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STATUTORY INSTRUMENTS

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**2007 No. 2297**

**The Docklands Light Railway (Capacity Enhancement  
and 2012 Games Preparation) Order 2007**

**PART 2**

WORKS PROVISIONS

*Principal powers*

**Power to construct and maintain works**

5.—(1) DLRL may construct and maintain the scheduled works.

(2) Subject to article 6 (power to deviate), the scheduled works shall be constructed in the lines or situations shown on the deposited plans and in accordance with the levels shown on the deposited sections.

(3) DLRL may carry out and maintain on the land specified in column (1) and (2) of Schedule 2, the works specified in relation to that land in column (3) of that Schedule together with all necessary works and facilities in connection therewith.

(4) Subject to paragraph (6), and without prejudice to any other powers available to it under any other enactment, DLRL may from time to time carry out and maintain such of the following works as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the authorised works, namely—

- (a) works to alter the position of apparatus, including mains, sewers, drains, pipes, cables and street furniture;
- (b) works to erect and construct such engines, passenger lifts, machinery, apparatus and other works and facilities as DLRL thinks fit;
- (c) works to provide and extend all such approaches, bridges, subways, interchanges, roundabouts, turning places, passages, areas of access and staging as DLRL thinks fit;
- (d) junctions and communications (including the provision of steps or ramps for the use of persons on foot) with any highway or access way interfered with by, or contiguous with, any of those works, and widen or alter any highway or access way for the purposes of connecting it with any of those works or another highway, or of crossing under or over the highway or access way;
- (e) works to carry out viaduct strengthening and pile strengthening;
- (f) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses;
- (g) landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the authorised works;
- (h) works for the benefit or protection of land or premises affected by the authorised works;  
and

- (i) works to discontinue the above mentioned works or any of them and substitute others in their place.
- (5) Subject to paragraph (6), DLRL may from time to time carry out and maintain such other works (of whatever nature) as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the authorised works.
- (6) The works specified in paragraphs (4) and (5) may only be carried out—
  - (a) within the limits of deviation for the scheduled works shown on the deposited plans;
  - (b) on land specified in columns (1) and (2) of Schedule 2 in connection with authorised works specified in relation to that land in column (3) of that Schedule; and
  - (c) on land specified in columns (1) and (2) of Schedule 7 in connection with the authorised works specified in relation to that land in column (4) of that Schedule.
- (7) In constructing the scheduled works, DLRL may do either or both of the following—
  - (a) use such parts of the original viaducts as it may require for purposes of the scheduled works or for any purposes connected with or ancillary to its railway undertaking;
  - (b) take down and remove such parts of the original viaducts as DLRL does not require.
- (8) The following enactments shall not apply to anything done under or in pursuance of this Order—
  - (a) section 109 of the Water Resources Act 1991(1);
  - (b) section 23 of the Land Drainage Act 1991(2);
  - (c) section 13 of the 1994 Act; and
  - (d) any byelaws made under the above Acts.
- (9) In this article—
  - (a) “the original viaducts” means—
    - (i) that part of the existing railway viaduct carrying the Bank to Canary Wharf Railway within the Order limits; and
    - (ii) that part of the existing railway viaduct carrying the Poplar to Canary Wharf Railway within the Order limits; and
  - (b) “watercourse” has the same meaning as in the Land Drainage Act 1991.

### **Power to deviate**

- 6.—(1) In constructing or maintaining the scheduled works, DLRL may—
  - (a) deviate laterally from the lines or situations shown on the deposited plans within the limits of deviation relating to that work shown on those plans; and
  - (b) deviate vertically from the levels shown on the deposited sections to any extent not exceeding 0.5 metres upwards or downwards.
- (2) Without prejudice to the generality of paragraph (1), in constructing or maintaining the scheduled works DLRL may, to the extent that it thinks fit—
  - (a) deviate from their points of commencement and termination shown on the deposited plans; and
  - (b) in relation to any intended viaduct, gantry or other structure or apparatus above ground level, deviate from the design shown on the deposited sections as it thinks fit, including

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(1) 1991 c. 57.

(2) 1991 c. 59.

by varying the number of any supporting piers, columns or other structures, the distances between them and the height or clearance above the level of the ground.