

Guidance Document

G0024 Infrastructure Protection - Form of Indemnity to Access LU Land

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MAYOR OF LONDON

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1 Purpose

- 1.1 The purpose of this Guidance is to set out the scope and process for preparing a Form of Indemnity for when Outside Parties wish to access London Underground (LU) land in order to carry out site visits, inspections or other non-intrusive work on London Underground.
- 1.2 This guidance supports standards S1023 “Infrastructure Protection” and G0023 “Infrastructure Protection – Special Conditions for Outside Parties Working On or Near the Railway”.

2 Scope

- 2.1 Any Outside Party (i.e. a contractor, developer or other body not contracted to undertake work for LU) must enter into a Form of Indemnity if they wish to access LU land for the purpose of undertaking site visits, inspections, condition surveys or other work that does not fall under the scope of a Licence as set out in Guidance G0025 “Infrastructure Protection - Licence to Carryout Works on LU Land”.
- 2.2 This Guidance does not apply to instances where an Outside Party needs to access LU land for the purposes of carrying out physical works on LU land, oversailing LU land, or are undertaking monitoring, intrusive or detailed topographic surveys on LU land; all of which is covered by G0025.
- 2.3 This Guidance is not applicable if suitable arrangements are included in a finalised Licence, Lease, Development Agreement or any other relevant legal agreement with the Outside Party. If these agreements are not finalised or if there are just heads of terms agreed then a separate Form of Indemnity will be required whenever an Outside Party wishes to access LU land.
- 2.4 The Form of Indemnity is not to be used where long term or permanent rights are required as part of wider commercial negotiations between TfL and the Outside Party. Matters such as these should be dealt with by TfL Property and TfL Legal with LU Engineering input as appropriate.

3 Guidance

3.1 Preparation of the Form of Indemnity

- 3.1.1 A template Form of Indemnity has been prepared by TfL Legal and is designed to require only insertion of relevant details as appropriate. The template is intended to be prepared and issued without further input from TfL Legal, other than as described in this Guidance
- 3.1.2 The template Form of Indemnity is included in Attachment 5.1. A soft copy of the template Form is held by the Senior Outside Parties Engineer (SOPE), the Principle Infrastructure Protection Engineer (PIPE) and TfL Legal.
- 3.1.3 Before the Form of Indemnity is completed, the LU Engineer (or LU Project Manager or other relevant LU representative) and Outside Party must agree the area of LU land for which access is required, the purpose and dates of access. These details are to be entered into the template where indicated. All variables (shown on the template by red text and / or square brackets) must be completed and this variable text changed to normal text as part of this process. There must be no red text or square brackets included in the version issued to the Outside Party