

ELIZABETH II



1967 CHAPTER xxxix

An Act to empower the London Transport Board to construct works and to acquire lands; to extend the time for the compulsory purchase of certain lands; to confer further powers on the Board; and for other purposes.
[27th July 1967]

WHEREAS by the Transport Act, 1962, the London 1962 c. 46.
Transport Board (in this Act referred to as "the Board")
were established:

And whereas it is the duty of the Board under the Transport Act, 1962, (inter alia) to provide or secure the provision of an adequate and properly co-ordinated system of passenger transport for the London Passenger Transport Area and to have due regard to efficiency, economy and safety of operation as respects the services and facilities provided by them:

And whereas it is expedient that the period now limited for the compulsory purchase of certain lands should be extended as provided by this Act:

And whereas it is expedient that the Board should be empowered to construct the works authorised by this Act and to acquire the lands referred to in this Act:

And whereas it is expedient that the other powers in this Act contained should be conferred upon the Board and that the other provisions in this Act contained should be enacted:

And whereas 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 clerk 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:

And whereas 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

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| Short title. | 1. This Act may be cited as the London Transport Act 1967. |
| Division of Act into Parts. | 2. This Act is divided into Parts as follows:—
Part I.—Preliminary.
Part II.—Works.
Part III.—Lands.
Part IV.—Protective provisions.
Part V.—Miscellaneous. |
| Interpretation. | 3.—(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— |
| 1845 c. 20. | “ the Act of 1845 ” means the Railways Clauses Consolidation Act, 1845; |
| 1863 c. 92. | “ the Act of 1863 ” means the Railways Clauses Act, 1863; |
| 1950 c. 39. | “ the Act of 1950 ” means the Public Utilities Street Works Act, 1950; |

- “ the Act of 1961 ” means the British Transport Commission Act, 1961;
- “ the Act of 1963 ” means the London Transport Act, 1963; 1961 c. xxxvi.
1963 c. xxiv.
- “ the Act of 1964 ” means the London Transport Act, 1964 c. xxvi.
1964;
- “ the Act of 1965 ” means the London Transport Act, 1965 c. xli.
1965;
- “ the Act of 1966 ” means the London Transport Act, 1966 c. xxxiii.
1966;
- “ the Board ” means the London Transport Board;
- “ constructed in tunnel ” means constructed in tunnel in such manner as does not necessitate the cutting through or removal of the surface soil;
- “ enactment ” includes any public general, local or private Act and any order or other instrument having the force of an Act;
- “ the limits of deviation ” means the limits of deviation shown on the deposited plans;
- “ the Minister ” means the Minister of Transport;
- “ the tribunal ” means the Lands Tribunal;
- “ underground work ” means such portions of Work No. 1 and any necessary works and conveniences connected therewith as are constructed in tunnel;
- “ Work No. 1 ” means Work No. 1 authorised by this Act;
- “ the works ” means the works authorised by Part II (Works) of this Act.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment, including this Act.

(3) All distances and lengths stated in any description of works, powers or lands, shall be construed as if the words “ or thereabouts ” were inserted after each such distance and length and distances between points on a railway shall be taken to be measured along the railway.

4. The following Acts and Parts of Acts, 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 1845 c. 18. Lands Clauses Consolidation Act, 1845;

PART I
—cont.

(b) the Act of 1845, except sections 7, 8, 9, 11, 12, 13, 19, 20, 22 and 23 thereof; and

(c) Part I (relating to construction of a railway) and Part II (relating to extension of time) of the Act of 1863:

Provided that—

(i) 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 Board;

(ii) the provisions of sections 18 and 21 of the Act of 1845 as incorporated with this Act shall not extend to regulate the relations between the Board and any other person in respect of any matter or thing concerning which those relations are regulated in any respect—

(A) by the provisions of Part II of the Act of 1950; or

(B) by the provisions of section 42 (For protection of gas, water and electricity undertakers) of the Act of 1963 as incorporated with this Act.

PART II

WORKS

Power to
make works.

5. Subject to the provisions of this Act, the Board 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 work hereinafter described with all necessary works and conveniences connected therewith:—

In Greater London—

In the London boroughs of Hillingdon and Hounslow—

Work No. 1 A railway (3 miles 1,100 yards in length), commencing in the London borough of Hillingdon beneath Heathrow Airport, London, at a point 231 yards north of the junction of Chester Road and Inner Ring West and terminating in the London borough of Hounslow by a junction with the Piccadilly Line railway at a point 452 yards east of the termination of that railway at Hounslow West station.

Power to
deviate.

6. In the execution of any, or any part, of the works shown on the deposited plans the Board 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 to such extent as may be found necessary or convenient:

Provided that where the works are beneath any part of the A.30 trunk road the Board shall not deviate upwards from those levels without the consent of the Minister.