



London Underground (Safety Measures) Act 1991

1991 CHAPTER xviii

PART III

LANDS

18 Subsoil or new rights only to be acquired under certain lands

(1) In this section—

“the specified lands” means the lands referred to in Schedule 5 to this Act;
and

“the level of the surface of the specified lands” means ground surface level or, in the case of a building on the specified lands, means the level of the surface of the ground adjoining the building or, in the case of a river, dock, canal, navigation, watercourse or other water area, means the level of the surface of the adjoining ground which is at all times above water level.

- (2) (a) Notwithstanding the provisions of subsection (1) of section 16 (Power to acquire lands) of this Act, the Company shall not acquire compulsorily under the powers of this Act any part of the specified lands, except as provided in paragraph (b) below.
- (b) The Company may, within the limits of lateral deviation prescribed by this Act in respect of the works, enter upon, take and use so much of the subsoil and under-surface of the specified lands as they may require for the purposes of constructing, maintaining, protecting, renewing and using the works and any necessary works and conveniences connected therewith, or compulsorily purchase such new rights in the subsoil and under-surface of the specified lands as they may require for the said purposes without in either case being obliged or compellable to acquire any greater interest in, under or over the specified lands and may give notice to treat in respect of such entry, taking and using.

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- (c) For the purposes of this section the subsoil and under-surface of the specified lands shall be deemed not to include any such subsoil or under-surface which is within 9 metres of the level of the surface of the specified lands.