



London Transport Act 1984

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ELIZABETH II



1984 CHAPTER xxv

An Act to empower London Regional Transport to construct works and to acquire lands; to extend the time for the compulsory purchase of certain lands; to confer further powers on London Regional Transport; and for other purposes. [31st October 1984]

WHEREAS—

(1) By the London Regional Transport Act 1984 the 1984 c. 32. London Transport Executive which were established by the Transport (London) Act 1969 were reconstituted on 29th June 1969 c. 35. 1984 under the name of London Regional Transport (in this Act referred to as “London Transport”):

(2) It is the general duty of London Transport under the said Act of 1984, in accordance with principles from time to time approved by the Secretary of State and in conjunction with the British Railways Board, to provide or secure the provision of

public passenger transport services for Greater London, and in carrying out that duty London Transport shall have due regard to (a) the transport needs for the time being of Greater London and (b) efficiency, economy and safety of operation:

(3) It is expedient that London Transport should be empowered to construct the works authorised by this Act and to acquire the lands referred to in this Act:

(4) It is expedient that the periods now limited for the compulsory purchase of certain lands should be extended as provided by this Act:

(5) It is expedient that the other powers in this Act contained should be conferred upon London Transport and that the other provisions in this Act contained should be enacted:

(6) Plans and sections showing the lines or situations and levels of the works to be constructed under the powers of this Act, and plans of the lands authorised to be acquired or used by this Act, and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands, were duly deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the proper officer of the Greater London Council, which plans, sections and book of reference are respectively referred to in this Act as the deposited plans, the deposited sections and the deposited book of reference:

(7) The purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

PRELIMINARY

- Short title. 1. This Act may be cited as the London Transport Act 1984.
- Interpretation. 2.—(1) In this Act, unless there be something in the subject or context repugnant to such construction, the several words and expressions to which meanings are assigned by the Acts

wholly or partly incorporated herewith have in relation to the relative subject-matter the same respective meanings and—

PART I
—cont.

“the Act of 1863” means the Railways Clauses Act 1863; 1863 c. 92.

“the Act of 1963” means the London Transport Act 1963; 1963 c. xxiv.

“the Act of 1965” means the London Transport Act 1965; 1965 c. xii.

“the Act of 1966” means the London Transport Act 1966; 1966 c. xxxiii.

“the Act of 1969” means the London Transport Act 1969; 1969 c. 1.

“the Act of 1975” means the London Transport Act 1975; 1975 c. xxxi.

“the Act of 1976” means the London Transport Act 1976; 1976 c. xxxvii.

“the Act of 1978” means the London Transport Act 1978; 1978 c. xv.

“the Act of 1981” means the London Transport Act 1981; 1981 c. xxxii.

“the Act of 1982” means the London Transport Act 1982; 1982 c. v.

“the limits of deviation” means the limits of deviation shown on the deposited plans;

“London Transport” means London Regional Transport;

“the works” means the works authorised by Part II (Works) of this Act.

(2) Any reference to the London Transport Board in any of the provisions incorporated with this Act under section 8 (Incorporation of provisions relating to works), section 13 (Incorporation of provisions relating to lands) and section 14 (Incorporation of protective provisions) of this Act shall be construed as a reference to London Transport.

(3) All distances, lengths and directions stated in any description of works, powers or lands, shall be construed as if the words “or thereabouts” were inserted after each such distance, length and direction.

(4) Unless the context otherwise requires, any reference in this Act to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Act.

3. The following Acts and Part of an Act, so far as the same are applicable for the purposes and are not inconsistent with or varied by the provisions of this Act, are incorporated with and form part of this Act, and this Act shall be deemed to be the special Act for the purposes of the said incorporated enactments:—

(a) the Lands Clauses Acts, except sections 127 to 133 of the Lands Clauses Consolidation Act 1845; 1845 c. 18.

PART I
—cont.

(b) Part II (relating to extension of time) of the Act of 1863:

Provided that for the purposes of the provisions of the Act of 1863, as incorporated with this Act, the expression “the company” where used in the said incorporated provisions means London Transport.

PART II

WORKS

Power to
make works.

4. Subject to the provisions of this Act, London Transport may, in the lines or situations shown on the deposited plans and according to the levels shown on the deposited sections, make and maintain the works hereinafter described with all necessary works and conveniences connected therewith:—

(Reconstruction
of subway at
Tottenham
Court Road
station.)

In Greater London—

In the London borough of Camden—

Work No. 1. A reconstruction of the north-east subway (16 metres in length) at Tottenham Court Road station of London Transport’s Central Line and Northern Line railways.

(Widening of
subway at
Tottenham
Court Road
station.)

In the city of Westminster and the London borough of Camden—

Work No. 2. A widening of the north-west subway (22 metres in length) at Tottenham Court Road station of London Transport’s Central Line and Northern Line railways.

Power to open
surface of
streets.

5. Subject to the provisions of this Act, London Transport may, for the purpose of constructing Works Nos. 1 and 2, enter upon, open, break up and interfere with so much of the surface of the following streets as is within the limits of deviation:—

Work No. 1—

In the London borough of Camden—

New Oxford Street;
Tottenham Court Road.

Work No. 2—

In the city of Westminster—

Charing Cross Road;
Oxford Street;
Tottenham Court Road.

In the London borough of Camden—

- Charing Cross Road;
- New Oxford Street;
- Public road leading from Charing Cross Road to the Centre Point building;
- Tottenham Court Road.

PART II
—cont.

6.—(1) London Transport may, during the construction and for the purpose of the execution of Works Nos. 1 and 2, temporarily stop up and interfere with so much of any of the following streets as is within the limits of deviation and may for any reasonable time divert the traffic therefrom and prevent all persons, other than those bona fide going to or from any land abutting on any part of a street so stopped up and interfered with, from passing along and using the same:—

Temporary
stoppage of
streets.

Work No. 1—

In the London borough of Camden—

- New Oxford Street;
- Tottenham Court Road.

Work No. 2—

In the city of Westminster—

- Charing Cross Road;
- Oxford Street;
- Tottenham Court Road.

In the London borough of Camden—

- Charing Cross Road;
- New Oxford Street;
- Public road leading from Charing Cross Road to the Centre Point building;
- Tottenham Court Road.

(2) London Transport shall provide reasonable access for foot passengers bona fide going to or from any such land.

7. In the execution of the works, London Transport may deviate from the lines or situations thereof shown on the deposited plans to the extent of the limits of deviation and may deviate vertically from the levels shown on the deposited sections upwards or downwards by not more than one metre.

Power to
deviate.

8. The following provisions of the undermentioned Acts are incorporated with, and form part of this Part of, this Act:—

Incorporation
of provisions
relating to
works.

The Act of 1963—

- Section 15 (Power to make trial holes);

PART II
—cont.

The Act of 1965—

Section 10 (Underpinning of houses near works)
except the provisos to paragraphs (4)
and (6) thereof;

The Act of 1978—

Section 10 (Use of sewers, etc., for removing water):

Provided that London Transport shall, so far as is reasonably practicable, so exercise the powers conferred by the said section 10 of the Act of 1965, as so incorporated, as not to obstruct or render materially less convenient the access to any telegraphic line belonging to, or used by, British Telecommunications.

PART III

LANDS

Power to
acquire lands.

9.—(1) Subject to the provisions of this Act, London Transport may enter upon, take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of the works or for any purpose connected with or ancillary to their undertaking.

(2) Subject to the provisions of this Act, London Transport may enter upon, use and appropriate so much of the subsoil and undersurface of any public street, road, footway or place delineated on the deposited plans and described in the deposited book of reference as shall be necessary for the purposes mentioned in subsection (1) of this section without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

Power to
acquire new
rights.

10.—(1) In this section “the Acts” means the Lands Clauses Acts and references to the purchase by London Transport of new rights are references to the purchase of rights to be created in favour of London Transport.

(2) London Transport may, for the purposes of constructing, maintaining, protecting, renewing and using the works, purchase compulsorily such new rights as they may require over any of the lands which may be acquired under section 9 (Power to acquire lands) of this Act instead of acquiring those lands under that section.

(3) The Acts, as incorporated with this Act, shall have effect with the modifications necessary to make them apply to the compulsory purchase of rights under subsection (2) of this

section as they apply to the compulsory purchase of land so that, in appropriate contexts, references in the Acts to land are read as referring, or as including references, to the rights or to land over which the rights are or are to be exercisable, according to the requirements of the particular context.

(4) Without prejudice to the generality of subsection (3) of this section, in relation to the purchase of rights in pursuance of subsection (2) of this section—

- (a) the Lands Clauses Consolidation Act 1845 shall have effect with the modifications specified in Schedule 1 (except paragraph 4) to the Act of 1976; 1845 c. 18.
- (b) the enactments relating to compensation for the compulsory purchase of land shall apply with the necessary modifications as they apply to such compensation.

11.—(1) This section applies to the cellars forming part of the land delineated on the deposited plans and thereon numbered 3 in the city of Westminster (in this section referred to as “the said cellars”). Temporary possession of cellars at Tottenham Court Road.

(2) London Transport may, for the purpose of constructing Work No. 2, enter upon and take possession temporarily of the said cellars after giving to the owners, lessees and occupiers thereof not less than one month’s previous notice in writing and may carry out temporary works therein for such purpose—

Provided that London Transport shall not—

- (a) occupy the said cellars for more than two years;
- (b) be empowered to purchase compulsorily or be required to purchase the said cellars.

(3) Before relinquishing possession of the said cellars, London Transport shall remove all works erected by them therein and shall reinstate the said cellars to the reasonable satisfaction of the owners, lessees and occupiers thereof.

12. The powers of London Transport for the compulsory purchase of the lands and new rights which they are authorised by this Act to acquire shall cease on 31st December 1990. Period for compulsory purchase of lands and new rights.

13. The following provisions of the undermentioned Acts are incorporated with, and form part of this Part of, this Act:— Incorporation of provisions relating to lands.

The Act of 1963—

Section 21 (Power to enter for survey or valuation);

PART III
—cont.

The Act of 1965—

Section 13 (Correction of errors in deposited plans and book of reference);

The Act of 1966—

Section 14 (Power to expedite entry);

The Act of 1969—

Section 14 (Disregard of recent improvements and interests):

Provided that the provisions of the said section 21 of the Act of 1963, as so incorporated, shall have effect as if after the word “acquire” there were inserted the words “or use”.

PART IV

PROTECTIVE PROVISIONS

Incorporation
of protective
provisions.

14. The following provisions of the undermentioned Acts are incorporated with, and form part of this Part of, this Act:—

The Act of 1963—

Section 42 (For protection of gas, water and electricity undertakers);

The Act of 1965—

Section 25 (As to works within Metropolitan Police District);

The Act of 1975—

Section 21 (As to metropolitan roads and road traffic, etc.);

The Act of 1976—

Section 13 (For protection of sewers of Thames Water Authority);

The Act of 1981—

Section 17 (For protection of British Telecommunications):

Provided that—

(i) the provisions of the said section 13 of the Act of 1976, as so incorporated, shall have effect as if—

(a) for the reference in paragraph (8) thereof to section 7 (Incorporation of provisions of Acts of 1963, 1965, 1969 and 1974 relating to works) of the Act of 1976 there were substituted a reference to section 8 (Incorporation of provisions relating to works) of this Act; and

(b) in the definition of “the specified works” in paragraph (1) for the reference to the works authorised by the Act of 1976 there were substituted a reference to the works;

PART IV
—cont.

(ii) the provisions of the said section 17 of the Act of 1981, as so incorporated, shall have effect as if for the references to Work No. 2 of the Act of 1981 there were substituted references to Works Nos. 1 and 2.

PART V

MISCELLANEOUS

15.—(1) The period now limited by the Act of 1978 for the compulsory purchase of the lands authorised to be acquired by section 9 (Power to acquire lands) of the Act of 1975 for the purposes of Work No. 5 authorised by Part II (Works) of the Act of 1975 is hereby extended until 31st December 1990.

Extensions of
time.

(2) The period now limited for the compulsory purchase of the lands authorised to be acquired by section 12 (Lands at Ruislip and Chesham) of the Act of 1982 in relation to the land at Chesham (except the land at Chesham in the district of Chiltern numbered 9 on the plans deposited in respect of the Bill for the Act of 1982) is hereby extended to 31st December 1990.

(3) In subsection (1) of this section, the word “lands” includes any easements or rights in, under or over lands authorised to be acquired by the Act of 1975.

16.—(1) In this section—

“the enabling Act” means the Act of 1982;

“the land” means any land at Chesham which is for the time being authorised to be acquired compulsorily by London Transport by section 12 (Lands at Ruislip and Chesham) of the enabling Act;

“lessee” means a lessee under a lease having a period of not less than 21 years to run at the date of his notice under subsection (2) of this section.

Powers to
owners and
lessees to give
notice as to
purchase of
lands.

(2) If at any time after 21st March 1985 any person being the owner or lessee of any of the land shall give notice in writing to London Transport of his desire for the acquisition as soon as may be by London Transport of his interest in any part of the land specified in the notice, London Transport shall within a period of three months after the receipt of such notice—

PART V
—cont.

- (a) enter into a contract with such person for the acquisition of his interest in the land or such part thereof as may be specified in the contract; or
- (b) serve a notice to treat on such person for the compulsory acquisition of his interest in the land specified in his notice or in such part thereof as may be required by them; or
- (c) serve notice in writing on such person of their intention not to proceed with the purchase of his interest in the land specified in his notice.

(3) Where notice is given under subsection (2) of this section by an owner or lessee of land specified in the notice, then—

- (a) if London Transport—
 - (i) fail to comply with that subsection; or
 - (ii) withdraw in pursuance of any statutory provision a notice to treat served on him in compliance with paragraph (b) of that subsection; or
 - (iii) serve notice on him in compliance with paragraph (c) of that subsection;

the powers conferred by the enabling Act for the compulsory purchase of his interest in the land so specified shall cease;

- (b) if his interest in part only of the land so specified is acquired in pursuance of such a notice to treat, the powers conferred by the enabling Act for the compulsory purchase of his interest in the remainder of the land so specified shall cease.

Planning
permission.

S.I. 1977/289.

17.—(1) In this section “Class XII development” means development authorised by Article 3 of, and Class XII in Schedule 1 to, the Town and Country Planning General Development Order 1977 (which permits development authorised by private Act designating specifically both the nature of the development thereby authorised and the land on which it may be carried out).

(2) In its application to development authorised by this Act the planning permission granted for Class XII development shall have effect as if the authority to develop given by this Act were limited to development begun by 31st December 1996.

Arbitration.

18. Where under this Act any difference (other than a difference to which the provisions of the Lands Clauses Acts, as applied by this Act, apply) is to be referred to or settled by arbitration, then, unless otherwise provided, such difference

shall be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed, on the application of either party (after notice in writing to the other), by the President of the Institution of Civil Engineers.

PART V
—*cont.*

19. All costs, charges and expenses of and incident to the preparing for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by London Transport and may in whole or in part be defrayed out of revenue.

Costs of Act.

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