

ELIZABETH II



1983 CHAPTER xi

An Act to empower the London Transport Executive to acquire lands; to confer further powers on the Executive; and for other purposes. [26th July 1983]

WHEREAS—

(1) By the Transport (London) Act 1969 the London 1969 c. 35. Transport Executive (in this Act referred to as “the Executive”) were established:

(2) It is the general duty of the Executive under the said Act of 1969 to exercise and perform their functions, in accordance with principles from time to time laid down or approved by the Greater London Council, in such manner as, in conjunction with the British Railways Board and the National Bus Company, and with due regard to efficiency, economy and safety of operation, to provide or secure the provision of such public passenger transport services as best meet the needs for the time being of Greater London:

(3) It is expedient that the Executive should be empowered to acquire the lands referred to in this Act:

(4) It is expedient that the other powers in this Act contained should be conferred upon the Executive and that the other provisions in this Act contained should be enacted:

(5) A plan of the lands authorised to be acquired or used by this Act, and a book of reference to such plan containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands, were duly deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the proper officer of the Greater London Council, which plan and book of reference are respectively referred to in this Act as the deposited plan and the deposited book of reference:

(6) The purposes of this Act cannot be effected without the authority of Parliament:

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:—

PART I PRELIMINARY

- Short title. 1. This Act may be cited as the London Transport (Liverpool Street) Act 1983.
- Interpretation. 2.—(1) In this Act, unless there be something in the subject or context repugnant to such construction, the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have in relation to the relative subject-matter the same respective meanings, and—
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|-----------------|--|
| 1845 c. 20. | “the Act of 1845” means the Railways Clauses Consolidation Act 1845; |
| 1863 c. 92. | “the Act of 1863” means the Railways Clauses Act 1863; |
| 1950 c. 39. | “the Act of 1950” means the Public Utilities Street Works Act 1950; |
| 1963 c. xxiv. | “the Act of 1963” means the London Transport Act 1963; |
| 1964 c. xxvi. | “the Act of 1964” means the London Transport Act 1964; |
| 1965 c. xli. | “the Act of 1965” means the London Transport Act 1965; |
| 1966 c. xxxiii. | “the Act of 1966” means the London Transport Act 1966; |
| 1969 c. 1. | “the Act of 1969” means the London Transport Act 1969; |
| 1976 c. xxxvii. | “the Act of 1976” means the London Transport Act 1976; |
| 1978 c. xv. | “the Act of 1978” means the London Transport Act 1978; |

“the Executive” means the London Transport Executive;

PART I
—cont.

“the new stations” mean the new stations and ancillary works described in section 4 (Power to acquire lands at Liverpool Street) of this Act.

(2) Any reference to the London Transport Board in any of the provisions incorporated with this Act under section 10 (Incorporation of provisions of Acts of 1963, 1964, 1965, 1966, 1969 and 1978 relating to lands) and section 11 (Incorporation of protective provisions of Acts of 1963 and 1976) of this Act shall be construed as a reference to the Executive.

3. The following Acts and Part of an Act, so far as the same are applicable for the purposes and are not inconsistent with or varied by the provisions of this Act, are incorporated with and form part of this Act, and this Act shall be deemed to be the special Act for the purposes of the said incorporated provisions:—

Incorporation
of general
Acts.

(a) the Lands Clauses Acts, except sections 127 to 133 of the Lands Clauses Consolidation Act 1845;

1845 c. 18.

(b) the Act of 1845, except sections 7, 8, 9, 11, 12, 13, 14, 17, 19, 20, 22 and 23 thereof; and

(c) Part I (relating to construction of a railway) of the Act of 1863:

Provided that—

(i) for the purposes of the provisions of the Act of 1845 and the Act of 1863, as incorporated with this Act—

(A) the expression “the company” where used in the said incorporated provisions means the Executive;

(B) the new stations shall be deemed to be a railway authorised by the special Act;

(ii) the provisions of sections 18 and 21 of the Act of 1845, as incorporated with this Act, shall not extend to regulate the relations between the Executive and any other person in respect of any matter or thing concerning which those relations are regulated in any respect—

(A) by the provisions of Part II of the Act of 1950;
or

(B) by the provisions of section 42 (For protection of gas, water and electricity undertakers) of the Act of 1963, as incorporated with this Act.

PART II

LANDS

Power to
acquire lands
at Liverpool
Street.

4.—(1) Subject to the provisions of this Act, the Executive may enter upon, take and use the lands delineated on the deposited plan and described in the deposited book of reference and therein numbered 1 to 12 inclusive in the city of London for the purpose of—

- (a) reconstructing and enlarging the ticket hall of the Metropolitan and Circle Line Railway Stations of the Executive at Liverpool Street; and
- (b) reconstructing and enlarging the ticket hall of the Central Line Railway Station of the Executive at Liverpool Street;

together with means of access thereto and other necessary works and conveniences connected therewith.

(2) Subject to the provisions of this Act, the Executive may enter upon, use and appropriate so much of the subsoil and under-surface of any public street, road, footway or place delineated on the deposited plan and described in the deposited book of reference as shall be necessary for the purposes mentioned in subsection (1) of this section without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

(3) The Executive shall not under the powers of this section enter upon, take or use any part of the premises occupied by Frederick Rex Morton-Smith or Quentin Roger Dawe, Gerald Edwin Dawe, Paul Winston Worgan Chapman and Peter Graham Watson.

Power to
acquire
subsoil or
new rights
only in certain
cases.

5.—(1) In this Part of this Act “new rights” in relation to any land means easements or other rights in, under or over such land, which are not in existence at the passing of this Act.

(2) Notwithstanding anything in this Act the Executive may, for the purposes of constructing, maintaining, protecting, renewing and using the new stations, enter upon, take and use so much of the subsoil and under-surface of or may acquire such new rights as they may require in, under or over any of the lands described in section 4 (1) (Power to acquire lands at Liverpool Street) of this Act without being obliged or compellable to acquire any greater interest in, under or over the same respectively and may give notice to treat in respect of such entry, taking and using.

(3) (a) If, in any case where the Executive enter upon, take and use the subsoil and under-surface of, or require a new right

in or under, any of the said lands, they also require to take, use and pull down or open any cellar, vault, arch or other construction forming part of any such lands, they may enter upon, take and use such cellar, vault, arch or other construction for the purposes of the new stations and (subject to the provisions of this Act) the provisions of the Lands Clauses Acts shall extend and apply in relation to the purchase thereof as if such cellar, vault, arch or other construction were lands within the meaning of those Acts.

PART II
—cont.

(b) Section 12 (Acquisition of part only of certain properties) of the Act of 1964, as incorporated with this Act, shall apply in respect of the acquisition by the Executive under this subsection of any cellar, vault, arch or other construction as if the same were a part of land to which section 92 of the Lands Clauses Consolidation Act 1845 applies.

1845 c. 18.

6.—(1) The Lands Clauses Acts, as incorporated with this Act, shall have effect with the modifications necessary to make them apply to the compulsory purchase of rights under section 5 (Power to acquire subsoil or new rights only in certain cases) of this Act as they apply to the compulsory purchase of land so that, in appropriate contexts, references in those Acts to land are read as referring, or as including references, to the rights or to land over which the rights are or are to be exercisable, according to the requirements of the particular context.

Application
of Lands
Clauses Acts
to compulsory
purchase of
new rights.

(2) Without prejudice to the generality of subsection (1) of this section, in relation to the purchase of new rights in pursuance of section 5 (Power to acquire subsoil or new rights only in certain cases) of this Act—

(a) the Lands Clauses Consolidation Act 1845 shall, subject to the provisions of subsection (3) of this section, have effect with the modifications specified in Schedule 1 (except paragraph 4) to the Act of 1976 and as if for the references in that schedule to the Act of 1976 there were substituted references to this Act;

(b) the provisions relating to compensation for the compulsory purchase of land shall apply with the necessary modifications as they apply to such compensation.

(3) Notwithstanding anything in this section, section 92 of the Lands Clauses Consolidation Act 1845 shall not apply to any compulsory acquisition or purchase by the Executive under section 5 (Power to acquire subsoil or new rights only in certain cases) of this Act.

PART II
—cont.Power to
open surface
of street.

7. Subject to the provisions of this Act, the Executive may for the purpose of constructing the new stations enter upon, open, break up and interfere with so much of the surface of Liverpool Street, in the city of London, as is within the limits of the land authorised to be acquired under section 4 (Power to acquire lands at Liverpool Street) of this Act.

Temporary
stoppage of
street.

8.—(1) The Executive may, during and for the purpose of the construction of the new stations, temporarily stop up and interfere with so much of Liverpool Street, in the city of London, as is within the limits of the land authorised to be acquired under section 4 (Power to acquire lands at Liverpool Street) of this Act and may for any reasonable time divert the traffic therefrom and prevent all persons, other than those bona fide going to or from any land, house or building abutting on any part of that street so stopped up and interfered with, from passing along and using the same.

(2) The Executive shall provide reasonable access for foot passengers bona fide going to or from any such land, house or building.

Period for
compulsory
purchase
of lands.

9. The powers of the Executive for the compulsory purchase of the lands which they are authorised by section 4 (Power to acquire lands at Liverpool Street) of this Act to acquire shall cease on 31st December 1988.

Incorporation
of provisions
of Acts of
1963, 1964,
1965, 1966,
1969 and 1978
relating to
lands.

10. The following provisions of the undermentioned Acts are incorporated with, and form part of this Part of, this Act:—

The Act of 1963—

Section 15 (Power to make trial holes);

Section 21 (Power to enter for survey or valuation); and

Section 28 (As to cellars under streets not referenced).

The Act of 1964—

Section 12 (Acquisition of part only of certain properties); and

Section 14 (Extinction of private rights of way).

The Act of 1965—

Section 10 (Underpinning of houses near works) except the provisos to subsections (4) and (6) thereof; and

Section 13 (Correction of errors in deposited plans and book of reference).

The Act of 1966—

Section 14 (Power to expedite entry).

PART II
—cont.

The Act of 1969—

Section 14 (Disregard of recent improvements and interests).

The Act of 1978—

Section 10 (Use of sewers, etc., for removing water):

Provided that for the purposes of this Act—

- (a) the provisions of the said section 21 of the Act of 1963, as so incorporated, shall have effect as if after the word “acquire” there were inserted the words “or use”; and
- (b) references in the said section 21 of the Act of 1963, section 10 of the Act of 1965 and section 10 of the Act of 1978 as so incorporated to the works authorised by those Acts shall be construed as references to the new stations.

PART III

PROTECTIVE PROVISIONS

11. The following provisions of the undermentioned Acts are incorporated with, and form part of this Part of, this Act:—

Incorporation
of protective
provisions of
Acts of 1963
and 1976.

The Act of 1963—

Section 42 (For protection of gas, water and electricity undertakers).

The Act of 1976—

Section 13 (For protection of sewers of Thames Water Authority):

Provided that the provisions of the said section 13 of the Act of 1976 as so incorporated, shall have effect as if—

- (a) for the reference in paragraph (8) thereof to section 7 (Incorporation of the provisions of the Acts of 1963, 1965, 1969 and 1974 relating to works) of the Act of 1976 there were substituted a reference to section 10 (Incorporation of provisions of Acts of 1963, 1964, 1965, 1966, 1969 and 1978 relating to lands) of this Act; and
- (b) in the definition of “the specified works” in paragraph (1) for the reference to the works authorised by the Act of 1976 there were substituted a reference to the new stations.

PART III
—cont.Notice of
interference
with street.

12. Before breaking up or otherwise interfering with Liverpool Street, in the city of London, under the powers of this Act, the Executive shall (except in case of emergency) give 14 days' notice in writing to the chief officer of police and make such arrangements with him as may be reasonably necessary so as to cause as little interference as may be reasonably practicable with the traffic in such street.

For protection
of British
Railways
Board and
British
Transport
Hotels
Limited.

13. For the protection of the British Railways Board (in this section referred to as "the railways board") and British Transport Hotels Limited (in this section referred to as "the company") the following provisions shall, unless otherwise agreed in writing between the Executive and the railways board and the company, apply and have effect:—

(1) In this section—

"the appropriate authority" means—

(a) in relation to railway property, the railways board;

(b) in relation to hotel property, the company;

"the company" includes the successors in title of the company as lessees of the hotel property;

"construction" includes execution, placing and altering and "construct" and "constructed" shall be construed accordingly;

"the engineer" means an engineer to be appointed by the appropriate authority;

"hotel property" means the Great Eastern Hotel in the city of London and includes any lands, premises, arches, cellars or vaults held or used by the company in connection therewith;

"plans" includes sections, drawings and particulars and "approved plans" means plans approved or deemed to be approved or settled by arbitration in accordance with the provisions of this section;

"railway property" means any railway of the railways board and any works connected therewith for the maintenance or operation of which the railways board are responsible and includes any lands, premises, arches, cellars or vaults held or used by the railways board for the purposes of such railway or works;

"specified property" means railway property or hotel property, as the case may be;

"the works" means so much of the new stations as may be situated within 10 metres of, or may in

any way affect, specified property and includes the construction, reconstruction and maintenance of such works:

PART III
—cont.

(2) Notwithstanding anything in this Act or shown on the deposited plans, the Executive shall not—

(a) acquire compulsorily the lands numbered on the deposited plans 4 to 12 in the city of London or enter upon, take and appropriate any specified property beneath Liverpool Street, but they may, with the consent of—

(i) the railways board, in the case of railway property or so much of the said lands as are owned or occupied by that board; or

(ii) the company, in the case of hotel property or so much of the said lands as are leased or occupied by the company,

which consent shall not be unreasonably withheld, acquire so much of the subsoil and under-surface of, or may acquire such easements or other rights in, under or over any of the said lands in accordance with the provisions of section 5 (Power to acquire subsoil or new rights only in certain cases) of this Act as they may reasonably require for the purpose of the works;

(b) enter upon, open, break up, temporarily stop up or interfere with any part of Liverpool Street without the consent of the railways board and the company and any such consent may be given subject to such reasonable conditions as that board and company may think fit to impose in order to ensure reasonable access to, and egress from any specified property for vehicles and pedestrians but shall not be unreasonably withheld:

(3) The Executive shall, before commencing the works, furnish to the appropriate authority proper and sufficient plans thereof for the reasonable approval of the engineer and shall not commence the works until plans thereof have been approved in writing by the engineer or settled by arbitration:

Provided that if within 56 days after such plans have been furnished to the appropriate authority the engineer shall not have intimated his disapproval thereof and the ground of his disapproval he shall be deemed to have approved the same:

(4) If within 28 days after such plans have been furnished to the appropriate authority the appropriate authority

PART III
—cont.

shall give notice to the Executive that the appropriate authority desire themselves to construct any part of the works which in the opinion of the engineer will or may affect the stability of specified property or the safe operation of the railways board's railway, then if the Executive desire such part of the works to be constructed the appropriate authority shall construct it with all reasonable dispatch on behalf of and to the reasonable satisfaction of the Executive in accordance with approved plans:

- (5) Upon signifying his approval or disapproval of the plans the engineer may specify any protective works whether temporary or permanent which in his opinion should be carried out before the commencement of the works to ensure the safety or stability of specified property and such protective works as may be reasonably necessary for those purposes shall be constructed with all reasonable dispatch and the Executive shall not commence the construction of the works until the engineer shall have notified the Executive that the protective works have been completed:
- (6) The Executive shall give to the engineer not less than 28 days' notice of their intention to commence the construction of any of the works and also except in emergency (when they shall give such notice as may be reasonably practicable), of their intention to carry out any works for the repair or maintenance of the works in so far as such works of repair or maintenance affect or interfere with specified property:
- (7) The works shall when commenced be carried out—
 - (a) with all reasonable dispatch in accordance with approved plans;
 - (b) under the supervision (if given) and to the reasonable satisfaction of the engineer; and
 - (c) in such manner as to cause—
 - (i) as little damage to specified property as may be; and
 - (ii) as little interference as may be with the conduct of traffic on the railways of the railways board and the use by passengers of railway property;

and if any damage to specified property or any such interference shall be caused by the carrying out of the works the Executive shall, notwithstanding any such approval as aforesaid, make good such damage and shall on demand pay to the appropriate authority all

reasonable expenses to which they may be put and compensation for any loss which they may sustain by reason of any such damage or interference:

PART III
—cont.

Provided that nothing in this paragraph shall impose any liability on the Executive with respect to any damage, cost, expense or loss which is attributable to the act, neglect or default of the appropriate authority or their servants, contractors or agents:

- (8) The Executive shall at all times afford reasonable facilities to the engineer for access to the works during their construction and shall supply him with all such information as he may reasonably require with regard to the works or the method of construction thereof:
- (9) The appropriate authority shall at all times afford reasonable facilities to the Executive and their agents for access to any works carried out by the appropriate authority under this section during their construction and shall supply the Executive with such information as they may reasonably require with regard to such works or the method of construction thereof:
- (10) If any alterations or additions, either permanent or temporary, to specified property shall be reasonably necessary during the construction of the works or during a period of 12 months after the completion thereof in consequence of the construction of the works, such alterations and additions may be effected by the appropriate authority after not less than 28 days' notice in writing has been given to the Executive and the Executive shall pay to the appropriate authority on demand the cost thereof as certified by the engineer:
- (11) The Executive shall repay to the appropriate authority all costs, charges and expenses reasonably incurred by the appropriate authority—
 - (a) in constructing any part of the works on behalf of the Executive as provided by paragraph (4) of this section and in constructing any protective works under the provisions of paragraph (5) of this section;
 - (b) in respect of the employment of any inspectors, signalmen, watchmen and other persons whom it shall be reasonably necessary to appoint for inspecting, watching, lighting and signalling railway property and for preventing, as far as may be reasonably practicable,

PART III
—cont.

interference, obstruction, danger or accident arising from the construction or failure of the works;

(c) in respect of any special traffic working resulting from any speed restrictions which may, in the opinion of the engineer, require to be imposed and which may be due to the construction or failure of the works or from the substitution, suspension or diversion of railway services which may be necessary for the same reason;

(d) in respect of any additional temporary lighting of railway property in the vicinity of the works, being lighting made reasonably necessary during and by reason of the construction or failure of the works;

(e) in respect of the supervision by the engineer of the works:

- (12) The Executive shall be responsible for and make good to the appropriate authority all costs, charges, damages and expenses not otherwise provided for in this section which may be occasioned to or reasonably incurred by the appropriate authority—

(a) by reason of the works or the failure thereof; or

(b) by reason of any act or omission of the Executive or of any persons in their employ or of their contractors or others whilst engaged upon the construction of the works;

and the Executive shall effectively indemnify and hold harmless the appropriate authority from and against all claims and demands arising out of or in connection with the construction of the works or any such failure, act or omission as aforesaid and the fact that any act or thing may have been done by the appropriate authority on behalf of the Executive, or in accordance with approved plans, or in accordance with any requirement of the engineer or under his supervision shall not (if it was done without negligence on the part of the appropriate authority or of any person in their employ or of their contractors or agents whilst engaged upon the construction of the works) excuse the Executive from any liability under the provisions of this section:

Provided that the appropriate authority shall give to the Executive reasonable notice of any claim or demand as aforesaid and no settlement or

compromise thereof shall be made without prior consent of the Executive:

PART III
—cont.

- (13) The Executive shall not exercise the powers conferred by section 15 (Power to make trial holes) of the Act of 1963 as incorporated by section 10 (Incorporation of provisions of Acts of 1963, 1964, 1965, 1966, 1969 and 1978 relating to lands) of this Act on any specified property without first obtaining the consent of the appropriate authority but such consent shall not be unreasonably withheld and the appropriate authority may attach thereto such reasonable terms and conditions as they think fit:
- (14) Any difference arising between the Executive and the appropriate authority or the Executive and the railways board and the company under this section shall be referred to and settled by arbitration.

14. For the protection of the Post Office the following provisions shall, unless otherwise agreed in writing between the Executive and the Post Office, apply and have effect:— For protection of Post Office.

(1) In this section—

“the engineer” means an engineer appointed by the Post Office at the expense of the Executive;

“plans” includes sections, drawings, specifications, calculations and descriptions of methods of construction as the case may be;

“Post Office property” means any part of the Post Office railway or any works of the Post Office connected therewith;

“the Post Office railway” means the railway of the Post Office authorised by the Post Office (London) Railway Act 1913;

1913 c. cxvi.

“the specified works” means such works (whether temporary or permanent) as may be constructed or undertaken by or on behalf of the Executive in connection with the new stations situated upon, across, under or over, or within 15 metres of, Post Office property, and includes any structural alteration or renewal of such works:

- (2) Notwithstanding anything in this Act or shown on the deposited plans or contained in the deposited book of reference the Executive shall not take or use either permanently or temporarily, any part of the Post Office railway:

PART III
—cont.

- (3) The Executive shall not at any time enter upon Post Office property without first obtaining the written consent of the engineer which consent shall not be unreasonably withheld and may be subject to such terms and conditions as the engineer may reasonably require:
- (4) The Executive shall, before commencing the specified works, or any works under paragraph (8) of this section, furnish to the Post Office plans thereof for the reasonable approval of the engineer and shall not commence any of such works until such plans have been approved by the engineer or settled by arbitration:
Provided that, if within 56 days after such plans have been furnished to the Post Office the engineer shall not have intimated his disapproval thereof and the grounds of his disapproval, he shall be deemed to have approved the same:
- (5) The Executive shall comply with and conform to all reasonable orders, directions and regulations of the Post Office in the construction of the specified works:
- (6) The specified works shall be carried out only in accordance with such plans as may be approved or deemed to be approved or settled under paragraph (4) of this section, subject however to any modification of those plans from time to time agreed upon between the Executive and the engineer, and to the reasonable satisfaction of the engineer who shall be given not less than 28 days' notice of the date and time on and at which the specified works, as so approved, are to be commenced:
- (7) The Executive shall at all times maintain the specified works in substantial repair and good order and condition and if and whenever the Executive fail so to do the Post Office may, after giving not less than 56 days' notice in writing to the Executive, (and at any time in case of emergency without being required to give notice as aforesaid), make and do all such works and things either on Post Office property or on the new stations as may be reasonably requisite for the protection thereof; and the expense reasonably incurred by the Post Office in so doing shall be repaid by the Executive to the Post Office:
- (8) If it appears to the engineer either before or during the construction, or within one year after the completion, of the specified works, that any further or other works or appliances or measures of precaution are required

either by way of addition to Post Office property or in connection with or in relation to the method of construction of the specified works so as to prevent subsidence or injury happening to Post Office property owing to or in consequence of the execution of the specified works, the Executive shall on receipt of written notice from the engineer requiring them so to do make and carry out at their own expense and in accordance with plans approved or deemed to have been approved or settled under paragraph (4) of this section such further works or take such measures of precaution (including the use of compressed air or the temporary cessation of the construction of the specified works or the carrying on of the construction of the specified works without cessation) as the engineer shall reasonably require:

- (9) If during and by the construction of the specified works Post Office property shall be injured or damaged, the Post Office may forthwith make good such injury or damage and execute such protective works as the engineer shall consider reasonably necessary for ensuring the safety of Post Office property and the expense reasonably incurred by the Post Office in so doing shall be repaid by the Executive to the Post Office:
- (10) The Executive shall not in making, maintaining, altering or renewing specified works in any manner obstruct, hinder or interfere unreasonably with the free uninterrupted and safe user of Post Office property:
- (11) The Executive shall at all times afford facilities to the engineer to enter upon and inspect the specified works during their construction and shall supply to the engineer such information as he may reasonably require with regard thereto or to the method of construction thereof:
- (12) The Executive shall, during the construction of the specified works, bear and on demand pay to the Post Office the reasonable expense of the employment by the Post Office of sufficient inspectors and watchmen, to be appointed by it, for inspecting and watching Post Office property for preventing as far as may be all interference, obstruction, danger or accident from any of the operations of the Executive or from the acts or defaults of their agents, contractors or employees:
- (13) The Executive shall be responsible for and make good to the Post Office all costs, losses, damages, charges

PART III
—cont.

and expenses which may be occasioned to the Post Office, to Post Office property or to the traffic on the Post Office railway or otherwise—

(a) by the construction or failure of the specified works; or

(b) by any act or omission of the Executive, their agents, contractors or employees whilst engaged upon the specified works;

and the Executive shall effectually indemnify and hold harmless the Post Office from all claims and demands upon or against it by reason of such construction or failure or of any such act or omission:

Provided that the Post Office shall give to the Executive reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior consent of the Executive:

- (14) The Executive shall from time to time repay to the Post Office any additional expense which the Post Office may reasonably incur as a result of any interruption to user of Post Office property, or in maintaining Post Office property by reason or in consequence of the construction of the specified works:
- (15) The Executive shall so construct and maintain their electric circuits and other works of all descriptions and shall so work the specified works as to prevent any interruption to, or any injurious interference by induction or otherwise with, the electric circuits from time to time used or to be used on the Post Office railway or with the currents in such circuits:

Provided that at the expiration of two years from the completion of the specified works the provisions of this section shall not operate to give any right to claim in respect of injurious interference with any electric wires, lines or apparatus used for working the Post Office railway or the currents therein unless in the construction, erection, maintaining and working of such wires, lines and apparatus all reasonable and proper precautions have been taken by the Post Office to prevent injurious interference therewith and with the currents therein by or from other electric currents:

- (16) Any difference arising under this section between the Executive and the Post Office or between the Executive and the engineer shall be referred to and settled by arbitration.

15.—(1) The Executive shall make compensation to The Metropolitan Railway Surplus Lands Company Limited and their successors and assigns in respect of any loss or damage they may sustain in respect of or to their properties as now constructed in or in the vicinity of Liverpool Street by reason of and during—

- (a) the exercise by the Executive of their powers under this Act; and
- (b) the execution of works connected therewith by statutory undertakers being undertakers' works within the meaning of the Act of 1950.

(2) Nothing in subsection (1) above shall preclude the making of compensation under any other enactment or rule of law but compensation shall not be made in respect of the same loss or damage both under that subsection and that enactment or rule of law.

(3) Any dispute arising on a claim for compensation under subsection (1) above shall be determined by the Lands Tribunal.

PART III
—cont.
For protection of The Metropolitan Railway Surplus Lands Company Limited.

16.—(1) The Executive shall make compensation to K Shoe Shops Limited, Vinross Catering Limited and Rita Bayard and Walter John Parker and their respective successors and assigns in respect of any loss or damage (including, but without prejudice to the generality of the foregoing, loss of profits and damage to tenant's fixtures and fittings and stock in trade) which they may sustain to their businesses being those businesses now or hereafter carried on at 5/6 The Arcade, 24/25 and 22/23 and 26 Liverpool Street respectively by reason of and during—

- (a) the exercise by the Executive of their powers under this Act; and
- (b) the execution of works connected therewith by statutory undertakers being undertakers' works within the meaning of the Act of 1950.

(2) Nothing in subsection (1) above shall preclude the making of compensation under any other enactment or rule of law but compensation shall not be made in respect of the same loss or damage both under that subsection and that enactment or rule of law.

(3) Any dispute arising on a claim for compensation under subsection (1) above shall be determined by the Lands Tribunal.

For protection of K Shoe Shops Limited, Vinross Catering Limited and Rita Bayard and Walter John Parker.

17.—(1) Where any compensation made by the Executive to a protected party under either of the two foregoing sections arises from loss or damage in respect of which a claim by a

Recovery of compensation.

PART III
—*cont.*

protected party would lie against the statutory undertaker, the Executive may pursue that claim against the statutory undertaker as if the Executive were the protected party.

(2) In this section, “protected party” means any person entitled to the benefit of either of the last two foregoing sections.

PART IV

MISCELLANEOUS

Planning
permission.

S.I. 1977/289.

18.—(1) In this section “Class XII development” means development authorised by Article 3 of, and Class XII in Schedule 1 to, the Town and Country Planning General Development Order 1977 (which permit development authorised by private Act designating specifically both the nature of the development thereby authorised and the land on which it may be carried out).

(2) Subject to the provisions of subsection (3) of this section, in its application to development authorised by this Act, the planning permission granted for Class XII development shall have effect as if the authority to develop given by this Act were limited to development begun within 12 years after the passing of this Act.

(3) Subsection (2) of this section shall not apply to the carrying out of any development consisting of the alteration, maintenance or repair of the new stations authorised by this Act or the substitution of new works.

Arbitration.

19. Where under this Act any difference (other than a difference to which the provisions of the Lands Clauses Acts, as applied by this Act, apply) is to be referred to or settled by arbitration, then, unless otherwise provided, such difference shall be referred to and settled by a single arbitrator to be agreed between the parties or, failing 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.

Costs of Act.

20. All costs, charges and expenses of and incident to the preparing for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Executive and may in whole or in part be defrayed out of revenue.

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