

ELIZABETH II



1966 CHAPTER xxix

An Act to empower United Kingdom Oil Pipelines Limited to acquire lands; and for other purposes.

[9th August 1966]

WHEREAS United Kingdom Oil Pipelines Limited (hereinafter referred to as "the Company") are a company within the meaning of the Companies Act, 1948, and are 1948 c. 38. a company limited by shares:

And whereas the whole of the issued share capital of the Company is owned by Mobil Oil Company Limited, Petrofina (Great Britain) Limited, Regent Oil Company Limited and Shell-Mex and B.P. Limited:

And whereas the Company were incorporated in 1963 for purposes which include the construction and operation of an oil pipeline system linking the oil refineries and installations of the Thames and Mersey estuaries with the western and northern periphery of London and with the industrial Midlands:

And whereas the Minister of Power in the exercise of his powers under the Pipe-lines Act, 1962, has authorised the 1962 c. 58. Company to construct the said oil pipeline system:

And whereas it is essential in connection with the operation of the said oil pipeline system to construct a number of oil storage and distribution depots:

And whereas it is proposed to construct one such storage and distribution depot at Buncefield in the parishes of Redbourn and St. Michael Rural in the rural district of St. Albans in the county of Hertford (hereinafter referred to as "the Buncefield depot") for the purpose of serving the western and northern periphery of London and adjoining areas:

And whereas negotiations are proceeding for the acquisition by agreement of all lands required for the construction of the Buncefield depot, including certain lands in the said parish of St. Michael Rural having an area of 22.677 acres (hereinafter referred to as "the said lands"):

And whereas the acquisition of the said lands is essential for the proper development of the Buncefield depot:

And whereas the owner of the said lands, although willing to sell the same for the purposes of the Buncefield depot, is unable to adduce a good title to the said lands:

And whereas for the protection of the Company it is expedient that the Company be empowered to acquire the said lands compulsorily as in this Act provided:

And whereas it is expedient that the other provisions contained in this Act be enacted:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

And whereas a plan showing the lands which may be acquired or used under the powers of this Act and for the purposes of this Act together with a book of reference to the said plan containing the names of the owners or reputed owners, lessees or reputed lessees and of the occupiers of all such lands and describing the same, have been deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the clerk of the county council of the administrative county of Hertford and such plan and book of reference are respectively referred to in this Act as the deposited plan and the deposited book of reference:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows, that is to say:—

Short title.

1. This Act may be cited as the United Kingdom Oil Pipelines Act 1966.

2.—(1) The Lands Clauses Acts (except sections 127 to 133 of the Lands Clauses Consolidation Act, 1845), so far as the same are applicable to the purposes and are not inconsistent with the provisions of this Act, are hereby incorporated with this Act: 1845 c. 18.

Provided the bond required by section 85 of the said Act of 1845 shall be sufficient without the sureties mentioned in that section.

(2) In the construction for the purposes of this Act of the provisions of the Lands Clauses Acts incorporated with this Act the expression “the promoters of the undertaking” shall mean the Company.

3.—(1) In this Act the following words and expressions have the several meanings hereby assigned to them respectively, unless there be something in the subject or context repugnant to such construction, that is to say:—

“the Company” means United Kingdom Oil Pipelines Limited;

“enactment” includes an enactment in this Act or in any general or local Act and any order, byelaw, scheme or regulation made under an Act;

“the Lands Clauses Acts” means the Lands Clauses Acts as modified by the Lands Tribunal Act, 1949, and by the Land Compensation Act, 1961.

Interpretation.

1949 c. 42.

1961 c. 33.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by or by virtue of any subsequent enactment.

4.—(1) Subject to the provisions of this Act, the Company may enter upon, take and use such of the lands delineated on the deposited plan and described in the deposited book of reference as may be required for the purpose of establishing the oil storage and distribution depot mentioned in the preamble to this Act and for purposes ancillary thereto, or connected therewith.

Power to acquire lands.

(2) The powers of the Company for the compulsory purchase of land under this section shall cease after the expiration of three years from the first day of October nineteen hundred and sixty-six.

5.—(1) If the deposited plan or the deposited book of reference are inaccurate in their description of any land, or in their statement or description of the ownership or occupation of any land, the Company, after giving not less than ten days’ notice to the owner, lessee and occupier of the land in question, may apply to two justices having jurisdiction in the county of Hertford for the correction thereof.

Correction of errors in deposited plan and book of reference.

(2) If on any such application it appears to the justices that the misstatement or wrong description arose from mistake, the justices shall certify the fact accordingly and shall in their certificate state in what respect any matter is misstated or wrongly described.

(3) The certificate shall be deposited in the office of the Clerk of the Parliaments, and a copy thereof in the Private Bill Office, House of Commons, with the clerk of the county council of the administrative county of Hertford, and with every clerk of a local authority with whom a copy of the deposited plan has been deposited in accordance with the standing orders of the Houses of Parliament, or who has the custody of any copy so deposited; and thereupon the deposited plan and deposited book of reference shall be deemed to be corrected according to the certificate, and it shall be lawful for the Company to take the land in accordance with the certificate.

(4) A person with whom a copy of a certificate is deposited under this section shall keep it with the other documents to which it relates.

For protection
of Eastern
Electricity
Board.

6. For the protection of the Eastern Electricity Board (in this section referred to as "the board") the following provisions shall, unless otherwise agreed in writing between the Company and the board, apply and have effect:—

(1) In this section, unless the subject or context otherwise requires—

"adequate alternative apparatus" means alternative apparatus adequate to enable the board to fulfil their statutory functions in a manner not less efficient than previously;

"apparatus" means electric lines and works (as respectively defined in the Electric Lighting Act, 1882) belonging to or maintained by the board;

"in" in a context referring to apparatus includes under, over, across, along or upon:

(2) Notwithstanding anything in this Act or shown on the deposited plan, the Company shall not, under the powers of this Act, acquire any apparatus otherwise than by agreement:

(3) If the Company in the exercise of the powers of this Act acquire any land in which any apparatus is placed, that apparatus shall not be removed nor shall any right of the board to use, maintain, repair, renew or inspect any apparatus in that land be extinguished until any necessary

adequate alternative apparatus has been constructed and is in operation to the reasonable satisfaction of the board:

- (4) If the Company require the removal of any apparatus placed in any land that may be acquired under this Act and give written notice of such requirement to the board, or if in consequence of any work proposed by the Company the board shall reasonably require to remove any such apparatus, the Company shall, if practicable, afford to the board the necessary facilities and rights for the construction of adequate alternative apparatus in other lands of the Company and thereafter for the maintenance, repair, renewal and inspection of such apparatus:

Provided that if the alternative apparatus or any part thereof is to be constructed elsewhere than in other lands of the Company, and the Company are unable to afford such facilities and rights as aforesaid in the lands in which the alternative apparatus or such part thereof is to be constructed, the board shall, on receipt of a written notice to that effect from the Company, forthwith use their best endeavours to obtain the necessary facilities and rights in such last-mentioned lands:

- (5) (a) Before carrying out any work which is near to or likely to affect any apparatus the removal of which has not been required by the Company under paragraph (4) of this section, the Company shall give to the board written notice of their intention to carry out the work and such further particulars (including plans and sections) with respect thereto as the board may reasonably require within fourteen days after the receipt of the said notice;
- (b) Such work shall be carried out in accordance with such reasonable requirements as may be made by the board within twenty-eight days after the receipt of the notice or further particulars, whichever is the later, for the alteration or otherwise for the protection of the apparatus, or for securing access thereto, and the board shall be entitled to watch and inspect the execution of such work:
- (6) The Company shall repay to the board the reasonable expenses incurred by the board under this section in or in connection with the removal and relaying or replacing of any apparatus, the provision and construction of any new apparatus, the alteration or protection of any apparatus or any measures for securing access thereto and any other work or thing rendered

reasonably necessary in consequence thereof and shall also compensate the board for any damage caused to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal):

- (7) Any differences which may arise between the Company and the board under this section shall be determined by a single arbitrator to be appointed by agreement between the parties or in default of agreement to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers.

Saving for town and country planning.
1962 c. 38.

7. The provisions of the Town and Country Planning Act, 1962, and any restrictions or powers thereby imposed or conferred in relation to land shall apply and may be exercised in relation to any land notwithstanding that the development thereof is, or may be, authorised or regulated by or under this Act.

Costs of Act.

8. The costs, charges and expenses preliminary to and of and incidental to the applying for and the preparing, obtaining and passing of this Act shall be paid by the Company.

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CHAPTER xxix

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