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STATUTORY INSTRUMENTS

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**2001 No. 3682**

The London Underground (East London  
Line Extension) (No. 2) Order 2001

PART I

PRELIMINARY

**Citation and commencement**

1. This Order may be cited as the London Underground (East London Line Extension) (No. 2) Order 2001 and shall come into force on 9th November 2001.

**Interpretation**

2.—(1) In this Order, unless the context otherwise requires—

“the 1845 Act” means the Railways Clauses Consolidation Act 1845(1);

“the 1961 Act” means the Land Compensation Act 1961(2);

“the 1965 Act” means the Compulsory Purchase Act 1965(3);

“the 1973 Act” means the Land Compensation Act 1973(4);

“the 1981 Act” means the Acquisition of Land Act 1981(5);

“the 1990 Act” means the Town and Country Planning Act 1990(6);

“the 1991 Act” means the New Roads and Street Works Act 1991(7);

“the 1992 Act” means the Transport and Works Act 1992(8);

“authorised works” means the scheduled works and any other works authorised by this Order;

“the book of reference” means the book of reference certified by the Secretary of State as “the book of reference” for the purposes of this Order;

“the Company” means London Underground Limited;

“the deposited plans” means the plans certified by the Secretary of State as “the plans” for the purposes of this Order and references to land shown on those plans are references to land so shown in pursuance of rule 7(3) of the Transport and Works (Applications and Objections Procedure) Rules 1992;

“the deposited sections” means the sections certified by the Secretary of State as “the sections” for the purposes of this Order;

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(1) 1845 c. 20.  
(2) 1961 c. 33.  
(3) 1965 c. 56.  
(4) 1973 c. 26.  
(5) 1981 c. 67.  
(6) 1990 c. 8.  
(7) 1991 c. 22.  
(8) 1992 c. 42.

“enactment” includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“footpath”, “highway” and “highway authority” have the same meaning as in the Highways Act 1980<sup>(9)</sup>;

“the limits” means the limits of deviation, the lines marked “Limit of Land to be Acquired or Used” and the lines marked “Limit of Land to be Temporarily Used” shown on the deposited plans;

“the limits of deviation” in relation to a work, means the lines marked “Limit of Deviation” shown on the deposited plans;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and “maintenance” shall be construed accordingly;

“owner”, in relation to land, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of land (whether in possession or reversion) and includes a person holding, or entitled to the rents and profits of, the land under a lease or tenancy having an unexpired term exceeding 3 years;

“Railtrack” means Railtrack PLC;

“the scheduled works” means the works specified in Schedule 1 to this Order;

“street” includes part of a street;

“street authority”, in relation to a street, has the same meaning as in Part III of the 1991 Act;

“the tribunal” means the Lands Tribunal; and

“vehicle” has the same meaning as in section 99(5) of the Road Traffic Regulation Act 1984<sup>(10)</sup>.

(2) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on, or in the air-space over its surface.

(3) All directions, distances and lengths stated in any description of works, powers or lands shall be construed as if the words “or thereabouts” were inserted after each such direction, distance and length and distances between points on a railway shall be taken to be measured along the railway.

(4) Any reference in this Order to a work identified by the number of the work shall be construed as a reference to the work of that number authorised by this Order.

(5) References in this Order to points identified by letters, with or without numbers, shall be construed as references to the points so lettered on the deposited plans.

### **Incorporation of Railways Clauses Acts**

**3.—**(1) The following provisions of the 1845 Act shall be incorporated in this Order—

section 46 (crossing of roads—level crossings—bridges), except for the words from “Provided always” to the end;

section 58 (company to repair roads used by them), except for the words from “and if any question” to the end;

section 68 (accommodation works by company);

section 71 (additional accommodation works by owners), except for the words “or directed by such justices to be made by the company” and “or, in case of difference, as shall be authorised by two justices”;

sections 72 and 73 (supplementary provisions relating to accommodation works);

<sup>(9)</sup> 1980 c. 66.

<sup>(10)</sup> 1984 c. 27.

section 77 (presumption that minerals excepted from acquisition of land);  
sections 78 to 85E and Schedules 1 to 3 (minerals under railways), as respectively substituted and inserted by section 15 of the Mines (Working Facilities and Support) Act 1923<sup>(11)</sup>;  
sections 103 and 104 (refusal to quit carriage at destination);  
section 105 (carriage of dangerous goods on railway);  
section 145 (recovery of penalties); and  
section 154 (transient offenders).

(2) The following provision of the Railways Clauses Act 1863<sup>(12)</sup> shall be incorporated in this Order—

section 12 (signals, watchmen etc.).

(3) In those provisions, as incorporated in this Order—

“the company” means the Company;

“goods” includes any thing conveyed on the railways authorised to be constructed by this Order;

“lease” includes an agreement for a lease;

“prescribed”, in relation to any such provision, means prescribed by this Order for the purposes of that provision;

“the railway” means any railway authorised to be constructed by this Order and, except where the context otherwise requires, any other authorised works;

“the special Act” means this Order; and

“toll” includes any rate or charge or other payment payable under this Order or any other enactment for any passenger or goods conveyed on any railway authorised to be constructed by this Order.

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<sup>(11)</sup> 1923 c. 20.

<sup>(12)</sup> 1863 c. 92.