These notes refer to the Crossrail Act 2008 (c.18)

## **EXPLANATORY NOTES**

## CROSSRAIL ACT 2008

**INTRODUCTION** 

### SUMMARY AND BACKGROUND

**HYBRIDITY** 

#### **OVERVIEW OF THE STRUCTURE**

## COMMENTARY ON SECTIONS AND SCHEDULES

## Works

Section 1: Construction and maintenance of scheduled works

Section 2: Works: further and supplementary provisions

Section 3: Highways

Section 4: Overhead lines

## Land

Section 5: Temporary possession and use

Section 6: Acquisition of land within limits shown on deposited plans

Section 7: Acquisition of land not subject to the power under section 6(1)

Section 8: Extinguishment of private rights of way

Section 9: Extinguishment of rights of statutory undertakers etc.

### Planning

Section 10: Planning: general

Section 11: Permitted development: time limit

Section 12: Fees for planning applications

Section 13: Power to disapply section 10(1)

Section 14: EIA regulations: replacement development

Section 15: Extension of permitted development rights

#### Heritage

Section 16: Disapplication and modification of controls

Section 17: Rights of entry

### Trees

Section 18: Power to deal with trees on neighbouring land

Section 19: Disapplication of controls

#### Noise

Section 20: Control of construction sites: appeals

Section 21: Proceedings in respect of statutory nuisance: defence

### **Railway matters**

Section 22: Objective of ORR in relation to Crossrail

Section 23: Duty of ORR to publish reports

Section 24: Licensing

Section 25: Award of Crossrail franchises to public-sector operators

Section 26: Disapplication of franchising and access exemptions

Section 27: Closures

Section 28: Key system assets

Section 29: Power to designate persons as "protected railway companies"

Section 30: Duty to co-operate

Section 31: Arbitration after referral under section 30(3)

Section 32: Arbitration under section 30(3): multiple proceedings

Section 33: Transfer of functions relating to works

Section 34: Application of section 122 of the Railways Act 1993

Section 35: Application of other railway legislation

### Miscellaneous and general

Section 36: Transfer schemes

Section 37: Transfer schemes : tax provisions

Section 38: Application of the Greater London Authority Act 1999

Section 39: Holder of functions of nominated undertaker

Section 40: Disapplication and modification of miscellaneous controls

Section 41: Burial grounds

Section 42: Application of landlord and tenant law

Section 43: Disposal of Crown land

Section 44: Prohibition or restrictions on land use imposed for Crossrail purposes

Section 45: Compensation for injurious affection

Section 46: Compensation for water abstraction

Section 47: Temporary possession agreements

Section 48: Application of Act to extensions

Section 49: Reinstatement of discontinued facilities

Section 50: Protection of interests

Section 51: Power to devolve functions of Secretary of State

Section 52: Correction of deposited plans

Section 53: Service of documents

Section 54: Arbitration

Section 55: "Deposited plans", "deposited sections"

#### **COMMENTARY ON SCHEDULES**

Schedule 1 – Scheduled works

Schedule 2 - Works: further and supplementary provisions

Schedule 3 – Highways

Schedule 4 - Overhead lines: consent

Schedule 5 - Temporary possession and use of land

Schedule 6 – Acquisition of land shown within limits on deposited plans

# PART 1 – PURPOSES FOR WHICH CERTAIN LAND MAY BE ACQUIRED

# PART 2 – APPLICATION OF LEGISLATION RELATING TO COMPULSORY PURCHASE

## **PART 3 – SUPPLEMENTARY PROVISIONS**

Schedule 7 – Planning Conditions

### **PART 1 – QUALIFYING AUTHORITIES**

### PART 2 – DEVELOPMENT IN THE AREA OF A UNITARY AUTHORITY

# PART 3 – DEVELOPMENT NOT IN THE AREA OF A UNITARY AUTHORITY

### PART 4 – SUPPLEMENTARY

Schedule 8 – Extension of Permitted Development Rights: supplementary provisions

Schedule 9 – Heritage: disapplication and modification of controls

Schedule 10 – Heritage: rights of entry

Schedule 11 – Application of other railway legislation

Schedule 12 – Transfer schemes

### PART 1 – TRANSFERS FROM CROSS LONDON RAIL LINKS LIMITED AND ITS SUBSIDIARIES

### PART 2 – TRANSFERS FROM THE GREATER LONDON AUTHORITY, TRANSPORT FOR LONDON, THE LONDON DEVELOPMENT AGENCY AND THEIR SUBSIDIARIES

# PART 3 – TRANSFERS FROM THE SECRETARY OF STATE AND COMPANIES OWNED BY SECRETARY OF STATE

## PART 4 – GENERAL PROVISIONS ABOUT TRANSFER SCHEMES

Schedule 13 – Transfer schemes : tax provisions (tax provisions relating to transfer schemes)

Schedule 14 - Disapplication and modification of miscellaneous controls

Schedule 15 - Burial grounds: removal of human remains and monuments

Schedule 16 - Reinstatement of discontinued facilities

Schedule 17 - Protective provisions

### PART 1 – PROTECTION FOR HIGHWAYS AND TRAFFIC

PART 2 – PROTECTION FOR ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

PART 3 – PROTECTION OF LAND DRAINAGE, FLOOD DEFENCE, WATER RESOURCES AND FISHERIES

**PART 4 – PROTECTION OF ELECTRONIC COMMUNICATIONS CODE NETWORKS** 

PART 5 – PROTECTION OF BRITISH WATERWAYS BOARD

### PART 6 - PROTECTION OF PORT OF LONDON AUTHORITY

**TERRITORIAL EXTENT** 

COMMENCEMENT

## **KEY DATES**