

Northern line extension

Factsheet L: Transport and Works Act Order process

1. Introduction

Transport and Works Act Orders (TWAOs) are a special form of statutory authority for the construction, operation and maintenance of railways and some other forms of transport system.

A TWAO authorises the construction of the works proposed and may also provide additional powers, including compulsory powers for acquiring the necessary temporary and permanent property interests and rights needed to construct and operate the railway. TWAOs also allow planning permission to be obtained from the Secretary of State for Transport at the same time as the Order (rather than making a planning application to the local authority) for proposed surface structures including stations.

However, in some cases applications for other associated permissions are also necessary. In the case of the Northern line extension to Battersea (the NLE), applications to demolish structures within conservation

areas and to alter listed buildings have been or (in the case of listed buildings) will soon be submitted. In addition an open space certificate has been applied for to confirm TfL's view that the long term property rights needed over open spaces in Kennington Park and at Kennington Green will not affect the public's enjoyment of those open spaces.

Applications for TWAOs are made to the Secretary of State (i.e. central Government, and in the case of the NLE to the Secretary of State for Transport). The process seeks to ensure that everyone who is affected by the application is informed or can find out about the proposals and can inspect copies of the application documents. More information about the NLE TWAO application can be found from details advertised in the media and in various formal notices, and by looking at the application documents.



2. The TWAO application

The NLE TWAO application documents submitted to the Secretary of State for Transport include a draft of the proposed TWAO, an explanation of its contents, various plans, an application for deemed planning permission and an environmental statement. The environmental statement provides the clearest and most detailed description of the proposals and includes a concise non-technical summary of the proposals and their predicted environmental effects.

3. Public inquiry

After the end of the period for representations and comments to be submitted and if significant objections have been made, the Secretary of State for Transport is likely to appoint an independent person (the Inspector) to conduct a local public inquiry into the proposals. If a local public inquiry is held in relation to the NLE, TfL expects it to take place in November and December 2013 and to last for a few weeks.

The procedure relating to TWAO public inquiries is very similar to that for major planning inquiries and is set out below:

- Within six weeks of the announcement that there will be an inquiry, those wanting to take their representations and comments further are each asked to submit a 'statement of case'. This is a written summary of the case that they want to put at the inquiry.

- A short period after statements of case have been submitted, a pre-inquiry meeting will be held by the Inspector to discuss administrative arrangements for the inquiry.
- Documents called 'proofs of evidence' then have to be prepared and submitted by each participant's witness or witnesses four weeks before the inquiry starts. At the inquiry, the participants each make out their case, which may be supported by the evidence given on their behalf by their witness or witnesses, who can be questioned about their evidence.
- Approximately three months after the end of the inquiry the Inspector will submit a report to the Secretary of State for Transport with the Inspector's recommendations.
- Some time later (likely to be in autumn 2014), the Secretary of State will decide whether to allow the application for the TWAO, and whether any changes to it are required. The Secretary of State's decision is given in writing and will be accompanied by the Inspector's report. It will also be advertised and those who participated at the inquiry will be sent a copy of it.

4. Further information

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

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