

Northern line extension - Settlement Deeds

Frequently Asked Questions

Settlement Deed

1. What is a settlement deed?

A settlement deed is a formal legal agreement between owners of a property potentially affected by settlement and Transport for London (TfL). Subsurface excavations may cause ground movements. These movements commonly result in settlement. The settlement deed contains standard undertakings offered by London Underground Limited to all owners of qualifying buildings and its terms are not subject to individual negotiation. Each party is responsible for its' own costs of entering into a deed. Property owners do not have to enter into the deed unless they choose to. It is not necessary to enter into the deed to benefit from TfL's policy to receive compensation in the event of damage to a property as a result of tunnelling or construction work carried out by TfL.

2. What is a "qualifying building?"

A building qualifying for a settlement deed is any building within the limits of deviation.

3. What are the "limits of deviation"? How were these decided? Is there a map?

The limits of deviation define the maximum extent within which the Northern line extension (NLE) can be built. This is shown in the Deposited Plans contained within the Transport and Works Act Order (TWAO), the powers granted to TfL to enable the construction of the NLE. A link to the Deposited Plans can be found here - <http://www.tfl.gov.uk/cdn/static/cms/documents/nle-twa-deposited-plans-and-sections-a14.pdf>

4. My neighbour has received a letter but I have not and I think I am eligible – why haven't I received anything?

There could be two reasons for this:

- 1) The letter in respect to settlement deeds has to be sent to the property owner and therefore if you are a tenant you will not have received a letter.
- 2) The letter in respect to settlement deeds is only sent to property owners where the property lies within the limits of deviation. Therefore if your property is outside the limits of deviation you will not have received a letter.

5. What are the implications of not signing up to a settlement deed? How are my statutory rights affected?

Entering into a settlement deed ensures that TfL automatically supplies you with information on the impact of tunnelling on your property. If you don't enter into a settlement deed TfL is still obligated to supply information when you ask for it.

6. Am I still covered if I don't enter into the settlement deed and something happens to my property?

Yes, if you do not enter into a Deed TfL will still be responsible for any damage caused to your house as a result of the tunnelling works.

7. How does this differ from the statutory rights contained in the Transport & Works Act Order?

It does not differ from the commitment provided in the Transport & Works Act Order.

8. Is there any compensation for ground movement included in the settlement deed?

There is no compensation for ground movement unless this causes damage to your property.

9. Do I need a lawyer to review this? Is it government backed and protected?

The settlement deed is an established legal document that has previously been applied on the Channel Tunnel Rail Link and Crossrail projects. You may seek legal advice if you wish to but it will be at your own cost and it should be noted that the terms of the agreement are non negotiable.

10. What are the proposed terms of compensation for settlement?

In the unlikely event that there is any damage to your property caused by the NLE and the cause is agreed to be attributable to the NLE works when comparison with a pre-construction defect survey has been made and full investigations have taken place, TfL undertakes to repair this damage at no cost to the property owner.

11. Please send me a draft copy of the settlement deed.

The draft settlement deed is available on the website here - <http://www.tfl.gov.uk/cdn/static/cms/documents/appendix-i6-nle-settlement-deed.pdf>. Please contact the NLE team at Southbank House, Black Prince Road, London, SE1 7SJ if you do not have access to the website.

12. Is signing up in my best interests? Why do I need one, and how does it protect me?

If you do not enter into a settlement deed, TfL is still obligated to supply you with information when you ask for it and repair any damage to your property caused by the NLE works.

13. How is my property going to be affected? Should I be concerned?

Predicted settlement caused by the NLE works will, at most, cause minimal impacts to properties along the route such as cracks that could be filled or doors and windows that may stick slightly.

Defects Surveys

14. What is a defects survey?

A defects survey is a photographic record of your property, internal and external that together with a list of defects forms a record of the condition of your property and carried out by a qualified surveyor.

15. Does my property qualify for a defects survey?

Defects surveys will be carried out for all properties predicted to experience 1mm or more of ground movement. This includes all buildings that qualify for a settlement deed.

16. Will this involve a survey being made of my property, at TfL's expense, before works commence?

Yes. All residents of properties predicted to experience 1mm or more of ground movement due to the construction of the NLE will be contacted approximately four weeks before a defects survey will need to be undertaken.

General Information

17. I cannot find any information online – where can I get more information to make my decision?

We have reorganised the NLE website and have a new section on settlement deeds and defects surveys. A link can be found here - <http://www.tfl.gov.uk/travel-information/improvements-and-projects/northern-line-extension?cid=northern-line-extension#on-this-page-1>.

18. The letter was sent to the wrong address/recipient.

Thank you, we welcome any feedback on where we have inaccurate records in this regard.

19. Why do I have to send a letter back in return, won't an email suffice?

If you wish to enter into a settlement you can do this by

- Emailing nle@tfl.gov.uk
- Writing to the NLE team, Third Floor, Southbank House, Black Prince Road, London, SE1 7SJ providing your contact details (including property address)
- Call 0203 6932506 (Mon-Fri 9am-5pm)

20. The 12 April deadline is unrealistic – will this be extended given the lack of information?

The deadline has been extended to 31 May 2015.

21. Who do I contact if I want more information?

Please contact nle@tfl.gov.uk if you require any further information or clarification, or consult the website <http://www.tfl.gov.uk/northern-line-extension>.

Additionally you can contact the NLE team at Third Floor, Southbank House, Black Prince Road, London, SE1 7SJ if you do not have access to email or the website or call our helpline on 0203 6932506