



Post Office Act 1969

1969 CHAPTER 48

PART III

THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC BUSINESS

Lands

55 Compulsory purchase of land in Great Britain

- (1) The Minister may authorise the Post Office to purchase compulsorily any land in Great Britain which is required by it for, or in connection with, the exercise of its powers or as to which it can reasonably be foreseen that it will be so required ; and the Acquisition of Land (Authorisation Procedure) Act 1946 shall apply to the compulsory purchase of land in Great Britain by the Post Office as if the Post Office were a local authority within the meaning of that Act and as if this Act had been in force immediately before the commencement of that Act.
- (2) The power of purchasing land compulsorily in this section shall include power to acquire, by the creation of a new right, an easement or other right over land, other than land which would, for the purposes of the Acquisition of Land (Authorisation Procedure) Act 1946, form part of a common, open space or fuel or field garden allotment.
- (3) In the application of this section to Scotland, there shall be substituted, for any reference to the Acquisition of Land (Authorisation Procedure) Act 1946, a reference to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 and, for any reference to an easement, a reference to a servitude; and the reference in the last foregoing subsection to a fuel or field garden allotment shall be omitted.

56 Compulsory purchase of land in Northern Ireland

- (1) Where the Post Office desires to acquire, otherwise than by agreement, any land in Northern Ireland required by it for, or in connection with, the exercise of its powers or as to which it can reasonably be foreseen that it will be so required, it may apply

to the Minister for an order vesting that land in it, and the Minister shall have power to make such an order.

- (2) For the purposes of the acquisition of land by means of a vesting order under this section, Schedules 5 and 6 to the Roads Act (Northern Ireland) 1948 (as amended by any enactment of the Parliament of Northern Ireland passed before the passing of this Act) are hereby incorporated in this Act subject to the modifications specified in Schedule 3 to this Act.
- (3) The Acquisition of Land (Assessment of Compensation) Act 1919 shall, in its application to any land vested in the Post Office by an order made under this section, have effect as amended by the Lands Tribunal and Compensation Act (Northern Ireland) 1964.
- (4) In this section, and in Schedule 3 to this Act and in the said Schedule 5 as incorporated in this Act, " land " has the meaning assigned to it by section 45(1)(a) of the Interpretation Act (Northern Ireland) 1954 and, in Schedule 3 to this Act and in the said Schedule 5 as so incorporated, " estate " has the meaning assigned to it by section 45(2) of that Act.

57 Entry, for exploratory purposes, on land in England or Wales

- (1) A person duly authorised in writing by the Post Office may, at any reasonable time, enter upon and survey any land in England or Wales other than land covered by buildings or used as a garden or pleasure ground, for the purpose of ascertaining whether the land would be suitable for use for the purposes of its business.
- (2) Sections 211(6) and 212(1) to (3) and (6) of the Town and Country Planning Act 1962 (which contain supplementary provisions relating to the powers of entry conferred by section 211(1) to (5) thereof) shall have effect in relation to the power conferred by this section as they have effect in relation to the powers conferred by the said section 211, subject, however, to the following modifications, namely.—
 - (a) that section 211(6) (which relates to power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals therein) shall so have effect as if the words " or the presence of minerals therein " were omitted; and
 - (b) that section 212(1) (which requires twenty-four hours' notice to be given of an intended entry upon occupied land) shall so have effect as if, for the words " twenty-four hours ", there were substituted the words " twenty-eight days ".
- (3) Where, in an exercise of the power conferred by this section, any damage is caused to land or to chattels, any person interested in the land or chattels may recover from the Post Office compensation in respect of the damage; and where, in consequence of an exercise of that power, any person is disturbed in his enjoyment of any land or chattels, he may recover from the Post Office compensation in respect of the disturbance.
- (4) Section 128 of the Town and Country Planning Act 1962 (which provides for the determination of disputes as to compensation under Part VII of that Act) shall apply to any question of disputed compensation under this section.
- (5) This section shall come into operation on the appointed day.

58 Entry, for exploratory purposes, on land in Scotland

- (1) A person duly authorised in writing by the Post Office may, at any reasonable time, enter upon and survey any land in Scotland, other than land covered by buildings or used as a garden or pleasure ground, for the purpose of ascertaining whether the land would be suitable for use for the purposes of its business.
- (2) Subsections (4) to (6) and subsection (9) of section 99 of the Town and Country Planning (Scotland) Act 1947 (supplementary provisions as to powers of entry) shall have effect in relation to the power conferred by this section as they have effect in relation to the powers conferred by the said section 99 subject, however, to the following modifications, namely.—
 - (a) that section 99(4) (twenty-four hours' notice to be given of an intended entry upon occupied land) shall so have effect as if, for the words, " twenty-four hours ", there were substituted the words " twenty-eight days "; and
 - (b) that section 99(9) (power to search and bore for minerals, &c.) shall so have effect as if the words " or the presence of minerals therein " were omitted.
- (3) Where, in an exercise of the power conferred by this section, any damage is caused to land or to corporeal moveables, any person interested in the land or corporeal movables may recover from the Post Office compensation in respect of the damage; and where, in consequence of an exercise of that power, any person is disturbed in his enjoyment of any land or corporeal moveables, he may recover from the Post Office compensation in respect of the disturbance.
- (4) Any question arising under this section as to the effect of damage or as to the amount of compensation shall, in the case of dispute be determined by arbitration, and the reference in such an arbitration shall be to a single arbiter to be appointed by agreement between the parties or, in default of an agreement, by the Minister.
- (5) This section shall come into operation on the appointed day.

59 Entry, for exploratory purposes, on land in Northern Ireland

- (1) A person duly authorised in writing by the Post Office may, at any reasonable time, enter upon and survey any land in Northern Ireland, other than land covered by buildings or used as a garden or pleasure ground, for the purpose of ascertaining whether the land would be suitable for use for the purposes of its business.
- (2) Subsections (2) to (5) and (8) of section 40 of the Land Development Values (Compensation) Act (Northern Ireland) 1965 (which contain supplementary provisions relating to the power of entry conferred by subsection (1) of that section) shall have effect in relation to the power conferred by this section as they have effect in relation to the power conferred by the said subsection (1), subject, however, to the following modifications, namely.—
 - (a) that section 40(2) (which relates to power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals therein) shall so have effect as if the words " or the presence of minerals therein " were omitted ; and
 - (b) that section 40(3)(b) (which requires three days' notice to be given of an intended entry upon occupied land) shall so have effect as if, for the word " three ", there were substituted the word " twenty-eight ".

Status: This is the original version (as it was originally enacted).

- (3) Where, in an exercise of the power conferred by this section, any damage is caused to land or to chattels, any person interested in the land or chattels may recover from the Post Office compensation in respect of the damage; and where, in consequence of an exercise of that power, any person is disturbed in his enjoyment of any land or chattels, he may recover from the Post Office compensation in respect of the disturbance.
- (4) Section 31 of the Land Development Values (Compensation) Act (Northern Ireland) 1965 (which provides for the determination of disputes as to compensation under Part III of that Act) shall apply to any question of disputed compensation under this section.
- (5) This section shall come into operation on the appointed day.

60 Application, to acquisitions of land by the Post Office by agreement, of certain statutory provisions relating to compulsory purchase

- (1) For the purpose of the acquisition by the Post Office by agreement of land in England or Wales, the provisions of Part I of the Compulsory Purchase Act 1965 (so far as applicable) other than sections 4 to 8, section 27 and section 31 shall apply.
- (2) For the purpose of the acquisition by the Post Office by agreement of land in Scotland, section 37(2) of the Town and Country Planning (Scotland) Act 1947 (incorporation of Lands Clauses Acts) shall, with any necessary modifications, apply for the purposes of this Act as it applies for the purposes of that Act.
- (3) For the purpose of the acquisition by the Post Office by agreement of land in Northern Ireland, the Lands Clauses Acts shall be incorporated with this Act except for sections 127 to 133 (sale of superfluous land) and sections 150 and 151 (access to the special Act) of the Lands Clauses Consolidation Act 1845.

61 Power to sell to the Post Office land belonging to Her Majesty in right of the Duchy of Lancaster

The Chancellor and Council of the Duchy of Lancaster may, if they think fit, agree with the Post Office for the sale, and absolutely make sale, for such sum of money as appears to them to be sufficient consideration for the same, of any land belonging to Her Majesty in right of the Duchy of Lancaster which the Post Office seeks to acquire in exercise of the power conferred on it by virtue of section 7(2)(f) of this Act.

62 Requisitions on title as to Treasury consent to dealings with land precluded

A person dealing with the Post Office in respect of land shall not be bound or entitled to inquire whether the consent of the Treasury to any previous dealing with the land was requisite or whether, if it was, it was given.

63 Status of land vested in the Post Office by virtue of Part III

Land vested in the Post Office by virtue of this Part of this Act shall be deemed for all purposes to have been acquired by it for the purposes of its undertaking.