
STATUTORY INSTRUMENTS

2014 No. 2384

INFRASTRUCTURE PLANNING

The Thames Water Utilities Limited
(Thames Tideway Tunnel) Order 2014

Made - - - - 3rd September 2014

Coming into force 24th September 2014

THE THAMES WATER UTILITIES LIMITED
(THAMES TIDEWAY TUNNEL) ORDER 2014

PART 1

PRELIMINARY

1. Citation and Commencement
2. Interpretation

PART 2

WORKS PROVISIONS

Principal powers

3. Development consent etc. granted by the Order
4. Authorisation of use
5. Maintenance of authorised project
6. Limits of Deviation
7. Defence to proceedings in respect of statutory nuisance

Benefit of order

8. Benefit of Order
9. Transfer of benefit of Order

Streets and traffic regulations

10. Street works
11. Power to alter layout, etc., of streets
12. Construction and maintenance of altered streets
13. Stopping up of streets

Status: This is the original version (as it was originally made).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

14. Public rights of way and permissive paths
15. Temporary stopping up
16. Access to works
17. Agreements with street authorities
18. Traffic regulation

Supplemental powers

19. Discharge of water
20. Protective works to buildings and structures
21. Remedial works to buildings, or apparatus or equipment
22. Authority to survey and investigate the land
23. Removal of human remains
24. Cemex
25. Felling or lopping of trees
26. Trees subject to tree preservation orders
27. Trees in conservation areas

PART 3

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

28. Compulsory acquisition of land
29. Compulsory acquisition of rights
30. Acquisition of subsoil only
31. Acquisition of land limited to subsoil lying more than 9 metres beneath surface
32. Power to override easements and other rights
33. Statutory authority to override easements and other rights
34. Application of the Compulsory Purchase (Vesting Declarations) Act 1981

Temporary possession of land

35. Temporary use of land for carrying out the authorised project
36. Temporary use of land for maintaining authorised project

Compensation

37. Disregard of certain interests and improvements
38. Set-off for enhancement in value of retained land
39. No double recovery
40. Compulsory acquisition of land – incorporation of the mineral code

Supplementary

41. Acquisition of part of certain properties
42. Statutory undertakers
43. Apparatus and rights of statutory undertakers in stopped-up streets
44. Recovery of costs of new connections
45. Time limit for exercise of authority to acquire land compulsorily
46. Private rights of way
47. Public rights of navigation
48. Rights under or over streets and city walkways

PART 4

MISCELLANEOUS AND GENERAL

49. Application of landlord and tenant law
 50. Deemed marine licence
 51. Miscellaneous provisions relating to the 1990 Act
 52. Safeguarding
 53. Provisions for protection of specified undertakers
 54. Discharge of requirements etc.
 55. Removal of consent requirements
 56. Application, disapplication and modification of legislative provisions
 57. Amendment of local legislation
 58. Application of pipe subways legislation
 59. Other legislation in the City of London
 60. Unilateral undertaking – Project-wide matters
 61. Certification of plans etc
 62. Meaning of Secretary of State
 63. Arbitration
- Signature

SCHEDULES

SCHEDULE 1 — AUTHORISED PROJECT

PART 1 — AUTHORISED DEVELOPMENT

PART 2 — ANCILLARY WORKS

SCHEDULE 2 — PLANS

PART 1 — WORKS PLANS

PART 2 — LAND PLANS

PART 3 — ACCESS PLANS

PART 4 — APPROVED PLANS

SCHEDULE 3 — REQUIREMENTS

1. Interpretation
2. Project-wide requirements
3. Acton Storm Tanks
4. Hammersmith Pumping Station
5. Barn Elms
6. Putney Embankment Foreshore
7. Carnwath Road Riverside
8. Dormay Street
9. King George's Park
10. Falconbrook Pumping Station
11. Cremorne Wharf Depot
12. Chelsea Embankment Foreshore
13. Kirtling Street
14. Heathwall Pumping Station
15. Albert Embankment Foreshore
16. Victoria Embankment Foreshore
17. Blackfriars Bridge Foreshore
18. Shad Thames Pumping Station

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

19. Chambers Wharf
20. Earl Pumping Station
21. Deptford Church Street
22. Greenwich Pumping Station
23. King Edward Memorial Park Foreshore
24. Bekesbourne Street
25. Abbey Mills Pumping Station
26. Beckton Sewage Treatment Works

SCHEDULE 4 — STREETS SUBJECT TO STREET WORKS

SCHEDULE 5 — STREETS SUBJECT TO ALTERATION OF LAYOUT

SCHEDULE 6 — STREETS TO BE STOPPED UP

SCHEDULE 7 — PUBLIC RIGHTS OF WAY AND PERMISSIVE PATHS TO BE EXTINGUISHED

SCHEDULE 8 — STREETS AND RIGHTS OF WAY ETC. TO BE TEMPORARILY STOPPED UP

SCHEDULE 9 — ACCESS TO WORKS

SCHEDULE 10 — TRAFFIC REGULATION

PART 1 — TEMPORARY

PART 2 — PERMANENT

SCHEDULE 11 — PROTECTIVE WORKS

SCHEDULE 12 — PUBLIC RIGHTS OF NAVIGATION TO BE AFFECTED BY THE AUTHORISED PROJECT

SCHEDULE 13 — LAND OF WHICH ONLY SUBSOIL MORE THAN 9 METRES BENEATH THE SURFACE MAY BE ACQUIRED

SCHEDULE 14 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 15 — DEEMED MARINE LICENCE

PART 1 — GENERAL

1. Interpretation
2. Contacts
3. Details of Licensed Marine Activities

PART 2 — CONDITIONS APPLYING TO CONSTRUCTION ACTIVITIES

NOTIFICATIONS AND INSPECTIONS

4. Notice of Transfer of Benefit
5. Notification of person responsible for the carrying out of licensed activity
6. The licence holder shall inform the MMO in writing of...
7. Prior Approval of Licensed Activities
8. Scour and Accretion Monitoring and Mitigation

9. Construction Environment Management Plan
 10. Concrete and Cement
 11. Coatings and Treatments
 12. Spills etc.
 13. Percussive Piling
 14. Agents, Contractors and Sub-Contractors
 15. Vessels
 16. Notice of Completion of Licensed Activity
 17. Changes to this Licence
- PART 3 — PROCEDURE FOR THE DISCHARGE OF CONDITIONS
18. Meaning of “application”
 19. Further information regarding application
 20. Determination of application
 21. Notice of Determination
 22. Arbitration

SCHEDULE 16 — PROVISIONS FOR PROTECTION OF SPECIFIED UNDERTAKERS

PART 1 — ELECTRICITY AND GAS UNDERTAKERS

SECTION 1

National Grid electricity and gas

1. Application
2. Interpretation
3. Except for paragraphs 4 (Apparatus of undertakers in stopped up...
4. Apparatus of Undertakers in stopped up streets
5. Protective works to buildings
6. Acquisition of land
7. Removal of apparatus
8. Approval of plans for Alternative Apparatus
9. Facilities and rights for alternative apparatus
10. Retained apparatus: protection Gas Undertakers
11. Retained apparatus: Protection: Electricity Undertakers
12. Expenses
13. Indemnity
14. Ground subsidence monitoring scheme in respect of Undertaker’s apparatus
15. Enactments and agreements
16. Co-operation
17. Access
18. Arbitration

SECTION 2

London Power Networks plc

1. Application
2. Interpretation
3. This part of this Schedule does not apply to apparatus...
4. Temporarily stopped up streets
5. Protective works to buildings
6. Acquisition of land

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

7. Removal of apparatus
8. Facilities and rights for alternative apparatus
9. Retained apparatus— protection
10. Expenses
11. Compensation
12. Enactments and agreements
13. Co-operation
14. Access
15. Arbitration

SECTION 3

Other electricity undertakers

1. Application
2. Interpretation
3. This part of this Schedule does not apply to apparatus...
4. Temporarily stopped up streets
5. Protective works to buildings
6. Removal of apparatus
7. Facilities and rights for alternative apparatus
8. Retained apparatus— protection
9. Expenses
10. Enactments and agreements
11. Co-operation
12. Access
13. Arbitration

SECTION 4

Other gas undertakers

1. Application
2. Interpretation
3. This part of this Schedule does not apply to apparatus...
4. Temporarily stopped up streets
5. Protective works to buildings
6. Removal of apparatus
7. Facilities and rights for alternative apparatus
8. Retained apparatus— protection
9. Expenses
10. Enactments and agreements
11. Co-operation
12. Access
13. Arbitration

PART 2 — THE PORT OF LONDON AUTHORITY

1. The provisions of this Part of this Schedule shall, unless...
2. The construction or carrying out of any tidal work is...
3. Definitions
4. Time limits
5. Tidal works: approval of detailed design
6. Public rights of navigation
7. General provision as to construction of works including inspection

8. Works to river banks
9. Discharges etc.
10. Navigational lights, buoys, etc
11. Removal etc of the Authority's moorings and buoys
12. Removal of temporary works
13. Survey of river bed
14. Sedimentation, etc: remedial action
15. Protective action
16. Obstruction in the river
17. Scour monitoring and mitigation
18. Abandoned or Decayed Works
19. Permanent works where land not acquired
20. Facilities for navigation
21. Indemnities, costs and exercise of DCO powers and compensation
22. Maintenance dredging
23. Notifications
24. Disputes

PART 3 — THE ENVIRONMENT AGENCY

1. The following provisions shall apply for the protection of the...
2. The requirement for consent under Section 109 of the Water...
3. Definitions
4. Structural integrity of flood defences
5. Approvals
6. Inspection and construction
7. Protection of drainage works and flood defences
8. Scour and accretion monitoring and mitigation
9. Maintenance of flood defences
10. Emergency Powers
11. Approval of Construction Environment Management Plan
12. Protection for Fish and Fisheries
13. Dispute Resolution
14. Indemnities and Costs
15. Notices

PART 4 — TRANSPORT FOR LONDON

SECTION 1

Protection of TfL Railway Companies

1. The provisions of this Part of this Schedule shall have...
2. In this Part of this Schedule— “approval” in relation to...
3. (1) The undertaker shall not under the powers conferred by...
4. (1) The undertaker shall, before commencing the specified works, furnish...
5. (1) The undertaker shall give to the engineer not less...
6. Without prejudice to the generality of paragraphs 4 and 5...
7. The undertaker shall at all times afford reasonable facilities to...
8. During the construction of any part of the specified works...
9. (1) If any alterations or additions either permanent or temporary,...
10. The undertaker shall repay to any protected person all costs,...
11. (1) In this paragraph— “apparatus” means any lines, circuits, wires...
12. If at any time after the completion of a specified...
13. Any additional expenses which a protected person may reasonably incur...
14. Third party and other costs

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

15. Any difference arising between the undertaker and a protected person...

SECTION 2

For the Protection of London River Services Limited

1. The provisions of this Part of this Schedule shall have...
2. In this Part of this Schedule— “approval” in relation to...
3. (1) The undertaker shall not under the powers conferred by...
4. (1) The undertaker shall, before commencing the specified works, furnish...
5. (1) The undertaker shall give to the engineer not less...
6. Without prejudice to the generality of paragraphs 4 and 5...
7. The undertaker shall at all times afford reasonable facilities to...
8. During the construction of any part of the specified works...
9. (1) If any alterations or additions either permanent or temporary,...
10. The undertaker shall repay to LRS� all costs, charges and...
11. If at any time after the completion of a specified...
12. Any additional expenses which a LRS� may reasonably incur in...
13. (1) The undertaker shall be responsible for, and make good...
14. Any difference arising between the undertaker and LRS� under this...

SECTION 3

Protection for Highways Structures

1. The provisions of this Part of this Schedule shall have...
2. In this Part of this Schedule— “approval” in relation to...
3. (1) The undertaker shall not in the exercise of the...
4. (1) The undertaker shall, before commencing the specified works, furnish...
5. (1) The undertaker shall give to the engineer not less...
6. Without prejudice to the generality of paragraphs 4 and 5...
7. The undertaker shall at all times afford reasonable facilities to...
8. During the construction of any part of the specified works...
9. (1) If any alterations or additions either permanent or temporary,...
10. The undertaker shall repay to TfL all costs, charges and...
11. If at any time after the completion of a specified...
12. Any additional expenses which TfL may reasonably incur in altering,...
13. (1) The undertaker shall be responsible for and make good...
14. Any difference arising between the undertaker and TfL under this...

SECTION 4

Protection for Highways and Traffic

1. The provisions of this Part of this Schedule shall have...
 2. (1) In this Part of this Schedule — “designated works”...
- PART 5 — NETWORK RAIL
1. The following provisions of this Part of this Schedule shall...
 2. In this Schedule— “asset protection agreement” means an agreement to...
 3. (1) Where under this Part Network Rail is required to...
 4. (1) The undertaker shall not exercise the powers conferred by...
 5. (1) The undertaker shall before commencing construction of any specified...
 6. (1) Any specified work and any protective works to he...
 7. The undertaker shall— (a) at all times afford reasonable facilities...

8. Network Rail shall at all times afford reasonable facilities to...
9. (1) If any permanent or temporary alterations or additions to...
10. The undertaker shall repay to Network Rail all reasonable fees,...
11. If at any time after the completion of a specified...
12. The undertaker shall not provide any illumination or illuminated sign...
13. Any additional expenses which Network Rail may reasonably incur in...
14. (1) The undertaker shall pay to Network Rail all reasonable...
15. Network Rail shall, on receipt of a request from the...
16. In the assessment of any sums payable to Network Rail...
17. The undertaker and Network Rail may, subject in the case...
18. Nothing in this Order, or in any enactment incorporated with...
19. The undertaker shall give written notice to Network Rail if...
20. The undertaker shall no later than 28 days from the...
21. Notwithstanding article 54 (Discharge of requirements, etc) any difference or...

PART 6 — COMMUNICATIONS NETWORK OPERATORS

1. Effect
2. Interpretation
3. Electronic communications apparatus installed on, under or over any land
4. Enactments and agreements in respect of apparatus in the promoter's land
5. Temporary and Permanent stopping up of streets forming part of the public maintainable highway
6. Indemnity
7. Arbitration

PART 7 — THE CITY OF LONDON CORPORATION

1. Application
2. Interpretation
3. Protective works
4. Remedial works
5. Inspection and monitoring
6. Damages, costs and indemnification
7. Dispute resolution

SCHEDULE 17 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS ETC. AND APPEALS

1. Applications made under requirements
2. Further information regarding requirements
3. Fees further to requirements
4. Appeals

SCHEDULE 18 — REMOVAL OF CONSENT REQUIREMENTS

SCHEDULE 19 — MISCELLANEOUS CONTROLS

PART 1 — PUBLIC GENERAL LEGISLATION

1. Introduction
2. Highways Act 1980
3. Building Act 1984
4. New Roads and Street Works Act 1991
5. Water Industry Act 1991
6. Party Wall etc. Act 1996
7. Planning Act 2008 - Application of the 2010 Regulations (Community Infrastructure Levy)
8. Local Government (Miscellaneous Provisions) Act 1976

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

9. Town and Country Planning Act 1990
10. Coast Protection Act 1949
11. Flood and Water Management Act 2010
12. National Parks and Access to Countryside Act 1949
13. Control of Pollution Act 1974

PART 2 — LOCAL LEGISLATION

Explanatory Note