



London Underground (Jubilee) Act 1993

1993 CHAPTER ix

PART III

LANDS

14 Power to acquire lands.

- (1) The Company may enter upon, take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of the works or for any purpose connected with or ancillary to their undertaking.
- (2) Without prejudice to the generality of subsection (1) above, the Company may enter upon, take and use for the purposes specified in column (3) of Schedule 4 to this Act all or any of the land referred to in columns (1) and (2) of that Schedule lying within the lines marked "Limit of land to be acquired or used" on the deposited plans.
- (3) The Company shall not under the powers of this Act acquire any surface interest in the land delineated on the deposited plans and thereon numbered 3 in the city of Westminster.
- (4) The Company 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 plans and described in the deposited book of reference as may be necessary for the purposes mentioned in subsection (1) above without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

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

- (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 to be created in favour of the Company.
- (2) Notwithstanding anything in this Act, the Company may, for the purposes of constructing, maintaining, protecting, renewing and using the works, enter upon, take and use so much of the subsoil and under-surface of or may acquire such new rights as

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they may require in, under or over any of the lands delineated on the deposited plans and described in the deposited book of reference 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 Company enter upon, take and use the subsoil and under-surface of, or acquire a new right in or under, any of the lands referred to in subsection (2) above, 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 works 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.

- (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 Company under this subsection of any cellar, vault, arch or other construction as if the same were a part of land to which that section applies.

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

- (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 15 (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 in, under or over which the rights are or are to be exercisable, according to the requirements of the particular context.
- (2) Without prejudice to the generality of subsection (1) above in relation to the purchase of new rights in pursuance of section 15 (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) below, have effect with the modifications specified in Schedule 1 (except paragraph 4) to the Act of 1976 and as if for the word “over”, wherever it occurs in paragraph 1 of that Schedule, there were substituted the words “in, under or over”;
- (b) the enactments 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 Company under section 15 (Power to acquire subsoil or new rights only in certain cases).

17 Set-off for enhancement in value of retained land.

- (1) In this section “relevant land” means any land or any subsoil or under-surface of or new rights in, under or over any land acquired by the appropriate authority for the purposes of the works.

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- (2) In assessing the compensation payable to any person on the acquisition by the Company from him of any relevant land, the Lands Tribunal shall—
 - (a) have regard to the extent to which the lands or the remaining contiguous lands belonging to the same person may be benefited by the works; and
 - (b) set off against the value of the relevant land any increase in the value of the remaining contiguous lands belonging to the same person which will accrue to him by reason of the construction of the works.
- (3) The Land Compensation Act 1961 shall have effect subject to the provisions of this section.

18 Temporary possession of land.

- (1) This section applies to the land numbered on the deposited plans 14 in the city of Westminster and which is within a line marked “Limit of land to be temporarily used” on the said plans (hereinafter in this section referred to as “the said land”).
- (2) The Company may for the purpose of enabling them to form ventilation openings in the Embankment Wall on the eastern side of Victoria Embankment enter upon and take possession temporarily of the said land after giving the owners, lessees and occupiers thereof not less than one month’s previous notice in writing and may remove any structures thereon and may construct temporary works and structures thereon for such purpose:

Provided that the Company—

- (a) shall not without the agreement of the owners, lessees and occupiers thereof remain in possession of the said land under the powers of this section after a period of five years from the date of entry thereon;
 - (b) shall not be empowered to purchase compulsorily or be required to purchase the said land (except such subsoil or new rights as they require under the provisions of section 15 (Power to acquire subsoil or new rights only in certain cases) of this Act).
- (3) Before relinquishing possession of the said land the Company shall remove all works and structures erected by them on the surface thereof and shall, subject to any agreement to the contrary with the respective owners, lessees or occupiers thereof, reinstate the said land so far as reasonably practicable to its condition immediately before entry thereon by the Company.

19 Period for compulsory purchase of lands and new rights.

The powers of the Company for the compulsory purchase of lands and new rights under this Act shall cease on 31st December 1997.

20 Land at Westminster station.

- (1) In this section—
 - “the Act of 1992” means the London Underground Act 1992;
 - “the Corporation” means London Regional Transport;
 - “the District Line” means the Company’s railway between St. James’s Park and Embankment stations;

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“the Jubilee Line” means the railway comprising Work No. 2 authorised by the Act of 1992;

“the site” means the land in the city of Westminster bounded by Victoria Embankment, Bridge Street, Canon Row and Derby Gate; and references to the District Line and the Jubilee Line include references to any works and conveniences connected therewith or with either of them.

- (2) Notwithstanding any restriction on the Corporation’s powers to dispose of land required for the purposes of their undertaking imposed by the London Regional Transport Act 1984 and the duty of the Corporation under section 33 of that Act (which requires control to be exercised over subsidiaries so as to ensure that a subsidiary does not engage in activities in which the Corporation have no power to engage), the Company may dispose of all the Company’s interests in the site, provided the following conditions are fulfilled:—
- (a) the prior consent of the Secretary of State is given to the disposal; and
 - (b) the person to whom the disposal is made enters into an agreement to grant to the Company a lease which satisfies the provisions of subsection (4) below and a licence to construct on the site the works authorised by the Act of 1992 and this Act.
- (3) The Secretary of State shall not consent to the disposal referred to in subsection (2) above unless requested to do so by the Company acting pursuant to a request by the Accommodation and Works Committee of the House of Commons and the requests by that Committee and by the Company are made to facilitate the construction on the site of Phase II of the new parliamentary building.
- (4) A lease satisfies the conditions of subsection (2) (b) above if—
- (a) the demise includes so much of the site as the Company consider necessary for the operation of the District Line and the Jubilee Line and the construction of the works authorised by the Act of 1992 and this Act;
 - (b) it is for a term of 999 years at a peppercorn rent; and
 - (c) the Corporation and the Company are satisfied that it contains such other terms and conditions as will enable the District Line and the Jubilee Line to be operated efficiently, economically and safely.

21 Incorporation of lands provisions.

- (1) The following provisions of the undermentioned Acts are, with necessary modifications, incorporated with this Act:—
- the Act of 1963—
- section 21 (Powers 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 13 (Correction of errors in deposited plans and book of reference):
- the Act of 1966—
- section 13 (As to use of streets for permanent openings); and
 - section 14 (Power to expedite entry):

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the Act of 1969—

section 14 (Disregard of recent improvements and interests).

- (2) 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”.