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STATUTORY INSTRUMENTS

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**2007 No. 2657**

**The London Gateway Logistics and  
Commercial Centre Order 2007**

**PART 1**

PRELIMINARY

**Incorporation of the Railways Clauses Consolidation Act 1845**

4.—(1) The following provisions of the Railways Clauses Consolidation Act 1845<sup>(1)</sup> shall be incorporated in this Order—

- section 46 (crossings of roads-level crossings);
- section 47 (provision in cases where roads are crossed on a level)<sup>(2)</sup>;
- section 58 (company to repair roads used by them) except for the words from “and if any question” to the end;
- section 61 (company to make sufficient approaches and fences to highways crossing on the level);
- 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 the case of difference, as shall be authorised by two justices”;
- sections 72 and 73 (supplementary provisions relating to accommodation works);
- section 75 (omission to fasten gates)<sup>(3)</sup>;
- 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>(4)</sup>;
- section 105 (carriage of dangerous goods on railway);
- section 145 (recovery of penalties); and
- section 154 (transient offenders).

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

- “the company” means the Promoter;
- “goods” includes anything conveyed on the railways authorised to be constructed by this Order;
- “prescribed”, in relation to any such provision, means prescribed by this Order for the purposes of that provision;

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(1) 1845 c. 20.

(2) Amended by Criminal Law Act 1977 (1977 c. 45) s. 31(6) and Criminal Justice Act 1982 (1982 c. 48) ss. 37 and 46.

(3) Amended by the Transport and Works Act 1992 (1992 c. 42) s. 49.

(4) 1923 c. 20.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“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.

(3) In section 46 of the said Act of 1845, as incorporated in this Order, for the proviso there shall be substituted the words “Provided always that, with the consent of the highway authority and subject to such conditions as the highway authority may reasonably impose, the railway may be carried across a highway on the level.”.