

---

STATUTORY INSTRUMENTS

---

**2017 No. 830**

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

The London Overground (Barking  
Riverside Extension) Order 2017

*Made* - - - - - *15th August 2017*

*Coming into force* *5th September 2017*

**THE LONDON OVERGROUND (BARKING  
RIVERSIDE EXTENSION) ORDER 2017**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Application, modification and exclusion of legislative provisions relating to street works

PART 2

WORKS PROVISIONS

*Principal powers*

4. Power to construct and maintain works
5. Power to deviate

*Streets*

6. Power to alter layout, etc., of streets
7. Power to keep apparatus in streets
8. Power to execute street works
9. Stopping up of streets
10. Temporary stopping up and diversion of streets
11. Access to works
12. Agreements with street authorities
13. Use of private roads for construction

*Status:* This is the original version (as it was originally made).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

*Supplemental powers*

14. Discharge of water
15. Water abstraction
16. Protective works to buildings
17. Planning permission
18. Power to survey and investigate land, etc.
19. Power to lop trees overhanging the authorised works
20. Obstructing construction of the authorised works

PART 3

ACQUISITION AND POSSESSION OF LAND

*Powers of acquisition*

21. Power to acquire land
22. Application of Part 1 of the 1965 Act
23. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
24. Power to acquire new rights, etc.
25. Power to acquire subsoil only
26. New rights only to be acquired under or in certain lands
27. Rights under or over streets

*Temporary possession of land*

28. Temporary use of land for construction of works
29. Temporary use of land for maintenance of works

*Compensation*

30. Disregard of certain interests and improvements
31. Set-off for enhancement in value of retained land

*Supplementary*

32. Extinction or suspension of private rights of way
33. Time limit for exercise of powers of acquisition

PART 4

OPERATION OF AUTHORISED WORKS

34. Power to operate and use the authorised works

PART 5

PROTECTIVE PROVISIONS

35. Statutory undertakers, etc.
36. Protection of interests

PART 6

MISCELLANEOUS AND GENERAL

37. Temporary traffic regulation
38. Powers of disposal, agreements for operation, etc.
39. Application of landlord and tenant law

40. Defence to proceedings in respect of statutory nuisance
41. Disclosure of confidential information
42. Certification of plans, etc.
43. Service of notices
44. No double recovery
45. Arbitration  
Signature

---

## SCHEDULES

### SCHEDULE 1 — SCHEDULED WORKS

In the London Borough of Barking and Dagenham

### SCHEDULE 2 — STREETS TO BE STOPPED UP

PART 1 — STREETS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

PART 2 — STREETS TO BE TEMPORARILY STOPPED UP

### SCHEDULE 3 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASING ENACTMENTS FOR CREATION OF NEW RIGHTS

#### *Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without limitation on the scope of paragraph 1, the...

#### *Application of the 1965 Act*

4. (1) The 1965 Act has effect with the modifications necessary...
5. For section 7 (measure of compensation in case of severance)...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 (powers of entry) of the 1965 Act is...
8. Section 20 (protection for interests of tenants at will, etc.)...
9. Section 22 (interests omitted from purchase) of the 1965 Act...
10. For Schedule 2A of the 1965 Act substitute— SCHEDULE2A COUNTER-NOTICE...

### SCHEDULE 4 — ACQUISITION OF NEW RIGHTS ONLY

### SCHEDULE 5 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

### SCHEDULE 6 — LAND IN RESPECT OF WHICH ACQUISITION IS LIMITED AS REGARDS SUBSOIL

### SCHEDULE 7 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.

1. Sections 271 to 274 (power to extinguish rights of statutory...
2. In the provisions of the 1990 Act, as applied by...
3. Where any apparatus of public utility undertakers or of a...
4. Paragraph 3 does not apply in the case of the...

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

5. The provisions of the 1990 Act mentioned in paragraph 1,...
6. In this Schedule— “public communications provider” has the same meaning...

## SCHEDULE 8 — PROTECTIVE PROVISIONS

### PART 1 — PROTECTION FOR NETWORK RAIL

1. The following provisions of this Part of this Schedule have...
2. In this Part of this Schedule— “construction” includes execution, placing,...
3. (1) Where under this Part of this Schedule Network Rail...
4. (1) TfL must not exercise the powers conferred by article...
5. (1) TfL must, before commencing construction of any specified work,...
6. (1) Any specified work and any protective works to be...
7. TfL must— (a) at all times afford reasonable facilities to...
8. Network Rail must at all times afford reasonable facilities to...
9. (1) If any permanent or temporary alterations or additions to...
10. TfL must repay to Network Rail all reasonable fees, costs,...
11. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
12. TfL must not provide any illumination or illuminated sign or...
13. If at any time after the completion of a specified...
14. Any additional expenses which Network Rail may reasonably incur in...
15. (1) TfL must pay to Network Rail all reasonable costs,...
16. Network Rail must, on receipt of a request from TfL,...
17. In the assessment of any sums payable to Network Rail...
18. TfL must, no later than 28 days from the date...
19. TfL and Network Rail may, subject in the case of...
20. Nothing in this Order, or in any enactment incorporated with...
21. (1) If TfL proposes to exercise any of the powers...

### PART 2 — PROTECTION FOR THE ENVIRONMENT AGENCY

22. (1) The following provisions of this Part of this Schedule...
23. (1) Before beginning to construct any specified work, TfL must...
24. Without limitation on the scope of paragraph 23, the requirements...
25. (1) Subject to sub-paragraph (2), any specified work, and all...
26. (1) Subject to sub-paragraph (5) TfL must from the commencement...
27. Subject to paragraph 29, if by reason of the construction...
28. (1) TfL must take all such measures as may be...
29. Nothing in paragraphs 25(4), 26(3), 27, 28(3) and 28(4) authorises...
30. TfL must indemnify the Agency in respect of all costs,...
31. (1) Without affecting the other provisions of this Part of...
32. The fact that any work or thing has been executed...
33. Any dispute arising between TfL and the Agency under this...

### PART 3 — PROTECTION FOR ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

#### *Interpretation*

34. (1) The following provisions of this Part of this Schedule...
35. In this Part of this Schedule— “alternative apparatus” means alternative...

#### *On-street apparatus*

36. This Part of this Schedule does not apply to anything...

*Apparatus in stopped up streets*

37. Where any street is stopped up under article 9 (stopping...  
38. TfL must not give less than 28 days' notice in...

*Acquisition of land*

39. (1) Regardless of any provision in this Order or anything...

*Removal of apparatus*

40. (1) If, for the purpose of executing any works in,...

*Facilities and rights for alternative apparatus*

41. (1) Where, in accordance with the provisions of this Part...

*Retained apparatus: protection and plan approval*

42. (1) Not less than 28 days before starting the execution...

*Expenses*

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

*Indemnity*

44. (1) Subject to sub-paragraphs (2) and (3), if by reason...

*Access*

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

*Cooperation*

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

*Exercise of safeguarding and survey powers*

47. (1) TfL must, so far as is reasonably practicable, exercise...

*Arbitration*

48. Any difference arising between TfL and a specified undertaker under...  
PART 4 — PROTECTION FOR OPERATORS OF ELECTRONIC  
COMMUNICATIONS CODE NETWORKS  
49. (1) The following provisions of this Part of this Schedule...  
50. (1) Subject to sub-paragraphs (2) to (4), if as the...  
51. This Part of this Schedule does not apply to—

SCHEDULE 9 — TEMPORARY TRAFFIC REGULATION  
PART 1 — PARKING, WAITING AND LOADING BAYS  
PART 2 — SHUTTLE WORKING WITH TRAFFIC CONTROL  
PART 3 — PEDESTRIAN CROSSINGS

Explanatory Note