



CROSSRAIL INFORMATION PAPER

B6 – TIME LIMITS

This paper sets out the time limits set on the compulsory purchase powers and planning permission granted by the Bill, and explains how they can be extended.

It will be of particular relevance to those whose land is subject to compulsory purchase under the Bill and 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. Compulsory Purchase Powers

- 1.1 Clause 6 of the Crossrail Bill (the Bill) provides that no notice to treat under Part 1 of the Compulsory Purchase Act 1965, as that Act is applied by the Bill (and no declaration under the Compulsory Purchase (Vesting Declarations) Act 1981, also as so applied) shall be served or executed after the end of the period of five years beginning with the day on which the Bill receives Royal Assent. This time limit is well precedented in railway legislation.
- 1.2 Because of the very substantial nature of the works in the Bill, clauses 6(7) and (8) allow the Secretary of State to extend the five year time limit once, and for up to a further five years, by a parliamentary procedure that gives an opportunity to object before any such proposed extension is ordered. This power to extend time would allow the project to continue without the Secretary of State having to seek fresh statutory powers, in the unlikely event of a major delay, whilst permitting those who might be affected by such a proposed extension to object to Parliament. Similar provision was included in section 38 of the Channel Tunnel Act 1987 and section 47 of the Channel Tunnel Rail Link Act 1996.
- 1.3 When an order under clauses 6(7) and (8) comes into operation, the provisions of paragraphs 18 and 19 of Schedule 6 to the Bill come into effect. These give affected land owners and lessees the power, other than in cases where it is only the subsoil more than nine metres below the level of the surface that is affected, to require the Secretary of State to acquire their affected land, or, if the Secretary of State chooses not to do so, provide that the relevant powers of compulsory acquisition shall cease to have effect. In short, these provisions provide affected owners and lessees with a mechanism for obtaining certainty and, if their land is to be acquired, to require an immediate purchase of their interest.

2. Planning Permission

- 2.1 Part 11 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 is the usual method by which planning permission is given for works authorized by local Acts. It is normal in such Acts to include express provision limiting that permission to development begun within 10 years of the passing of the Act. This is reflected in clause 11(1) of the Bill as regards the planning permission granted by clause 10 of the Bill with respect to any of the scheduled works.
- 2.2 With a scheme of the complexity and scale of Crossrail, it is possible that some aspects of the project may not be begun within that period. Clause 11(2) caters for this possibility by enabling the Secretary of State to extend the 10 year period by order. By virtue of subsection 3, such an order would take the form of a statutory instrument and be subject to annulment in pursuance of a resolution of either House of Parliament. This provision is similar to those in sections 10(2) and (3) of the Channel Tunnel Rail Link Act 1996.