



# Heathrow Express Railway (No. 2) Act 1991

## 1991 CHAPTER ix

An Act to empower Heathrow Airport Limited to purchase or use additional land; and for related purposes. [27th June 1991]

WHEREAS—

- (1) By the Airports Authority Act 1965 Heathrow Airport (hereinafter referred to as (“Heathrow”) was, on 1st April 1966, vested in the British Airports Authority (hereinafter referred to as “the Authority”) and by the Airports Act 1986 (Nominated Company) Order 1986, made under the Airports Act 1986, BAA plc was nominated as the successor company to the Authority:
- (2) By virtue of section 1 of the said Act of 1986 and the British Airports Authority Transfer Scheme 1986 that part of the Authority’s undertaking comprising Heathrow was transferred to Heathrow Airport Limited (hereinafter referred to as “the Company”), being a wholly owned subsidiary of BAA plc, and it is the Company who now own and operate Heathrow:
- (3) By the Heathrow Express Railway Act 1991 (hereinafter referred to as “the principal Act”) provision is made for the construction by the Company of works to form a new spur railway into Heathrow so as to provide improved services and facilities for passengers travelling to or from Heathrow:
- (4) It is expedient that, to enable the Company to carry out their works (as defined in the principal Act), they should be empowered to purchase or use the land referred to in this Act and that the other provisions in this Act contained should be enacted:
- (5) A plan of the land authorised to be purchased or used by this Act, and a book of reference to that plan containing the names of the owner and lessees, or reputed owner and lessees, and of the occupiers of the said land were duly deposited in the office of Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the proper officer of the council of the London Borough of Hillingdon, which plan and book of reference are respectively referred to in this Act as the deposited plan and the deposited book of reference:

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(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:—

## **1 Short title**

This Act may be cited as the Heathrow Express Railway (No. 2) Act 1991.

## **2 Interpretation**

In this Act, unless the context otherwise requires—

“the Act of 1965” means the Compulsory Purchase Act 1965;

“the authorised work” means Work No. 4 authorised by the Heathrow Express Railway Act 1991; and

“the Company” means Heathrow Airport Limited and includes any subsidiary (within the meaning of section 736 of the Companies Act 1985) of the Company.

## **3 Application of Part I of Compulsory Purchase Act 1965**

- (1) Part I of the Act of 1965 (except section 4 thereof and paragraph 3 (3) of Schedule 3 thereto), so far as it is applicable for the purposes of and is not inconsistent with this Act, shall apply to the compulsory purchase of land under this Act as it applies to a compulsory purchase to which the Acquisition of Land Act 1981 applies and as if this Act were a compulsory purchase order under the said Act of 1981.
- (2) In section 11 (1) of the Act of 1965 (which empowers the acquiring authority to enter on and take possession of land the subject of a notice to treat after giving not less than 14 days' notice), as so applied, for the words “fourteen days” there shall be substituted the words “three months”.
- (3) The Lands Clauses Consolidation Act 1845 shall not apply to the purchase of land under this Act.

## **4 Purchase of additional land**

Subject to the provisions of this Act, the Company may purchase compulsorily and use such of the land as lies within the limit of land to be acquired or used shown on the deposited plan and as is described in the deposited book of reference as they may require for the purposes of the authorised work or for any purpose connected with, or ancillary to, their undertaking.

## **5 Extinction of private rights of way**

- (1) All private rights of way over the land which may be purchased compulsorily under this Act shall be extinguished on the purchase of the land, whether compulsorily or by agreement or on the entry on the land under section 11(1) of the Act of 1965, as applied by this Act, whichever is sooner.

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- (2) Any person who suffers loss by the extinguishment of any right under this section shall be entitled to be paid by the Company compensation to be determined in case of dispute by the Lands Tribunal.

## **6 Correction of errors in deposited plan and book of reference**

- (1) If the deposited plan or the deposited book of reference is inaccurate in its description of the land, or in its statement or description of the ownership or occupation of the land, the Company after giving not less than 10 days' notice to the owner, lessee and occupier of the land may apply to two justices having jurisdiction in the place where the land is situated for the correction thereof.
- (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 of the House of Commons, and with the proper officer of the 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 such copy so deposited; and thereupon the deposited plan and the 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 the certificate is deposited under this section shall keep it with the other documents to which it relates.

## **7 Time for purchase of land**

The powers of the Company for the compulsory purchase of land under this Act shall cease on 31st December 1994.

## **8 Costs of Act**

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