



CROSSRAIL INFORMATION PAPER

B4 – ACQUISITION OF LAND OUTSIDE THE LIMITS OF DEVIATION

This paper explains how the power sought in the Crossrail Bill to acquire land outside the limits of deviation would operate.

It will be of particular relevance to those in the vicinity of the proposed Crossrail works.

This is not intended to replace or alter the text of the paper itself and it is important that you read the paper in order to have a full understanding of the subject. If you have any queries about this paper, please contact either your regular Petition Negotiator at CLRL or the Crossrail helpdesk, who will be able to direct your query to the relevant person at CLRL. The helpdesk can be reached at:

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1. Clause 7 of the Crossrail Bill (the Bill) will allow the Secretary of State compulsorily to acquire land outside the limits of deviation and limits of land to be acquired or used which is required for or in connection with the works authorized by the Bill or otherwise for or in connection with Crossrail. Section 5 of the Channel Tunnel Rail Link Act 1996 gave similar powers. The clause also enables land within the Bill limits to be compulsorily acquired where the land or interest in land concerned cannot be acquired under clause 6 of the Bill.
2. Although the clause 7 power is expressed in general terms, clause 7(4) of the Bill gives three specific instances where the power might be used to acquire land in order to help those affected by the project:
 - For use in mitigating the effect of the Crossrail works on the environment;
 - For use in relocating apparatus which merits diversion or replacement as a result of the Crossrail works; and
 - In order to provide land in exchange for common land, certain allotment land or open space acquired for the Crossrail works.
3. Clause 7 is also a failsafe mechanism. It may be that when it comes to building Crossrail a piece of additional land will be needed for supplementary purposes and that purchase cannot be agreed. Whilst there is ample provision in the Bill itself for the railway scheme, it is possible that land other than that authorized to be acquired by clause 6 will be required.
4. There are safeguards for those land owners that might be affected by clause 7. Essentially, any clause 7 acquisition would have to be authorized under the normal rules relating to compulsory acquisition contained in the Acquisition of Land Act 1981. Accordingly, the Secretary of State would be required to prepare and publicize a draft compulsory purchase order, so that those affected have an opportunity to object and to require a hearing or public local inquiry. The acquisition of land under the compulsory purchase order (if made) would attract compensation under the national compensation code (for further information see Information Paper C2, Operation of the National Compensation Code).
5. The Secretary of State intends that the powers which would be conferred by clause 7 should be used with restraint, if at all, and he would normally expect the nominated undertaker to endeavour to reach voluntary agreement to purchase or use any land which he considers is required outside the limits in the Bill.