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STATUTORY INSTRUMENTS

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**2002 No. 1064**

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

The Heathrow Express Railway Extension Order 2002

*Made* - - - - - *9th April 2002*

*Coming into force* *30th April 2002*

THE HEATHROW EXPRESS RAILWAY EXTENSION ORDER 2002

PART I

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Incorporation of the Railways Clauses Acts

PART II

WORKS PROVISIONS

*Principal powers*

4. Power to construct works
5. Power to deviate

*Supplemental powers*

6. Discharge of water
7. Safeguarding works to buildings
8. Power to survey and investigate land

PART III

ACQUISITION AND POSSESSION OF LAND

*Powers of acquisition*

9. Power to acquire land
10. Application of Part I of the Compulsory Purchase Act 1965
11. Powers to acquire new rights

*Status:* This is the original version (as it was originally made).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

12. Powers to acquire subsoil only
13. Cases where powers of acquisition limited to subsoil

*Temporary possession of land*

14. Temporary use of land for construction of works
15. Temporary use of land for maintenance of works

*Supplementary*

16. Disregard of certain interests and improvements
17. Set-off for enhancement in value of retained land
18. Acquisition of part of certain properties
19. Extinction or suspension of private rights of way
20. Time limit for exercise of powers of acquisition

PART IV

MISCELLANEOUS AND GENERAL

21. Power to operate and use railways
22. London Transport Users' Committee
23. Byelaws relating to railway
24. Power for undertaker to contract for police services
25. Power to transfer, lease etc. undertaking
26. Maintenance of approved works, etc.
27. Disclosure of confidential information
28. Statutory undertakers, etc.
29. Fuel pipelines and facilities
30. Certification of plans, etc.
31. Service of notices
32. No double recovery
33. Repeal
34. Arbitration  
Signature

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SCHEDULES

SCHEDULE 1 — SCHEDULED WORKS

SCHEDULE 2 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

*Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without prejudice to the generality of paragraph 1 above,...

*Adaptation of 1965 Act*

3. (1) The 1965 Act shall have effect with the modifications...
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) shall...

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8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

### SCHEDULE 3 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.

#### *Apparatus of statutory undertakers etc. on land acquired*

1. (1) Sections 271 to 274 of the 1990 Act (power...

#### *For the protection of London Underground Limited*

2. (1) The provisions of this paragraph shall have effect except...

#### *For the protection of the Environment Agency*

3. (1) The provision of this paragraph shall have effect unless...

### SCHEDULE 4 — PROTECTION OF FUEL PIPELINES AND FACILITIES

#### PART I — *Interpretation, etc.*

1. (1) For the protection of certain fuel pipelines and facilities...

#### PART II — *Protection of hydrant fuelling systems*

2. (1) Notwithstanding anything in this Order, as shown on the...
3. The undertaker shall use its best endeavours—
4. (1) Except in the case of trial holes or alterations,...
5. Not less than three months before commencing to construct the...
6. (1) At any time within a period of one month,...
7. (1) The undertaker shall from time to time supply the...
8. (1) The undertaker shall repay to the Nominee and any...
9. (1) If by reason or in consequence of any specified...
10. The preceding provisions of this Part of this Schedule shall...

#### PART III — *Protection of certain pipelines*

11. (1) The provisions of Part II of this Schedule shall...

#### PART IV — *Protection of certain depots*

12. (1) Before commencing construction of so much of the works...
13. (1) The undertaker shall undertake monitoring of any protected property...
14. (1) The undertaker shall in the construction, maintenance, use and...
15. The undertaker shall within 30 days of notice in writing...
16. (1) The undertaker shall not exercise the powers under article...
17. (1) If by reason or in consequence of any specified...

#### PART V — *Miscellaneous*

18. Nothing in this Schedule shall prejudice or affect the right...
19. Subject to paragraph 9(2)(a) above, the fact that any work...

Explanatory Note