

## SCHEDULES

### SCHEDULE 8

#### PROTECTIVE PROVISIONS

#### PART 6

#### PROTECTION FOR THE PORT OF LONDON AUTHORITY

##### *Protective action*

- 67.**—(1) If any specified work—
- (a) is constructed otherwise than in accordance with the requirements of this Schedule or with any condition in an approval given under paragraph 60(3); or
  - (b) during construction gives rise to sedimentation, scouring, currents or wave action, which would be materially detrimental to traffic in, or the flow or regime of, the River Thames,
- then the PLA may by notice in writing require LUL at LUL's own expense to comply with the remedial requirements specified in the notice.
- (2) The requirements that may be specified in a notice given under sub-paragraph (1) are—
- (a) in the case of a specified work to which sub-paragraph (1)(a) applies, such requirements as may be specified in the notice for the purpose of giving effect to the requirements of—
    - (i) this Schedule; or
    - (ii) the condition that has been breached; or
  - (b) in any case within sub-paragraph (1)(b), such requirements as may be specified in the notice for the purpose of preventing, mitigating or making good the sedimentation, scouring, currents or wave action so far as required by the needs of traffic in, or the flow or regime of, the River Thames.
- (3) If LUL does not comply with a notice under sub-paragraph (1), or is unable to do so then the PLA may in writing require LUL to—
- (a) remove, alter or pull down the specified work, and where the specified work is removed to restore the site of that work (to such extent as the PLA reasonably requires) to its former condition; or
  - (b) take such other action as the PLA may reasonably specify for the purpose of remedying the non-compliance to which the notice relates.
- (4) If a specified work gives rise to environmental impacts over and above those anticipated by any environmental document, LUL must, in compliance with its duties under any enactment, take such action as is necessary to prevent or mitigate those environmental impacts and in so doing must consult and seek to agree the necessary measures with the PLA.
- (5) If the PLA becomes aware that any specified work is causing an environmental impact over and above those anticipated by any environmental document, the PLA must notify LUL of that environmental impact, the reasons why the PLA believes that the environmental impact is being

**Changes to legislation:** There are currently no known outstanding effects for the The London Underground (Northern Line Extension) Order 2014, Cross Heading: Protective action. (See end of Document for details)

caused by the specified work and of measures that the PLA reasonably believes are necessary to counter or mitigate that environmental impact. LUL must implement either the measures that the PLA has notified to LUL or such other measures as LUL believes are necessary to counter the environmental impact identified, giving reasons to the PLA as to why it has implemented such other measures.

- (6) In this paragraph “environmental document” means—
- (a) the environmental statement prepared for the purposes of the application for this Order together with any supplementary environmental statement or other document so prepared by way of clarification or amplification of the environmental statement; and
  - (b) any other document containing environmental information provided by LUL to the PLA for the purposes of any approval under paragraph 60.

**Commencement Information**

**I1** Sch. 8 para. 67 in force at 15.12.2014, see [art. 1](#)

**68.**—(1) If a specified work is abandoned or falls into decay, the PLA may by notice in writing require LUL to take such reasonable steps as may be specified in the notice either to repair or restore the specified work, or any part of it, or to remove the specified work and (to such extent and within such limits as the PLA reasonably requires) restore the site of that work to its condition prior to the construction of the specified work.

(2) If any specified work is in such condition that it is, or is likely to become, a danger to or an interference with navigation in the River Thames, the PLA may by notice in writing require LUL to take such reasonable steps as may be specified in the notice—

- (a) to repair and restore the work or part of it; or
- (b) if LUL so elects, to remove the specified work and (to such extent as the PLA reasonably requires) to restore the site to its former condition.

(3) If on the expiration of such reasonable period as may be specified in a notice under this paragraph the work specified in the notice has not been completed to the satisfaction of the PLA, the PLA may undertake that work and any expenditure reasonably incurred by the PLA in so doing is recoverable from LUL.

**Commencement Information**

**I2** Sch. 8 para. 68 in force at 15.12.2014, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The London Underground (Northern Line Extension) Order 2014, Cross Heading: Protective action.