

**IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2005 – 06**

CROSSRAIL BILL

**AMENDMENT OF PROVISIONS
(January 2006)**

Note: Page and line references are to the Bill as introduced on 18 May 2005 [Bill 1]

Fulbourne Street ticket hall, Whitechapel Station

Schedule 1

Page 40, line 9, leave out ‘18’ and insert ‘19’.

Schedule 3

Page 60, line 16, column (2), at end insert –

	‘Fulbourne Street between points P1 and P2
	Court Street between points P3 and P4
	Wood’s Buildings between points P5 and P6
	South-eastern side of Durward Street within the extent of narrowing shown on the deposited plans between points P2 and P7’.

Page 69, line 30, column (3), leave out ‘T1 and T2’ and insert ‘T5 and T6’.

Page 69, line 36, column (3), leave out ‘Entire length’ and insert ‘So much as is not permanently stopped up within the extent of narrowing shown on the deposited plans’.

Page 69, line 37, column (3), leave out ‘Entire length’ and insert ‘Between points T9 and P3’.

Page 69, line 37, at end insert –

	‘Castlemaine Street	Between points T7 and T8
	Fulbourne Street	Between points P1 and T 10’.

Page 81, line 32, after ‘224,’ insert ‘224a,’.

Page 81, line 32, after ‘225,’ insert ‘225b, 227a,’.

Page 81, line 32, after ‘252,’ insert ‘252a, 252b,’.

Schedule 6

Page 94, line 29, column (2), leave out ‘243, 271 to 273 and 277’ and insert ‘243c and 272a’.

Page 94, line 33, column (3), after ‘purposes’ insert ‘ and the provision of a working site’.

Schedule 8

Page 155, line 30, column (2), at end insert –

	‘Whitechapel signal cabin (District Line), west of Fulbourne Street on the north side of the track	
	Fulbourne Street bridge over District Line	
	District line retaining wall and parapet, south side of Durward Street and Winthrop Street from a point 23 metres west of the centre line of Fulbourne Street to a point 30 metres east of East London Line	
	Court Street footbridge over District Line	
	London Underground infrastructure at or near Whitechapel Station (District Line) including the platform to ticket hall access footbridge east of Wood’s Buildings, and the operational garage, staff accommodation block, and associated portacabins at Durward Street level	
	Wood’s Buildings disused footbridge over the District Line	
	North span of District Line railway bridge over East London Line	
	South span of District Line railway bridge over East London Line	
	Parapet walls to Durward Street Bridge over the East London Line’.	

Conveyor and jetty at West India Docks South

Schedule 1

Page 40, line 25, leave out '120' and insert '130'.

Schedule 6

Page 95, line 17, at end insert –

'754a	The provision of access for construction.'
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Conveyor, new roads and working site at Manor Wharf

Schedule 1

Page 42, line 35, leave out '285' and insert '85'.

Page 42, line 43, at end insert –

'Work No. 1/38D- A road commencing by a junction with Work No. 1/38C at a point 318 metres south-west of the centre of the dolphin at the western end of Manor Wharf and terminating at a point 95 metres south-west of the centre of the said dolphin;

Work No. 1/38E- A temporary road commencing by a junction with Isis Reach at a point 177 metres south of the centre of the dolphin at the western end of Manor Wharf and terminating at a point 150 metres south of the centre of the said dolphin;

Work No. 1/38F- A temporary road commencing by a junction with Work No 1/38C at a point 363 metres south-west of the centre of the dolphin at the western end of Manor Wharf and terminating by a junction with Isis Reach at a point 351 metres south-west of the centre of the said dolphin;'

Schedule 3

Page 73, line 41, column (3), after 'T5' insert 'and points T6 and T7'.

Schedule 5

Page 87, line 5, at end insert –

'Any of the works authorised by this Act	London Borough of Bexley	83a	The provision of a working site.'
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Schedule 6

Page 99, leave out lines 20 and 21.

Page 112, line 5, column (2), at end insert '84a'.

Shorts Gardens, Camden

Schedule 6

Page 117, line 28, column (2), after second 'to' insert '79, 79a, 80, 80a, 81 to 83, 83a, 84, 84a, 85, 85a, 86 to 88, 91, 92, 92a, 93, 93a, 94 to 100, 100a, 101, 101a, 102, 103, 103a, 104, 104a, 105 to 107, 107a, 108, 108a, 109, 109a, 110 to 114, 114a, 115, 115a, 116 to 118, 118a, 119 to'.

Temporary diversion of gas main at Crow Lane, Romford

Schedule 3

Page 82, line 7, column (2), after '12,' insert '12a,'.

Schedule 6

Page 100, line 21, column (2), after ‘9’ insert ‘and 12b’.

Access off Swallowfield Way, Hayes & Harlington

Schedule 6

Page 112, line 24, column (2), after ‘178’ insert ‘and 178a’.

Access off Blyth Road, Hayes & Harlington

Schedule 3

Page 82, line 13, column (2), leave out ‘and’.

Page 82, line 13, column (2), after ‘116’ insert ‘and 211b’.

Schedule 6

Page 105, line 34, at end insert –

‘198a and 211a	‘The provision of access for construction.’.
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Barge loading, holding areas and mitigation works in river Lea (or Lee)

Schedule 1

Page 40, leave out lines 27 to 31.

Schedule 5

Page 86, line 36, at end insert –

‘Any of the works authorised by this Act		844a	The provision of barge loading facilities.’.
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Page 86, line 38, at end insert –

‘Any of the works authorised by this Act	London Borough of Newham	6a	The provision of barge loading facilities.’.
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Schedule 6

Page 95, line 28, at end insert –

‘844b	‘The provision of mitigation
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| works.’.

Page 96, line 17, column (2), after ‘4’ insert ‘and 7’.

Page 96, line 20, at end insert –

| ‘6b and 6c

| The provision of mitigation works.’.

Access at Basin Approach, Lowell Street

Schedule 6

Page 118, line 7, column (2), leave out ‘577.’.

Page 119, line 10, column (2), at beginning insert ‘577.’.

Access at Billingsgate Market

Schedule 6

Page 118, line 10, leave out ‘771.’.

Paddington Station

Schedule 6

Page 92, line 8, at end insert –

‘89a and 93a

The provision of pedestrian access.’.

Schedule 8

Page 152, line 36, column (3), after ‘Terrace’ insert ‘and Departures Road’.

Page 152, line 37, column (3), leave out from first ‘of’ to end of line 44 and insert ‘Lynx Building on north-east side of the station. Alterations of deck on north-east side of station (being the deck on part of which the Lynx Building is situated) and area below that deck in connection with (a) construction of new stairs, lifts and escalators, (b) Work No. 1/11B and (c) taxi circulation facility.’.

Extension of permitted development rights

After clause 14

Page 14, insert —

‘Extension of permitted development rights

(1) Article 3(10) of the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) (exception from permission in case of development for which environmental assessment required) shall not apply to development—

- (a) which falls within a class of development described in Part 15, 16, 17, 24 or 25 of Schedule 2 to that Order as permitted development, and
 - (b) in relation to which information contained in a statement specified for the purposes of this paragraph constituted at the time of the statement's deposit or publication an environmental statement within the meaning of the EIA regulations.
- (2) The following are the statements specified for the purposes of subsection (1)(b)—
- (a) the statement deposited in connection with the Crossrail Bill in the Private Bill Office of the House of Commons in February 2005 in pursuance of Standing Order 27A of the Standing Orders of the House of Commons relating to private business (environmental assessment);
 - (b) the statements containing additional environmental information published in connection with the Crossrail Bill by the Secretary of State, notice of the publication of which was published in the London Gazette on 27th May 2005 and 18th January 2006.
- (3) Schedule [*Extension of permitted development rights: supplementary provisions*] (which contains supplementary provisions) has effect.?

After Schedule 7

Page 151, insert —

‘SCHEDULE

EXTENSION OF PERMITTED DEVELOPMENT RIGHTS: SUPPLEMENTARY PROVISIONS

Conditions of permitted development

- 1 (1) Planning permission granted by virtue of section [*Extension of permitted development rights*](1) is subject to the condition that development is carried out in accordance with such requirements as the Secretary of State may by notice in writing to the developer specify for the purpose of—
- (a) avoiding a breach of a relevant undertaking, or
 - (b) securing that the environmental effects of carrying out the development are not materially different from those envisaged by the relevant environmental assessment.
- (2) The power conferred by sub-paragraph (1) is exercisable after, as well as before, development is commenced.
- (3) The power conferred by sub-paragraph (1) includes power, exercisable in the same manner, to vary or revoke a notice under that sub-paragraph.

- (4) The condition imposed by sub-paragraph (1) is in addition to any condition to which the planning permission may be subject apart from this paragraph.

Controls in relation to proposed development

2 (1) Where—

- (a) it appears to the Secretary of State that a person is proposing to carry out development of a kind mentioned in section [*Extension of permitted development rights*](1)(a), and
- (b) the Secretary of State is of the opinion that the proposed development has not been the subject of environmental assessment in connection with the Crossrail Bill,

he may give notice in writing of his opinion to the proposed developer.

- (2) The power conferred by sub-paragraph (1) includes power, exercisable in the same manner, to withdraw a notice under that sub-paragraph.
- (3) Where a notice given under sub-paragraph (1) has not been withdrawn, section [*Extension of permitted development rights*](1) shall be treated as not applying to the carrying out by the person to whom the notice is given of the development to which it relates.

3 (1) This paragraph applies where it appears to the Secretary of State—

- (a) that a person is proposing to carry out development of a kind mentioned in section [*Extension of permitted development rights*](1)(a), and
- (b) that the development has been the subject of environmental assessment in connection with the Crossrail Bill.

- (2) If it appears to the Secretary of State that it is necessary or desirable to do so for the purpose of avoiding a breach of a relevant undertaking, he may, by notice in writing to the proposed developer, disapply section [*Extension of permitted development rights*](1) in relation to the carrying out of the development by that person.
- (3) The power conferred by sub-paragraph (2) includes power, exercisable in the same manner, to revoke a notice under that sub-paragraph.

Notices

4 A notice under this Schedule shall—

- (a) specify the person to whom it is given,
- (b) specify the development to which it relates,

(c) explain the reasons for it, and

(d) in the case of a notice under paragraph 2, explain its effect.

5 Notices under this Schedule shall be served by post.

6 Where the Secretary of State gives a notice under this Schedule he shall—

(a) in the case of a notice relating to development in the area of a unitary authority, give a copy of the notice to the local planning authority;

(b) in the case of a notice relating to development not in the area of a unitary authority, give a copy of the notice to the district planning authority.

Interpretation

7 For the purposes of this Schedule, development has been the subject of environmental assessment in connection with the Crossrail Bill if it is development in relation to which information contained in a statement specified for the purposes of section [*Extension of permitted development rights*](1)(b) constituted at the time of the statement's deposit or publication an environmental statement within the meaning of the EIA regulations.

8 In this Schedule—

(a) “relevant undertaking” means an undertaking given by the Secretary of State—

(i) to the Select Committee of the House of Commons to which the Crossrail Bill was committed, or

(ii) to the Select Committee of the House of Lords to which that bill was committed;

(b) references to the relevant environmental statement, in relation to development for which planning permission is granted by virtue of section [*Extension of permitted development rights*](1), are to the statement by virtue of which paragraph (b) of that subsection applies.’.

Clause 10

Page 7, line 17, leave out ‘section’ and insert ‘Act’.

Clause 14

Page 10, leave out line 6.

Clause 57

Page 33, line 42, at end insert—

“development” has the same meaning as in the Town and Country Planning Act 1990 (c. 8);’.

Page 33, line 42, at end insert—

“the EIA regulations” has the meaning given by section 10(8);’.

Schedule 7

Page 150, leave out lines 40 and 41.

Further amendments

Clause 10

Page 6, line 33, leave out from ‘which’ to end of line 38 and insert ‘information contained in a statement specified for the purposes of this paragraph constituted at the time of the statement’s deposit or publication an environmental statement within the meaning of the EIA regulations.’.

Page 6, line 45, at end insert—

‘(3A) The following are the statements specified for the purposes of subsection (2)(b)—

- (a) the statement deposited in connection with the Crossrail Bill in the Private Bill Office of the House of Commons in February 2005 in pursuance of Standing Order 27A of the Standing Orders of the House of Commons relating to private business (environmental assessment);
- (b) the statements containing additional environmental information published in connection with the Crossrail Bill by the Secretary of State, notice of the publication of which was published in the London Gazette on 27th May 2005 and 18th January 2006.’.

Clause 51

Page 30, line 24, leave out subsection (1) and insert—

‘(1) Subsection (1A) applies to an order under section 1 of the Transport and Works Act 1992 (c. 42) (orders as to railways etc.) which relates to—

(a) an extension of Crossrail, or

(b) the provision, otherwise than as part of an extension of Crossrail, of a railway facility for use for the purposes of or in connection with Crossrail.

(1A) An order to which this subsection applies may apply any provision of this Act, with any modifications, in relation to anything authorised by the order, so far as relating to a matter mentioned in subsection (1)(a) or (b).

(1B) An order under section 1 of the Transport and Works Act 1992 (c.42) which relates to an extension of Crossrail may also provide for any provision of this Act to have effect as if Crossrail included the extension.’.

Page 30, line 31, leave out ‘(1)(a)’ insert ‘(1A)’.

Page 30, line 35, at end insert—

‘() In subsection (1)(b), “railway facility” has the same meaning as in Part 1 of the Railways Act 1993 (c. 43).’.

After clause 56

Page 33, insert—

“Deposited plans”, “deposited sections”

(1) In this Act, “deposited plans” and “deposited sections” mean, respectively, the plans and sections deposited in connection with the Crossrail Bill in the office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons.

(2) The plans and sections referred to in subsection (1) are—

(a) those deposited in February 2005, as altered by replacement Sheets Nos. 6, 11, 17, 23, 25, 43, 44, 65, 113, 114, 152, 158, 180, 181 and 193 deposited in January 2006, and

(b) Sheet No. 244 deposited in January 2006.’.

Clause 57

Page 33, leave out lines 39 to 42.

Schedule 2

Page 53, line 31, at end insert—

- ‘(6A) If, on application by the nominated undertaker for the approval of plans or specifications under sub-paragraph (2) or (5), the highway authority fails to notify the nominated undertaker of its decision on the application before the end of the period of 28 days beginning with the date on which the application was made, it shall be deemed to have approved the plans or specifications as submitted.
- (6B) If a highway authority which receives an application for consent under sub-paragraph (4) fails to notify the applicant of its decision on the application before the end of the period of 28 days beginning with the date on which the application was made, it shall be deemed to have granted it.’

Page 54, line 22, at end insert—

‘Reinstatement works

- 4A (1) The nominated undertaker may within the limits of deviation for the scheduled works or within the limits of land to be acquired or used carry out works for the purpose of reinstating any facilities whose operation or use is discontinued because of the exercise of powers conferred by this Act.
- (2) Reinstatement under sub-paragraph (1) need not be on the site where the facilities were situated prior to discontinuation.’

Schedule 6

Page 119, line 13, leave out from ‘provide’ to ‘that’ in line 14.
Page 119, leave out lines 17 to 21.

Schedule 8

Page 153, line 17, column (2), at end insert –

	‘197-199 (odd) Praed Street (rear part)	
	19-23 (odd and even) Spring Street (rear part)’.	

Page 155, line 18, column (2), at end insert –

	Bridge structures carrying Charterhouse Street and Lindsey Street over Metropolitan Line and Thameslink’.	
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SESSION 2005 – 06**

CROSSRAIL BILL

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**AMENDMENT OF PROVISIONS
(January 2006)**

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10.1.06