
STATUTORY INSTRUMENTS

2017 No. 830

The London Overground (Barking
Riverside Extension) Order 2017

PART 2

WORKS PROVISIONS

Streets

Power to alter layout, etc., of streets

6.—(1) TfL may for the purposes of the authorised works alter the layout of any street within the Order limits and the layout of any street abutting the Order limits or which has a junction with such a street and without limitation on the scope of this power TfL may—

- (a) increase the width of the carriageway of the street by reducing the width of any kerb, footway, cycle track or verge within the street;
- (b) alter the level or increase the width of any such kerb, footway, cycle track or verge;
- (c) reduce the width of the carriageway of the street; and
- (d) carry out works for the provision, removal, suspension or alteration of parking places, loading bays, bus lanes, bus stop clearways and bus laybys.

(2) The powers conferred by paragraph (1) in relation to any street abutting the Order limits or which has a junction with such a street must not be exercised without the consent of the street authority, but such consent must not be unreasonably withheld.

Power to keep apparatus in streets

7.—(1) TfL may, for the purposes of or in connection with the construction, maintenance and use of the authorised works, alter, move, remove, place and maintain in any street within the Order limits any work, equipment or apparatus including foundations, road islands, substations, electric lines and any electrical or other apparatus.

(2) In this article—

- (a) “apparatus” has the same meaning as in Part 3 of the 1991 Act;
- (b) “electric line” has the meaning given by section 64(1) (interpretation etc. of Part 1) of the Electricity Act 1989(1); and
- (c) the reference to any work, equipment, apparatus or other thing in a street includes a reference to any work, equipment, apparatus or other thing under, over, along or upon the street.

Power to execute street works

8. TfL may, for the purposes of and to the extent necessary for the construction of the authorised works, enter upon any of the streets within the Order limits and any street abutting the Order limits or which has a junction with such a street and break up or open the street, or any sewer, drain or tunnel under it, or tunnel or bore under the street.

Stopping up of streets

9.—(1) Subject to the provisions of this article TfL may, in connection with the construction of the authorised works, stop up each of the streets specified in columns (1) and (2) of Part 1 (streets to be stopped up for which a substitute is to be provided) of Schedule 2 (streets to be stopped up) to the extent specified, by reference to the letters and numbers shown on the traffic regulation plans, in column (3) of Part 1 of that Schedule.

(2) No street specified in columns (1) and (2) of Part 1 of Schedule 2 (being a street to be stopped up for which a substitute is to be provided) may be wholly or partly stopped up under this article unless either—

- (a) the new street to be substituted for it, and which is specified in relation to it by reference to one of the scheduled works mentioned in column (4) of that Part of that Schedule, has been completed to the reasonable satisfaction of the street authority and is open for use; or
- (b) a temporary alternative route is first provided and then maintained by TfL to the reasonable satisfaction of the street authority until completion of the new street in accordance with sub-paragraph (a).

(3) Where a street has been stopped up under this article—

- (a) all rights of way over or along it are extinguished; and
- (b) TfL may appropriate and use for the purposes of its undertaking so much of the site of the street as is bounded on both sides by land owned by TfL.

(4) Any person who suffers loss by the extinguishment or suspension of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(5) This article is subject to paragraphs 37 and 38 of Part 3 (protection for electricity, gas, water and sewerage undertakers) of Schedule 8 (protective provisions).

Temporary stopping up and diversion of streets

10.—(1) TfL may, during and for the purposes of the execution of the authorised works temporarily stop up, alter or divert any street and may for any reasonable time—

- (a) divert the traffic from the street; and
- (b) subject to paragraph (3), prevent all persons from passing along the street.

(2) Without limitation on the scope of paragraph (1), TfL may use any street stopped up under the powers conferred by this article within the Order limits as a temporary working site.

(3) TfL must provide reasonable access for pedestrians going to or from premises abutting a street affected by the exercise of the powers conferred by this article if there would otherwise be no such access.

(4) Without limitation on the scope of paragraph (1), TfL may exercise the powers conferred by this article in relation to the streets specified in columns (1) and (2) of Part 2 (streets to be temporarily stopped up) of Schedule 2 (streets to be stopped up).

(5) TfL must not exercise the powers conferred by this article—

- (a) in relation to any street specified in Part 2 of Schedule 2 without first consulting the street authority; and
 - (b) in relation to any other street, without the consent of the street authority, which may attach reasonable conditions to any consent, but the consent must not be unreasonably withheld.
- (6) Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

Access to works

11. TfL may, for the purposes of the authorised works—

- (a) form and lay out means of access, or alter or improve existing means of access, in the locations marked on the deposited plans; and
- (b) form and lay out such other means of access or alter or improve existing means of access at such locations within the Order limits as TfL reasonably requires for the purposes of the authorised works, as may be approved by the highway authority, but such approval must not be unreasonably withheld.

Agreements with street authorities

12.—(1) A street authority and TfL may enter into agreements with respect to—

- (a) the strengthening or improvement of any street under the powers conferred by this Order;
- (b) the maintenance of any street or of the structure of any bridge or tunnel carrying a street over or under the authorised railway;
- (c) any stopping up, alteration or diversion of a street under the powers conferred by this Order; or
- (d) the execution in the street of any of the works referred to in article 8 (power to execute street works).

(2) Such an agreement may, without limitation on the scope of paragraph (1)—

- (a) provide for the street authority to carry out any function under this Order which relates to the street in question; and
- (b) contain such terms as to payment and otherwise as the parties consider appropriate.

Use of private roads for construction

13.—(1) TfL may use any private road within the Order limits or any private road abutting the Order limits or which has a junction with such a road for the passage of persons or vehicles (with or without materials, plant and machinery) for the purposes of, or in connection with, the construction of the authorised works.

(2) TfL must compensate the person liable for the repair of a road to which paragraph (1) applies for any loss or damage which that person may suffer by reason of the exercise of the power conferred by paragraph (1).

(3) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of such compensation, is to be determined under Part 1 of the 1961 Act.