



# London Docklands Railway Act 1991

## 1991 CHAPTER xxiii

An Act to empower London Regional Transport to construct works and to acquire lands; to confer further powers on London Regional Transport; and for other purposes. [19th December 1991]

Whereas—

- (1) By the London Regional Transport Act 1984 the London Transport Executive which were established by the Transport (London) Act 1969 were reconstituted on 29th June 1984 under the name of London Regional Transport (in this Act referred to as “the Corporation”):
- (2) It is the general duty of the Corporation 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 the Corporation 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) Under the Local Government, Planning and Land Act 1980 the London Docklands Development Corporation was established by the London Docklands Development Corporation (Area and Constitution) Order 1980 as the urban development corporation for London docklands for the purpose of securing the regeneration of its area and it is the view of the said corporation that the works authorised by this Act will advance the securing of such regeneration:
- (4) For the purposes of improving the operational efficiency of the Docklands Railway and for the purposes aforesaid, it is expedient that the Corporation should be empowered to construct the works authorised by, and to acquire the lands referred to in, this Act:
- (5) It is expedient that the other powers in this Act contained should be conferred upon the Corporation and that the other provisions in this Act contained should be enacted:
- (6) A plan and sections showing the lines or situations and levels of the works to be constructed under the powers of this Act, and a plan of the lands authorised to be acquired or used by this Act, and a book of reference to such plan containing the

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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 London borough council of Tower Hamlets, which plan, sections and book of reference are respectively referred to in this Act as the deposited plan, 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

#### 1 Short title

This Act may be cited as the London Docklands Railway Act 1991.

#### 2 Interpretation

(1) In this Act, unless the context otherwise requires, words and expressions to which meanings are assigned by the enactments incorporated herewith have in relation to the related subject-matter the same respective meanings; and—

“the Act of 1845” means the Railways Clauses Consolidation Act 1845;

“the Act of 1863” means the Railways Clauses Act 1863;

“the Act of 1963” means the London Transport Act 1963;

“the Act of 1964” means the London Transport Act 1964;

“the Act of 1965” means the London Transport Act 1965;

“the Act of 1966” means the London Transport Act 1966;

“the Act of 1969” means the London Transport Act 1969;

“the Act of 1976” means the London Transport Act 1976;

“the Act of 1981” means the London Transport Act 1981;

“the Act of 1984” means the London Docklands Railway Act 1984;

“the Act of 1985” means the London Docklands Railway Act 1985;

“Canary Wharf station” means the station being constructed at Canary Wharf, Isle of Dogs;

“the Corporation” means London Regional Transport;

“the development corporation” means the London Docklands Development Corporation;

“the Docklands Railway” means the railway authorised by the Acts of 1984 and 1985;

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

“public telecommunications operator” has the same meaning as in section 9 (3) of the Telecommunications Act 1984;

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“the tribunal” means the Lands Tribunal; and

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

- (2) Any reference to the London Transport Board or the London Transport Executive in any of the provisions incorporated with this Act by section 8 (Incorporation of works provisions), section 12 (Incorporation of lands provisions) and section 13 (Incorporation of protective provisions) of this Act shall be construed as a reference to the Corporation.
- (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, and distances between points on a railway shall be taken to be measured along the railway.
- (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 Incorporation of general enactments**

- (1) The following enactments, 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 132 of the Lands Clauses Consolidation Act 1845;
  - (b) the Act of 1845, except sections 1, 7 to 9, 11 to 15, 17, 19, 20, 22, 23, 94 and 95 thereof; and
  - (c) in the Act of 1863, Part I (relating to construction of a railway), except sections 13, 14, 18 and 19 thereof.
- (2) For the purposes of the provisions of the Act of 1845 and the Act of 1863, as incorporated with this Act, the expression “the company” where used in the said incorporated provisions means the Corporation.
- (3) Sections 18 and 21 of the Act of 1845, as incorporated with this Act, shall not extend to regulate the relations between the Corporation and any other person in respect of any matter or thing concerning which those relations are regulated in any respect by the provisions of—
  - (a) Part II of the Public Utilities Street Works Act 1950 or Part III of the New Roads and Street Works Act 1991; or
  - (b) section 42 (For protection of gas, water and electricity undertakers) of the Act of 1963, as incorporated with this Act.

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## PART II

### WORKS

#### 4 Power to make works

The Corporation may, in the lines or situations shown on the deposited plan and according to the levels shown on the deposited sections, make and maintain the following works, with all necessary works and conveniences connected therewith:—

In the London borough of Tower Hamlets—

Work No. 1A A railway (246 metres in length) and a widening on the western side of the existing viaduct at North Quay, commencing by a junction with the Docklands Railway at a point 180 metres south-west of the junction of Dolphin Lane with Poplar High Street and terminating north of Canary Wharf station by a junction with that railway at a point 397 metres south-west of that road junction;

Work No. 1B A railway (220 metres in length) and a widening on the eastern side of the existing viaduct at North Quay, commencing by a junction with the Docklands Railway at a point 184 metres south of the junction of Dolphin Lane with Poplar High Street and terminating north of Canary Wharf station by a junction with that railway at a point 397 metres south of that road junction.

#### 5 Power to deviate

In the execution of either of the works shown on the deposited plan, the Corporation may deviate from the lines or situations thereof shown on the deposited plan to the extent of the limit of deviation and may deviate to such extent upwards or downwards as may be found necessary or convenient.

#### 6 Plans, etc., to be approved by Secretary of State

The Corporation shall in connection with the works from time to time submit for the approval of the Secretary of State plans, sections and other details of their proposals with respect to permanent way, viaducts, signalling and the power required for traction, with particular reference to the use of overhead contact wires or conductor rail systems, and any work included in the said proposals shall be constructed and maintained only in accordance with plans, sections and other details as approved by the Secretary of State.

#### 7 Use of sewers, etc., for removing water

(1) The Corporation may use for the discharge of any water pumped or found by them during the construction of the works any sewer or drain of a relevant authority in whose area the works may be constructed and for that purpose may lay down, take up and alter conduits, pipes and other works and make any convenient connections with any such sewer or drain within the limits of deviation but—

- (a) the Corporation shall not discharge any water into any sewer or drain vested in or under the control of a relevant authority except with the consent of the relevant authority and subject to such terms and conditions as the relevant authority may reasonably impose; and

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- (b) the Corporation shall not make any opening into any such sewer or drain save in accordance with plans approved by, and under the superintendence (if given) of, the relevant authority in whom the sewer or drain shall be vested and approval of those plans by the relevant authority shall not be unreasonably withheld.

(2) (a)

Section 85 of the Water Resources Act 1991 shall apply to, or to the consequence of, a discharge under the powers of this section into any controlled waters within the meaning given by section 104 of that Act as if this section were not a local statutory provision for the purposes of section 88 (1) (f) of that Act.

- (b) In the exercise of their powers under this section the Corporation shall not damage or interfere with the bed of any watercourse forming part of a main river or the banks thereof within the meaning of section 113 of the Water Resources Act 1991.
- (3) The Corporation shall take all such steps as may reasonably be required to secure that any water discharged by them under the powers of this section shall be as free as may be reasonably practicable from any gravel, soil or other solid substance or oil or matter in suspension.
- (4) Any difference arising between the Corporation and a relevant authority under this section shall be referred to and settled by arbitration.
- (5) In this section “relevant authority” means Thames Water Utilities Limited, the National Rivers Authority or Tower Hamlets London borough council.

## 8 Incorporation of works provisions

- (1) The following provisions of the undermentioned Acts are, with the necessary modifications, incorporated with this Act:—

The Act of 1963—

section 10 (Provisions as to use of electrical power); and

section 15 (Power to make trial holes):

The Act of 1965—

section 10 (Underpinning of houses near works), except the provisos to paragraphs (4) and (6) thereof.

- (2) For the purposes of this Act references in the said section 10 of the Act of 1963, as so incorporated, to Work No. 1 authorised by that Act shall be construed as references to the works and the said section shall have effect as if, after the reference to “insulated return” and “insulated returns” in paragraphs (5) and (7) thereof respectively, there were added “or uninsulated metallic returns of low resistance”.
- (3) The Corporation 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 prevent any public telecommunications operator from having access to any telecommunications apparatus (as defined in paragraph 1 of Schedule 2 to the Telecommunications Act 1984) kept installed for the purposes of that system.