinued facilities and makes provision with respect to planning conditions) has effect.

#### **50 Protection of interests**

Schedule 17 has effect for protecting the interests of the bodies and persons specified in that Schedule (being bodies and persons who may be affected by other provisions of this Act).

#### **51 Power to devolve functions of Secretary of State**

- (1) The Secretary of State may by order provide for a reference in a qualifying provision of this Act to the Secretary of State to have effect as a reference—
  - (a) to the Greater London Authority,
  - (b) to Transport for London, or
  - (c) to the Greater London Authority and Transport for London.
- (2) The Secretary of State may fetter the exercise of his discretion under subsection (1) by agreement with the Mayor of London or Transport for London.
- (3) An order under subsection (1) may—
  - (a) make provision applying for all purposes or for one or more particular purposes;
  - (b) contain such supplementary, incidental, consequential or transitional provision as the Secretary of State considers necessary or expedient in connection with the order.
- (4) The provision which may be made by virtue of subsection (3)(b) includes provision modifying any provision of this Act.
- (5) The power to make an order under subsection (1) shall be exercisable by statutory instrument.
- (6) A statutory instrument containing an order under subsection (1) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) The following provisions of this Act are qualifying provisions for the purposes of subsection (1)—

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sections 6(1), 7(1) and (2), 8(1), (3) and (4), 9(1), 33(1) to (4), 39(1) to (4) and (7), 42, 44, 47(1) and (7) and 52(1) and (4);  
 paragraphs 1(2)(d) and 3(1), (4) and (5) of Schedule 3;  
 paragraphs 13(1), 14(2), (4) and (5), 16 and 18(2) to (4) of Schedule 6;  
 paragraphs 4(1), 7(3), 8(1), 12(2) and 17(2) of Schedule 14;  
 paragraphs 1(1), 3(2) to (4), 4(1), 6(1) and 7(1) and (3) of Part 2 of Schedule 17;  
 paragraphs 1(1) and 2 of Part 5 of Schedule 17.

## 52 Correction of deposited plans

- (1) If the deposited plans or the book of reference to those plans are inaccurate in their description of any land, or in their statement or description of the ownership or occupation of any land, the Secretary of State, after giving not less than 10 days' notice to the owners and occupiers of the land in question, may apply to two justices having jurisdiction in the place where the land is situated for the correction of the plans or book of reference.
- (2) If on such application it appears to the justices that the misstatement or wrong description arose from mistake or inadvertence, the justices shall certify accordingly and shall in their certificate state in what respect a matter is misstated or wrongly described.
- (3) A certificate under subsection (2) shall be deposited in the office of the Clerk of the Parliaments and a copy of it shall be deposited—
  - (a) in the Private Bill Office of the House of Commons, and
  - (b) with the proper officer of each local authority in whose area the land to which the certificate relates is situated.
- (4) Upon deposit of a certificate in accordance with subsection (3), the deposited plans or the book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Secretary of State, in accordance with the certificate, to proceed under this Act as if the deposited plans or book of reference had always been in the corrected form.
- (5) A copy certificate deposited under subsection (3) shall be kept with the documents to which it relates.
- (6) A justice of the peace may act under this section in relation to land which is partly in one area and partly in another if he may act in respect of land in either area.
- (7) In this section—
 

“book of reference” means the book deposited in connection with the Crossrail Bill in the office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons in February 2005, together with the books so deposited on 18th January, 9th May, 7th November 2006 and 16th May 2007;

“local authority” means—

  - (a) in relation to land situated in the area of a unitary authority, that authority, and
  - (b) in relation to land not situated in the area of a unitary authority, the county council for the area.

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### 53 Service of documents

- (1) Any document required or authorised to be served on any person under this Act may be served—
  - (a) by delivering it to him or by leaving it at his proper address or by sending it by post to him at that address,
  - (b) if the person is a body corporate, by serving it in accordance with paragraph (a) on the secretary of that body, or
  - (c) if the person is a partnership, by serving it in accordance with paragraph (a) on a partner or a person having control or management of the partnership business.
- (2) For the purposes of this section and section 7 of the Interpretation Act 1978 (c. 30) (which relates to the service of documents by post) in its application to this section, the proper address of any person on whom a document is to be served shall be his last known address, except that—
  - (a) in the case of service on a body corporate or its secretary, it shall be the address of the registered or principal office of the body;
  - (b) in the case of service on a partnership or a partner or a person having control or management of a partnership business, it shall be the address of the principal office of the partnership.
- (3) For the purposes of subsection (2), the principal office of a company registered outside the United Kingdom, or of a partnership carrying on business outside the United Kingdom, is its principal office within the United Kingdom.
- (4) If a person to be served under this Act with any document by another has specified to that other an address within the United Kingdom other than his proper address (as determined under subsection (2)) as the one at which he, or someone on his behalf, will accept documents of the same description as that document, that address shall also be treated as his proper address for the purposes of this section and for the purposes of section 7 of the Interpretation Act 1978 in its application to this section.
- (5) Where a document is required or authorised to be served under this Act on a person in his capacity as the owner of an interest in, or occupier of, any land and his name or address cannot be ascertained after reasonable enquiry, the document may be served by addressing it to him by name or by the description of “owner” or “occupier”, as the case may be, of the land and—
  - (a) leaving it with a person who is, or appears to be, resident or employed on the land, or
  - (b) leaving it conspicuously affixed to some building or object on or near the land.
- (6) In this section, “secretary”, in relation to a local authority within the meaning of the Local Government Act 1972 (c. 70), means the proper officer within the meaning of that Act.

### 54 Arbitration

- (1) Where under this Act any difference is to be referred to arbitration, the difference shall be referred to, and settled by, a single arbitrator to be agreed between the parties or, in default of 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.
- (2) Subsection (3) applies where—

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- (a) a party has under subsection (1) applied for the arbitrator to be appointed by the President of the Institution of Civil Engineers, and
  - (b) the President notifies either of the parties that he is not going to appoint an arbitrator under subsection (1).
- (3) In default of agreement between the parties as to who in the circumstances should be the arbitrator, the arbitrator is to be appointed on the application of either party, after notice in writing to the other, by the Office of Rail Regulation.
- (4) The Office of Rail Regulation may under subsection (3) appoint as the arbitrator a member or employee of that Office.
- (5) The Secretary of State for Communities and Local Government and the Secretary of State for Transport acting jointly may by rules made by statutory instrument make provision about procedure in relation to arbitration under this Act.
- (6) A statutory instrument containing rules under subsection (5) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

### *Final*

## **55 “Deposited plans”, “deposited sections”**

- (1) In this Act, “deposited plans” and “deposited sections” mean, respectively, the plans and sections deposited in connection with the Crossrail Bill in the office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons.
- (2) The plans and sections referred to in subsection (1) are—
- (a) those deposited in February 2005, as altered by replacement Sheets Nos. 11, 17, 23, 43, 44, 113, 114, 152, 158, 180, 181 and 193 deposited in January 2006, replacement Sheets Nos. 4, 26, 33, 46, 48, 102, 155, 156, 180 and 206 deposited in May 2006, replacement Sheets Nos. 1 to 6, 9, 10, 13, 17, 21, 22, 25, 32, 47, 59 to 62, 70, 86, 112, 121, 128 to 130 and 162 to 164 deposited in November 2006, replacement Sheets Nos. 30 to 37 and 169 to 174 deposited in May 2007 and consolidated replacement Sheets Nos. 14, 15, 155 and 156 deposited in July 2007,
  - (b) Sheet No. 244 deposited in January 2006,
  - (c) Sheets Nos. 25a, 246 to 257 and 259 to 275 deposited in November 2006, and
  - (d) consolidated replacement Sheet No. 245 deposited in July 2007.

## **56 Interpretation**

- (1) In this Act—
- “bridleway”, “carriageway”, “footpath”, “footway”, “highway”, “highway authority” and “local highway authority” have the same meanings as in the Highways Act 1980 (c. 66);
  - “burial ground” means a churchyard, cemetery or other ground, whether consecrated or not, which has at any time been set apart for the purposes of interment;
  - “development” has the same meaning as in the Town and Country Planning Act 1990 (c. 8);
  - “the EIA regulations” has the meaning given by section 10(9);

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

“limits of land to be acquired or used” means the limits of land to be acquired or used which are shown on the deposited plans;

“owner” has the same meaning as in the Acquisition of Land Act 1981 (c. 67);

“scheduled works” has the meaning given by section 1(1);

“unitary authority” means—

- (a) the council of any county so far as it is the council for an area for which there are no district councils;
- (b) the council of any district comprised in an area for which there is no county council;
- (c) the council of a London borough;
- (d) the Common Council of the City of London.

(2) References in this Act to Crossrail are to a railway transport system running from Maidenhead, in the County of Berkshire, and Heathrow Airport, in the London Borough of Hillingdon, through central London to Shenfield, in the County of Essex, and Abbey Wood, in the London Borough of Greenwich.

(3) References in this Act to land within the relevant limits are to land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used.

(4) References in this Act to the nominated undertaker shall be construed in accordance with section 39.

(5) In this Act—

- (a) a reference to a highway or any other place identified by letters and numbers is a reference to the highway or place shown as such on the deposited plans;
- (b) a reference to a work identified by numbers (or numbers and a letter) is a reference to the scheduled work of those numbers (or those numbers and letter);
- (c) any reference in any description of works, powers or land to area, distance, length or direction, or to a particular location, shall be construed as if qualified by the words “or thereabouts”;
- (d) reference to distance, in relation to points on a road or railway, is to distance measured along the centre line of the road or railway.

(6) For the purposes of this Act, the level of the surface of land shall be taken—

- (a) in the case of land on which a building is erected, to be the level of the surface of the ground adjoining the building, and
- (b) in the case of a watercourse or other area of water, to be the level of the surface of the adjoining ground which is at all times above water level.

## 57 Financial provisions

There shall be paid out of money provided by Parliament—

- (a) any expenditure incurred by the Secretary of State in consequence of this Act, and
- (b) any increase attributable to this Act in the sums payable out of money so provided under any other enactment.

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## 58 Short title

This Act may be cited as the Crossrail Act 2008.



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VALID FROM 05/03/2009

## SCHEDULES

### SCHEDULE 1

Section 1

#### SCHEDULED WORKS

##### *Description of works*

The works which the nominated undertaker is authorised by section 1 to make and maintain are the following—

In the City of Westminster, London Boroughs of Camden, Islington and Tower Hamlets and City of London—

Work No. 1/3A— A railway (10,809 metres in length, in tunnel) commencing by a junction with Work No. 1/8D at a point 42 metres west of the western face of Lord's Hill Bridge over the Reading Railway, passing eastwards and terminating beneath a point 140 metres west of the junction of Stepney Green with White Horse Lane;

Work No. 1/3B— A railway (10,942 metres in length, in tunnel) commencing by a junction with Work No. 1/8E at a point 42 metres west of the western face of Lord's Hill Bridge over the Reading Railway, passing eastwards and terminating beneath a point 135 metres south-west of the junction of Stepney Green with White Horse Lane;

Works Nos. 1/3A and 1/3B include stations at Paddington, Bond Street, Tottenham Court Road, Farringdon, Liverpool Street and Whitechapel, shafts between Ranelagh Bridge and Westbourne Bridge, at North Carriage Drive in Hyde Park, and at Park Lane, Fisher Street, Hanbury Street and Stepney Green;

In the London Boroughs of Tower Hamlets and Newham—

Work No. 1/4A— A railway (5,378 metres in length, in tunnel) commencing by a junction with Work No. 1/3A at its termination, passing south-eastwards and terminating at a point 75 metres south-east of the junction of Bridgeland Road with Victoria Dock Road;

Work No. 1/4B— A railway (5,337 metres in length, in tunnel) commencing by a junction with Work No. 1/3B at its termination, passing south-eastwards and terminating at a point 80 metres south-east of the junction of Bridgeland Road with Victoria Dock Road;

Works Nos. 1/4A and 1/4B include shafts at Stepney Green, Lowell Street, Hertsmere Road, Blackwall Way and Limmo and a station at Isle of Dogs;

In the London Borough of Newham—

Work No. 1/5— A railway (2,752 metres in length) commencing by a junction with Works Nos. 1/4A and 1/4B at their termination, continuing eastwards and through the existing Connaught Tunnel and terminating at a point 50 metres south-east of the junction of Winifred Street with Albert Road. Work No. 1/5 includes a station at Custom House (being a reconfiguration of the existing North London Line Custom House Station) and alteration of the Connaught Tunnel comprising lowering of the track base within the tunnel;

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In the London Boroughs of Newham and Greenwich–

Work No. 1/6A– A railway (3,579 metres in length, in tunnel) commencing by a junction with Work No. 1/5 at its termination, continuing south-eastwards beneath the River Thames, continuing eastwards and terminating at a point 157 metres north-west of the junction of Marmadon Road with Church Manor Way;

Work No. 1/6B– A railway (3,586 metres in length, in tunnel) commencing by a junction with Work No. 1/5 at its termination, continuing south-eastwards beneath the River Thames, continuing eastwards and terminating at a point 156 metres north-west of the junction of Marmadon Road with Church Manor Way;

Works Nos. 1/6A and 1/6B include shafts at Warren Lane, Arsenal Way and Plumstead;

In the London Borough of Greenwich—

Work No. 1/6C– A box to accommodate a station at Woolwich situated in The Royal Arsenal north of Plumstead Road;

In the London Boroughs of Greenwich and Bexley–

Work No. 1/7– A railway (2,590 metres in length) commencing by a junction with Works Nos. 1/6A and 1/6B at their termination, continuing eastwards and terminating at a point 143 metres north-west of the junction of Abbey Road with Tunstock Way. Work No. 1/7 includes the reconstruction of Abbey Wood Station;

In the City of Westminster and Royal Borough of Kensington & Chelsea–

Work No. 1/8B– A railway (1,487 metres in length) forming sidings for construction purposes, commencing by a junction with the Marcon Sidings of the Reading Railway at a point 90 metres south-west of the junction of Great Western Road with Elkstone Road, passing eastwards and terminating at a point 135 metres north-east of the junction of Westbourne Terrace with Orsett Terrace;

Work No. 1/8C– A railway (1,086 metres in length) forming sidings within Paddington New Yard, commencing by a junction with the Reading Railway at a point 105 metres north-east of the junction of Morgan Road with St. Ervans Road, passing eastwards and terminating at a point 20 metres west of the western face of Lord Hill's Bridge carrying Porchester Road over that railway;

Work No. 1/8D– A railway (917 metres in length) commencing by a junction with the Reading Railway at a point 7 metres west of the western face of the viaduct carrying the A40(M) Westway over that railway, passing eastwards and terminating by a junction with Work No. 1/3A at its commencement;

In the City of Westminster–

Work No. 1/8E– A railway (798 metres in length) commencing by a junction with the Reading Railway at a point 4 metres east of the east face of the bridge carrying the Great Western Road over that railway, passing eastwards and terminating by a junction with Work No. 1/3B at its commencement;

Work No. 1/8F– A railway (476 metres in length) commencing by a junction with Work No. 1/8E at a point 23 metres east of the footbridge carrying Westbourne Park Passage footpath over the Reading Railway, passing westwards and terminating at a point 59 metres east of the bridge carrying the Great Western Road over that railway;

Work No. 1/8G– A railway (314 metres in length) commencing by a junction with the Reading Railway at a point 114 metres north of the junction of Chepstow Road with Westbourne Park Road, passing eastwards and terminating by a junction with the Reading Railway at a point 137 metres south of the junction of Torquay Street with Harrow Road;

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Work No. 1/9A– A replacement bus parking facility, being an extension of the existing Westbourne Park Garage, comprising an elevated deck and ramps;

Work No. 1/9B– A road commencing by a junction with Great Western Road at a point 100 metres north of its junction with Tavistock Road and terminating by a junction with Alfred Road at a point 205 metres south-west of its junction with Harrow Road;

Work No. 1/9C– A partial reconstruction and extension of the footbridge carrying Westbourne Park Passage over the Reading Railway commencing at a point in that footway 93 metres north-east of the junction of Westbourne Park Road with Westbourne Park Villas and terminating at a point in that footway 132 metres south of the junction of Westbourne Park Passage with Alfred Road;

Work No. 1/9D– A partial reconstruction and extension of the footbridge carrying Westbourne Park Passage over the Reading Railway, commencing at a point in that footway 78 metres north-east of the junction of Westbourne Park Villas with Westbourne Park Road and terminating at a point in Westbourne Park Villas 127 metres east of that road junction. Work No. 1/9D incorporates steps and ramp facilities;

Work No. 1/10A– A temporary diversion of the Ranelagh Sewer, commencing by a junction with that sewer beneath a point 5 metres west of the north-west abutment of the Ranelagh Bridge and terminating by a junction with that sewer beneath a point below that Bridge 70 metres north of the junction of that Bridge with Gloucester Terrace;

Work No. 1/10B– A reinstatement of the Ranelagh Sewer, commencing by a junction with that sewer beneath a point 5 metres west of the north-west abutment of the Ranelagh Bridge and terminating by a junction with that sewer beneath a point below that Bridge 70 metres north of the junction of that Bridge with Gloucester Terrace;

Work No. 1/11A– A passenger subway linking the proposed Crossrail (Paddington) station to the London Underground Bakerloo line platforms commencing beneath a point 65 metres north-east of the junction of Chilworth Street with Eastbourne Terrace and terminating beneath a point 10 metres south-west of the junction of Winsland Street with London Street;

Work No. 1/11B– A road commencing by a junction with Bishop's Bridge Road at a point 125 metres north-east of its junction with Eastbourne Terrace and terminating in South Wharf Road at its junction with London Street;

Work No. 1/12– A diversion of a sewer in Eastbourne Terrace, commencing by a junction with that sewer in Bishop's Bridge Road beneath a point 10 metres west of the junction of Eastbourne Terrace with Bishop's Bridge Road, and terminating by a junction with that sewer in Praed Street beneath a point 11 metres south-west of the junction of Praed Street with Spring Street;

Work No. 1/12A– A lowering of Eastbourne Terrace between a point in that road 1 metre south-east of its junction with Bishops Bridge Road and a point in Eastbourne Terrace 2 metres north-west of its junction with Praed Street;

Work No. 1/12B– A lowering of Chilworth Street between a point in that road 63 metres north-east of its junction with Westbourne Terrace and its junction with Work No.1/12A at a point 11 metres north-east of the junction of Chilworth Street with Eastbourne Terrace;

Work No. 1/13– A subway commencing as a ventilation subway at a point 55 metres south-west of the junction of Bayswater Road with Brook Street to the proposed shaft in Hyde Park (part of Works Nos. 1/3A and 1/3B), continuing as an access subway and terminating at a point 90 metres south-west of the junction of Bayswater Road with Clarendon Place;

Work No. 1/14– A passenger subway linking the proposed Crossrail station to the existing London Underground Bond Street station commencing beneath a point 5 metres south-east of the junction of Davies Street with Weighhouse Street and

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terminating in the said Bond Street station beneath a point 40 metres north-west of the junction of Oxford Street with Stratford Place;

Work No. 1/14A– A tunnel for construction purposes commencing by a junction with Work No. 1/14C at a point 17 metres north-west of the junction of the western arm of Marylebone Lane with Oxford Street and terminating by a junction with Work No. 1/14B at a point 42 metres north of the junction of Stratford Place with Oxford Street. Work No. 1/14A includes a shaft for construction and operational purposes;

Work No. 1/14B– An escalator, subway, and stairs commencing by a junction with an existing passenger subway at a point 26 metres north of the junction of Stratford Place with Oxford Street and terminating by a junction with the existing London Underground Jubilee Line platforms at a point 135 metres north-west of the junction of the western arm of Marylebone Lane with Oxford Street;

Work No. 1/14C– A passenger subway incorporating stairs commencing by a junction with Work No. 1/14A at a point 17 metres north-west of the junction of the western arm of Marylebone Lane with Oxford Street and terminating by a junction with an existing passage between the London Underground Jubilee Line platforms at a point 55 metres north-west of the junction of Stratford Place with Oxford Street;

Work No. 1/14D– A passenger subway commencing by a junction with the existing London Underground Central Line platforms beneath Oxford Street at a point 20 metres east of the junction of Davies Street with Oxford Street and terminating by a junction with Work No. 1/14C at a point 20 metres north-east of the junction of Stratford Place with Oxford Street;

Works Nos. 1/14A, 1/14C and 1/14D include a ticket hall;

Work No. 1/14E– A passenger subway commencing by a junction with the existing London Underground Central Line platforms beneath Oxford Street at a point 12 metres west of the junction of Davies Street with Oxford Street and terminating by a junction with Work No. 1/14C at a point 23 metres north-west of the junction of Stratford Place with Oxford Street;

Work No. 1/15A– A temporary diversion of a sewer in Davies Street, commencing by a junction with that sewer beneath a point 10 metres north of the junction of Davies Street with Weighhouse Street and terminating by a junction with that sewer beneath a point 4 metres south-east of the junction of Davies Street with St Anselm's Place;

Work No. 1/15B– A reinstatement of a sewer in Davies Street, commencing by a junction with that sewer beneath a point at the junction of Davies Street with Weighhouse Street and terminating by a junction with that sewer beneath a point 4 metres north-west of the junction of Davies Street with St Anselm's Place;

Work No. 1/15C– A diversion of a sewer in Weighhouse Street, commencing by a junction with that sewer beneath a point 44 metres north-east of the junction of Gilbert Street with Weighhouse Street and terminating by a junction with that sewer beneath a point 5 metres south-west of the junction of Davies Street with Weighhouse Street;

Work No. 1/16– A diversion of a sewer in Oxford Street comprising a shaft connecting that sewer with the mid level sewer No.1 beneath a point 68 metres east of the junction of Oxford Street with Soho Street;

In the City of Westminster and London Borough of Camden–

Work No. 1/17– A utilities culvert commencing beneath a point in Charing Cross Road 10 metres south-west of the junction of Charing Cross Road with Oxford Street, and terminating beneath a point in that road 25 metres north-west of the junction of Charing Cross Road with Denmark Place;

In the London Borough of Camden–

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Work No. 1/18A– A temporary road, being a diversion of Charing Cross Road at its northern end, commencing at a point in that road 20 metres north-west of the junction of that road with Denmark Place and terminating at a point in St Giles High Street 45 metres south of the junction of that street with New Oxford Street;

Work No. 1/18B– A temporary road, being a diversion of Charing Cross Road at its northern end, commencing at a point in that road 25 metres south-west of the junction of that road with Denmark Place and terminating at a point in St Giles High Street 45 metres south of the junction of that street with New Oxford Street;

In the City of London–

Work No. 1/21A– A diversion of the Moorgate Station Sewer, commencing by a junction with that sewer beneath a point in Moorgate Station 31 metres north-west of the junction of Keats Place with Moorfields and terminating by a junction with that sewer beneath a point in Moorfields 12 metres south-west of that road junction. Work No. 1/21A includes shafts for construction and maintenance;

In the City of London and London Borough of Islington–

Work No. 1/22– A passenger subway linking the proposed Crossrail platforms at Liverpool Street station with the London Underground Northern Line platforms at Moorgate Station commencing beneath a point in Moorfields 140 metres south-west of its junction with Ropemaker Street, passing under Ropemaker Street and terminating in Moorgate beneath a point 43 metres south-east of that junction;

In the City of London–

Work No. 1/23A– A temporary diversion of the London Bridge Sewer, commencing by a junction with that sewer beneath a point 12 metres south-west of the junction of Moorgate with Finsbury Circus, and terminating by a junction with that sewer beneath a point 25 metres south-west of that road junction;

Work No. 1/23B– A reinstatement of the London Bridge Sewer, commencing by a junction with that sewer beneath a point 12 metres south-west of the junction of Moorgate with Finsbury Circus, and terminating by a junction with that sewer beneath a point 25 metres south-west of that road junction;

Work No. 1/24– A diversion of the sewer in Liverpool Street commencing by a junction with that sewer beneath a point 10 metres south-east of the junction of Liverpool Street with Blomfield Street and terminating beneath a point 40 metres west of the junction of Liverpool Street with Old Broad Street. Work No. 1/24 includes shafts for construction and maintenance;

Work No. 1/24A– A cable tunnel commencing beneath a point 41 metres south-west of the junction of Old Broad Street with Liverpool Street and terminating beneath a point 28 metres north-west of that road junction. Work No. 1/24A includes a shaft for construction;

In the London Borough of Tower Hamlets–

Work No. 1/25A– A shaft and tunnel, for construction purposes, commencing beneath a point 88 metres south-west of the junction of Hanbury Street with Spital Street, passing northwards and terminating beneath a point 126 metres north-east of the junction of Bratley Street with Weaver Street;

Work No. 1/25B– A conveyor on viaduct or supporting structures commencing at a point 84 metres north of the junction of Bratley Street with Weaver Street, passing north-westwards, then eastwards and then northwards under the Great Eastern Main Line Railway, crossing eastwards over the Grand Union/Regent's Canal and terminating in Mile End Park at a point 98 metres north-west of the junction of Grove Road with

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Ashcroft Road. Work No. 1/25B includes a bridge carrying the conveyor over the said Grand Union/Regent's Canal;

Work No. 1/25C– An accommodation road, forming an access to the Great Eastern Main Line Railway viaduct, commencing by a junction with Vallance Road at a point 60 metres south of the junction of that road with Dunbridge Street and terminating at a point 100 metres south-east of the junction of Vallance Road with Dunbridge Street;

Work No. 1/25D– A railway (652 metres in length) forming a realignment of the Mile End (Devonshire Street) Sidings, commencing by a junction with the Great Eastern Main Line Railway at a point 228 metres south-west of the junction of Grove Road with Ashcroft Road, passing westwards and terminating at a point 55 metres north of the junction of Globe Road with Bancroft Road;

Work No. 1/25E– A conveyor on viaduct or supporting structures, commencing in Mile End Park at a point 155 metres north-west of the junction of Grove Road with Ashcroft Road, passing south-westwards crossing over the Grand Union Canal/Regent's Canal, and passing southwards beneath the Great Eastern Main Line Railway, then passing westwards and terminating in the existing Mile End (Devonshire Street) Sidings at a point 135 metres north-west of the junction of Moody Street with Longnor Road;

Work No. 1/26A– A passenger subway linking the proposed Crossrail platforms to the London Underground District Line, commencing beneath a point 13 metres north-west of the bridge carrying Durward Street over the East London Line railway and terminating beneath a point 33 metres south-east of the junction of Durward Street with Court Street;

Work No. 1/26B– An escalator linking the proposed Crossrail platforms to the London Underground District Line, commencing by a junction with Work No. 1/26A at a point 61 metres east of the junction of Durward Street with Court Street and terminating beneath a point 19 metres south-east of that junction;

Work No. 1/26C– A diversion of the North Eastern Storm Relief Sewer, commencing by a junction with that sewer beneath a point 112 metres west of the junction of Durward Street with Brady Street and terminating by a junction with that sewer beneath a point 100 metres south-west of the junction of Durward Street with Brady Street. Work No. 1/26C includes a shaft for construction and maintenance;

Work No. 1/27A– An escalator and bridge linking the proposed Isle of Dogs Station platforms to North Quay commencing at a point 156 metres west of the bridge carrying Upper Bank Street over West India Dock (North) and terminating in North Quay at a point 3 metres east of the bridge carrying the Docklands Light Railway over the said Dock;

Work No. 1/27B– A bridge and escalator linking The North Colonnade to the proposed Isle of Dogs Station platforms commencing by a junction with that road at a point 174 metres west of the junction of Upper Bank Street with The North Colonnade and terminating at a point 36 metres east of the bridge carrying the Docklands Light Railway over West India Dock (North);

Work No. 1/27C– An escalator and bridge linking the proposed Isle of Dogs Station platforms to South Quay commencing at a point 20 metres east of the bridge carrying Upper Bank Street over West India Dock (North) and terminating by a junction with Work No. 1/27D at a point 30 metres west of the junction of Belmouth Passage and the said Dock;

Work No. 1/27D– A bridge commencing by junction with Upper Bank Street at a point 68 metres north-east of the junction of that road with The North Colonnade and terminating at a point 18 metres west of the junction of Belmouth Passage and West India Dock (North);

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Work No. 1/28– A jetty incorporating a conveyor, for construction purposes, commencing in West India Dock North at a point 117 metres north of the junction of Bellmouth Passage with Churchill Place extending into West India Dock South and terminating at a point 130 metres south-east of the junction of Bellmouth Passage with Churchill Place;

In the London Borough of Newham–

Work No. 1/29A– A conveyor for construction purposes, commencing at a point 220 metres south-west of the junction of Brunel Street with Victoria Dock Road, passing south-eastwards beneath the viaduct carrying the Lower Lea Crossing and terminating in Instone Wharf at a point 295 metres south-west of the junction of Lower Lea Crossing with Dock Road;

Work No. 1/29B– A conveyor for construction purposes, commencing by a junction with the commencement of Work No. 1/29A and terminating at a point 125 metres south-west of the junction of Brunel Street with Victoria Dock Road;

Work No. 1/30– A railway (889 metres in length) being a realignment of the Docklands Light Railway, commencing by a junction with that railway at a point 40 metres south-west of the junction of Munday Road with Victoria Dock Road, passing eastwards and terminating by a junction with that railway at a point 168 metres east of the junction of Chauntler Close with Victoria Dock Road. Work No. 1/30 includes the reconstruction of Docklands Light Railway Custom House Station;

Work No. 1/31– A diversion of the Royal Docks Surface Water Sewer, commencing by a junction with that sewer beneath a point 88 metres south-west of the junction of Munday Road with Victoria Dock Road, and terminating at a junction with that sewer beneath a point 60 metres south-east of the junction of Chauntler Close with Victoria Dock Road. Work No. 1/31 includes shafts for construction and maintenance;

Work No. 1/32A– An accommodation road commencing at a point 32 metres south-west of the junction of Albert Road with Winifred Street and terminating at a point 42 metres south of the junction of Albert Road with Fernhill Street;

Work No. 1/32B– A diversion of the Royal Docks Sewer (Main Line), commencing by a junction with that sewer beneath a point 37 metres south of the junction of Albert Road with Winifred Street, and terminating by a junction with that sewer beneath a point at the junction of Factory Road with Store Road. Work No. 1/32B includes shafts for construction and maintenance;

Work No. 1/32C– A diversion of the Albert Road Sewer, commencing by a junction with that sewer beneath a point 31 metres south-east of the junction of Albert Road with Fernhill Street, and terminating by a junction with that sewer beneath a point 104 metres east of that road junction;

Work No. 1/32D– An access road commencing by a junction with Albert Road at a point 10 metres south-west of the junction of Albert Road with Dockland Street and terminating at the junction of Factory Road with Store Road;

Work No. 1/32E– A sewer, being a replacement of part of the Store Road Pumping Station Inlet Culvert, commencing by a junction with that sewer beneath a point 30 metres east of the junction of Albert Road with Dockland Street, and terminating by a junction with that sewer beneath a point 32 metres east of the junction of Factory Road with Store Road;

In the London Boroughs of Greenwich and Bexley–

Work No. 1/33A– A railway (3,862 metres in length) being a realignment of the North Kent Line (eastbound line), commencing by a junction with that railway at a point 133 metres west of the junction of Plumstead High Street with Griffin Road, passing

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eastwards and terminating by a junction with that railway at a point 132 metres north-west of the junction of Abbey Road with Shortlands Close;

Work No. 1/33B– A railway (3,802 metres in length) being a realignment of the North Kent Line (westbound line), commencing by a junction with that railway at a point 78 metres west of the junction of Plumstead High Street with Griffin Road, passing eastwards and terminating by a junction with that railway at a point 128 metres north-west of the junction of Abbey Road with Shortlands Close;

In the London Borough of Greenwich–

Work No. 1/33C– A railway (408 metres in length), forming a railway siding for the North Kent Line railway, commencing by a junction with Work No. 1/33A at a point 42 metres north of the junction of Plumstead High Street with Griffin Road, passing eastwards and terminating at a point 112 metres north-west of the junction of White Hart Road with Hartville Road;

Work No. 1/34– A footbridge, incorporating steps and ramp facilities, crossing over Works Nos. 1/7, 1/33A and 1/33B commencing at a point 50 metres north-east of the junction of Church Manor Way with Marmadon Road and terminating at a point 75 metres south-east of the junction of Church Manor Way with Mottisfont Road;

Work No. 1/35– A diversion of a sewer, commencing by a junction with that sewer beneath a point 72 metres north of the junction of Woodhurst Road with Bracondale Road, and terminating by a junction with that sewer beneath a point 40 metres north-east of that road junction;

Work No. 1/36– A footbridge, incorporating steps and ramp facilities, crossing over Works Nos. 1/7, 1/33A and 1/33B commencing at a point 55 metres north-west of the junction of Bostal Manorway with Abbey Grove and terminating at a point 95 metres north-west of that junction;

In the London Borough of Bexley–

Work No. 1/37A– Reconstruction of the bridge carrying Harrow Manor Way over Works Nos. 1/7, 1/33A and 1/33B commencing by a junction with Harrow Manor Way at a point 80 metres west of the junction of Felixstowe Road with Sydney Road and terminating with Harrow Manor Way at a point 25 metres south-west of the junction of Florence Road with Fendyke Road;

In the London Boroughs of Greenwich and Bexley–

Work No. 1/37B– A realignment of Felixstowe Road commencing at a point 80 metres north of the junction of Wilton Road with Gayton Road and terminating at the junction of Felixstowe Road with Rusdene;

Work No. 1/37C– A realignment of Gayton Road commencing at a point 10 metres south of its existing junction with Wilton Road and terminating at a point 10 metres north of its existing junction with Florence Road;

Work No. 1/37D– A diversion of a sewer, commencing by a junction with that sewer beneath a point 55 metres northwest of the junction of Wilton Road with Gayton Road, and terminating by a junction with that sewer beneath a point in Wilton Road at its junction with Gayton Road;

In the London Borough of Bexley–

Work No 1/38A– A wharf, comprising the refurbishment of Manor Wharf, commencing at a point 18 metres south-east of the centre of the dolphin at the western end of Manor Wharf and terminating at a point 178 metres east of its commencement;

Work No. 1/38B– A conveyor, for construction purposes, commencing at a point 85 metres south-west of the centre of the dolphin at the western end of Manor Wharf,



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passing eastwards and then northwards over the River Thames and terminating by a junction with Work No. 1/38A at a point 97 metres south-east of the centre of the said dolphin;

Work No. 1/38C– A road, comprising an alteration of Norman Road, commencing by the junction of that road with Picardy Manorway and terminating at a point 285 metres north-east of the centre of the dolphin at the western end of Manor Wharf;

Work No. 1/38D– A road commencing by a junction with Work No. 1/38C at a point 318 metres south-west of the centre of the dolphin at the western end of Manor Wharf and terminating at a point 95 metres south-west of the centre of the said dolphin;

Work No. 1/38E– A temporary road commencing by a junction with Isis Reach at a point 177 metres south of the centre of the dolphin at the western end of Manor Wharf and terminating at a point 150 metres south of the centre of the said dolphin;

Work No. 1/38F– A temporary road commencing by a junction with Work No 1/38C at a point 363 metres south-west of the centre of the dolphin at the western end of Manor Wharf and terminating by a junction with Isis Reach at a point 351 metres south-west of the centre of the said dolphin;

In the London Boroughs of Tower Hamlets and Newham–

Work No. 2/1A– A railway (3,255 metres in length, in tunnel) commencing by a junction with Work No. 1/3A at its termination continuing eastwards and terminating at a point 70 metres north of the junction of Barbers Road with Pudding Mill Lane;

Work No. 2/1B– A railway (3,318 metres in length, in tunnel) commencing by a junction with Work No. 1/3B at its termination continuing eastwards and terminating at a point 65 metres north of the junction of Barbers Road with Pudding Mill Lane;

Works Nos. 2/1A and 2/1B include shafts at Stepney Green, Mile End Park and Eleanor Street;

In the London Borough of Newham–

Work No. 2/2– A railway (396 metres in length), commencing by a junction with Works Nos. 2/1A and 2/1B at their termination continuing eastwards and terminating by a junction with the Electric Lines of the Great Eastern Main Line Railway at a point 135 metres north-west of the junction of Warton Road with Bridgewater Road;

Work No. 2/3– A railway (835 metres in length), being a deviation of the Up Electric Line of the Great Eastern Main Line Railway, commencing by a junction with that railway at a point 130 metres north of the junction of Wrexham Road with Baldock Street, passing north-east and terminating by a junction with that railway at a point 135 metres north-west of the junction of Warton Road with Bridgewater Road;

Works Nos. 2/2 and 2/3 include bridges over Marshgate Lane (to be realigned, Work No. 2/6A), City Mill River and the Northern Outfall Sewers;

Work No. 2/4– A railway (922 metres in length), being a realignment of the Docklands Light Railway, commencing by a junction with that railway at a point 130 metres north of the junction of Baldock Street with Wrexham Road passing eastwards on new viaduct over Marshgate Lane to be realigned (Work No. 2/6A), City Mill River and the Northern Outfall Sewers and terminating by a junction with that railway at a point 120 metres south-west of the junction of Rowse Close with Carpenters Road. Work No. 2/4 includes a new station for Docklands Light Railway at Pudding Mill Lane;

Work No. 2/5A– A railway (886 metres in length) forming sidings for construction purposes, commencing by a junction with the northern side of the Great Eastern Main Line Railway at a point 265 metres west of the junction of Warton Road with Bridgewater Road, passing westwards then northwards and terminating at a point 142 metres north-east of the junction of Wick Lane with Iceland Road;

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Work No. 2/5B– A railway (435 metres in length) forming sidings for construction purposes, commencing by a junction with Work No. 2/5A at a point 175 metres east of the junction of Wick Lane with Iceland Road, passing southwards then eastwards and terminating at a point 125 metres west of the junction of Barbers Road with Pudding Mill Lane;

Work No. 2/5C– A railway (331 metres in length) forming sidings for construction purposes, commencing by a junction with Work No. 2/5A at a point 175 metres east of the junction of Wick Lane with Iceland Road, passing south-east and terminating at a point 152 metres west of the junction of Barbers Road and Pudding Mill Lane;

Work No. 2/5D– A railway (459 metres in length) forming sidings for construction purposes, commencing by a junction with Work No. 2/5A at a point 123 metres south-west of the junction of Barbers Road with Pudding Mill Lane, passing westwards and terminating at a point 160 metres south of the junction of Wick Lane with Autumn Street;

Work No. 2/6A– A realignment of Marshgate Lane, commencing at a point in that road 70 metres east of the junction of Barbers Road with Pudding Mill Lane and terminating by a junction with Pudding Mill Lane at a point 235 metres north-west of the junction of Pudding Mill Lane with Barbers Road;

Work No. 2/6B– A road, commencing by a junction with Pudding Mill Lane at a point 140 metres north-west of the junction of Pudding Mill Lane with Barbers Road and terminating by a junction with Marshgate Lane as proposed to be realigned (Work No. 2/6A) at a point 160 metres north-west of that road junction;

Work No. 2/7– A realignment of Barbers Road, commencing by a junction with Marshgate Lane as proposed to be realigned (Work No. 2/6A) at a point 55 metres north-east of the junction of Barbers Road with Pudding Mill Lane and terminating in Barbers Road (as existing) at a point 200 metres south-west of its junction with Pudding Mill Lane;

#### In the London Borough of Tower Hamlets—

Work No. 2/8A– A sewer, forming a diversion of the Hackney to Abbey Mills sewer and Wick Lane sewer, commencing by a junction with the Hackney to Abbey Mills sewer beneath a point in Wick Lane 30 metres north-west of the bridge carrying the Great Eastern Main Line and Docklands Light Railway over that road and terminating by a junction with that sewer beneath a point 54 metres north-east of the junction of Payne Road with Bow Road. Work No. 2/8A includes shafts for construction and maintenance;

Work No. 2/8B– A sewer, forming a diversion of the Hackney to Abbey Mills sewer and Wick Lane sewer, commencing by a junction with Work No. 2/8A beneath a point 32 metres north-east of the junction of Payne Road and Bow Road and terminating by a junction with the Wick Lane sewer beneath a point 57 metres north-east of that road junction. Work No. 2/8B includes a shaft for construction and maintenance;

Work No. 2/8C– An access shaft for construction and maintenance of a diversion of Wick Lane sewer, at a point in Wick Lane 33 metres south-west of the bridge carrying the Great Eastern Main Line and Docklands Light Railway over that road;

Work No. 2/20– A road commencing by a junction with Eleanor Street at a point 29 metres south-east of the junction of that road with Tidworth Road and terminating at a point in an access road 110 metres south of that road junction;

#### In the London Borough of Newham—

Work No. 2/9– –A railway (168 metres in length) forming a cross-over between the Down and Up Electric Lines of the Great Eastern Main Line Railway, commencing by a junction with that railway at a point 130 metres north-east of the junction of Station Road with Carlyle

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Road, passing eastwards and terminating by a junction with that railway at a point 280 metres north-east of that road junction;

In the London Boroughs of Redbridge and Newham–

Work No. 2/10– A railway (295 metres in length) forming a siding by a junction with the Up Passenger Avoiding Line of the Great Eastern Main Line Railway, commencing by a junction with that railway at a point 95 metres north of the junction of Aldersbrook Lane with Daines Close, passing eastwards and terminating at a point 170 metres north of the junction of Lugg Approach with Romford Road;

In the London Borough of Newham–

Work No. 2/11– An access road, including a bridge over Alders Brook, commencing in Lugg Approach at a point 40 metres north-west of the junction of Lugg Approach with Romford Road and terminating at a point 26 metres north-west of its commencement;

In the London Boroughs of Redbridge and Barking & Dagenham–

Work No. 2/12– A railway (2,125 metres in length) forming a freight loop line, commencing by a junction with the Up Main Line of the Great Eastern Main Line Railway at a point 155 metres west of the junction of Ashgrove Road with Granton Road, passing eastwards and terminating by a junction with that railway at a point 75 metres south-east of the junction of Heath Road with Junction Road West;

In the London Boroughs of Barking & Dagenham and Havering–

Work No. 2/13– A railway (2,273 metres in length, partly in tunnel) commencing by a junction with the existing Electric Lines of the Great Eastern Main Line Railway at a point 210 metres south of the junction of Whalebone Lane South with Morden Road, passing eastwards and under that railway and terminating within a proposed depot at a point 220 metres north of the junction of Oldchurch Road and Nursery Walk. Work No. 2/13 includes a new bridge over Jutsums Lane and a depot;

Work No. 2/13A– A railway (679 metres in length) commencing by a junction with Work No. 2/13 at a point 255 metres south-east of the junction of Whalebone Lane South with Morden Road, passing eastwards and terminating by a junction with the Great Eastern Main Line Railway at a point 362 metres south-west of the junction of Eddy Close with Bridport Avenue;

In the London Borough of Havering–

Work No. 2/13B– A railway (398 metres in length) commencing by a junction with Work No. 2/13 at a point 125 metres south-east of the junction of Jutsums Lane with Bridport Avenue, passing westwards and terminating by a junction with the Great Eastern Main Line Railway at a point 308 metres south-west of the junction of Eddy Close with Bridport Avenue. Work No. 2/13B includes a new bridge over Jutsums Lane;

Work No. 2/13C– A railway (960 metres in length) forming sidings within the proposed depot (part of Work No. 2/13) commencing by a junction with Work No. 2/13 at a point 295 metres north-west of the junction of Crow Lane with Beechfield Gardens, passing eastwards and terminating at a point 220 metres south-east of the junction of St Andrews Road with Queen Street;

Work No. 2/13D– A railway (733 metres in length) forming sidings within the proposed depot (part of Work No. 2/13) commencing by a junction with Work No. 2/13C at a point 85 metres south of the junction of Sheringham Avenue with Knighton Road and terminating at a point 140 metres east of the junction of Waterloo Road with Exchange Street;

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Work No. 2/14A– An accommodation road, being a diversion of part of Sandgate Close, commencing at a point in that road 185 metres north of its junction with Crow Lane and terminating at a point 205 metres north-east of that junction;

Work No. 2/14B– An improvement of Nursery Walk and Footpath FP127 including an extension of the footpath subway between that road and Stockland Road commencing at a point 10 metres south of the junction of Stockland Road with Cotleigh Road and passing southwards and terminating at its junction with Oldchurch Road;

Work No. 2/15A– A diversion of the sewer west of Waterloo Road commencing by a junction with that sewer beneath a point 65 metres south of the junction of Waterloo Road with Exchange Street and terminating by a junction with that sewer beneath a point 30 metres south-east of its commencement in Waterloo Road;

Work No. 2/15B– A widening of the southside bridge carrying the Great Eastern Main Line Railway over Waterloo Road, commencing at a point 70 metres south of the junction of Waterloo Road with Exchange Street and terminating at a point 25 metres south of that junction;

Work No. 2/15C– A bridge, for vehicular access over the River Rom, commencing at a point 210 metres west of the junction of Victoria Road with South Street and terminating at a point 20 metres east of its commencement;

Work No. 2/15D– A road forming a temporary diversion of Atlanta Boulevard commencing in that road at a point 105 metres west of its junction with South Street and terminating at a point 49 metres south-east of its commencement;

Work No. 2/15E– An access road, commencing by a junction with Havana Close at a point 77 metres south-west of its junction with South Street and terminating at a point in The Battis 70 metres south-west of its junction with South Street;

Work No. 2/16A– A railway (1,264 metres in length) being a realignment of sidings commencing by a junction with the Electric Lines of the Great Eastern Main Line Railway at a point 145 metres south-east of the junction of Wallenger Avenue with Cranbrook Drive, passing eastwards and terminating by a junction with that railway at a point 135 metres south of the junction of Ewan Road with Cavell Crescent;

Work No. 2/16B– A railway (462 metres in length) forming sidings commencing by a junction with Work No. 2/16A at a point 60 metres south-east of the junction of Clunas Gardens with Amery Gardens, passing south-west and terminating at a point 130 metres east of the junction of Upper Brentwood Road with South Drive;

In the County of Essex, Borough of Brentwood–

Work No. 2/18A– A railway (704 metres in length) commencing by a junction with the Down Electric Line of the Great Eastern Main Line Railway at a point 32 metres east of the junction of Woodway with Abbots Close, passing northwards and terminating at a point 107 metres north-east of the junction of Hutton Road with Crossways;

Work No. 2/18B– A railway (1,226 metres in length) commencing by a junction with the Up Electric Line of the Great Eastern Main Line Railway at a point 35 metres east of the junction of Woodway with Abbots Close, passing northwards and terminating at a point 305 metres north of the junction of Rayleigh Road with Alexander Lane. Work No. 2/18B includes the provision of sidings on the western side of the Great Eastern Main Line Railway and to the north of Shenfield Station;

Work No. 2/18C– A railway (263 metres in length) forming sidings on the western side of the Great Eastern Main Line Railway and to the south of Shenfield Station, commencing by a junction with Work No. 2/18A at a point 105 metres east of the junction of Friar's Avenue with Friar's Close, passing southwards and terminating at a point 125 metres north-east of the junction of Woodway with Gordon Road;

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Work No. 2/18D– A railway (653 metres in length), being a realignment of the Chelmsford Loop of the Great Eastern Main Line railway, commencing by a junction with the existing Up Electric Line of the Great Eastern Main Line Railway at a point 160 metres north-east of the junction of Hutton Road with Crossways, passing north-east and terminating by a junction with the existing Down Main Line of the Great Eastern Main Line railway at a point 85 metres east of the junction of Oliver Road with Hunter Road;

Work No. 2/18E– A railway (307 metres in length), being a realignment of the Southend Loop Line, commencing by a junction with Work No. 2/18D at a point 185 metres north of the junction of Rayleigh Road with Alexander Lane, passing northwards and terminating by a junction with the Southend Loop Line at a point 55 metres east of the junction of Oliver Road with Hunter Avenue;

In the County of Essex, District of Basildon–

Work No. 2/19– A railway (626 metres in length) forming sidings for construction purposes, commencing by a junction with the London, Tilbury & Southend Railway at a point 57 metres south-east of the junction of The Meads with Elmtree Road, passing eastwards and terminating at a point 133 metres south of the junction of Pitsea Hall Lane with Brackendale Avenue;

In the London Borough of Redbridge—

Work No. 2/20A– A railway (935 metres in length) commencing by a junction with tracks within Ilford Depot at a point 116 metres north-east of the bridge carrying Griggs Approach over the Great Eastern Main Line Railway, passing eastwards and terminating by a junction with that railway at a point 32 metres east of the bridge carrying Aldborough Road over that railway. Work No. 2/20A includes two depot buildings;

Work No. 2/20B– A railway (280 metres in length) commencing by a junction with tracks within Ilford Depot at a point 83 metres south-east of the junction of Carriage Mews with Ley Street, passing westwards and terminating at a point 50 metres east of the junction of Ley Street and Griggs Approach;

In the London Borough of Newham—

Work No. 2/21A– railway (567 metres in length) forming a deviation of the eastbound District line, commencing by a junction with that railway at a point 64 metres south-east of the junction of Tom Nolan Close with Jack Clow Road, passing eastwards and terminating by a junction with that railway at a point 44 metres north of the junction of Hartsworth Close with Whitelegg Road;

Work No. 2/21B– A railway (448 metres in length) forming a train reversing siding, commencing by a junction with Work No. 2/21A at its commencement, passing eastwards and terminating by a junction with the westbound District line at a point 34 metres north-west of the junction of Moxon Close with Whitelegg Road;

Work 2/21C– A railway (87 metres in length) commencing by a junction with the westbound District line at a point 70 metres south-east of the junction of Tom Nolan Close with Jack Clow Road, passing eastwards and terminating by a junction with Work No. 2/21B at a point 58 metres north-west of the junction of Springfield Road with Holland Road;

Work No. 2/21D– A railway (76 metres in length) commencing by a junction with Work No. 2/21B at a point 53 metres south-east of the junction of Holbrook Road with Corporation Street, passing eastwards and terminating by a junction with Work No. 2/21A at a point 52 metres north-west of the junction of Moxon Close with Whitelegg Road;

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Work No. 2/21E– A railway (94 metres in length) forming a deviation of the terminating District line track at Plaistow Station, commencing by a junction with Work No. 2/21A at a point 43 metres north-west of the junction of Moxon Close with Whitelegg Road, passing eastwards and terminating by a junction with the terminating District line track at a point 45 metres north-west of the junction of Hartsworth Close with Whitelegg Road;

In the County of Berkshire, Royal Borough of Windsor & Maidenhead–

Work No. 3/1A– A deviation of the Reading Railway (1,604 metres in length) commencing by a junction with that railway at a point 160 metres south of the junction of Longlea Gardens with Lexington Avenue, passing eastwards and terminating by a junction with that railway at a point 25 metres west of the bridge carrying that railway over York Stream;

Work No. 3/1B– A railway (634 metres in length), forming sidings within Maidenhead Station Yard, commencing by a junction with Work No. 3/1A at a point 215 metres west of the bridge carrying the Reading Railway over King Street/Braywick Road, passing westwards and terminating at a point 129 metres south-east of the junction of Clarendon Copse with Clare Road;

Work No. 3/1C– A railway (743 metres in length) commencing at a point within Maidenhead Station Yard 166 metres south-east of the junction of Clarendon Copse with Clare Road, passing eastwards and terminating by a junction with the Reading Railway at a point 66 metres west of the bridge carrying that railway over King Street/Braywick Road;

Work No. 3/1D– A railway (239 metres in length) commencing by a junction with the Bourne End Branch Railway at Maidenhead Station at a point 6 metres south-east of the bridge carrying that railway over Silco Drive, passing eastwards and terminating at a point 107 metres west of the bridge carrying the Reading Railway over King Street/Braywick Road;

Work No. 3/1E– A diversion of a sewer commencing by a junction with that sewer beneath a point 145 metres south-east of the junction of Boyn Valley Road with Clare Road and terminating by a junction with that sewer beneath a point 114 metre west of the junction of Ludlow Road and Shoppenhanger's Road. Work No. 3/1E includes shafts for construction and maintenance;

Work No. 3/1F– A temporary road, being a realignment of Shoppenhanger's Road, commencing in that road at a point 143 metres west of the junction of Shoppenhanger's Road with Braywick Road and terminating in Shoppenhanger's Road at a point 35 metres west of that road junction;

In the County of Berkshire, Borough of Slough–

Work No. 3/2– A reconstruction of the bridge carrying Leigh Road over the Reading Railway commencing at a point 90 metres north of the junction of Argyll Avenue with Leigh Road and terminating at a point 42 metres south of the junction of Bedford Avenue with Leigh Road;

Work No. 3/3– A realignment of the Reading Railway (1,710 metres in length) commencing by a junction with that railway at a point 101 metres west of the bridge carrying Farnham Road over that railway, passing eastwards and terminating by a junction with that railway at a point 135 metres east of the bridge carrying William Street over that railway;

Work No. 3/3A– A raising of the bridge carrying Stoke Poges Lane over the Reading Railway and Work No. 3/3, commencing at a point 8 metres south of the junction of Simpsons Way with Stoke Poges Lane and terminating at a point 14 metres north of the junction of Lansdowne Avenue with Stoke Poges Lane;

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Work No. 3/4– A realignment of the Windsor and Eton Branch Railway at Slough Station (214 metres in length) commencing by a junction with that railway at a point 62 metres west of the bridge carrying William Street over that railway, passing eastwards and terminating at a point within Slough Station 152 metres east of that bridge;

Work No. 3/5A– A temporary bridge to carry Wexham Road over the Reading Railway (for the duration of the construction of Work No. 3/5B), commencing in Wexham Road at a point 55 metres north of the junction of Diamond Road with Wexham Road and terminating in Wexham Road at a point 170 metres north of that road junction;

Work No. 3/5B– A partial reconstruction of the bridge carrying Wexham Road over the Reading Railway, commencing at a point 95 metres north of the junction of Diamond Road with Wexham Road and terminating at a point 120 metres north of that road junction;

Work No. 3/6– A partial reconstruction of the bridge carrying Middlegreen Road over the Reading Railway, commencing at a point 86 metres north of the junction of Halkingcroft with Middlegreen Road and terminating at a point 66 metres south of the bridge carrying Middlegreen Road over the Grand Union Canal;

Work No. 3/7A– A temporary bridge to carry St. Mary's Road over the Reading Railway (for the duration of the construction of Work No 3/7B), commencing in St. Mary's Road at a point 55 metres north-west of the junction of Maryside with St. Mary's Road and terminating in St. Mary's Road at a point 55 metres south-east of the bridge carrying that road over the Grand Union Canal;

Work No. 3/7B– A partial reconstruction of the bridge carrying St. Mary's Road over the Reading Railway, commencing at a point 60 metres north-west of the junction of Maryside with St. Mary's Road and terminating at a point 80 metres south-east of the bridge carrying St. Mary's Road over the Grand Union Canal;

Work No. 3/8– A reconstruction of Trenches Bridge carrying footpath FP 47a and cycleway over the Reading Railway, commencing at a point 65 metres north-east of the junction of Maryside with Minster Way and terminating at a point 40 metres south-west of the bridge carrying the footpath FP 47a and cycleway over the Grand Union Canal;

In the County of Berkshire, Borough of Slough and County of Buckinghamshire, District of South Bucks, Parish of Iver–

Work No. 3/9– A railway (2,264 metres in length) commencing by a junction with the Reading Railway at a point 80 metres north of the junction of Mead Avenue with Harvey Road, passing eastwards and terminating by a junction with that railway at a point 80 metres west of the bridge carrying the M25 over that railway. Work No. 3/9 includes a bridge over Hollow Hill Lane and the removal of Dog Kennel Bridge at Iver;

In the County of Berkshire, Borough of Slough—

Work No. 3/9D– A diversion of Hollow Hill Lane commencing in that road at a point beneath the north side of the bridge carrying the Reading Railway over that road and terminating in that road at a point 195 metres north-east of that bridge;

In the County of Buckinghamshire, District of South Bucks, Parish of Iver–

Work No. 3/9A– A realignment of part of a private access road adjacent to Iver Station, commencing in that access road at a point 111 metres north of the junction of Syke Cluan with Bathurst Walk and terminating by a junction with Work No. 3/9B at a point 40 metres south of the existing junction of Court Lane with Thorney Lane South;

Work No. 3/9B– A diversion of Thorney Lane South commencing in that road at a point 165 metres north of the existing junction of Court Lane with Thorney Lane South and terminating in that road at a point 262 metres south-east of the existing junction

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of Bathurst Walk with Thorney Lane South. Work No. 3/9B includes a bridge over the Reading Railway and the removal of the existing Thorney Lane South road bridge;  
 Work No. 3/9C– An extension of Bathurst Walk at its eastern end, commencing in that road at a point 12 metres west of the existing junction of Bathurst Walk with Thorney Lane South and terminating by a junction with Work No. 3/9B at a point 42 metres east of that existing road junction;

**In the London Borough of Hillingdon–**

Work No. 3/10– A railway (1,486 metres in length) commencing by a junction with the Reading Railway at a point 16 metres west of the bridge carrying that railway over the Colnbrook branch line (the former Staines and West Drayton Railway), passing eastwards and terminating by a junction with the Reading Railway at a point 40 metres east of the existing bridge carrying Kingston Lane over that railway;

Work No. 3/10A– A railway (640 metres in length) forming a siding within West Drayton Yard commencing by a junction with Work No. 3/10 at a point 103 metres west of the bridge carrying the Reading Railway over High Street, passing westwards and terminating at a point 113 metres north of the western end of Fairway Avenue;

Work No. 3/10B– A railway (625 metres in length) forming sidings within West Drayton Yard commencing by a junction with Work No. 3/10 at a point 103 metres west of the bridge carrying the Reading Railway over High Street, passing westwards and terminating at a point 166 metres north of the western end of Fairway Avenue;

Work No. 3/10C– An access road in the West Drayton Yard commencing in that Yard at a point 124 metres north-west of the junction of Fairway Close with Fairway Avenue and terminating in the existing access road leading from High Street at a point 77 metres south-east of the junction of Winnock Road with Tavistock Road. Work No. 3/10C includes a level crossing of the Colnbrook branch line (the former Staines and West Drayton Railway) and a bridge over Fray's River;

Work No. 3/10D– A realignment of an existing culvert in the West Drayton Yard, commencing at a point 315 metres north-west of the junction of Fairway Close with Fairway Avenue and terminating at a point 187 metres north of that road junction. Work No. 3/10D includes an inspection chamber;

Work No. 3/10E– A diversion of the Colne Valley Sewer commencing by a junction with that sewer beneath a point 155 metres west of the junction of Padcroft Road with Tavistock Road and terminating by a junction with that sewer beneath a point 190 metres south of the junction of Wimpole Road with Tavistock Road. Work No. 3/10E includes shafts for construction and maintenance;

Work No. 3/10F– A bridge, incorporating steps and ramp facilities, to carry the footpath and cycleway between Kingston Lane and Horton Bridge Road over the Reading Railway, commencing at a point 145 metres north-east of the junction of Ruffle Close with Kingston Lane and terminating at a point 192 metres south of the junction of Horton Bridge Road with Horton Road. Work No. 3/10F includes the removal of the existing bridge carrying Kingston Lane over the Reading Railway;

Work No. 3/11– A railway (2,800 metres in length) commencing by a junction with the Heathrow Express Railway at a point 171 metres north of the northern tunnel portal of that railway, passing northwards then eastwards and terminating by a junction with the Reading Railway at a point 243 metres west of the bridge carrying The Parkway over that railway. Work No. 3/11 includes a viaduct adjacent to the Stockley Flyover;

Work No. 3/12A– A realignment of the Heathrow Express Railway (377 metres in length) commencing by a junction with that railway at a point 148 metres north of the northern tunnel portal of that railway, passing northwards and terminating by a junction



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with that railway at a point 336 metres north-west of the junction of Conway Drive with Stormont Drive;

Work No. 3/12B– A realignment of the Heathrow Express Railway (308 metres in length) commencing by a junction with Work No. 3/12A at a point 200 metres north of the northern tunnel portal of that railway, passing northwards and terminating by a junction with that railway at a point 336 metres north-west of the junction of Conway Drive with Stormont Drive;

Work No. 3/13A– A realignment of the Reading Railway (975 metres in length) commencing by a junction with that railway at a point 100 metres north of the junction of Conway Drive with Stormont Drive, passing eastwards and terminating by a junction with that railway at a point 162 metres east of the bridge carrying Dawley Road over that railway;

Work No. 3/13B– A railway (721 metres in length and partly on the viaduct forming part of Work No. 3/11) commencing by a junction with Work No. 3/11 on that viaduct at a point 170 metres north-east of the junction of Conway Drive with Stormont Drive, passing eastwards and terminating by a junction with the Reading Railway at a point 64 metres east of the bridge carrying Dawley Road over that railway;

Work No. 3/13C– A railway (419 metres in length) commencing by a junction with the Heathrow Express Railway at a point 86 metres north of the junction of Conway Drive with Stormont Drive, passing eastwards and terminating by a junction with Work No. 3/13A at a point 55 metres north-east of the northern end of Burnham Gardens;

Work No. 3/13D– A realignment of the Reading Railway (385 metres in length) commencing by a junction with that railway at a point 104 metres north of the junction of Conway Drive with Stormont Drive, passing eastwards and terminating by a junction with that railway at a point 52 metres north of the northern end of Burnham Gardens;

Work No. 3/14– A bridge to carry a footpath and cycleway over the Reading Railway commencing at a point 23 metres south of the junction of Iron Bridge Road South with Old Stockley Road and terminating at a point 59 metres north of the junction of Old Stockley Road with Stockley Road. Work No. 3/14 includes the removal of the existing Old Stockley Road Bridge;

Work No. 3/15A– A temporary bridge to carry Station Road over the Reading Railway at Hayes and Harlington Station (during the construction of Work No. 3/15B) commencing at a point 4 metres north-east of the junction of Keith Road with Station Road and terminating at a point 54 metres south-east of the junction of Blyth Road with Clayton Road;

Work No. 3/15B– A raising and lengthening at the north-eastern end of the bridge carrying Station Road over the Reading Railway at Hayes and Harlington Station commencing at a point 111 metres north-east of the junction of Keith Road with Station Road and terminating at a point 54 metres south-east of the junction of Blyth Road with Clayton Road;

In the London Borough of Ealing–

Work No. 3/16– A railway (469 metres in length) commencing by a junction with the Greenford Branch Railway at West Ealing Station at a point 130 metres west of the junction of Drayton Avenue with Manor Road, passing south-eastwards then eastwards and terminating at a point in West Ealing Station 20 metres south of the junction of Drayton Road with Manor Road;

Work No. 3/17– A deviation of the Reading Railway (2,068 metres in length partly in tunnel) commencing by a junction with that railway at a point 300 metres west of the bridge carrying Hanger Lane over that railway, passing eastwards and terminating by

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a junction with that railway at a point 25 metres west of the bridge carrying Horn Lane over that railway;

Work No. 3/17A– A railway (1,500 metres in length) commencing by a junction with the Reading Railway at a point 54 metres east of London Underground bridge No. D29 over that railway, passing eastwards and terminating by a junction with the Poplar Lines 5 metres west of the bridge carrying Horn Lane over those lines;

Work No. 3/17B– A railway (881 metres in length) forming sidings within the Acton Yard, commencing by a junction with Work No. 3/17A at a point 160 metres north-east of the bridge carrying Noel Road over the Reading Railway, passing eastwards and terminating at a point 155 metres west of the junction of York Road with Horn Lane;

In the London Borough of Hammersmith & Fulham—

Work No. 3/19A– A railway (610 metres in length) commencing by a junction with Works Nos. 3/19B and 3/19C at a point 316 metres south-east of the junction of Salter Street with Hythe Road, passing north-westwards and terminating within a proposed depot at a point 196 metres east of the bridge carrying Old Oak Common Lane over the North London Line railway. Work No. 3/19A includes a depot building;

Work No. 3/19B– A railway (838 metres in length), forming sidings within Old Oak Common depot, commencing by a junction with Works Nos. 3/19A and 3/19C at its commencement, passing westwards and terminating at a point 838 metres west of its commencement. Work No. 3/19B includes a depot building;

In the London Borough of Hammersmith & Fulham and the Royal Borough of Kensington & Chelsea—

Work No. 3/19C– A railway (1,743 metres in length) commencing by a junction with Works No. 3/19A and 3/19B at a point 316 metres south-east of the junction of Salter Street with Hythe Road, passing eastwards and terminating by a junction with the Reading Railway at a point 16 metres west of the bridge carrying Ladbroke Grove over that railway. Work No. 3/19C includes a depot building;

In the London Borough of Hammersmith & Fulham—

Work No. 3/19D– A railway (510 metres in length) commencing by a junction with sidings within Old Oak Common depot at a point 500 metres south-east of the junction of Old Oak Common Lane with Victoria Road, passing eastwards and terminating by a junction with sidings within that depot at a point 273 metres west of the western face of the bridge carrying Scrubs Lane over the Reading Railway. Work No. 3/19D includes a depot building;

In the London Borough of Hammersmith & Fulham and the Royal Borough of Kensington & Chelsea—

Work No. 3/19E– A railway (1,666 metres in length) commencing by a junction with sidings within Old Oak Common depot at a point 121 metres west of the western face of the bridge carrying Scrubs Lane over the Reading Railway, passing eastwards and terminating by a junction with the Reading Railway at a point 85 metres north-east of the junction of Barlby Road with Ladbroke Grove;

Work No. 3/19F– A railway (989 metres in length) commencing by a junction with the Reading Railway at a point 315 metres west of the western face of the bridge carrying Scrubs Lane over the Reading Railway, passing eastwards and terminating by a junction with that railway at a point 116 metres north of the northern end of Webb Close;

Work No. 3/20A– A railway (145 metres in length) commencing by a junction with tracks within North Pole Railway Depot at a point 59 metres east of the eastern portal of the Servicing and Inspection Shed, passing eastwards and terminating by a junction with the loco siding within that depot at a point 145 metres east of its commencement;

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Work No. 3/20B– A railway (36 metres in length) forming a reinstated connection with the West London Railway, commencing by a junction with that railway at a point 2 metres north-west of the western abutment of the bridge carrying that railway over Scrubs Lane, passing north-westwards and terminating by a junction with tracks within North Pole Railway Depot at a point 36 metres north-west of its commencement;

Work No. 3/20C– A railway (51 metres in length) forming a reinstated connection with the West London Railway, commencing by a junction with that railway at a point 250 metres south-west of the eastern abutment of the bridge carrying that railway over Scrubs Lane, passing north-westwards and terminating by a junction with tracks within North Pole Railway Depot at a point 51 metres north-west of its commencement;

In the London Borough of Hammersmith & Fulham and the Royal Borough of Kensington & Chelsea—

Work No. 3/20D– A railway (1,121 metres in length) commencing by a junction with Transfer Siding No. 1 within North Pole Railway Depot at a point 300 metres east of the eastern face of the bridge carrying Scrubs Lane over the Reading Railway, passing eastwards and terminating at a point beneath the bridge carrying Ladbroke Grove over the Reading Railway. Work No. 3/20D includes extension of an existing depot building;

In the Royal Borough of Kensington & Chelsea—

Work No. 3/20E– A railway (387 metres in length) commencing by a junction with tracks within North Pole Railway Depot at a point 361 metres west of the Wheel Lathe Shed, passing eastwards and terminating by a junction with Work No. 3/20D at a point 387 metres east of its commencement;

Work No. 3/20F– A railway (567 metres in length) commencing by a junction with tracks within North Pole Railway Depot at a point 225 metres west of the western portal of the Wheel Lathe Shed, passing eastwards and terminating by a junction with Work No. 3/20D at a point 81 metres west of the western face of the bridge carrying Ladbroke Grove over the Reading Railway;

Work No. 3/20G– A railway (272 metres in length) commencing by a junction with tracks within North Pole Railway Depot at a point 190 metres west of the western portal of the Wheel Lathe Shed, passing eastwards and terminating at a point 272 metres east of its commencement;

Work No. 3/20H– A railway (336 metres in length) forming a siding within North Pole Railway Depot commencing by a junction with Work No. 3/20G at a point 102 metres west of the Wheel Lathe Shed, passing eastwards and terminating at a point 336 metres east of its commencement. Work No. 3/20H includes a depot building.

## SCHEDULE 2

Section 2

### WORKS: FURTHER AND SUPPLEMENTARY PROVISIONS

#### *Additional works*

- 1 (1) The nominated undertaker may, for the purposes of or in connection with the scheduled works or otherwise for the purposes of or in connection with Crossrail, do any of the following within the limits of deviation for the scheduled works or within the limits of land to be acquired or used—
  - (a) carry out and maintain railway electrification and signalling works;

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- (b) make, provide and maintain all such approaches, bridges, subways, interchanges, roundabouts, turning places, lifts, stairs, escalators, ramps, passages, means of access, shafts, buildings, apparatus, plant and machinery as may be necessary or convenient,
- (c) construct, provide and maintain all such embankments, aprons, abutments, retaining walls, wing walls, culverts and other works as may be necessary or convenient,
- (d) alter or remove any structure erected upon any highway or adjoining land,
- (e) alter, or alter the position of, railway track and any apparatus associated with railway track,
- (f) alter, or alter the position of, other apparatus, including mains, sewers, drains and cables,
- (g) alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses, and
- (h) carry out and maintain such other works, of whatever description, as may be necessary or expedient.

- (2) Sub-paragraph (1) shall not authorise the making of any cut for drainage purposes which is more than 3.4 metres wide at the bottom.

#### *Highway accesses*

- 2 (1) The nominated undertaker may, for the purposes of or in connection with the works authorised by this Act or otherwise for the purposes of or in connection with Crossrail—
- (a) form and lay out means of access, and
  - (b) improve existing means of access,
- at any place within the limits of deviation for the scheduled works or within the limits of land to be acquired or used.
- (2) In the case of works at a place shown on the deposited plans which require the opening of an access onto, or the alteration of, a highway used by vehicular traffic, the power under sub-paragraph (1) is exercisable on giving at least 28 days' notice to the highway authority.
- (3) Works which are the subject of a notice under sub-paragraph (2) may not be carried out at the place shown on the deposited plans if, within 28 days of the giving of the notice, the highway authority objects to the works being carried out there by giving the nominated undertaker notice to that effect.
- (4) The only ground on which the highway authority may object under sub-paragraph (3) is that works under sub-paragraph (1) should be carried out instead at another place within the relevant limits to prevent or reduce—
- (a) injury to local amenity, or
  - (b) prejudicial effects on road safety or on the free flow of traffic in the local area,
- and are reasonably capable of being carried out there.
- (5) If, in the case of works under sub-paragraph (1) at a place shown on the deposited plans, the works require the opening of an access onto, or the alteration of, a highway used by vehicular traffic, they shall be carried out in accordance with

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plans and specifications approved by the highway authority at the request of the nominated undertaker.

- (6) The only ground on which the highway authority may refuse to approve plans or specifications for the purposes of sub-paragraph (5) is that they ought to be modified to prevent or reduce—
- (a) injury to local amenity, or
  - (b) prejudicial effects on road safety or on the free flow of traffic in the local area,
- and are reasonably capable of being so modified.
- (7) Works under sub-paragraph (1) may only be carried out at a place not shown on the deposited plans if the highway authority consents to the siting of the works, such consent not to be unreasonably withheld.
- (8) Works under sub-paragraph (1) at a place not shown on the deposited plans shall be carried out in accordance with plans and specifications approved by the highway authority at the request of the nominated undertaker, such approval not to be unreasonably withheld.
- (9) In considering whether to give its consent for the purposes of sub-paragraph (7), or approval for the purposes of sub-paragraph (8), in a case where the works require the opening of an access onto, or the alteration of, a highway used by vehicular traffic, the highway authority shall have regard, in particular, to effects on road safety and on the free flow of traffic in the local area.
- (10) If, on application by the nominated undertaker for the approval of plans or specifications under sub-paragraph (5) or (8), the highway authority fails to notify the nominated undertaker of its decision on the application before the end of the period of 28 days beginning with the date on which the application was made, it shall be deemed to have approved the plans or specifications as submitted.
- (11) If a highway authority which receives an application for consent under sub-paragraph (7) fails to notify the applicant of its decision on the application before the end of the period of 28 days beginning with the date on which the application was made, it shall be deemed to have granted it.
- (12) Where an objection under sub-paragraph (3) leads to the carrying out of works under sub-paragraph (1) at a place not shown on the deposited plans, sub-paragraphs (5), (7) and (8) shall have effect in relation to them as if the place were shown on the deposited plans.
- (13) Any dispute with a highway authority under this paragraph shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the Secretary of State.

#### *Overhead line diversions*

3

Without prejudice to paragraph 1(1)(f), the nominated undertaker may, for the purposes of or in connection with the works authorised by this Act, undertake the electric line diversions specified in the following table.

(1)

(2)

(3)

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<i>Area</i>	<i>Overhead line to be taken down</i>	<i>New overhead line to be provided</i>
London Borough of Newham	Overhead electric line (PDK) between points E1, E2 and E3	New overhead electric line to be provided on land within relevant limits between points E1, E4 and E3.
County of Buckinghamshire, District of South Bucks, Parish of Iver	Iver–Longford 132kV overhead electric line (PGB) between points EC1 and EC2.	New overhead electric lines to be provided on land within relevant limits between points EC1, EC3 and EC2 and between points EC1, EC4 and EC2.
<i>Mitigation and protection works</i>		
4	<p>The nominated undertaker may within the limits of deviation for the scheduled works or within the limits of land to be acquired or used—</p> <p>(a) carry out and maintain landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of any of the works authorised by this Act, and</p> <p>(b) carry out and maintain works for the benefit or protection of land affected by any of the works authorised by this Act.</p>	
<i>Support of buildings</i>		
5	<p>(1) This paragraph applies where it is necessary or expedient in consequence of or in connection with the construction of any of the works authorised by this Act to support or strengthen a building within the relevant distance of the work.</p> <p>(2) The nominated undertaker may support or strengthen the building on giving at least 8 weeks' notice to the owners and occupiers of the building of its intention to do so.</p> <p>(3) If, within 21 days of the giving of a notice under sub-paragraph (2), the person to whom the notice has been given gives to the nominated undertaker notice disputing that this paragraph applies, the question of its application shall be referred to arbitration.</p> <p>(4) If, under sub-paragraph (3), the arbitrator decides that this paragraph does apply, he shall, if one of the parties to the dispute so requires, prescribe how the supporting or strengthening is to be carried out.</p> <p>(5) Where the supporting or strengthening of a building under this paragraph cannot be carried out reasonably conveniently without entering land adjacent to the building, the nominated undertaker may, on giving at least 14 days' notice to the owners and occupiers of the adjacent land, enter the land (but not any building on it) and carry out the work.</p> <p>(6) In case of emergency, the power conferred by sub-paragraph (2) or (5) shall be exercisable without notice.</p>	

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- (7) For the purpose of deciding how to exercise its powers under this paragraph, the nominated undertaker may at any reasonable time enter and survey—
- (a) any building within the relevant distance of any of the works authorised by this Act, or
  - (b) any land adjacent to such a building (but not any building on any such land).
- (8) Section 6 of the Acquisition of Land Act 1981 (c. 67) (service of documents) shall apply to the service of notices under this paragraph with, in subsection (4), the substitution for the words from “authority” to “document is to be served” of “nominated undertaker”.
- (9) In this paragraph—
- “building” includes any structure and, in the case of a work under the surface of the ground, reference to a building within the relevant distance of that work includes a reference to any building within the relevant distance of any point on the surface below which the work is situated,
- “notice” means notice in writing, and
- “relevant distance”, in relation to any work, means—
- (a) where the work relates to an underground railway, 50 metres, and
  - (b) where it does not, 35 metres.
- 6 (1) This paragraph applies where it is necessary or expedient in consequence of or in connection with the construction of any of the works authorised by this Act further to support or strengthen a building which has been supported or strengthened under paragraph 5.
- (2) The nominated undertaker may, at any time within the permitted period, further support or strengthen the building on giving at least 8 weeks' notice to the owners and occupiers of the building of its intention to do so.
- (3) If, within 21 days of the giving of a notice under sub-paragraph (2), the person to whom the notice has been given gives to the nominated undertaker notice disputing that this paragraph applies, the question of its application shall be referred to arbitration.
- (4) If, under sub-paragraph (3), the arbitrator decides that this paragraph does apply, he shall, if one of the parties to the dispute so requires, prescribe how the supporting or strengthening is to be carried out.
- (5) Where the supporting or strengthening of a building under this paragraph cannot be carried out reasonably conveniently without entering land adjacent to the building, the nominated undertaker may, on giving at least 14 days' notice to the owners and occupiers of the adjacent land, enter the land (but not any building on it) and carry out the work.
- (6) In case of emergency, the power conferred by sub-paragraph (2) or (5) shall be exercisable without notice.
- (7) For the purpose of deciding how to exercise its powers under this paragraph, the nominated undertaker may at any reasonable time enter and survey—
- (a) any building which has been supported or strengthened under paragraph 5, or
  - (b) any land adjacent to such a building (but not any building on any such land).

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- (8) Section 6 of the Acquisition of Land Act 1981 (c. 67) (service of documents) shall apply to the service of notices under this paragraph with, in subsection (4), the substitution for the words from “authority” to “document is to be served” of “nominated undertaker”.
- (9) In sub-paragraph (2), the reference to the permitted period is to the period beginning with the completion of the supporting or strengthening under paragraph 5 and ending 5 years after the date on which the work which necessitated the supporting or strengthening was brought into general use.
- (10) In this paragraph, “notice” means notice in writing.
- 7 (1) Where the nominated undertaker exercises any power under paragraph 5 or 6, it shall compensate the owners and occupiers of the building or land in relation to which the power is exercised for any loss which they may suffer by reason of the exercise of the power.
- (2) Any dispute as to a person's entitlement to compensation under sub-paragraph (1), or as to the amount of the compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961 (c. 33).
- (3) Nothing in this paragraph shall affect liability to pay compensation under section 6 of the Railways Clauses Consolidation Act 1845 (c. 20), as incorporated with this Act, or section 10(2) of the Compulsory Purchase Act 1965 (c. 56), as applied to the acquisition of land under section 6(1), or under any other enactment, otherwise than for loss for which compensation is payable under sub-paragraph (1).

#### *Discharge of water*

- 8 (1) The nominated undertaker may use any watercourse or any public sewer or drain for the drainage of water in connection with the construction or maintenance of the works authorised by this Act and for that purpose may lay down, take up and alter pipes and may, on any land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used, make connections with the watercourse, sewer or drain.
- (2) The nominated undertaker shall not discharge any water into any public sewer or drain except with the consent of the person to whom it belongs; and such consent may be given subject to such terms and conditions as that person may reasonably impose but shall not be unreasonably withheld.
- (3) The nominated undertaker shall not make any opening into any public sewer or drain except in accordance with plans approved by, and under the superintendence (if provided) of, the person to whom the sewer or drain belongs, but such approval shall not be unreasonably withheld.
- (4) The nominated undertaker shall not, in the exercise of the powers conferred by this paragraph, damage or interfere with the beds or banks of any watercourse forming part of a main river.
- (5) The nominated undertaker shall take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain under the powers conferred by this paragraph is as free as may be practicable from gravel, soil or other solid substance or oil or matter in suspension.



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- (6) This paragraph does not authorise the doing of anything prohibited by section 85(1), (2) or (3) of the Water Resources Act 1991 (c. 57) (offences of polluting controlled waters).
- (7) Any dispute as to the giving of consent under this paragraph shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the Secretary of State.
- (8) In this paragraph—
  - (a) “public sewer or drain” means a sewer or drain which belongs to a sewerage undertaker, the Environment Agency, an internal drainage board, a local authority, an urban development corporation or a harbour authority within the meaning of the Harbours Act 1964 (c. 40),
  - (b) “watercourse” includes rivers, streams, ditches, drains, cuts, culverts, dykes, sluices, sewers and passages through which water flows, except a public sewer or drain, and
  - (c) other expressions used both in this paragraph and in the Water Resources Act 1991 have the same meanings as in that Act.

*Entry for preparatory purposes*

- 9 (1) The nominated undertaker may, for the purposes of this Act—
  - (a) survey or investigate any land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used or which may be affected by the works authorised by this Act,
  - (b) without prejudice to the generality of paragraph (a), make trial holes in such positions as it thinks fit on any such land to investigate the nature of the surface layer and subsoil and remove soil samples,
  - (c) without prejudice to the generality of paragraph (a), carry out archaeological investigations on any such land,
  - (d) take steps to protect or remove any flora or fauna on any such land which may be affected by the carrying out of the works authorised by this Act,
  - (e) place on, leave on and remove from any such land apparatus for use in connection with the exercise of any of the powers conferred by paragraphs (a) to (d), and
  - (f) enter on any such land for the purpose of exercising any of the powers conferred by paragraphs (a) to (e).
- (2) No land may be entered, or equipment placed or left on or removed from land, under sub-paragraph (1) unless at least 7 days' notice has been served on every owner and occupier of the land.
- (3) The power conferred by paragraph (f) of sub-paragraph (1) includes power to enter with such vehicles and equipment as are necessary for the purpose of exercising any of the other powers conferred by that sub-paragraph.
- (4) Any person exercising the power conferred by sub-paragraph (1)(f) on behalf of the nominated undertaker shall, if requested to do so, produce written evidence of his authority.
- (5) This paragraph shall not authorise the making of trial holes in a carriageway or footway without the consent of the highway authority, but such consent shall not be unreasonably withheld.

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- (6) Any dispute as to the giving of consent under sub-paragraph (5) shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the Secretary of State.
- (7) The nominated undertaker shall compensate the owners and occupiers of land in respect of which the powers conferred by this paragraph are exercised for any loss which they may suffer by reason of the exercise of those powers.
- (8) Any dispute as to a person's entitlement to compensation under sub-paragraph (7), or as to the amount of the compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961 (c. 33).

*Temporary interference with waterways*

- 10 (1) The powers conferred by this paragraph shall be exercisable in relation to the following waterways for the purposes of or in connection with the exercise of the powers conferred by this Act with respect to works—
- the River Thames,
  - the River Lea,
  - West India Dock North and South,
  - Poplar Cut,
  - the Grand Union Canal,
  - the Regent's Canal,
  - Bellmouth Passage,
  - City Mill River, and
  - Frays River.
- (2) The nominated undertaker may—
- (a) temporarily interfere with a waterway mentioned in sub-paragraph (1) at any point within the limits of deviation for the scheduled works or within the limits of land to be acquired or used, by constructing or maintaining such temporary works, or by carrying out such dredging works, as it considers necessary or expedient,
  - (b) temporarily moor or anchor barges or other vessels or craft in a waterway mentioned in sub-paragraph (1), or
  - (c) temporarily close a waterway mentioned in sub-paragraph (1), or a part of such a waterway, to navigation.
- (3) The power conferred by sub-paragraph (2)(c) shall be exercised in a way which secures—
- (a) that no more of the waterway is closed to navigation at any time than is necessary in the circumstances, and
  - (b) that, if complete closure of the waterway to navigation becomes necessary, all reasonable steps are taken to secure that the minimum obstruction, delay or interference is caused to vessels or craft which may be using or intending to use it.
- (4) The nominated undertaker shall not be liable for any loss suffered, or costs or expenses incurred, by any person as a direct or indirect result of any interference in accordance with this paragraph with a public right of navigation.

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- (5) The nominated undertaker shall compensate any person who suffers loss as a result of any interference in accordance with this paragraph with a private right of navigation.
- (6) Any dispute as to a person's entitlement to compensation under sub-paragraph (5), or as to the amount of the compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961 (c. 33).

## SCHEDULE 3

Section 3

### HIGHWAYS

#### *Stopping-up*

- 1 (1) The nominated undertaker may, in connection with the construction of the works authorised by this Act, stop up each of the highways or parts of highways specified in the following table.
- (2) No highway or part of a highway specified in columns (1) and (2) of Part 1 of the following table shall be stopped up under this paragraph unless all the land which abuts on it falls within one or more of the following categories, namely—
- (a) land to which there is no right of access directly from the highway or part to be stopped up,
  - (b) land to which there is reasonably convenient access otherwise than directly from the highway or part to be stopped up,
  - (c) land the owners and occupiers of which have agreed to the stopping up of the highway or part, and
  - (d) land which is in the possession of the Secretary of State.
- (3) No highway or part of a highway specified in columns (1) and (2) of Part 2 of the following table shall be stopped up under this paragraph if a new highway is specified in relation to it in column (3) of that Part of the table, by reference to the letters and numbers shown on the deposited plans or by reference to scheduled works, until—
- (a) where the new highway is provided in exercise of the powers conferred by this Act, the later of the date of practical completion and the date on which it is first open for public use, and
  - (b) where it is not, the date on which it is first open for public use.
- (4) Where a new highway specified in column (3) of Part 2 of the following table is provided in exercise of the powers conferred by this Act, the date of practical completion of the highway, or the date on which it is first open for public use, shall be taken for the purposes of sub-paragraph (3) to be what it is taken to be for the purposes of paragraph 11(2).

#### Part 1

(1)

*Area*

(2)

*Highway or part to be stopped up*

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City of Westminster	Footpath within Westbourne Green Sports Complex between points P5, P6 and P7 North-eastern side of Eastbourne Terrace within extent of narrowing shown on the deposited plans Falconberg Court	
London Borough of Camden	Andrew Borde Street	
London Borough of Islington	Cowcross Street between points P1 and P2	
City of London	Hayne Street between points P3 and P4 Fore Street Avenue between points P1 and P2 Moorfields between points P2 and P3	
London Borough of Tower Hamlets	Fulbourne Street between points P1 and P2 Court Street between points P3 and P4 Wood's Buildings between points P5 and P6 South-eastern side of Durward Street within the extent of narrowing shown on the deposited plans between points P2 and P7 Garden Street between points P5 and P6 Eleanor Street between points P1 and P2	
London Borough of Greenwich	Bostall Manorway between points P3 and P4 Abbey Terrace between points P5 and P6	
London Borough of Havering	Footpath (FP 123) between Beechfield Gardens and Nursery Walk	
Part 2		
<b>(1)</b> <i>Area</i>	<b>(2)</b> <i>Highway or part to be stopped up</i>	<b>(3)</b> <i>New highway to be substituted for it</i>
City of Westminster	Westbourne Park Passage within the limits of deviation of Work No. 1/9C  Westbourne Park Passage within the limits of deviation of Work No. 1/9D	Work No. 1/9C  Work No. 1/9D

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London Borough of Tower Hamlets	Footpath between Stepney Way and Stepney Green between points P1, P2 and P3 and between points P2 and P4	New footpath between points P1, P4, P5 and P6
London Borough of Newham	Footpaths between the Excel Centre and Victoria Dock Road between points P1, P2, P3, P4, P5, P6, P7, P8 and P9 and between points P6 and P11	New footpath through intended station, part of Work No. 1/5 between points P10 and P11
	Footpath between Albert Road and Factory Road between points P1 and P2	Work No. 1/32D
	Barbers Road between points P1 and P2	Works Nos. 2/6A, 2/6B and 2/7
	Pudding Mill Lane between points P3 and P4	Works Nos. 2/6A, 2/6B and 2/7
	Marshgate Lane within the relevant limits	Works Nos. 2/6A and 2/6B
London Borough of Greenwich	Footpath (Greenway) between points P6, P7, P8, P9, P10, P11, P12 and P13 and between points P9 and P11	New footpath between points P5, P14 and P13
	Footpath on eastern side of Church Manor Way between points P1 and P2	Work No. 1/34
	Footpath between Mottisfont Road and Bostall Manor Way between points P1 and P2	Work No. 1/36
London Boroughs of Greenwich and Bexley	Footpaths over Abbey Wood Station between points P7, P8, P9, P10 and P11 and between points P11 and P12	New footpath through intended station, part of Work No. 1/7
	Felixstowe Road within the relevant limits	Work No. 1/37B
London Borough of Bexley	Gayton Road	Work No. 1/37C
London Borough of Barking & Dagenham	Footpath on eastern side of Whalebone Lane South between points P1 and P3	New footpath between points P1, P2 and P3

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	London Borough of Havering	Footpath adjacent to bus stand, Atlanta Boulevard	Work No. 2/15D
	County of Berkshire, Borough of Slough	Hollow Hill Lane between points P1 and P2	Work No. 3/9D
	County of Buckinghamshire, District of South Bucks, Parish of Iver	Thorney Lane South between points P1 and P2	Works Nos. 3/9B and 3/9C
	London Borough of Hillingdon	Footpath and cycleway (Kingston Lane) between points P1 and P2	Work No. 3/10F
		Old Stockley Road between points P1 and P2	Footpath and cycleway between points P1 and P2 (Work No. 3/14)
2	<p>(1) The nominated undertaker may, in connection with the construction of the works authorised by this Act, stop up any bridleway or footpath, or part of a bridleway or footpath, which is—</p> <p>(a) within the limits of deviation for the scheduled works or within the limits of land to be acquired or used, and</p> <p>(b) not specified in columns (1) and (2) of the table in paragraph 1.</p> <p>(2) The power conferred by sub-paragraph (1) shall not be exercised unless the proposed stopping up has been confirmed by the appropriate Ministers upon application by the nominated undertaker.</p> <p>(3) The appropriate Ministers shall grant an application under sub-paragraph (2) if, but only if, they are satisfied—</p> <p>(a) that an alternative bridleway or footpath has been provided,</p> <p>(b) that an alternative bridleway or footpath will be provided before the proposed stopping up takes place, or</p> <p>(c) that the provision of an alternative bridleway or footpath is not required.</p> <p>(4) Where the appropriate Ministers grant an application under sub-paragraph (2), they shall notify the nominated undertaker of the basis on which the application is granted.</p> <p>(5) Where the basis on which an application under sub-paragraph (2) is granted is that an alternative bridleway or footpath will be provided, the proposed stopping up shall not take place until the alternative has been provided.</p> <p>(6) Before making an application under sub-paragraph (2), the nominated undertaker shall publish in at least one local newspaper circulating in the relevant area a notice—</p> <p>(a) specifying—</p> <p>(i) the bridleway or footpath, or part, proposed to be stopped up,</p> <p>(ii) what, if any, alternative bridleway or footpath is proposed, and</p> <p>(iii) if no alternative is proposed, the reasons why,</p> <p>(b) specifying a place in the relevant area where a map or plan illustrating the proposals may be inspected by any person free of charge at all reasonable</p>		

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- hours during a period of 28 days from the date of publication of the notice (“the publication date”),
- (c) stating that any person may within that period make representations about confirmation under sub-paragraph (2) of the proposed stopping up, and
  - (d) specifying the manner in which such representations may be made.
- (7) Not later than the publication date, the nominated undertaker shall—
- (a) serve a copy of the notice, together with any map or plan to which it refers, on every local authority whose area includes any of the land on which the bridleway or footpath, or part, proposed to be stopped up is situated, and
  - (b) cause a copy of the notice to be displayed in a prominent position at the ends of the bridleway or footpath, or part, proposed to be stopped up.
- (8) Before granting an application under sub-paragraph (2), the appropriate Ministers shall consider any representations made to them in accordance with the nominated undertaker's notice which have not been withdrawn.
- (9) Unless they direct otherwise, the appropriate Ministers' functions in relation to an application under sub-paragraph (2) shall, instead of being carried out by them, be carried out by a person appointed by them for the purpose.
- (10) In sub-paragraph (6), references to the relevant area are to the area in which the bridleway or footpath, or part, proposed to be stopped up is situated.
- (11) In sub-paragraph (7)(a), “local authority” means—
- (a) the council of a county, district, parish or London borough,
  - (b) the Common Council of the City of London,
  - (c) the London Fire and Emergency Planning Authority,
  - (d) a joint authority established by Part 4 of the Local Government Act 1985 (c. 51),
  - (e) a housing action trust established under Part 3 of the Housing Act 1988 (c. 50), and
  - (f) the parish meeting of a rural parish not having a separate parish council.
- (12) In this paragraph, references to the appropriate Ministers are to the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Transport and, in relation to the carrying out of any functions, are to those Ministers acting jointly.
- 3 (1) On a highway or part of a highway being stopped up under paragraph 1 or 2—
- (a) all rights of way over or along it shall be extinguished, and
  - (b) the Secretary of State may appropriate and use, without making any payment, so much of the site of it as is bounded on both sides by land which he owns.
- (2) The nominated undertaker shall compensate any person who suffers loss by the extinguishment under this paragraph of a private right of way.
- (3) Any dispute as to a person's entitlement to compensation under sub-paragraph (2), or as to the amount of such compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961 (c. 33).
- (4) The Secretary of State shall not be entitled to any mines or minerals under land which he is entitled to appropriate and use under sub-paragraph (1)(b), with the

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exception of minerals necessarily extracted or used in the construction of the undertaking which the nominated undertaker is authorised to carry on by this Act.

(5) Part 3 of Schedule 2 to the Acquisition of Land Act 1981 (c. 67) (regulation of the working of mines or minerals underlying an authorised undertaking) shall apply in relation to the working of any mines or minerals underlying land which the Secretary of State is entitled to appropriate and use under sub-paragraph (1)(b) with the following modifications—

- (a) references to the undertaking shall be construed as references to the undertaking which the nominated undertaker is authorised to carry on by this Act,
- (b) in paragraphs 3 to 5 and 7 to 9, references to the acquiring authority shall be construed as references to the nominated undertaker, and
- (c) in paragraph 6, the first of the references to the acquiring authority shall be construed as a reference to the nominated undertaker.

#### *Permanent obstruction*

- 4
- (1) The powers conferred by paragraph 1 or 4 of Schedule 2 may be exercised in such a way as to obstruct the highway, but only with the consent of the highway authority, such consent not to be unreasonably withheld.
  - (2) Any dispute with a highway authority under sub-paragraph (1) shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the Secretary of State.
  - (3) If a highway authority which receives an application for consent under sub-paragraph (1) fails to notify the applicant of its decision on the application before the end of the period of 28 days beginning with the date on which the application was made, it shall be deemed to have granted it.

#### *Temporary interference*

- 5
- (1) For the purposes of the works authorised by this Act, the nominated undertaker may—
    - (a) temporarily stop up or alter or divert any highway or part of a highway,
    - (b) for any reasonable time divert traffic from, and prevent persons passing along, any highway or part of a highway, and
    - (c) break up or interfere with any highway or part of a highway (including any sewer, drain or tunnel in it).
  - (2) The nominated undertaker shall provide reasonable access for pedestrians going to or from premises abutting on a highway affected by the exercise of the powers conferred by sub-paragraph (1) if there would otherwise be no such access.
  - (3) Before exercising the powers conferred by sub-paragraph (1) in relation to a highway and to an extent specified in the following table, the nominated undertaker shall consult the highway authority about the exercise of the powers.

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Area</i>	<i>Highway or part to be stopped up</i>	<i>Extent of temporary stopping up</i>



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City of Westminster	Westbourne Park Passage	Between points T1 and T2
	Harrow Road	Between points T1 and T2
	Westbourne Park Villas	Between points T3 and T4
	Bishop's Bridge Road	Within the relevant limits
	Eastbourne Terrace	Entire length
	Cleveland Terrace	Within the relevant limits
	Chilworth Street	Within the relevant limits
	South Wharf Road	Within the relevant limits
	Praed Street	Within the relevant limits
	Craven Road	Within the relevant limits
	Westbourne Terrace	Within the relevant limits
	Chilworth Mews	Entire length
	Eastbourne Mews	Entire length
	Spring Street	Between points T1 and T2
	Bayswater Road	Between points T1 and T2
	Park Lane	Between points T4 and T5 on Sheet No. 8 of the deposited Plans and points T5 and T6 on Sheet No. 42 of the deposited Plans
	Pedestrian subway between western and eastern sides of Park Lane	Between points T1, T2 and T3
	Weighhouse Street	Between points T1 and T2
	Gilbert Street	Between points T1 and T3
	St. Anselm's Place	Entire length
Davies Street	Within the relevant limits	
South Molton Lane	Between points T4 and T5	
Stratford Place	Within the relevant limits	
Marylebone Lane	Within the relevant limits	

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	Dering Street	Within the relevant limits
	New Bond Street	Within the relevant limits
	Brook Street	Within the relevant limits
	Tenterden Street	Entire length
	Hanover Square	Entire length
	Princes Street	Within the relevant limits
	St George Street	Within the relevant limits
	Wardour Street	Between points T5 and T6
	Hollen Street	Within the relevant limits
	Sheraton Street	Within the relevant limits
	Oxford Street	Within the relevant limits
	Newman Street	Within the relevant limits
	Great Chapel Street	Entire length
	Diadem Court	Entire length
	Fareham Street	Entire length
	Dean Street	Within the relevant limits
	Soho Square	Between points T1 and T2
	Carlisle Street	Entire length
	Falconberg Mews	Entire length
	Sutton Row	Entire length
	Greek Street	Within the relevant limits
	Manette Street	Entire length
	Goslett Yard	Entire length
City of Westminster and London Borough of Camden	Tottenham Court Road	Within the relevant limits
	Charing Cross Road	Within the relevant limits
	St Giles Circus	Entire length
London Borough of Camden	New Oxford Street	Within the relevant limits
	Earnshaw Street	Entire length
	Denmark Street	Entire length
	Denmark Place	Between points T5 and T6

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	St Giles High Street	Between points T3 and T4
	Fisher Street	Entire length
	Southampton Row	Between points T1 and T2
	Catton Street	Entire length
	Red Lion Square	Between points T3 and T4
	Drake Street	Between points T5 and T3
London Boroughs of Camden and Islington	Farringdon Road	Within the relevant limits
City of London	Farringdon Street	Within the relevant limits
	West Smithfield	Within the relevant limits
	Snow Hill	Within the relevant limits
	Long Lane	Within the relevant limits
	Lindsey Street	Entire length
	Hayne Street	Between points T3 and P4
	Aldersgate Street	Within the relevant limits
	Eldon Street	Entire length
	London Wall	Within the relevant limits
	Fore Street Avenue	Between points T1 and T2
	Silk Street	Within the relevant limits
	Moor Lane	Between points T3 and T4
	Moorfields	Entire length
	Moor Place	Entire length
	Keats Place	Entire length
	Moorgate	Within the relevant limits
	Finsbury Circus	Within the relevant limits
	Circus Place	Entire length
	Blomfield Street	Entire length
	Broad Street Avenue	Entire length
	Liverpool Street	Entire length
	Old Broad Street	Within the relevant limits
	Wormwood Street	Entire length

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	Bishopsgate	Within the relevant limits
	Camomile Street	Within the relevant limits
	Grand Avenue	Within the relevant limits
	Eldon Street	Within the relevant limits
London Boroughs of Islington and Camden and City of London	Charterhouse Street	Within the relevant limits
London Borough of Islington and City of London	Charterhouse Square	Entire length
	Carthusian Street	Entire length
	Ropemaker Street	Within the relevant limits
	South Place	Entire length
London Borough of Islington	St John Street	Within the relevant limits
	Finsbury Pavement	Within the relevant limits
	Finsbury Street	Within the relevant limits
	Fox & Knot Street	Entire length
	Turnmill Street	Within the relevant limits
	Cowcross Street	Between points P2 and T1
London Borough of Tower Hamlets	Princelet Street	Between points T1 and T2
	Hanbury Street	Between points T3 and T4
	Vallance Road	Between points T3 and T4 and points T5 and T6
	Whitechapel Road	Within the relevant limits
	Spelman Street	Within the relevant limits
	Durward Street	So much as is not permanently stopped up within the extent of narrowing shown on the deposited plans
	Court Street	Between points T9 and P3
	Castlemaine Street	Between points T7 and T8
	Fulbourne Street	Between points P1 and T10

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Winthrop Street	Entire length
Brady Street	Within the relevant limits
Stepney Green	Between points T1 and T2 and within the relevant limits
Garden Street	T3 and P5
White Horse Lane	Within the relevant limits
Stepney High Street	Within the relevant limits
Stepney Way	Within the relevant limits
Commercial Road	Between points T1 and T2
Mile End Road	Within the relevant limits
Footpath between Cheshire Street and Fleet Street Hill	Between points T1 and T2
Brady Street	Within the relevant limits
Tapp Street	Between points T5 and T6
Collingwood Street	Between points T7 and T8
Hemming Street	Between points T9 and T10
Cudworth Street	Between points T6, T8 and T2
Coventry Road	Between points T1 and T2
Buckhurst Street	Between points T3 and T4
Cambridge Heath Road	Within the relevant limits
Braintree Street	Within the relevant limits
Mantus Road	Between points T5 and T6
Globe Road	Between points T7 and T8
Bancroft Road	Between points T9 and T10
Morpeth Street	Within the relevant limits
Longnor Road	Between points T1 and T2
Grove Road	Within the relevant limits

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	Burdett Road	Within the relevant limits
	Eleanor Street	Within the relevant limits
	Rounton Road	Between points T3 and T4
	Wick Lane	Within the relevant limits
	Wrexham Road	Between points T9 and T10
	Blackwall Tunnel Northern Approach Road	Between points T3 and T4, points T5 and T6, points T7 and T8 and points T11 and T12
	Bow Road	Between points T12 and T13
	Payne Road	Between points T11 and T13
	West India Dock Road	Between points T1 and T2
London Borough of Newham	Lower Lea Crossing	Between points T1 and T2
	Victoria Dock Road	Between points T1, T2 and T3
	Freemasons Road	Within the relevant limits
	North Woolwich Road	Within the relevant limits
	Footpath FP 108 between Festoon Way and Connaught Bridge	Between points T1 and T2 and points T3 and T4
	Footpath between Connaught Road and Factory Road	Within the relevant limits
	Connaught Bridge	Within the relevant limits
	Connaught Road	Within the relevant limits
	Albert Road	Within the relevant limits
	Factory Road	Within the relevant limits
	Store Road	Entire length
	Pier Road	Within the relevant limits
	Bankside footpath on the eastern side of the River Lea	Within the relevant limits
	Barbers Road / Cook's Road	Between points T3 and P1

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	Pudding Mill Lane	Between points T4 and P3 and points P4 and T5
	Footpath (Greenway) adjacent to Marshgate Lane on northern side of the railway	Between points T6 and T7 and points T6 and T8
	Footpath adjacent to City Mill River	Between points T9 and T11
	Footpath (Greenway) on eastern side of City Mill River	Between points T12 and T13 and points P13, T10 and T13
	Marshgate Lane	Between points T1 and T2
	Manor Park Road	Between points T1 and T2
	Lugg Approach	Within the relevant limits
	Goodmayes Road	Within the relevant limits
London Borough of Greenwich	Warren Lane	Within the relevant limits
	Beresford Street	Within the relevant limits
	Plumstead Road	Within the relevant limits
	Gunning Street	Within the relevant limits
	Reidhaven Road	Within the relevant limits
	White Hart Road	Within the relevant limits
	Marmadon Road	Within the relevant limits
	Church Manor Way	Within the relevant limits
	Mottisfont Road	Within the relevant limits
	Bostall Manorway	Within the relevant limits
London Boroughs of Greenwich and Bexley	Felixstowe Road	Within the relevant limits
	Harrow Manorway	Within the relevant limits
London Borough of Bexley	Wilton Road	Within the relevant limits
	Florence Road	Within the relevant limits
	Fendyke Road	Within the relevant limits
	Alsike Road	Within the relevant limits
	Footpath FP 3 adjacent to River Thames at Manor Wharf, Belvedere	Between points T1, T2 and T3 and points T4 and T2

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	Footpath FP 4 between Norman Road and the footpath FP 3 adjacent to River Thames at Manor Wharf, Belvedere	Between points T4 and T5 and points T6 and T7
London Borough of Redbridge	Goodmayes Road	Within the relevant limits
London Borough of Barking & Dagenham	Valence Avenue	Within the relevant limits
	Saville Road	Within the relevant limits
London Boroughs of Barking & Dagenham and Havering	Crow Lane	Within the relevant limits
London Borough of Havering	Nursery Walk and FP 127	Within the relevant limits
	London Road	Within the relevant limits
	Jutsums Lane	Within the relevant limits
	Footpath FP 123 within Jutsums Recreational Ground	Within the relevant limits
	Cambridge Avenue	Between points T1 and T2
	Oldchurch Road	Within the relevant limits
	Waterloo Road	Within the relevant limits
	Exchange Street	Within the relevant limits
	Havanna Close	Within the relevant limits
	Eastern Road	Within the relevant limits
	Atlanta Boulevard	Within the relevant limits
	Footpath FP 128 between Exchange Street and The Battis	Between points T1 and T2
	South Street	Within the relevant limits
	Crossways	Within the relevant limits
	Upper Brentwood Road	Within the relevant limits
	Southend Arterial Road Footway	Within the relevant limits
	Station Road	Within the relevant limits
County of Essex, Borough of Brentwood	Hunter Avenue	Within the relevant limits
	Alexander Lane	Within the relevant limits



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County of Essex, District of Basildon	Footpath FP 136 between the Meads and Terminus Drive	Within the relevant limits
County of Berkshire, Royal Borough of Windsor & Maidenhead	Silco Drive	Within the relevant limits
	Shoppenhanger's Road	Between points T1 and T2
	Station Approach	Within the relevant limits
County of Berkshire, Borough of Slough	Burnham Lane	Within the relevant limits
	Dover Road	Within the relevant limits
	Leigh Road	Between points T1 and T2
	Farnham Road (A355)	Between points T1 and T2
	Stoke Poges Lane	Within the relevant limits
	Footpath and steps within Salt Hill Pleasure Grounds	Within the relevant limits
	William Street	Within the relevant limits
	Wexham Road	Within the relevant limits
	Uxbridge Road	Within the relevant limits
	Middlegreen Road	Between points T1 and T2
	St. Mary's Road	Within the relevant limits
	Trenches Bridge footpath (FP 47a) and cycleway	Within the relevant limits
	Hollow Hill Lane	Within the relevant limits
County of Buckinghamshire, District of South Bucks, Parish of Iver	Market Lane	Within the relevant limits
	Bathurst Walk	Within the relevant limits
London Borough of Hillingdon	Footpath FP 16 between Colne Valley Way and Court Lane	Within the relevant limits
	Weirside Gardens	Within the relevant limits
	Horton Bridge Road	Between points T1 and PI

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	Kingston Lane	Between points T2 and P2
	Stockley Road	Between points T1 and T2
	Station Road, Hayes	Within the relevant limits
	Subway between Blyth Road and Station Approach	Between points T1 and T2
	Station Approach	Entire length
	Keith Road	Within the relevant limits
	Nestle's Avenue	Within the relevant limits
London Borough of Ealing	Footpath FP 112 between Park Avenue and Merrick Road	Within the relevant limits
	Golden Manor	Within the relevant limits
	Alwyne Road	Within the relevant limits
	Manor Road	Within the relevant limits
	Haven Green	Within the relevant limits
	The Mall	Within the relevant limits
	Noel Road	Within the relevant limits
	Twyford Avenue	Within the relevant limits
	Oakley Avenue	Within the relevant limits
	Horn Lane	Within the relevant limits

- (4) The purpose of consultation under sub-paragraph (3) shall be to ensure public safety and, so far as reasonably practicable, to reduce public inconvenience.
- (5) Before exercising the powers conferred by sub-paragraph (1) in relation to a highway, or to an extent, not specified in the table in sub-paragraph (3), the nominated undertaker shall obtain the consent in writing of the highway authority.
- (6) Consent under sub-paragraph (5) shall not be unreasonably withheld, but may be given subject to such conditions as the highway authority may reasonably require in the interest of public safety or convenience.
- (7) If a highway authority which receives an application for consent under sub-paragraph (5) fails to notify the applicant of its decision on the application before the end of the period of 28 days beginning with the date on which the application was made, it shall be deemed to have granted the application.
- (8) Sub-paragraph (7) shall have effect in relation to an application for consent which relates to a GLA side road (within the meaning of the Road Traffic Regulation Act 1984 (c. 27)) or a road which is designated under section 60(1) or 61(1) of the Traffic Management Act 2004 (c. 18) (roads in Greater London which are strategic roads) with the substitution for “28” of “42”.

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(9) Any dispute with a highway authority about consent under sub-paragraph (5) shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the Secretary of State.

(10) It is hereby declared for the avoidance of doubt that there is no need to reinstate a highway or part of a highway in relation to which any of the powers conferred by sub-paragraph (1) has been exercised where the exercise of the power comes to an end on the exercise, in relation to the highway or part, of the power conferred by paragraph 1(1) or 2(1).

#### *Working sites in highways*

6 Any highway or part of a highway which is stopped up under paragraph 5(1) (a) may be used as a working site if it is within the limits of deviation for the scheduled works or within the limits of land to be acquired or used.

#### *Street works*

7 (1) The nominated undertaker may, for the purposes of the works authorised by this Act, enter upon any highway within the limits of deviation for the scheduled works or within the limits of land to be acquired or used and—

- (a) place, maintain or alter, or change the position of, apparatus in it,
- (b) remove apparatus from it, and
- (c) execute any works required for, or incidental to, any works authorised by paragraph (a) or (b).

(2) In this paragraph, “apparatus” has the same meaning as in Part 3 of the New Roads and Street Works Act 1991 (c. 22).

8 (1) Works to which sub-paragraph (2) below applies shall be treated for the purposes of Part 3 of the New Roads and Street Works Act 1991 (street works) as major transport works if—

- (a) they are of a description mentioned in any of paragraphs (a), (c) to (e), (g) and (h) of section 86(3) of that Act (which defines what highway authority works are major highway works), or
- (b) they are works which, had they been executed under the powers of the highway authority, might have been carried out in exercise of the powers conferred by section 64 (dual carriageways and roundabouts) or 184 (vehicle crossings over footways and verges) of the Highways Act 1980 (c. 66).

(2) This sub-paragraph applies to any works executed under this Act in relation to a highway which consists of or includes a carriageway, other than those executed under power delegated to a highway authority by an agreement under paragraph 14(2) below.

#### *Construction*

9 (1) Where under this Act the nominated undertaker—

- (a) constructs a new highway, or
- (b) alters a highway, otherwise than by carrying out street works within the meaning of Part 3 of the New Roads and Street Works Act 1991,

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the construction or alteration shall be completed to the reasonable satisfaction of the highway authority.

- (2) Where work to which sub-paragraph (1) applies has been completed to the reasonable satisfaction of a highway authority, it shall certify that fact in writing to the nominated undertaker.
- (3) If the nominated undertaker requests a highway authority to issue a certificate under sub-paragraph (2) and the highway authority does not before the end of the period of 28 days beginning with the date on which the request was made—
- (a) issue a certificate under that sub-paragraph, or
  - (b) notify the nominated undertaker of its decision to refuse to issue such a certificate,
- it shall be deemed to have issued such a certificate at the end of that period.
- (4) Any dispute with a highway authority under this paragraph shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the Secretary of State.
- 10 (1) Sub-paragraph (2) applies where under this Act the nominated undertaker—
- (a) realigns a highway which is constituted by or comprises a carriageway, or
  - (b) constructs a new highway which is constituted by or comprises a carriageway.
- (2) The realignment, or construction, shall be carried out in accordance with plans, sections and specifications approved by the highway authority at the request of the nominated undertaker, such approval not to be unreasonably withheld.
- (3) Any dispute with a highway authority under sub-paragraph (2) shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the Secretary of State.
- (4) If, on application by the nominated undertaker for the approval of plans, sections or specifications under sub-paragraph (2), the highway authority fails to notify the nominated undertaker of its decision on the application before the end of the period of 28 days beginning with the date on which the application was made, it shall be deemed to have approved the plans, sections or specifications as submitted.

#### *Maintenance*

- 11 (1) Sub-paragraph (2) applies where under this Act the nominated undertaker—
- (a) constructs a new highway, or
  - (b) alters a highway, otherwise than by carrying out street works within the meaning of Part 3 of the New Roads and Street Works Act 1991 (c. 22).
- (2) Unless otherwise agreed between the nominated undertaker and the highway authority, the new or altered highway shall be maintained by and at the expense of the nominated undertaker for a period of 12 months from the later of—
- (a) the date of practical completion, and
  - (b) the date on which it is first open for public use;
- and after the end of that period shall be maintained by and at the expense of the highway authority.

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- (3) Where in relation to a highway to which sub-paragraph (2) applies the highway authority is satisfied that the highway is practically complete or is open for public use, it shall, at the request of the nominated undertaker, certify to it in writing the date of practical completion of the highway or, as the case may be, the date on which it was first open for public use.
- (4) If the highway authority refuses a request to issue a certificate under sub-paragraph (3), or if the nominated undertaker disputes the date given in a certificate under that sub-paragraph, the matter shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the Secretary of State.
- (5) For the purposes of sub-paragraph (2), the date of practical completion of a highway, or the date on which it is first open for public use, shall be taken to be—
- (a) where the date has been determined under sub-paragraph (4), the date so determined, and
  - (b) where it has not, the date certified under sub-paragraph (3).
- (6) Sub-paragraph (2) shall not have effect to impose any obligation in relation to—
- (a) the structure of any bridge carrying a highway over any railway of the nominated undertaker, or
  - (b) the structure of any tunnel carrying a highway under any such railway.
- (7) Nothing in this paragraph shall prejudice the operation of section 87 of the New Roads and Street Works Act 1991 (c. 22).
- 12 Notwithstanding anything in section 46 of the Railways Clauses Consolidation Act 1845 (c. 20), as incorporated with this Act, the nominated undertaker shall not be liable to maintain the surface of any highway under or over which the scheduled works shall be constructed, or the immediate approaches to any such highway.

*Bridges carrying highways*

- 13 Each of sections 116 and 117 of the Transport Act 1968 (c. 73) (duties as respects bridges carrying highways over railways) shall apply as if the nominated undertaker were one of the boards mentioned in that section.

*Agreements with highway authorities etc.*

- 14 (1) Where under this Schedule the nominated undertaker is authorised to stop up or interfere with an existing highway or part of an existing highway, it may enter into agreements with the persons having the charge, management or control of the highway concerning the construction (or contribution towards the expenses of construction) of—
- (a) any new highway to be provided in substitution,
  - (b) any alteration of the existing highway, and
  - (c) any other related matters.
- (2) The nominated undertaker may, by agreement with any such persons, delegate to them the power of constructing any such new highway or any such alteration of an existing highway, including any bridge over any railway, and, where the nominated undertaker is responsible for maintaining the new or altered highway (or bridge), the power to maintain it.

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*Use of subsoil*

- 15 (1) The nominated undertaker may enter upon, take and use for the purposes of the works authorised by this Act so much of the subsoil of any highway within the limits of deviation for the scheduled works or within the limits of land to be acquired or used as shall be required for the purpose of the construction or maintenance of those works, without being required to acquire that subsoil or any interest in it.
- (2) The power conferred by sub-paragraph (1) shall not be exercisable in relation to the subsoil of a highway within the limits of land to be acquired or used, but outside the limits of deviation for the scheduled works, if the highway is comprised in land specified in the following table.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>No. on deposited plans</i>
City of Westminster	30d, 38, 81, 85, 112, 115, 117, 120, 121, 213, 218, 340, 341, 416, 417, 419, 420, 423, 447, 448, 449, 453, 454, 455, 548, 549, 549a, 551, 566, 595, 598, 600, 666, 684, 685, 689, 690 and 691
London Borough of Camden	1, 3, 5, 7, 10, 11, 13, 30, 31, 32, 153, 154, 155, 279, 281, 282 and 283
London Borough of Islington	1, 3, 4, 13, 24, 25, 34, 90, 92, 93, 94, 95 and 99
City of London	1, 2, 3, 4, 7, 8, 9, 17, 18, 20, 34, 36, 52, 53, 55a, 71, 72, 73, 74, 80a, 81, 101, 102, 103, 108, 113, 115, 125, 136, 138, 143, 159, 160 and 161
London Borough of Tower Hamlets	224, 224a, 225, 225b, 227a, 250, 252, 252a, 252b, 269, 280, 281, 290, 293, 294, 391, 393, 396, 398, 664, 820, 988, 990, 991, 993, 1135, 1145, 1247c, 1295, 1412a, 1413a, 1421, 1421b, 1423a, 1445 and 1446
London Borough of Newham	8, 76, 155, 164, 189, 193, 205, 206, 258, 259, 260, 278, 288, 366, 379, 565, 619 and 670
London Borough of Greenwich	3, 5, 15, 31e, 35a, 100, 101, 104, 109, 125, 125a, 130, 138, 144, 155, 159, 164, 169, 173, 182, 187 and 227
London Borough of Bexley	28, 64 and 68
London Borough of Redbridge	26 and 41
London Borough of Barking & Dagenham	17 and 18
London Borough of Havering	2, 11, 12, 24, 105, 117, 120, 134, 138, 140, 149, 154, 164 and 194
Borough of Brentwood	24 and 52

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District of Basildon	13 and 14
Borough of Slough	14, 20, 22, 23, 32, 53, 56, 60, 113, 162, 168 and 253a
London Borough of Hillingdon	97, 98, 115, 116 and 211b
London Borough of Ealing	9, 62, 62a, 88, 125, 144, 159, 160, 164, 177, 183 and 186

- (3) In the case of a highway comprised in land specified in the table in columns (1) and (2) of the table in paragraph 10 of Schedule 6, the power conferred by sub-paragraph (1) shall only be exercisable in relation to so much of the subsoil of the highway as falls within the description specified in relation to the land in column (3) of the table.
- (4) In the case of a highway comprised in land specified in the table in paragraph 11(1) of Schedule 6, the power conferred by sub-paragraph (1) shall only be exercisable in relation to so much of the subsoil of the highway as lies more than 9 metres beneath the level of the surface of the highway.
- (5) For the avoidance of doubt, it is hereby declared that the restrictions imposed by sub-paragraphs (2), (3) and (4) on the power conferred by sub-paragraph (1) do not affect the power conferred by paragraph 7(1).

## SCHEDULE 4

Section 4

### OVERHEAD LINES: CONSENT

#### *Scope of Schedule*

- 1 This Schedule applies to any electric line to which section 37(1) of the Electricity Act 1989 (c. 29) would apply, but for section 4.

#### *Consent requirement*

- 2 (1) An electric line to which this Schedule applies shall not be installed or kept installed above ground except in accordance with a consent granted by the appropriate Ministers.
- (2) Any person who without reasonable excuse contravenes the provisions of sub-paragraph (1) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) No proceedings shall be instituted in respect of an offence under this paragraph except by or on behalf of the Secretary of State.

#### *Applications for consent*

- 3 (1) An application for consent under this Schedule shall be in writing and shall state—
- the length of the electric line to which it relates,
  - the nominal voltage of that line, and

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- (c) whether the application to any extent relates to exercise of the power conferred by paragraph 3 of Schedule 2.
- (2) An application for consent under this Schedule shall be accompanied by a map showing—
- (a) the land across which the electric line to which it relates is to be installed or kept installed, including details of the route of that line,
  - (b) the limits of deviation for the scheduled works and the limits of land to be acquired or used, so far as relevant to the application, and
  - (c) if the application to any extent relates to exercise of the power conferred by paragraph 3 of Schedule 2, the extent to which it so relates.
- 4 An application for consent under this Schedule shall be supplemented, if the appropriate Ministers so direct in writing, by such additional information as may be specified in the direction.

#### *Publicity*

- 5 (1) A person applying for consent under this Schedule shall publish notice of the application in two successive weeks in one or more local newspapers circulating in the area in which the land to which the application relates is situated (or in areas which together include that area).
- (2) A notice under sub-paragraph (1) shall—
- (a) describe the route of the electric line to which the application relates,
  - (b) specify a place in the locality where a copy of the application may be inspected,
  - (c) state a time (not being less than 14 days from the date of publication) within which, and the manner in which, objections to the application may be made to the appropriate Ministers, and
  - (d) if it relates to an application by the nominated undertaker, explain the effect of paragraph 8(2)(b).
- (3) Sub-paragraph (1) shall not apply to an application for consent under this Schedule which relates only to exercise of the power conferred by paragraph 3 of Schedule 2.
- (4) If an application for consent under this Schedule relates partly to exercise of the power conferred by paragraph 3 of Schedule 2, so much of the application as relates to exercise of that power shall be disregarded for the purposes of sub-paragraphs (1) and (2).
- (5) If an application for consent under this Schedule is one in relation to which the applicant is subject to a duty under sub-paragraph (1), the appropriate Ministers shall not make any decision about the application until they are satisfied—
- (a) that the applicant has performed his duty under that provision, and
  - (b) that the time allowed by the notice under that provision for making objections to the application has expired.

#### *Consultation*

- 6 (1) Within 14 days of receiving an application for consent under this Schedule, the appropriate Ministers shall invite the relevant planning authority to make representations and shall not make any decisions about the application until—



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- (a) they have received representations from the authority about it,  
(b) they have been informed by the authority that it does not wish to make any representations about it, or  
(c) 28 days have elapsed since the date of the invitation.
- (2) An invitation under sub-paragraph (1) shall specify the time limit for making representations.
- (3) For the purposes of this paragraph, the relevant planning authority is—  
(a) in the case of a line in the area of a unitary authority, the local planning authority, and  
(b) in the case of a line not in the area of a unitary authority, the district planning authority.
- 7 (1) If the appropriate Ministers consider that an application for consent under this Schedule relates to matters which may affect—  
(a) nature conservation,  
(b) the conservation of the natural beauty or amenity of the countryside, or  
(c) a site of archaeological or historic interest,  
they shall, within 14 days of receiving the application, also invite the appropriate body or bodies to make representations.
- (2) Where under sub-paragraph (1) the appropriate Ministers have invited a body to make representations about an application for consent under this Schedule, they shall not make any decision about the application until—  
(a) they have received representations from the body about the request,  
(b) they have been informed by the body that it does not wish to make any representations about the request, or  
(c) 14 days have elapsed since the date of the invitation.
- (3) An invitation under sub-paragraph (1) shall specify the time limit for making representations.
- (4) For the purposes of this paragraph, the following are appropriate bodies in relation to the following matters—
- | <i>Matter</i>   | <i>Body</i>  |
|---|--|
| Nature conservation.  | Natural England.   |
| Conservation of the natural beauty or amenity of the countryside. | Natural England.   |
| Sites of archaeological or historic interest.                     | The Historic Buildings and Monuments Commission for England. |
- Grant of consent*
- 8 (1) This paragraph applies to an application for consent under this Schedule by the nominated undertaker.
- (2) An application to which this paragraph applies may only be refused—  
(a) to the extent that it relates to exercise of the power conferred by paragraph 3 of Schedule 2, on the ground that the electric line ought to, and could

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reasonably, be installed elsewhere within the limits specified, in relation to the diversion concerned, in the third column of the table in paragraph 3 of Schedule 2, and

- (b) to the extent that it does not relate to the exercise of that power, on the ground that the electric line ought to, and could reasonably, be installed elsewhere within the limits of deviation for the scheduled works or within the limits of land to be acquired or used.

9 A consent under this Schedule may include such conditions (including conditions as to the ownership and operation of the electric line to which it relates) as appear to the appropriate Ministers to be appropriate.

*Variation and revocation of consent*

10 (1) A consent under this Schedule may be varied or revoked by the Secretary of State at any time after the end of such period as may be specified in the consent.

(2) The period which may be specified under sub-paragraph (1) shall not be less than 10 years from the date of installation of the electric line to which the consent relates.

*Duration of consent*

11 Subject to paragraph 10, a consent under this Schedule shall continue in force for such period as may be specified in or determined by or under the consent.

*Interpretation*

12 In this Schedule, references to the appropriate Ministers are to the Secretary of State for Business, Enterprise and Regulatory Reform and the Secretary of State for Transport acting jointly.

SCHEDULE 5

Section 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 of the works specified in column (1) of the following table (or any works which are necessary or expedient for the purposes of or in connection with those works)—

- (a) enter upon and take possession of the land specified in relation to those works in columns (2) and (3) of that table for such purposes as are so specified in column (4) of that table, and
- (b) for such purposes as are so specified—
- (i) remove from the land any structure or vegetation, and
- (ii) construct on the land temporary works (including the provision of means of access) and structures.

(1)

(2)

(3)

(4)

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<b>Works</b>	<b>Area</b>	<b>Number of land shown on deposited plans</b>	<b>Purpose for which temporary possession may be taken</b>
1/3A and 1/3B	City of Westminster	217	The provision of a working site.
1/3A and 1/3B		451	The provision of a working site.
1/3A and 1/3B		692	The provision of a working site.
1/9D		30c	The provision of a working site.
1/3A and 1/3B	City of London	104a and 104b	The provision of a working site.
1/3A and 1/3B		104c	The provision of a working site.
Proposed Whitechapel Station comprised in Works Nos. 1/3A and 1/3B	London Borough of Tower Hamlets	245b	The provision of access for construction.
Any of the works authorised by this Act	London Borough of Tower Hamlets	972 and 976	The provision of access and a working site.
Any of the works authorised by this Act		753, 774, 775, 788, 789 and 796	The provision of access and barge loading facilities.
1/7, 1/33A and 1/33B	London Borough of Greenwich	160, 165 and 170	The provision of a working site.
Any of the works authorised by this Act	London Borough of Bexley	83a	The provision of a working site.
The provision of overhead electrification equipment and works to Maidenhead Bridge	Royal Borough of Windsor & Maidenhead	62 and 72	The provision of a working site and access for construction.

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3/3A	Borough of Slough	81	The provision of access and a working site.
3/6		172 and 173	The provision of a working site.
3/7A and 3/7B		187	The provision of a working site.
The provision and renewal of railway systems and station facilities for operational purposes (Ealing Broadway Station)	London Borough of Ealing	111	The provision of a working site.

(2) Not less than 28 days before entering upon and taking possession of land under this paragraph, the nominated undertaker shall give notice to the owners and occupiers of the land of its intention to do so.

(3) The nominated undertaker may not remain in possession of any land under this paragraph after the end of the period of one year beginning with the date of completion of the works specified in relation to the land in column (1) of the table in sub-paragraph (1) unless the owners of the land agree.

(4) The nominated undertaker shall pay compensation to the owners and occupiers of land of which possession is taken under this paragraph for any loss which they may suffer by reason of the exercise in relation to the land of the power or powers conferred by this paragraph.

(5) Any dispute as to a person's entitlement to compensation under sub-paragraph (4), or as to the amount of compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961 (c. 33).

(6) Nothing in this paragraph shall affect any liability to pay compensation under section 10(2) of the Compulsory Purchase Act 1965 (c. 56), as applied to the acquisition of land under section 6(1), or under any other enactment, otherwise than for loss for which compensation is payable under sub-paragraph (4).

(7) In this paragraph, “structure” includes any erection.

2 (1) Before giving up possession of land of which possession has been taken under paragraph 1, the nominated undertaker shall, in accordance with a scheme agreed with the owners of the land and the relevant planning authority, put the land into such condition as the scheme may provide.

(2) If, in relation to any land of which possession has been taken under paragraph 1, no scheme has been agreed for the purposes of this paragraph within 6 months of the date of completion of the works specified in relation to the land in column (1) of the table in paragraph 1(1), the scheme shall be such as may be determined by the appropriate Ministers after consultation with the nominated undertaker, the owners of the land and the relevant planning authority.

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- (3) Unless the owners of the land and the nominated undertaker otherwise agree, a scheme determined under sub-paragraph (2) shall provide for land to be restored to its former condition.
  - (4) Unless the nominated undertaker otherwise agrees, a scheme determined under sub-paragraph (2) shall not provide for the nominated undertaker to replace any structure removed under paragraph 1, other than a fence.
  - (5) Where the appropriate Ministers ask the relevant planning authority for assistance in connection with the carrying out by them of their function under sub-paragraph (2), they may require the nominated undertaker to reimburse to the planning authority any expenses which it reasonably incurs in meeting the request.
  - (6) The duty under sub-paragraph (1) in relation to any land shall be owed separately to the owners of the land and to the relevant planning authority.
  - (7) Where a scheme for the purposes of this paragraph provides for any step to be taken by the nominated undertaker before a specified date and that step has not been taken before that date, the relevant planning authority may—
    - (a) enter the land concerned and take that step, and
    - (b) require the nominated undertaker to reimburse to it any expenses which it reasonably incurs in acting under paragraph (a).
  - (8) In this paragraph—

“appropriate Ministers” means the Secretary of State for Communities and Local Government and the Secretary of State for Transport acting jointly;

“relevant planning authority” means—

    - (a) in relation to land in the area of a unitary authority, the local planning authority;
    - (b) in relation to land not in the area of a unitary authority, the district planning authority;

“structure” includes any erection.
- 3
- (1) The nominated undertaker may use any road situated on land specified in the table in paragraph 8 of Schedule 6 for the passage of persons or vehicles (with or without materials, plant and machinery) for the purpose of or in connection with the construction of the works authorised by this Act.
  - (2) The nominated undertaker shall compensate the person having the management of a road to which sub-paragraph (1) applies for any loss which he may suffer by reason of the exercise of the power conferred by that sub-paragraph.
  - (3) Any dispute as to a person's entitlement to compensation under sub-paragraph (2), or as to the amount of such compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961 (c. 33).
- Occupation and use for maintenance of works*
- 4
- (1) At any time during the maintenance period relating to any of the scheduled works, the nominated undertaker may—
    - (a) enter upon and take possession of any land which is—
      - (i) within 20 metres from that work, and

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- (ii) within the limits of deviation for the scheduled works or the limits of land to be acquired or used,  
 if such possession is reasonably required for the purpose of or in connection with maintaining the work or any ancillary works connected with it, and
- (b) construct on the land such temporary works (including the provision of means of access) and structures as may be reasonably so required.
- (2) Sub-paragraph (1) shall not authorise the nominated undertaker to take possession of—
- (a) a house, any other structure which is for the time being occupied, or a garden belonging to a house,
- (b) land specified in the table in paragraph 8, 9, 11(1) or 12 of Schedule 6, or
- (c) such of the land specified in columns (1) and (2) of the table in paragraph 10 of Schedule 6 as falls outside the description specified in relation to it in column (3) of the table.
- (3) Not less than 28 days before entering upon and taking possession of land under this paragraph, the nominated undertaker shall give notice to the owners and occupiers of the land of its intention to do so.
- (4) The nominated undertaker may only remain in possession of land under this paragraph for so long as may be reasonably required to carry out the maintenance works for which possession of the land was taken.
- (5) Before giving up possession of land of which possession has been taken under this paragraph, the nominated undertaker shall restore the land to the reasonable satisfaction of the owners of the land.
- (6) The nominated undertaker shall pay compensation to the owners and occupiers of land of which possession is taken under this paragraph for any loss which they may suffer by reason of the exercise in relation to the land of the powers conferred by this paragraph.
- (7) Any dispute as to a person's entitlement to compensation under sub-paragraph (6), or as to the amount of the compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961.
- (8) Nothing in this paragraph shall affect any liability to pay compensation under section 10(2) of the Compulsory Purchase Act 1965 (c. 56), as applied to the acquisition of land under section 6(1), or under any other enactment, otherwise than for loss for which compensation is payable under sub-paragraph (6).
- (9) In this paragraph—
- (a) “the maintenance period”, in relation to any work, means the period beginning with the date on which the work is completed and ending 5 years after the date on which it is brought into general use;
- (b) “structure” includes any erection;
- (c) any reference to land within a specified distance of a work includes, in the case of a work under the surface of the ground, a reference to land within the specified distance of any point on the surface below which the work is situated.

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*Suspension of private rights of way*

- 5
- (1) Subject to sub-paragraph (2), all private rights of way over land of which the nominated undertaker takes possession under paragraph 1 or 4 above shall be suspended and unenforceable for as long as it remains in lawful possession of the land.
  - (2) The nominated undertaker may, in relation to a right of way, by direction provide—
    - (a) that sub-paragraph (1) shall not apply to the right, or
    - (b) that sub-paragraph (1) shall apply to the right only to such extent as may be specified in the direction.
  - (3) The nominated undertaker shall compensate any person who suffers loss by reason of the suspension of any right under sub-paragraph (1).
  - (4) Any dispute as to a person's entitlement to compensation under sub-paragraph (3), or as to the amount of the compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961 (c. 33).

*Enforcement*

- 6
- Section 13 of the Compulsory Purchase Act 1965 (c. 56) (refusal to give possession to acquiring authority) applies for the purposes of this Schedule as if—
- (a) references to the acquiring authority were references to the nominated undertaker,
  - (b) references to compensation payable to the person refusing to give possession were references to compensation payable under this Schedule, and
  - (c) in subsection (1) for “this Act” there were substituted “ Schedule 5 to the Crossrail Act 2008” ”.

SCHEDULE 6

Section 6

ACQUISITION OF LAND SHOWN WITHIN LIMITS ON DEPOSITED PLANS

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SCHEDULE 7

Section 10

PLANNING CONDITIONS

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## SCHEDULE 8

Section 15

### EXTENSION OF PERMITTED DEVELOPMENT RIGHTS: SUPPLEMENTARY PROVISIONS

#### *Conditions of permitted development*

- 1 (1) Planning permission granted by virtue of section 15(1) is subject to the condition that development is carried out in accordance with such requirements as the Secretary of State may by notice in writing to the developer specify for the purpose of—
- (a) avoiding a breach of a relevant undertaking, or
  - (b) securing that the environmental effects of carrying out the development are not materially different from those envisaged by the relevant environmental assessment.
- (2) The power conferred by sub-paragraph (1) is exercisable after, as well as before, development is commenced.
- (3) The power conferred by sub-paragraph (1) includes power, exercisable in the same manner, to vary or revoke a notice under that sub-paragraph.
- (4) The condition imposed by sub-paragraph (1) is in addition to any condition to which the planning permission may be subject apart from this paragraph.

#### *Controls in relation to proposed development*

- 2 (1) Where—
- (a) it appears to the Secretary of State that a person is proposing to carry out development of a kind mentioned in section 15(1)(a), and
  - (b) the Secretary of State is of the opinion that the proposed development has not been the subject of environmental assessment in connection with the Crossrail Bill,
- he may give notice in writing of his opinion to the proposed developer.
- (2) The power conferred by sub-paragraph (1) includes power, exercisable in the same manner, to withdraw a notice under that sub-paragraph.
- (3) Where a notice given under sub-paragraph (1) has not been withdrawn, section 15(1) shall be treated as not applying to the carrying out by the person to whom the notice is given of the development to which it relates.
- 3 (1) This paragraph applies where it appears to the Secretary of State—
- (a) that a person is proposing to carry out development of a kind mentioned in section 15(1)(a), and
  - (b) that the development has been the subject of environmental assessment in connection with the Crossrail Bill.
- (2) If it appears to the Secretary of State that it is necessary or desirable to do so for the purpose of avoiding a breach of a relevant undertaking, he may, by notice in writing to the proposed developer, disapply section 15(1) in relation to the carrying out of the development by that person.
- (3) The power conferred by sub-paragraph (2) includes power, exercisable in the same manner, to revoke a notice under that sub-paragraph.



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#### *Notices*

- 4 A notice under this Schedule shall—
- (a) specify the person to whom it is given,
  - (b) specify the development to which it relates,
  - (c) explain the reasons for it, and
  - (d) in the case of a notice under paragraph 2, explain its effect.
- 5 Notices under this Schedule shall be served by post.
- 6 Where the Secretary of State gives a notice under this Schedule he shall—
- (a) in the case of a notice relating to development in the area of a unitary authority, give a copy of the notice to the local planning authority;
  - (b) in the case of a notice relating to development not in the area of a unitary authority, give a copy of the notice to the district planning authority.

#### *Interpretation*

- 7 For the purposes of this Schedule, development has been the subject of environmental assessment in connection with the Crossrail Bill if it is development in relation to which information contained in a statement specified for the purposes of section 15(1)(b) constituted at the time of the statement's deposit or publication an environmental statement within the meaning of the EIA regulations.
- 8 In this Schedule—
- (a) “relevant undertaking” means an undertaking given by the Secretary of State—
    - (i) to the Select Committee of the House of Commons to which the Crossrail Bill was committed, or
    - (ii) to the Select Committee of the House of Lords to which that bill was committed;
  - (b) references to the relevant environmental statement, in relation to development for which planning permission is granted by virtue of section 15(1), are to the statement by virtue of which paragraph (b) of that subsection applies.

### SCHEDULE 9

Section 16

#### HERITAGE: DISAPPLICATION AND MODIFICATION OF CONTROLS

##### *Listed buildings and conservation areas*

- 1 (1) Subject to sub-paragraph (2), if a listed building was such a building immediately before 15th December 2004 and is specified in columns (1) and (2) of the following table—
- (a) section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9) (restriction on works affecting listed buildings) shall not apply to works carried out in relation to the building in exercise of the powers conferred by this Act,

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- (b) to the extent that a notice issued in relation to the building under section 38(1) of that Act (enforcement) requires the taking of steps which would be rendered ineffective, or substantially ineffective, by works proposed to be carried out in exercise of the powers conferred by this Act, it shall not have effect or, as the case may be, shall cease to have effect,
- (c) no steps may be taken in relation to the building under section 42(1) of that Act (execution of works specified in notice under section 38(1)) which would be rendered ineffective, or substantially ineffective, by works proposed to be carried out in exercise of the powers conferred by this Act, and
- (d) no works may be executed for the preservation of the building under section 54 of that Act (urgent works to preserve unoccupied listed buildings) which would be rendered ineffective, or substantially ineffective, by works proposed to be carried out in exercise of the powers conferred by this Act.

(2) In the case of any building specified in columns (1) and (2) of the following table in relation to which any description of works is specified in column (3) of that table, sub-paragraph (1) shall have effect as if the references to works carried out in exercise of the powers conferred by this Act were, so far as concerns works of demolition or alteration (as opposed to extension), to works so carried out which are of a description specified in relation to it in that column.

(3) Paragraphs (a) to (d) of sub-paragraph (1) shall also apply in relation to a listed building which was not such a building immediately before 15th December 2004.

(4) If a building included in a conservation area and not a listed building—

- (a) was not included in a conservation area immediately before 15th December 2004, or
- (b) was included in such an area immediately before that date and is specified in columns (1) and (2) of the following table,

section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (control of demolition in conservation areas) shall not apply to the demolition of it in exercise of the powers conferred by this Act.

<i>(1)</i> <b>Area</b>	<i>(2)</i> <b>Building</b>	<i>(3)</i> <b>Works</b>
Royal Borough of Windsor & Maidenhead and District of South Bucks	Maidenhead Viaduct. Grade II*	Alterations in connection with installation of overhead electrification equipment.
Borough of Slough	Slough railway station. Grade II	Demolition of canopies over platform 5. Alterations in connection with platform lengthening, new footbridge, overhead line electrification and ticket hall rearrangement.

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London Borough of Ealing	Hanwell railway station. Grade II	Alterations in connection with platform lengthening.
City of Westminster	Southern span of footbridge carrying Westbourne Park Passage over the railway.  Boundary wall between Westbourne Park Villas and the railway from Westbourne Park Passage to a point opposite No. 60 Westbourne Park Villas.	
	Paddington Station. Grade 1	Demolition of retaining walls, railings, and canopy on Eastbourne Terrace and Departures Road. Demolition of Lynx Building on north-east side of the station. Alterations of deck on north-east side of station (being the deck on part of which the Lynx Building is situated) and area below that deck in connection with (a) construction of new stairs, lifts and escalators, (b) Work No. 1/11B and (c) taxi circulation facility. Alterations to the Lawn in connection with emergency escape provision.
	Paddington Station, Macmillan House, Eastbourne Terrace. Grade 1	Alterations and partial demolition of basement and ground floor. Alterations to form an emergency escape in the horse arch.
	Great Western Hotel, Praed Street. Grade II	Alterations relating to emergency escape provision.
	Paddington Underground Station, Praed Street. Grade II	Alterations in connection with construction of interchange footbridge, lifts and stairs. Alterations and partial

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	demolition of retaining walls.
	191-195 (odd) Praed Street
	197-199 (odd) Praed Street (rear part)
	19-23 (odd and even) Spring Street (rear part)
	Porter's Lodge in front of number 1 Stratford Place. Grade II
	354-358 (even) Oxford Street
	18 & 19 Hanover Square
	1a Tenterden Street
	9 Great Chapel Street / 4 Fareham Street
	10-12 (odd and even) Great Chapel Street
	2 & 3 Fareham Street
	96 Dean Street
	93 Dean Street
	94 Dean Street. Grade II
	95 Dean Street
	3 Diadem Court
	9 Diadem Court
	Bollards on the corner of Fareham Street and Great Chapel Street. Grade II
	9-15 (odd) Oxford Street
	7 Oxford Street
	3-5 (odd) Oxford Street
	1 Oxford Street
	167 Charing Cross Road
	157-163 (odd) & 165 Charing Cross Road
	1-6 (odd and even) Falconberg Court
London Borough of Camden	148 Charing Cross Road

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	138-146 (even) Charing Cross Road	
	Centre Point, 101 & 103 New Oxford Street and 5-24 (odd and even) St. Giles High Street and pool and frontage to Charing Cross Road. Grade II	Demolition of pool, fountains and plaza including underground snooker hall and gym. Demolition of exterior stairs to first floor level on the western side of the building. Installation of a temporary entrance.
	8-10 (even) Southampton Row. Grade II	Demolition of interior and roof (facade to Southampton Row, Fisher Street and Catton Street to be retained).
	Kingsway Tram Tunnel. Grade II	Alterations in connection with carrying out of compensation grouting for the protection of buildings in the vicinity.
City of London	Smithfield Market. Grade II*	Partial demolition of basement, including car park deck within the basement and remedial alterations.
	33-35 (odd and even) Charterhouse Square	
	36-37 Charterhouse Square	
London Borough of Islington	40-42 (even) Charterhouse Street	
City of London	Pavilion, Finsbury Circus Gardens.	
	Gazebo, Finsbury Circus Gardens. Grade II	
	11-12 Blomfield Street	
	Bridge structures carrying Charterhouse Street and Lindsey Street over Metropolitan Line and Thameslink	
	Barbican. Grade II	Alterations in connection with carrying out of compensation grouting for the protection of buildings in the vicinity.

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London Borough of Tower Hamlets	<p>63-67 (odd) Princelet Street (rear extensions)</p> <p>68-80 (even) Hanbury Street (Britannia House)</p> <p>82-102 (even) Hanbury Street</p> <p>Blind Beggar Public House (337 Whitechapel Road) (conservatory)</p> <p>Whitechapel signal cabin (District Line), west of Fulbourne Street on the north side of the track</p> <p>Fulbourne Street bridge over District Line</p> <p>District line retaining wall and parapet, south side of Durward Street and Winthrop Street from a point 23 metres west of the centre line of Fulbourne Street to a point 30 metres east of East London Line</p> <p>Court Street footbridge over District Line</p> <p>London Underground infrastructure at or near Whitechapel Station (District Line) including the platform to ticket hall access footbridge east of Wood's Buildings, and the operational garage, staff accommodation block, and associated portacabins at Durward Street level</p> <p>Wood's Buildings disused footbridge over the District Line</p> <p>North span of District Line railway bridge over East London line</p> <p>South span of District Line railway bridge over East London Line</p>
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	Parapet walls to Durward Street Bridge over East London Line	
	Drinking fountain, Stepney Green. Grade II	
	744 Wick Lane	
London Borough of Barking and Dagenham	Coal tax marker, Chadwell Heath. Grade II	
London Borough of Havering	Gidea Park Station footbridge	
London Borough of Greenwich	12, 14, 15 & 16 Gunnery Terrace	
	Council depot (former electricity generating station), White Hart Road, Plumstead. Grade II	Alterations in connection with use of the building as site offices and a workshop.
<p>(5) Anything which, by virtue of section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9) (objects or structures fixed to, or within the curtilage of, a building), is treated as part of a building for the purposes of that Act shall be treated as part of the building for the purposes of this paragraph.</p> <p>(6) In this paragraph, “building” and “listed building” have the same meanings as in the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>2 (1) In the case of a listed building to which sub-paragraph (2) applies—</p> <p>(a) section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9) shall not apply to any works for the alteration or extension of the building which are carried out, in exercise of the powers conferred by this Act, for the purpose of maintaining or restoring its character as a building of special architectural or historical interest,</p> <p>(b) to the extent that a notice issued in relation to the building under section 38(1) of that Act requires the taking of steps which would be rendered ineffective, or substantially ineffective, by works proposed to be carried out in exercise of the powers conferred by this Act, it shall not have effect or, as the case may be, shall cease to have effect,</p> <p>(c) no steps may be taken in relation to the building under section 42(1) of that Act which would be rendered ineffective, or substantially ineffective, by such works as are mentioned in paragraph (b), and</p> <p>(d) no works may be executed for the preservation of the building under section 54 of that Act which would be rendered ineffective, or substantially ineffective, by such works as are mentioned in paragraph (b).</p> <p>(2) This sub-paragraph applies to a listed building if it was such a building immediately before 15th December 2004 and is specified in the following table.</p>		
<b>(1)</b>	<b>(2)</b>	
<b>Area</b>	<b>Building</b>	

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City of Westminster	<p>Westbourne          Bridge, Paddington          (Westminster). Grade II.</p> <p>1 Cleveland Terrace.          Grade II.</p> <p>Paddington Station.          Grade I.</p> <p>Great Western Hotel,          Praed Street. Grade II.</p> <p>5-9 (odd) Craven Road.          Grade II.</p> <p>1-18 (odd and even)          Spring Street. Grade II.</p> <p>163-213 (odd) Sussex          Gardens. Grade II.</p> <p>194-204 (even) Sussex          Gardens. Grade II.</p> <p>184-192 (even) Sussex          Gardens. Grade II.</p> <p>Paddington Underground          Station, Praed Street.          Grade II.</p> <p>25-31 (odd and even)          Hyde Park Gardens and          22-35 (odd and even)          Stanhope Terrace. Grade          II.</p> <p>1-24 (odd and even)          Hyde Park Gardens.          Grade II.</p> <p>129 Park Lane. Grade II.</p> <p>32 Green Street. Grade II.</p> <p>10 Green Street. Grade II.</p> <p>23 Lees Place. Grade II.</p> <p>61 Green Street. Grade          II*.</p> <p>29 North Audley Street.          Grade II.</p> <p>11-12 North Audley          Street. Grade II*.</p> <p>14 North Audley Street.          Grade II.</p>
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St. Mark's, North Audley  
Street. Grade I.

Electricity Sub-station,  
Brown Hart Gardens.  
Grade II.

73 Duke Street. Grade II.

Ukrainian Catholic  
Cathedral– Duke Street/  
21 Binney Street. Grade  
II\*.

75, 77, 79, 81–83 Duke  
Street (odd). Grade II.

1, 1a and 2 Duke's Yard –  
including 85 & 85a Duke  
Street. Grade II.

27 Gilbert Street. Grade  
II.

356-366 Oxford Street  
(even). Grade II.

2-7 (odd and even)  
Stratford Place W1.  
Grade II.

8-10 (odd and even)  
Stratford Place W1.  
Grade II.

Stratford House, the  
Oriental Club, 11  
Stratford Place W1.  
Grade I.

12 and 13 Stratford Place  
W1. Grade II.

16 Stratford Place W1.  
Grade II.

66 Brook Street and 51-  
53 (odd) Davies Street.  
Grade I.

58 Davies Street. Grade  
II.

50 Davies Street. Grade  
II.

52 & 54 Davies Street.  
Grade II.

1–7 (odd and even)  
Davies Mews & 28–30

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(odd and even) South  
Molton Lane. Grade II.

40-46 (even) Brook  
Street (north side). Grade  
II.

41 South Molton Street.  
Grade II.

26 South Molton Street.  
Grade II.

24 & 25 South Molton  
Street. Grade II.

21 South Molton Street.  
Grade II.

19 & 20 South Molton  
Street. Grade II.

50 South Molton Street.  
Grade II.

18 South Molton Street.  
Grade II.

17 South Molton Street.  
Grade II\*.

14–16 (odd and even)  
South Molton Street.  
Grade II.

10–12 (odd and even)  
South Molton Street.  
Grade II.

63 South Molton Street.  
Grade II.

20 Brook Street. Grade  
II.

103 New Bond Street.  
Grade II.

74 New Bond Street.  
Grade II.

20 Hanover Square.  
Grade II\*.

21 Hanover Square.  
Grade II.

16 Hanover Square.  
Grade II.

24 Hanover Square.  
Grade II.

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15 Hanover Street. Grade II.

7 Hanover Street. Grade II.

229–247 (odd) Regent Street including 1 Hanover Street and 27 Princes Street. Grade II.

223 Regent Street/ 4 Maddox Street. Grade II.

225 & 227 Regent Street. Grade II.

224-244 (even) Regent Street. Grade II.

1-4 (odd and even) Argyll Street. Grade II.

208a and 208-222 (even) Regent Street. Grade II.

Liberty's, Great Marlborough Street. Grade II\*.

7-8 Argyll Street. Grade II\*.

19-21 (odd and even) Great Marlborough Street. Grade II.

48 Great Marlborough Street. Grade II.

68 Brook Street. Grade II.

15 Poland Street. Grade II.

13 D'Arblay Street. Grade II.

46 Berwick Street. Grade II.

67 Berwick Street and 21A Noel Street. Grade II.

48 Berwick Street. Grade II.

47 Berwick Street. Grade II.

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5 Noel Street. Grade II.  
187 Wardour Street.  
Grade II.  
2,3 & 4 D'Arblay Street.  
Grade II.  
105-109 (odd) Oxford  
Street & 16-18 (odd  
and even) Hollen Street.  
Grade II.  
152-160 (even) Wardour  
Street. Grade II.  
17 Carlisle Street. Grade  
II.  
6 Carlisle Street. Grade  
II.  
5 Carlisle Street. Grade  
II.  
4 Carlisle Street. Grade  
II.  
90 Dean Street. Grade II.  
89 Dean Street. Grade II.  
88 Dean Street. Grade II.  
4-6 (odd and even) Soho  
Square/ 6 Dean Street.  
Grade II.  
3 Soho Square/7 Dean  
Street. Grade II.  
2 Soho Square. Grade II.  
8 Dean Street. Grade II.  
38 & 38a Soho Square.  
Grade II.  
37 Soho Square. Grade  
II.  
10 & 10A Soho Square.  
Grade II.  
8 & 9 Soho Square.  
Grade II.  
19 Carlisle Street. Grade  
II.  
36 Soho Square. Grade  
II.

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London Borough of  
Camden

13 Soho Square. Grade  
II\*.

15 Soho Square. Grade  
II.

21 Soho Square. Grade  
II.

St. Patrick's Presbytery.  
Grade II.

St. Patrick's RC church,  
Soho Square. Grade II\*.

29 & 30 Soho Square  
The Hospital for Women.  
Grade II.

26 Soho Square. Grade  
II\*.

3 Greek Street. Grade II.

1 Greek Street. Grade I.

14 Manette Street. Grade  
II.

16 & 17 Manette Street.  
Grade II.

Centre Point, 101 & 103  
New Oxford Street and  
5-24 (odd and even) St.  
Giles High Street and  
pool and frontage to  
Charing Cross Road.  
Grade II.

20 Denmark Street and  
16 Denmark Place. Grade  
II.

5 & 6-7 (odd and even)  
Denmark Street. Grade  
II.

9 & 10 Denmark Street.  
Grade II.

26 Denmark Street.  
Grade II.

27 Denmark Street.  
Grade II.

Phoenix Theatre, Charing  
Cross Road. Grade II.

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12 Flitcroft Street. Grade II.

59 St Giles High Street. Grade II.

1-5 (odd and even) Flitcroft Street. Grade II.

21 Monmouth Street. Grade II.

55 Neal Street. Grade II.

64 Neal Street. Grade II.

51-59 (odd), 61, 63-69 (odd) Endell Street. Grade II.

Shaftesbury Theatre, Shaftesbury Avenue. Grade II.

St Giles' Almshouses, 17A Macklin Street (also 9-10 Smarts Place). Grade II

8a Smarts Place. Grade II.

23 Macklin Street. Grade II.

24 Stukely St/25 Macklin Street. Grade II.

Holborn Town Hall and Library, High Holborn. Grade II.

199-201(odd and even) High Holborn. Grade II.

207 High Holborn. Grade II.

Princess Louise Pub, 208-209 High Holborn. Grade II\*

212 High Holborn. Grade II.

127 & 129 High Holborn. Grade II.

14-16 (odd and even) Southampton Place. Grade II\*.

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7-8 Southampton Place.  
Grade II\*.

15-23 (odd and even)  
Southampton Row. Grade  
II.

Kingsway Tram Subway,  
Southampton Row. Grade  
II.

Central School of Arts  
and Crafts, Southampton  
Row. Grade II\*.

Carlisle House, 8 &  
10 Southampton Row.  
Retained Fa[cced]ade.  
Grade II.

Baptist Church House,  
2-6 (even) Southampton  
Row. Grade II\*.

11&12 Red Lion Square  
(Summit House). Grade  
II.

14-17 (odd and even)  
Red Lion Square. Grade  
II.

31&32 part of 29 -32  
(odd and even) Bedford  
Row. Grade II.

33-36 (odd and even)  
Bedford Row. Grade II.

6-7 (odd and even)  
Bedford Row, and  
railings. Grade II.

8-13 (odd and even)  
Bedford Row, and  
railings. Grade II\*.

14 Bedford Row, and  
railings. Grade II.

4 Raymond Buildings.  
Grade II.

5 Raymond Buildings.  
Grade II.

6 Raymond Buildings.  
Grade II.

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London Borough of  
Islington

6 Gray's Inn Square.  
Grade II\*.

8 Gray's Inn square.  
Grade II\*.

7 Gray's Inn Square.  
Grade II\*.

14 Gray's Inn Square.  
Grade II\*.

13 Gray's Inn Square.  
Grade II\*.

12 Gray's Inn Square.  
Grade II\*.

St. Alban's Church,  
Dorrington/Brooke  
Street. Grade II\*.

St. Alban's Clergy House,  
18 Dorrington Street.  
Grade II.

10 & 11 Greville Street.  
Grade II.

19, 20 & 21 Hatton  
Gardens. Grade II.

25 & 27 Farringdon  
Road. Grade II.

51-53 (odd and even)  
Charterhouse Street.  
Grade II.

54-60 (odd and even)  
Cowcross Street. Grade  
II.

Farringdon Station,  
including 36-38 (odd and  
even) and 40-42 (odd and  
even) Cowcross Street.  
Grade II.

101and 102 Turnmill  
Street and 32-35 (odd and  
even) Cowcross Street.  
Grade II.

67-77 (odd) Charterhouse  
Street. Grade II.

26 & 27 Cowcross Street.  
Grade II.



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9-13 (odd and even)  
Cowcross Street. Grade  
II.

14-16 (odd and even)  
Cowcross Street. Grade  
II.

94 Cowcross Street.  
Grade II.

3 & 5 St John Street.  
Grade II.

2-6 (even) St John  
Street (including 89  
Charterhouse street).  
Grade II.

16 St John Street. Grade  
II.

18 & 20 St John Street.  
Grade II.

24 St John Street. Grade  
II.

22 St John Street. Grade  
II.

26 St John Street. Grade  
II.

115 Charterhouse Street.  
Grade II.

119 Charterhouse Street.  
Grade II.

109-113 (odd)  
Charterhouse Street.  
Grade II.

22 Charterhouse Square  
(North Side) including  
railings. Grade II.

City of London

133-134 Aldersgate  
Street. Grade II.

West/East building  
Smithfield Market. Grade  
II\*

74 & 75 Long Lane.  
Grade II.

Barbican. Grade II.

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137-141 (odd) Moorgate.  
Grade II.

1-6 (odd and even)  
Finsbury Circus. Grade  
II\*.

28-30 (odd and even)  
Salisbury House,  
Finsbury Circus. Grade  
II.

76-92 (even) Moorgate.  
Grade II.

87 Moorgate. Grade II.

83 Moorgate. Grade II.

8 Moorfields. Grade II.

4 Moorfields. Grade II.

118 London Wall. Grade  
II.

59-73 (odd) Moorgate.  
Grade II.

118a London Wall/2  
Moorfields. Grade II.

81 Coleman Street  
(Armourers' and Braziers'  
Hall). Grade II\*.

16-18 (even) Finsbury  
Circus and 16-31 (odd  
and even) Eldon Street.  
Grade II.

22 & 23 Blomfield  
Street. Grade II.

25 Finsbury Circus  
(London Wall Buildings).  
Grade II.

Church of All Hallows on  
the Wall. Grade II.

56-60 (odd and even) and  
62 New Broad Street.  
Grade II.

76-80 (odd and even) Old  
Broad Street. Grade II.

Great Eastern Hotel,  
Liverpool Street Station.  
Grade II.

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London Borough of  
Tower Hamlets

Church of St Botolph,  
Bishopsgate. Grade II\*.

Church Hall. Church of  
St Botolph, Bishopsgate.  
Grade II.

8 Bishopsgate  
Churchyard. Grade II.

162 & 164 Bishopsgate.  
Grade II.

Rear 4-18 (even)  
Devonshire Row. Grade  
II.

5-7 (odd and even) New  
Street. Grade II.

24 & 25 Widegate Street.  
Grade II.

16 New Street. Grade II.

4A, Sandy's Row. Grade  
II.

15 & 16 Artillery  
Passage. Grade II.

2 Artillery Passage.  
Grade II.

13 & 14 Artillery  
Passage. Grade II.

3 Artillery Passage.  
Grade II.

4 Artillery Passage.  
Grade II.

5 Artillery Passage.  
Grade II.

41 Artillery Lane. Grade  
II.

6 & 7 Artillery Passage.  
Grade II.

9 & 10 Artillery Passage.  
Grade II.

11 Gun Street. Grade II.

40 Brushfield Street.  
Grade II.

42 Brushfield Street.  
Grade II.

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52 Brushfield Street.  
Grade II.

Spitalfields Market.  
Grade II.

84 Commercial Street.  
Grade II.

1 & 3 Fournier Street.  
Grade II.

4-7 (odd and even) Puma  
Court. Grade II.

17-25 (odd) Wilkes  
Street. Grade II.

11a & 15 Wilkes Street.  
Grade II.

6 Wilkes Street. Grade II.

10 Wilkes Street. Grade  
II.

16 Wilkes Street. Grade  
II.

2 & 4 Princelet Street.  
Grade II.

3 & 5 Princelet Street.  
Grade II.

7 & 9 Princelet Street.  
Grade II.

13 Princelet Street. Grade  
II.

11 Princelet Street. Grade  
II.

24 & 26 Hanbury Street.  
Grade II.

12 Princelet Street. Grade  
II.

14 Princelet Street. Grade  
II.

16 Princelet Street. Grade  
II.

18 Princelet Street. Grade  
II.

20 Princelet Street. Grade  
II.

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22 Princelet Street. Grade II.

15 Princelet Street. Grade II.

17 Princelet Street. Grade II.

19 Princelet Street. Grade II\*.

21 Princelet Street. Grade II.

23 Princelet Street. Grade II.

25 Princelet Street. Grade II.

34-38 (even) Hanbury Street. Grade II.

114-122 (even) Brick Lane. Grade II.

35 Buxton Street. Grade II.

333-335 (odd) Whitechapel Road. Grade II.

261 & 263 Whitechapel Road. Grade II.

265 & 267 Whitechapel Road. Grade II.

Trinity Green, Almshouses, Mile End Road, north side: 1- 10 Trinity Green and 22- 30 Trinity Green. Grade I.

29 Mile End Road. Grade II.

82- 84 (even) Mile End Road. Grade II.

90-110 (even) Mile End Road. Grade II.

Church of St Dunstan, Stepney High Street. Grade I.

1-10 Whitehorse Road (odd and even). Grade II.

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34-40 (even) Belgrave Street. Grade II.

50-52 (even) Belgrave Street. Grade II.

19-31 (odd) Barnes Street, West side. Grade II.

12-22 (even) Barnes Street. Grade II.

1-8 (odd and even) York Square. Grade II.

9-16 (odd and even) York Square. Grade II.

1A Flamborough Street. Grade II.

3-7 (odd and even) Flamborough Street. Grade II.

Hawthorn Cottage, 1 Flamborough Walk and Rose Cottage, Flamborough Walk. Grade II.

Devonshire Cottage, Flamborough Walk. Grade II.

Durham Villa, Flamborough Walk. Grade II.

8 Flamborough Street. Grade II.

16-21 (odd and even) Flamborough Street. Grade II.

22-24 (odd and even) Flamborough Street. Grade II.

683-691 (odd) Commercial Road. Grade II.

699-711 (odd) Commercial Road. Grade II.

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604-608 (even)  
Commercial Road. Grade II.

Commercial Road  
Bridge. Grade II.

Viaduct, Commercial  
Road. Grade II.

Accumulator Tower and  
Chimney, Mill Place  
(West side). Grade II.

Library on Commercial  
Road. Grade II.

Cannon Workshop, 3-5  
(odd) Cannon Drive.  
Grade II.

Cannon Workshop,  
92-116 (even) Cannon  
Drive. Grade II.

Cannon Workshop,  
135-167 (odd) Cannon  
Drive. Grade II.

West India Docks, Isle of  
Dogs. Grade I.

Poplar Dock, Preston's  
Road. Grade II.

Accumulator Tower,  
Poplar Dock, Preston's  
Road. Grade II.

110 Bow Road. Grade II.

Drapers Almshouses,  
Railway Way (formerly  
Priscilla Road). Grade II.

35-49 Arnold Road (odd  
and even) including area  
railings). Grade II.

2-22 (even) Fairfield  
Road. Grade II.

163 Bow Road. Grade II.

223 Bow Road. Grade II.

Bryant and May Factory,  
Main Building, Fairfield  
Road. Grade II.

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	London Transport Trolley Bus Depot (Bow Bus Garage). Grade II.
London Borough of Newham	North Woolwich Station, Pier Road. Grade II.
London Borough of Greenwich	Royal Brass Foundry, Plumstead Road. Grade I.
	Verbruggen's House, Plumstead Road. Grade II.
	Officers Quarters, Plumstead Road. Grade II.
	Royal Arsenal Middle Gate and attached boundary wall to the west.
	Royal Carriage Factory, Plumstead Road. Grade II.
	Royal Arsenal Middlegate House, Plumstead. Grade II.
	Council Depot (former electricity generating station), White Hart Road, Plumstead. Grade II.
	<hr/>
	(3) Anything which, by virtue of section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9), is treated as part of a building for the purposes of that Act shall be treated as part of the building for the purposes of this paragraph.
	(4) In this paragraph, “building” and “listed building” have the same meanings as in the Planning (Listed Buildings and Conservation Areas) Act 1990.
3	Section 59 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9) (acts causing or likely to result in damage to listed buildings) shall not apply to anything done in exercise of the powers conferred by this Act with respect to works.
	<i>Ancient monuments etc.</i>
4	(1) This paragraph has effect in relation to the Ancient Monuments and Archaeological Areas Act 1979 (c. 46).
	(2) Section 2 (control of works affecting scheduled monuments) shall not apply to any works authorised by this Act.



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- (3) The powers of entry conferred by section 6(1) (entry to ascertain condition of scheduled monument), section 6A(1) (entry to enforce control of works affecting scheduled monuments) and section 26 (entry to record matters of archaeological or historical interest) shall not be exercisable in relation to land used for or in connection with the carrying out of any of the works authorised by this Act.
- (4) The provisions of the Act with respect to the functions of a person as a guardian by virtue of the Act, and the provisions of any agreement under section 17 (agreement concerning ancient monuments and land in their vicinity), shall have effect subject to the powers conferred by this Act with respect to works.
- (5) Section 19 (public access to monuments under public control) shall not apply in relation to a monument which is closed by the nominated undertaker for the purposes of, in connection with or in consequence of the carrying out of any of the works authorised by this Act.
- (6) Regulations under section 19(3) or (4A) (which may include provision prohibiting or regulating any act or thing which would tend to injure or disfigure a monument or its amenities or disturb the public in their enjoyment of it) shall not apply to anything done in exercise of the powers conferred by this Act with respect to works.
- (7) The power conferred by section 19(6) (power to refuse admission to monuments under public control) shall not be exercisable so as to prevent or restrict the exercise of the powers conferred by this Act with respect to works.
- (8) In section 25 (treatment of ancient monuments)—
  - (a) subsection (2) (superintendence by the Historic Buildings and Monuments Commission for England) shall not authorise the superintendence of the carrying out of any of the works authorised by this Act, and
  - (b) subsection (3) (power of the Commission to charge for advice under subsection (1)) shall not apply in relation to advice given in connection with the carrying out of any of those works.
- (9) Section 28 (offence of damaging certain ancient monuments) shall not apply to anything done in exercise of the powers conferred by this Act with respect to works.
- (10) Section 35 (notice required of operations in areas of archaeological importance) shall not apply to operations carried out in exercise of the powers conferred by this Act with respect to works.
- (11) Section 39(1) (power to investigate in advance of operations notice any site which may be acquired compulsorily) shall have effect as if operations carried out in exercise of the powers conferred by this Act with respect to works were exempt works for the purposes of that provision.
- (12) Section 42(1) (prohibition on use of metal detectors in protected places without consent) shall not apply to the use of a metal detector for the purposes of or in connection with the exercise of the powers conferred by this Act with respect to works.
- (13) Section 42(3) (prohibition on removal without consent of object discovered by use of a metal detector in a protected place) shall not apply to the removal of objects discovered by the use of a metal detector for the purposes of or in connection with the exercise of the powers conferred by this Act with respect to works.

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- 5
- (1) The power of entry conferred by section 36(1) of the National Heritage Act 1983 (c. 47) (entry to obtain information about ancient monuments and historic buildings for the purposes of the records kept by the Historic Buildings and Monuments Commission for England) shall only be exercisable in relation to land used, or intended for use, for or in connection with the carrying out of any of the works authorised by this Act with the consent of the nominated undertaker, such consent not to be unreasonably withheld.
  - (2) Consent for the purposes of sub-paragraph (1) may be granted subject to compliance with any reasonable requirements or conditions imposed for reasons of safety or for the purpose of preventing interference with or delay to the works.
  - (3) Section 36(6) of the National Heritage Act 1983 (which, in relation to land on which works are being carried out, regulates the exercise of the right to enter land to obtain information about ancient monuments and historic buildings for the purposes of the records kept by the Historic Buildings and Monuments Commission for England) shall not apply in relation to land on which works authorised by this Act are being carried out.
  - (4) Any dispute under this paragraph shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the appropriate Ministers acting jointly.
  - (5) In sub-paragraph (4), “appropriate Ministers” means the Secretary of State for Transport and the Secretary of State for Culture, Media and Sport.

## SCHEDULE 10

Section 17

### HERITAGE: RIGHTS OF ENTRY

- 1
- (1) Any person duly authorised in writing by the Historic Buildings and Monuments Commission for England (“the Commission”) may at any reasonable time enter any land on which (or in or under which) a scheduled monument (within the meaning of the Ancient Monuments and Archaeological Areas Act 1979 (c. 46)) is situated—
    - (a) for the purpose of observing or advising upon the exercise in relation to the land of any of the powers conferred by paragraph 9 of Schedule 2 above, or
    - (b) for the purpose of inspecting, observing or advising upon the carrying out of any works on the land in exercise of any of the other powers conferred by this Act.
  - (2) Any person duly authorised in writing by the Commission may at any reasonable time enter any land in Greater London for the purpose of inspecting or observing the carrying out in relation to any building on the land of any decontrolled works.
  - (3) The right conferred by sub-paragraph (1) or (2) shall not be exercisable at a time when the nominated undertaker reasonably considers that it is not safe to exercise it.
  - (4) A person exercising the right conferred by sub-paragraph (1) or (2) shall comply with any directions given by the nominated undertaker for the purpose of securing compliance with relevant health and safety provisions.
  - (5) In this paragraph, “decontrolled works” means works to which section 7 or 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9) would apply, but for paragraph 1(1)(a), (3) or (4) or 2(1)(a) of Schedule 9 to this Act.

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- 2 (1) The nominated undertaker shall not carry out any decontrolled works consisting of the demolition of a building unless—
- (a) notice of the proposal to carry out the works has been given to the Commission, and
  - (b) the appropriate period since the giving of the notice has elapsed.
- (2) Subject to sub-paragraph (3), the appropriate period for the purposes of sub-paragraph (1)(b) is 8 weeks or such longer period as may have been agreed between the nominated undertaker and the Commission.
- (3) In case of emergency, the appropriate period for the purposes of sub-paragraph (1)(b) is such period as is reasonable in the circumstances.
- (4) In determining whether the appropriate period for the purposes of sub-paragraph (1)(b) has elapsed, there shall be disregarded any day on which entry to the building is refused under paragraph 3(2).
- (5) In this paragraph, “decontrolled works” means works to which section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 would apply, but for paragraph 1(1)(a) or (3) of Schedule 9 to this Act.
- 3 (1) Following the giving of a notice under paragraph 2(1) in relation to any building, any person duly authorised in writing by the Commission may, at any reasonable time during the inspection period, enter the building for the purpose of recording it.
- (2) The right conferred by sub-paragraph (1) shall not be exercisable at a time when the nominated undertaker reasonably considers that it is not safe to exercise it.
- (3) A person exercising the right conferred by sub-paragraph (1) shall comply with any directions given by the nominated undertaker for the purpose of securing compliance with relevant health and safety provisions.
- (4) For the purposes of sub-paragraph (1), the inspection period, in relation to a building which is the subject of a notice under paragraph 2(1), is the period beginning when the notice under that provision is given and ending when the prohibition under that provision ceases to apply to the building.

## SCHEDULE 11

Section 35

### APPLICATION OF OTHER RAILWAY LEGISLATION

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

- 1 The Highway (Railway Crossings) Act 1839 shall not apply to a railway authorised by this Act.

#### *Railway Regulation Act 1842 (c. 55)*

- 2 Section 9 of the Railway Regulation Act 1842 shall not apply to a railway authorised by this Act.

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

- 3 (1) The Railways Clauses Consolidation Act 1845, insofar as applicable for the purposes of this Act and not inconsistent with its provisions, is hereby incorporated with this Act.
- (2) The following provisions are excepted from incorporation by virtue of sub-paragraph (1)—
- sections 1, 7 to 9, 11 to 15, 17, 19, 20, 22, 23, 42, 47, 48, 59 to 62, 74, 75, 77 to 85, 87, 88, 94, 95 and 112 to 124.
- (3) In their application by virtue of sub-paragraph (1)—
- (a) section 2 shall have effect with the substitution for “so incorporated as aforesaid” of “incorporated”;
  - (b) section 6 shall have effect with the omission of the words “and to take lands for that purpose”, “taken or” and “for the value of the lands so taken or used, and”;
  - (c) sections 18 and 21 shall not apply in any case where the relations between the nominated undertaker and any other person are regulated by sections 84 and 85 of the New Roads and Street Works Act 1991 (c. 22) or Part 2 of Schedule 17 to this Act;
  - (d) section 68 shall have effect with the omission of the words from “Such and” to “formation thereof” and from “together with all necessary gates” to “all necessary stiles”.

*Railways Clauses Act 1863 (c. 92)*

- 4 (1) Part 1 of the Railways Clauses Act 1863, insofar as applicable for the purposes of this Act and not inconsistent with its provisions, is hereby incorporated with this Act.
- (2) The following provisions are excepted from incorporation by virtue of sub-paragraph (1)—
- sections 5 to 7 and 13 to 19.

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

- 5 For the purposes of the Railway Companies (Accounts and Returns) Act 1911, a person shall not be a railway company by virtue of working a railway authorised by this Act.

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

- 6 (1) Section 55 the British Transport Commission Act 1949 (penalty for trespass on railways etc.) shall also apply in relation to any railway, siding, tunnel, railway embankment, cutting or similar work constructed in exercise of the powers conferred by this Act.
- (2) Section 56 of that Act (penalty for stone throwing etc. on railways) shall also apply in relation to any railway or siding constructed in exercise of the powers conferred by this Act.

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*Miscellaneous*

- 7 (1) In their application to—
- (a) a Crossrail undertaker,
  - (b) Crossrail, or
  - (c) any train being used to provide services for the carriage of passengers or goods on Crossrail,

the enactments specified in column (1) of the following table (which create the offences broadly described in column (2) of the table) shall each have effect as if the maximum fine which may be imposed on summary conviction of any offence specified in the enactment were, instead of that specified in column (3) of the table, a fine not exceeding the level specified in column (4) of the table.

<i>(1)</i> <i>Enactment</i>	<i>(2)</i> <i>Description of offence</i>	<i>(3)</i> <i>Maximum fine otherwise applicable (level on standard scale)</i>	<i>(4)</i> <i>Maximum fine (level on standard scale)</i>
Section 16 of the Railway Regulation Act 1840 (c. 97).	Obstruction of officers of railway company or trespass upon railway.	Level 1	Level 3
Section 17 of the Railway Regulation Act 1842 (c. 55).	Misconduct of persons employed on railways.	Level 1	Level 3
The Regulation of Railways Act 1889 (c. 57)—			
section 5(1)	Failure to produce ticket, to pay fare or to give name and address.	Level 1	Level 2
section 5(3).	Travel with intent to avoid payment of fare.	Level 2	Level 3

- (2) In such application—
- (a) section 16 of the Railway Regulation Act 1840 (c. 97) shall have effect as if the court had, as an alternative to imposing a fine, the power to award imprisonment for a period not exceeding 51 weeks;
  - (b) section 5(2) of the Regulation of Railways Act 1889 (power to arrest passenger who fails to produce ticket and refuses to give his name and address) shall have effect as if after the word “refuses” there were inserted the words “ or fails ”.

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- (3) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003 (c. 44), the reference in subsection (2)(a) to 51 weeks shall be read as a reference to one month.
- (4) In this paragraph, “Crossrail undertaker” means a person who, under section 39, is the nominated undertaker for any purpose of section 1(1), so far as relating to Crossrail.

SCHEDULE 12

Section 36

TRANSFER SCHEMES

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SCHEDULE 13

Section 37

TRANSFER SCHEMES: TAX PROVISIONS

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SCHEDULE 14

Section 40

DISAPPLICATION AND MODIFICATION OF MISCELLANEOUS CONTROLS

*Ecclesiastical law*

- 1 (1) No obligation or restriction imposed under ecclesiastical law or otherwise in relation to consecrated land shall have effect to prohibit, restrict or impose any condition on the exercise of the powers conferred by this Act with respect to works.
- (2) Sub-paragraph (1) shall not apply in relation to the use of land comprised in a burial ground for the purpose of constructing any of the works authorised by this Act.

*Overground wires*

- 2 Nothing in the London Overground Wires &c. Act 1933 (c. xlv), or in any bye-law made under that Act, shall extend or apply to any wires or part of a wire erected or placed, proposed to be erected or placed, or for the time being

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maintained, by the nominated undertaker in exercise of the powers conferred by this Act.

*London Squares Preservation Act 1931*

- 3 (1) Nothing in section 3 of the London Squares Preservation Act 1931 (c. xciii) (protection of squares) shall have effect in relation to anything done for the purposes of or in connection with the exercise of any of the powers conferred by this Act with respect to works.
- (2) Nothing in any agreement under section 9 of that Act (agreements between local authority and owner of a protected square) shall have effect to prohibit, restrict or impose any condition on the exercise of the powers conferred by this Act with respect to works.

*London Building Acts (Amendment) Act 1939*

- 4 (1) The following provisions of the London Building Acts (Amendment) Act 1939 (c. xcvi) shall not apply to anything held by the Secretary of State or the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act—
- (a) Part 3 (construction of buildings and structures generally),
  - (b) Part 4 (construction of special and temporary buildings and structures), and
  - (c) Part 5 (means of escape in case of fire).
- (2) Sub-paragraph (1) shall not apply in relation to a building which is a house or a hotel or which is used as offices or showrooms and does not form part of a railway station.

*Coast works*

- 5 Section 34(1) of the Coast Protection Act 1949 (c. 74) (consent of Secretary of State required for works detrimental to navigation) shall not apply in relation to anything done within the limits of deviation for the scheduled works in exercise of the powers conferred by this Act in relation to those works, or any work in connection with them.

*Port of London Act 1968*

- 6 The following provisions of the Port of London Act 1968 (c. xxxii) shall not apply in relation to anything done for the purposes of or in connection with the exercise of any of the powers conferred by this Act with respect to works—
- (a) section 70 (prohibition of various activities in relation to works without a licence under section 66 of that Act), and
  - (b) section 73(3) (prohibition of dredging etc. of Thames without a licence).

*Highways, etc.*

- 7 (1) The following enactments (which control obstructions of the highway in connection with works relating to buildings) shall not apply to anything erected, placed or retained in, upon or over a highway for the purposes of or in connection with the exercise of any of the powers conferred by this Act with respect to works—

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(a) section 15(1) of the Greater London Council (General Powers) Act 1970 (c. lxxvi), and

(b) section 169(1) of the Highways Act 1980 (c. 66).

(2) Section 141 of the Highways Act 1980 (restriction on planting trees or shrubs in or near carriageway) shall not apply to any tree or shrub planted for the purposes of or in connection with the exercise of any of the powers conferred by this Act with respect to works.

(3) Section 167 of the Highways Act 1980 (powers relating to retaining walls near streets) shall not apply to any length of a retaining wall erected on land held by the Secretary of State or nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act.

(4) Nothing in section 8(2) to (5) of the Greater London Council (General Powers) Act 1986 (c. iv) (power of borough councils in relation to retaining walls supporting the carriageway or footway of certain highways) shall apply with respect to any retaining wall erected in exercise of the powers conferred by this Act.

#### *Building regulations*

8 (1) Nothing in Part 1 of the Building Act 1984 (c. 55) with respect to building regulations, and nothing in any building regulations, shall apply in relation to a building held by the Secretary of State or the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act.

(2) Sub-paragraph (1) shall not apply in relation to a building which is a house or a hotel or which is used as offices or showrooms and does not form part of a railway station.

(3) Any building to which sub-paragraph (2) applies shall be disregarded for the purposes of section 4(1)(b) of the Building Act 1984 (c. 55) (exception for certain buildings belonging to statutory undertakers).

#### *Deposits in the sea*

9 (1) Section 5 of the Food and Environment Protection Act 1985 (c. 48) (requirement for licences for deposit of substances and articles in the sea etc.) shall not apply to the deposit of substances and articles within the limits of deviation for Work No. 1/4A, 1/4B, 1/6A, 1/6B, 1/29, 1/38A or 1/38B in exercise of the powers conferred by this Act in relation to that work, or any work in connection with it.

(2) In the case of substances and articles which have been excavated or dredged, sub-paragraph (1) shall only apply to deposit in the course of use as a construction material.

#### *London lorries: general*

10 (1) This paragraph applies where an application for the issue of a permit under the London Lorry Ban Order is made under paragraph 11 or is otherwise expressed to be made in connection with the carrying out of authorised works.

(2) The application shall be granted if the issue of a permit is reasonably required—



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- (a) for the purpose of enabling authorised works to be carried out in a timely and efficient manner, or
    - (b) for the purpose of enabling authorised works to be carried out in accordance with approved arrangements.
  - (3) If the application is granted, no condition may be imposed which is likely to obstruct the carrying out of authorised works—
    - (a) in a timely and efficient manner, or
    - (b) in accordance with approved arrangements.
  - (4) If the applicant is aggrieved by a decision under sub-paragraph (2) or (3), he may appeal to the Secretary of State by giving notice in writing of the appeal to him, and to the authority whose decision is appealed against, within 28 days of notification of the decision.
  - (5) On an appeal under sub-paragraph (4), the Secretary of State may allow or dismiss the appeal or vary the decision of the authority whose decision is appealed against.
  - (6) If on an appeal under sub-paragraph (4) against a decision under sub-paragraph (3) the Secretary of State varies the decision, the variation shall have effect from and including the date on which the appeal was constituted or such later date as the Secretary of State may specify.
  - (7) The applicant may not challenge a decision under sub-paragraph (3) otherwise than by an appeal under sub-paragraph (4).
  - (8) In this paragraph—
    - “approved arrangements” means arrangements approved for the purposes of—
      - (a) paragraph 7 of Schedule 7, so far as relating to item 1 in the table in that paragraph, or
      - (b) paragraph 24 of that Schedule;
    - “authorised works” means works authorised by this Act;
    - “the London Lorry Ban Order” means the Greater London (Restriction of Goods Vehicles) Traffic Order 1985.
- London lorries: emergency permit*
- 11 (1) This paragraph applies where a person proposes to undertake a journey before the end of the next complete eight working days, being a journey—
  - (a) proposed to be undertaken in connection with the carrying out of authorised works, and
  - (b) for which a permit under the London Lorry Ban Order will be required.
- (2) The person may apply for a permit under the Order for the journey by giving the details mentioned in sub-paragraph (3) to the authority concerned by telephone or by means of facsimile transmission.
- (3) The details referred to above are—
  - (a) the identity of the applicant,
  - (b) a number on which he can be contacted by telephone or by means of facsimile transmission,
  - (c) the registration number of the vehicle to which the application relates,

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- (d) the authorised works in connection with which the journey is to be undertaken,
- (e) whether any approved arrangements are relevant to the application and, if so, what they are,
- (f) the date when the journey is proposed to be undertaken, and
- (g) if it is proposed to stop anywhere in Greater London for the purpose of making a delivery or collection, the place or places at which, and the time or times when, it is proposed to stop for that purpose.

(4) In this paragraph—

“approved arrangements”, “authorised works” and “the London Lorry Ban Order” have the same meanings as in paragraph 10;

“working day” means any day which is not a Saturday or Sunday, Christmas Day, Good Friday or a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971 (c. 80).

- 12 (1) An authority responsible for dealing with applications for permits under the London Lorry Ban Order shall make arrangements enabling applications under paragraph 11 to be made at any time.
- (2) Once an application for a permit has been made under paragraph 11, then, for the purpose of any relevant journey, the application shall be treated as granted subject to such conditions as the Secretary of State may by order specify for the purposes of this provision.
- (3) A journey is a relevant journey for the purposes of sub-paragraph (2) if it is begun before the authority to which the application is made has communicated its decision on the application to the applicant by telephone or by means of facsimile transmission.
- (4) The power to make an order under sub-paragraph (2) includes—
- (a) power to make different provision for different cases, and
  - (b) power to make an order varying or revoking any order previously made under that provision.
- (5) In this paragraph, “the London Lorry Ban Order” has the same meaning as in paragraph 10.

*Works under streets in Greater London*

- 13 The following provisions of the Greater London Council (General Powers) Act 1986 (c. iv)—
- (a) section 5(1) (consent of borough council required for demolition of works under a street),
  - (b) section 6(1) (consent of borough council required for works preventing access to premises under a street), and
  - (c) section 7(1) (consent of borough council required for infilling in premises under a street),
- shall not apply to anything done in exercise of the powers conferred by this Act with respect to works.

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*New Roads and Street Works Act 1991*

- 14 (1) The powers conferred by section 56(1) and (1A) of the New Roads and Street Works Act 1991 (c. 22) (powers to give directions as to the timing of proposed and subsisting street works) shall not apply in relation to works proposed to be, or being, carried out under the powers conferred by this Act.
- (2) Section 56A of that Act (power to give directions as to placing of apparatus) shall not apply in relation to the placing of apparatus in exercise of any of the powers conferred by this Act.
- (3) No restriction under section 58(1) of that Act (power to impose restriction on execution of street works in the twelve months following completion of substantial road works) shall have effect in relation to works carried out under the powers conferred by this Act.
- (4) Section 61(1) of that Act (under which the consent of the street authority is required for the placing of apparatus in a protected street) shall not apply to the placing of apparatus in exercise of any of the powers conferred by this Act.
- (5) Section 62(2) of that Act (power following designation of protected street to require removal or repositioning of apparatus already placed in the street) shall not apply in relation to apparatus placed in exercise of the powers conferred by this Act.
- (6) Section 62(4) of that Act (power when designation as protected street commences or ceases to give directions with respect to works in progress) shall not apply in relation to works being carried out under the powers conferred by this Act.
- (7) Section 63(1) of that Act (under which Schedule 4 to that Act has effect for requiring the settlement of a plan and section of street works to be executed in a street designated by the street authority as having special engineering difficulties) shall not apply in relation to works to be executed under the powers conferred by this Act.
- (8) The power conferred by section 73A(1) of that Act (power to require undertaker to re-surface street) may not be exercised in relation to an undertaker who is within subsection (2) of that section because of—
- (a) having given a notice in respect of works proposed to be carried out under the powers conferred by this Act, or
  - (b) executing, or having executed, works under those powers.
- (9) No contribution shall be payable under section 78A(1)(b) of that Act (contributions by other undertakers to costs incurred in executing works specified in a re-surfacing notice) because of the execution of works under the powers conferred by this Act.
- (10) Schedule 3A to that Act (restriction on works following substantial street works) shall not apply where a notice under section 54 (advance notice of certain works) or 55 (notice of starting date of works) of that Act is in respect of works to be executed under the powers conferred by this Act.
- (11) No notice under paragraph 2(1)(d) of that Schedule (power by notice to require notification of works which an undertaker proposes to carry out in a part of a highway to which a proposed restriction applies) shall have effect to require the notification of works proposed to be carried out under the powers conferred by this Act.

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- (12) No directions under paragraph 3 of that Schedule (directions as to the date on which undertakers may begin to execute proposed works) may be issued to the nominated undertaker.
- (13) Paragraph 3(4) of that Schedule (under which it is an offence for an undertaker to execute street works before the completion of certain other street works) shall not apply in relation to the execution of works under the powers conferred by this Act.
- (14) Paragraph 5(1) of that Schedule (effect of direction under paragraph 4 restricting further works) shall not apply in relation to the execution of works under the powers conferred by this Act.

*Water abstraction*

- 15 (1) The restriction imposed by section 24(1) of the Water Resources Act 1991 (c. 57) (restriction on abstraction of water) shall not apply in relation to the abstraction of water for the purposes of, or in connection with, the construction of the works authorised by this Act.
- (2) In this paragraph, “abstraction” has the same meaning as in the Water Resources Act 1991.

*Communication with public sewers in London*

- 16 Section 106(8) of the Water Industry Act 1991 (c. 56) (which qualifies the general right to communicate with the public sewers of a sewerage undertaker) shall not apply where the proposed communication involves a drain or sewer serving Crossrail.

*Party Wall etc. Act 1996*

- 17 (1) No notice under section 1(2) or (5) of the Party Wall etc. Act 1996 (c. 40) (notice before building on line of junction with adjoining land) shall be required before the building of any wall in exercise of the powers conferred by this Act.
- (2) Sections 1(6) and 2 of the Party Wall etc. Act 1996 (rights of adjoining owners) shall not have effect to confer rights in relation to—
  - (a) anything held by the Secretary of State or the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act, or
  - (b) land on which there is any such thing.
- (3) Section 6 of the Party Wall etc. Act 1996 (underpinning of adjoining buildings) shall not apply in relation to a proposal to excavate, or excavate for and erect anything, in exercise of the powers conferred by this Act.

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## SCHEDULE 15

Section 41

### BURIAL GROUNDS: REMOVAL OF HUMAN REMAINS AND MONUMENTS

#### *Notice of removal*

- 1
- (1) Before removing from the land in question any remains or any monument to the deceased, the nominated undertaker shall—
    - (a) publish in each of two successive weeks in a newspaper circulating in the area where the land is situated, and
    - (b) at the same time leave displayed in a conspicuous place on or near the land, a notice complying with sub-paragraph (2).
  - (2) A notice under sub-paragraph (1) shall—
    - (a) identify the land to which it relates,
    - (b) set out in general terms the effect of paragraphs 2 to 5,
    - (c) state where, and in what form, an application under paragraph 2(1) may be made, and
    - (d) state how the nominated undertaker proposes to carry out its functions under this Schedule with respect to the disposal of the remains or monument.
  - (3) No notice shall be required under sub-paragraph (1) before the removal of any remains or any monument to the deceased where the Secretary of State notifies the nominated undertaker that he is satisfied—
    - (a) that the remains were interred more than 100 years ago, and
    - (b) that no relative or personal representative of the deceased is likely to object to the remains or monument being removed in accordance with this Schedule.
  - (4) No notice shall be required under sub-paragraph (1) before the removal of any remains or any monument to the deceased if—
    - (a) there is in force under section 25 of the Burial Act 1857 (c. 81) (bodies not to be removed from burial grounds without licence of the Secretary of State) a licence relating to the remains, and
    - (b) the holder of the licence is the nominated undertaker or a body corporate which is a member of the same group as the nominated undertaker.
  - (5) In sub-paragraph (4)(b), “group” means a body corporate and all other bodies corporate which are its subsidiaries within the meaning of the Companies Act 1985 (c. 6).

#### *Removal of remains*

- 2
- (1) In the case of remains in relation to which paragraph 1(1) applies, the nominated undertaker shall issue a licence for the removal of the remains if—
    - (a) it receives an application in writing from a relative or personal representative of the deceased, and
    - (b) the application is received before the end of the 56 days after the day on which notice relating to the remains is first published under paragraph 1(1) (a).

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- (2) In the case of remains in relation to which paragraph 1(3) applies, the nominated undertaker shall issue a licence for the removal of the remains if—
- (a) it receives an application in writing from a relative or personal representative of the deceased, and
  - (b) the application is received before the nominated undertaker has removed the remains under paragraph 3(1).
- (3) For the purposes of sub-paragraphs (1) and (2), a person shall be taken to be a relative or personal representative of the deceased if the nominated undertaker is satisfied that he is or the county court has declared that he is.
- (4) A licensee under this paragraph may remove the remains to which the licence relates and reinter them elsewhere or cremate them.
- (5) The reasonable costs of removal and reinterment or cremation under this paragraph shall be paid by the nominated undertaker.
- (6) An application for a declaration for the purposes of sub-paragraph (3) shall be made to the county court for the district in which the remains are interred.
- (7) In this paragraph, references to a relative of the deceased are to a person who—
- (a) is a husband, wife, parent, grandparent, child or grandchild of the deceased, or
  - (b) is, or is a child of, a brother, sister, uncle or aunt of the deceased.
- 3 (1) In the case of remains in relation to which paragraph 1(1) or (3) applies, the nominated undertaker may remove the remains unless—
- (a) it is required under paragraph 2(1) or (2) to issue a licence for their removal, or
  - (b) not more than 28 days have passed since the issue under that provision of such a licence.
- (2) In the case of remains in relation to which paragraph 1(4) applies, the nominated undertaker may remove the remains and, if it does so, shall be treated for the purposes of this Act as acting under this paragraph and not under the licence under the Burial Act 1857 (c. 81).
- (3) The nominated undertaker shall reinter any remains removed under this paragraph in a burial ground or cremate them in a crematorium.

#### *Removal of monuments*

- 4 (1) Where a licence to remove any remains is issued under paragraph 2(1) or (2), the licensee may remove from the land any monument to the deceased and re-erect it elsewhere or otherwise dispose of it.
- (2) The reasonable costs of removal and re-erection under sub-paragraph (1) shall be paid by the nominated undertaker.
- 5 (1) Where the nominated undertaker removes any remains under paragraph 3, it may also remove from the land any monument to the deceased.
- (2) Where any remains are removed under a licence under paragraph 2(1) or (2), the nominated undertaker may remove from the land any monument to the deceased which is not removed by the licensee within 28 days of the issue of the licence.

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- (3) Where any remains are removed under a licence under section 25 of the Burial Act 1857, the nominated undertaker may remove from the land any monument to the deceased which is not removed by the licensee.
- (4) The nominated undertaker may remove any monument removed under this paragraph to the place, if any, where the remains of the deceased are interred or to some other appropriate place.
- (5) The nominated undertaker shall break and deface any monument removed under this paragraph which is not dealt with under sub-paragraph (4).

#### *Records*

- 6 (1) Where any remains are removed under this Schedule, the nominated undertaker shall, within two months of the removal, provide the Registrar General with a certificate which—
  - (a) identifies the remains, so far as practicable,
  - (b) states the date on which, and the place from which, the remains were removed, and
  - (c) states the date and place of reinterment or cremation.
- (2) Where any monument is removed under this Schedule, the nominated undertaker shall, within two months of the removal—
  - (a) deposit with the local authority in whose area the monument was situated prior to the removal a record which—
    - (i) identifies the monument,
    - (ii) gives any inscription on it,
    - (iii) states the date on which, and the place from which, it was removed, and
    - (iv) states the place, if any, to which it was moved or how it was disposed of, and
  - (b) provide the Registrar General with a copy of the record deposited under paragraph (a).
- (3) The nominated undertaker may require any person who removes remains or a monument under this Schedule to provide it with any information about the remains or monument removed which it needs to comply with sub-paragraph (1) or (2).
- (4) In sub-paragraph (2)(a), “local authority” means—
  - (a) in relation to a monument that was situated in the area of a unitary authority, that authority, and
  - (b) in relation to a monument that was not situated in the area of a unitary authority, the district council for the area.

#### *Supplementary*

- 7 (1) Where the nominated undertaker removes remains in relation to the removal of which a licence has been granted under paragraph 2(1) or (2), it shall carry out in accordance with the reasonable requests of the licensee—
  - (a) its functions under paragraph 3 with respect to disposal of the remains, and
  - (b) if it removes any monument to the deceased, the functions under paragraph 5 with respect to disposal of the monument.

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- (2) The Secretary of State may give such directions as he thinks fit with respect to the carrying out of any function under this Schedule.
- (3) No licence shall be required under section 25 of the Burial Act 1857 (c. 81) for the removal under this Schedule of any remains.
- (4) Nothing in any enactment relating to burial grounds and no obligation or restriction imposed under ecclesiastical law or otherwise shall have effect to prohibit, restrict or impose any condition on the removal under this Schedule of any remains or monument.

## SCHEDULE 16

Section 49

### REINSTATEMENT OF DISCONTINUED FACILITIES

#### *Power to reinstate*

- 1 (1) The nominated undertaker may within the limits of deviation for the scheduled works or within the limits of land to be acquired or used reinstate facilities whose operation or use is discontinued because of the exercise of power conferred by this Act.
- (2) The power under sub-paragraph (1) includes power to carry out works for the purpose of or in connection with reinstatement.
- (3) Where the power under sub-paragraph (1) is exercised for the purpose of reinstating facilities temporarily, it may be further exercised for the purpose of reinstating them permanently.
- (4) Reinstatement under sub-paragraph (1) need not be on the site where the facilities were situated prior to discontinuation.

#### *Planning conditions*

- 2 (1) This paragraph has effect in relation to development authorised by paragraph 1.
- (2) The Secretary of State may by directions provide that a requirement specified in the directions shall in the case of development so specified be a condition of the deemed planning permission.
- (3) If it appears to the Secretary of State that it is appropriate to do so in consequence of directions under sub-paragraph (2), he may by directions—
  - (a) disapply Part 2 or 3 of Schedule 7 in relation to the development to which the directions under sub-paragraph (2) relate, or
  - (b) provide for that Part to have effect in relation to that development with such modifications as he may specify in the directions.
- (4) Directions under sub-paragraph (2) or (3) may—
  - (a) be given after, as well as before, commencement of the development to which they relate;
  - (b) cancel or vary previous directions under that sub-paragraph;
  - (c) include transitional provision or savings.



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- (5) The Secretary of State shall—
  - (a) publish any directions under sub-paragraph (2) or (3) in such manner as he thinks appropriate, and
  - (b) give copies of any such directions to the owners and occupiers of the land to which the deemed planning permission relates and to the relevant planning authority.
- (6) The reference in sub-paragraph (5)(b) to the relevant planning authority is—
  - (a) in the case of directions relating to development in the area of a unitary authority, to the local planning authority;
  - (b) in the case of directions relating to development not in the area of a unitary authority, to the district planning authority.
- (7) Section 78 of the Town and Country Planning Act 1990 (c. 8) (right to appeal against planning decisions and failure to take such decisions) shall apply in relation to an application for any consent, agreement or approval required by a condition imposed by directions under sub-paragraph (2) as it applies in relation to an application for any consent, agreement or approval required by a condition imposed on a grant of permission under Part 3 of that Act.
- (8) In this paragraph—
  - “deemed planning permission” means the planning permission deemed by section 10 to be granted;
  - “development” has the same meaning as in the Town and Country Planning Act 1990.

SCHEDULE 17

Section 50

PROTECTIVE PROVISIONS

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**Status:**

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