

Notice No. 5

- Power to occupy land temporarily
- Power to carry out protective works to land and buildings

Notice No. 6

- Power to carry out protective works to land and buildings.

5. Compensation

Entitlement to and the amount of any compensation payable under the land powers would be assessed in accordance with the body of statute and case law that applies in these circumstances, known as the Compensation Code. Any disputes relating to the entitlement to or the amount of compensation would be referred to the Lands Chamber of the Upper Tribunal.

6. Further information

If you would like more information about the Northern line extension please email nle@tfl.gov.uk

To receive this document in large print, audio or another language please call 0800 298 3009.

Northern line extension

Factsheet K: What does the Transport and Works Act notice I have received mean?

1. Introduction

A Transport and Works Act Order (TWAO) will, if approved by the Secretary of State for Transport, authorise the extension of the Northern line from Kennington to Battersea (the NLE). It will be called the London Underground (Northern Line Extension) Order (the Order) and, among other things, will provide a range of legal powers to allow the extension to be constructed.

This factsheet sets out the key powers relating to affected land and property contained in the draft of the Order. It explains what these may mean for you as a property or landowner who has received a 'Rule 15' notice from TfL.

2. The Order

The Order will provide the following main legal powers in relation to land and property:

1. Compulsory acquisition of land (including subsoil)

This power would allow London Underground Limited (LUL) to purchase land (including freeholds and tenancies) compulsorily, either all of the land or just some of the subsoil. The landowners concerned would be entitled to compensation, which would reflect the market value of the interest in land purchased, disregarding any effect on that value caused by the NLE proposals. In the case of subsoil the market value is a nominal amount.

2. Compulsory acquisition of rights over land

This power would not allow LUL to acquire land compulsorily but rather rights over land, such as a right for pedestrians to pass over land in order to access an NLE station. It would also allow LUL to impose a restrictive covenant over land which might, for instance, prevent a landowner from using land adjoining the NLE in a way that obstructs its operation or maintenance. The landowner would be entitled to compensation for the effect of the right acquired or the restrictive covenant imposed on the value of the landowner's interest in land retained.

3. Temporary possession powers

This power would allow LUL to take exclusive possession of land for the purposes of constructing the NLE, typically for a period of up to five years. The landowner would be entitled to compensation for the period of possession by LUL and the land would be restored to a condition which is to the landowner's reasonable satisfaction before being returned to the landowner.

4. Power to carry out protective works

This power would permit LUL to carry out protective works to buildings and to enter and survey any building (or associated land) in order to determine how to exercise that power. This right might be used to protect buildings against the effects of ground settlement and could include underpinning and strengthening works to buildings. A landowner would be entitled to compensation for any loss or damage arising to their building as a result of LUL exercising this power to carry out protective works.

These four types of legal powers in relation to land and property are collectively referred to as 'the land powers' in the remainder of this factsheet.

3. The book of reference

TfL has submitted a book of reference with our TWAO application in accordance with the rules.

This book of reference contains:

- the names of all owners, lessees, tenants and occupiers of land which it is proposed would be subject to the land powers;
- the names of those entitled to specific private property rights (such as rights of way or

restrictive covenants) which it is proposed would be extinguished by the land powers; and

- the names of the owners of any Crown interests that it is proposed would be used for the purposes of the NLE.

4. Rule 15 legal notices

The rules for TWAO applications also provide that those named in the book of reference must receive legal notices, which are called 'Rule 15 notices'. These must be served 'forthwith' after the application has been made. Therefore, the landowners that are affected by the proposed land powers will all have received Rule 15 notices on or shortly after 30 April 2013.

Six different types of Rule 15 notices (numbered 1 to 6) have been used and each type of notice explains that the land to which the notice relates will be subject to a different combination of the land powers. The land powers relevant to each notice are summarised below:

Notice No. 1

- Full compulsory acquisition powers (for both surface and subsoil acquisition)
- Power to acquire compulsorily rights over land and/or to impose restrictive covenants
- Power to occupy land temporarily (where not expressly prohibited in the Order)

- Power to carry out protective works to land and buildings

Notice No. 2

- Power only to acquire compulsorily rights over land and/or to impose restrictive covenants
- Power to occupy land temporarily (where not expressly prohibited in the Order)
- Power to carry out protective works to land and buildings

Notice No. 3

- Compulsory acquisition powers over the subsoil of the land only
- Power to acquire compulsorily rights over subsoil and/or to impose restrictive covenants over subsoil (no surface level power)
- Power to occupy subsoil temporarily (no surface level power)
- Power to carry out protective works to land and buildings

Notice No. 4

- Compulsory acquisition powers over the subsoil of the land only
- Power to acquire compulsorily rights over subsoil and/or to impose restrictive covenants over subsoil (no surface level power)
- Power to occupy surface and subsoil land temporarily (where not expressly prohibited in the Order)
- Power to carry out protective works to land and buildings