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STATUTORY INSTRUMENTS

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**2009 No. 2364**

**TRANSPORT AND WORKS, ENGLAND**  
**TRANSPORT, ENGLAND**

The London Underground (Victoria  
Station Upgrade) Order 2009

*Made* - - - - - *28th August 2009*

*Coming into force* *18th September 2009*

THE LONDON UNDERGROUND (VICTORIA  
STATION UPGRADE) ORDER 2009

PART 1

1. Citation and commencement
2. Interpretation
3. Application of the 1991 Act

PART 2

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9. Temporary stopping up and diversion of streets
10. Access to works
11. Construction and maintenance of altered or diverted streets
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14. Protective works to buildings
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Signature

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## SCHEDULES

### SCHEDULE 1 — SCHEDULED WORKS

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### SCHEDULE 4 — STREETS TO BE TEMPORARILY STOPPED UP

### SCHEDULE 5 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

#### *Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without prejudice to the generality of paragraph 1, the...

#### *Application of the 1965 Act*

3. (1) The 1965 Act shall have effect with the modifications...
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) shall...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

### SCHEDULE 6 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

### SCHEDULE 7 — LAND OF WHICH ONLY SUBSOIL MORE THAN 4.5 METRES BENEATH SURFACE MAY BE ACQUIRED

### SCHEDULE 8 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.

#### *Apparatus of statutory undertakers, etc., on land acquired*

1. (1) Subject to the following provisions of this paragraph, sections...

#### *Apparatus of statutory undertakers, etc., in stopped up streets*

2. (1) Where a street is stopped up under article 8...

### SCHEDULE 9 — FOR PROTECTION OF NETWORK RAIL

1. The following provisions of this Schedule shall have effect, unless...
2. In this Schedule— “construction” includes execution, placing, alteration and reconstruction...
3. (1) Where under this Schedule Network Rail is required to...
4. (1) The Company shall not exercise the powers conferred by...
5. (1) The Company shall before commencing construction of any specified...
6. (1) Any specified work and any protective works to be...
7. The Company shall— (a) at all times afford reasonable facilities...

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8. Network Rail shall at all times afford reasonable facilities to...
9. (1) If any permanent or temporary alterations or additions to...
10. The Company shall repay to Network Rail all reasonable fees,...
11. If at any time after the completion of a specified...
12. Any additional expenses which Network Rail may reasonably incur in...
13. (1) The Company shall pay to Network Rail all reasonable...
14. Network Rail shall, on receipt of a request from the...
15. In the assessment of any sums payable to Network Rail...
16. The Company and Network Rail may, subject in the case...
17. The Company shall no later than 28 days from the...

#### SCHEDULE 10 — FOR PROTECTION OF SPECIFIED UNDERTAKERS

##### *Interpretation*

1. In this Schedule—“apparatus” means— in the case of a...

##### *Application of Schedule 8*

2. Paragraphs 1(1) and 2 of Schedule 8 (provisions relating to...

##### *Apparatus in stopped up streets*

3. Where any street is stopped up under article 8 (stopping...
4. The Company shall give not less than 28 days’ notice...

##### *On-street apparatus*

5. This Schedule shall not apply to anything done or proposed...

##### *Acquisition of land*

6. The Company shall not acquire any apparatus from a specified...
7. The Company may in exercise of the powers conferred by...

##### *Removal of apparatus*

8. Paragraphs 9 to 12 apply where— (a) the Company requires...
9. The Company shall, if it is practicable to do so,...
10. The obligation imposed upon the specified undertaker by paragraph 9...
11. Any alternative apparatus to be constructed by the specified undertaker...
12. The specified undertaker shall, after the manner of construction and...

##### *Removal of apparatus and construction of alternative apparatus by the Company*

13. Paragraphs 14 to 16 apply to so much of the...
14. If the Company gives notice in writing to the specified...
15. In carrying out any work under paragraph 14 the Company...
16. Nothing in paragraph 14 shall authorise the Company to carry...

##### *Facilities and rights for alternative apparatus*

17. Where, in accordance with the provisions of this Schedule, the...
18. In determining the terms and conditions mentioned in paragraph 17...
19. If the facilities and rights to be afforded by the...

*Retained apparatus: protection and plan approval*

20. Not less than 56 days before commencing to construct or...
21. In relation to a work which is a specified work...
22. The Company shall not commence the construction or renewal of...
23. Any approval of the specified undertaker required under paragraph 22—...
24. In relation to a work to which paragraph 21 applies,...
25. A specified work shall be constructed (and in the case...
26. If within 42 days after the submission to it of...
27. Nothing in paragraph 20 or 26 shall preclude the Company...
28. The Company shall not be required to comply with paragraph...
29. Nothing in paragraph 28 shall entitle the Company to carry...

*Co-operation*

30. Where in consequence of the proposed construction of any of...

*Access*

31. If in consequence of the exercise of the powers conferred...

*Expenses*

32. Subject to the provisions of the following paragraphs of this...
33. There shall be deducted from any sum payable under paragraph...
34. If in pursuance of the provisions of this Schedule—
35. For the purposes of paragraph 34— (a) an extension of...
36. An amount which apart from this paragraph would be payable...
37. In any case where work is carried out by the...

*Indemnity*

38. If, by reason or in consequence of the construction, maintenance...
39. Nothing in paragraph 38 shall impose any liability on the...
40. The specified undertaker shall give to the Company reasonable notice...

*Exercise of safeguarding and survey powers*

41. The Company shall, so far as is reasonably practicable, so...
42. The Company shall not, in the exercise of the powers...

*Arbitration*

43. Any difference arising between the Company and a specified undertaker...

*Notices*

44. Any notice in writing to be given by the Company...

SCHEDULE 11 — TRAFFIC REGULATION

Explanatory Note