



### CHAPTER xxxii.

An Act to enable Her Majesty's Postmaster-General to acquire Lands in London, Liverpool and Leeds, for the Public Service, and for other purposes. A.D. 1893.

[12th May 1893.]

**W**HEREAS the Postmaster-General has acquired certain lands in the city of Liverpool and in the parish of Leeds (hereinafter sometimes referred to as the "town of Leeds") for the purpose of erecting a head post office for the said city and town respectively, and it is expedient that he should be empowered to acquire other and adjoining lands in the same places for the same purposes :

And whereas it is expedient that the Postmaster-General be empowered to acquire for the purposes of the public service certain lands in the city and in the county of London respectively :

And whereas it is expedient that the Postmaster-General be empowered to erect buildings on the lands so acquired or to be acquired, and that all public or private rights or easements in or relating to the lands so acquired or to be acquired should be extinguished :

And whereas the objects aforesaid cannot be effected without the authority of Parliament :

And whereas plans showing the respective lands to be acquired by the Postmaster-General under the authority of this Act, with books of reference containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of the lands which may be taken compulsorily under this Act, and describing those lands, have been deposited with the respective clerks of the peace for the city of London and for the counties of London and Lancaster, and with the clerk of the peace for the West Riding of the county of York, and the same are in this Act referred to as the deposited plans and books of reference :

A.D. 1893. — Be it therefore 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 :—

Short title. 1. This Act may be cited as the Post Office (Sites) Act, 1893.

Incorporation of 8 & 9 Vict. c. 18; 23 & 24 Vict. c. 106; and 32 & 33 Vict. c. 18. 2. The Lands Clauses Acts are, with the exception of the provisions of the Lands Clauses Consolidation Act, 1845, for affording access to the special Act, incorporated with and form part of this Act, subject to the following provisions, viz. :—

(1.) In the construction of this Act and the Lands Clauses Acts this Act shall be deemed to be the special Act, and the Postmaster-General shall be deemed to be the promoter of the undertaking :

(2.) The bond required by section eighty-five of the Lands Clauses Consolidation Act, 1845, shall be under the corporate seal of the Postmaster-General, and shall be sufficient without the addition of the sureties in the said section mentioned.

Power to acquire lands. 3. Subject to the provisions of this Act it shall be lawful for the Postmaster-General to purchase and acquire for the purposes of this Act all or any of the lands shown on the deposited plans and described in the books of reference.

Any lands acquired by the Postmaster-General under the authority of this Act shall be vested in and be held by him in his corporate capacity, and by his successors, on behalf of her Majesty, her heirs and successors, for the service of the Post Office.

Correction of errors, &c. 4. If any omission, mis-statement, or erroneous description is found to have been made of any lands, or of any owners, lessees, or occupiers of any lands, shown or intended to be shown on the deposited plans or described in the books of reference, the Postmaster-General may apply to two justices for the correction thereof, after giving ten days' notice to the owners, lessees, or occupiers of the lands affected by the proposed correction; and if it appears to the justices that such omission, mis-statement, or erroneous description arose from mistake, they shall so certify, stating the particulars thereof, and their certificate shall be deposited as if the same had originally formed part of the deposited plans or books of reference (as the case may be), and shall be kept therewith, and shall be deemed to be part thereof, and thereupon the deposited plans or books of reference (as the case requires), shall be deemed to be corrected according to the certificate, and



the Postmaster-General may enter on, purchase, take, hold, and use the lands to which the certificate relates accordingly. A.D. 1893.

5. It shall be lawful for the Postmaster-General and for his surveyors, officers, and workmen, at all reasonable times in the day time to enter into and upon any of the lands shown on the deposited plans and described in the books of reference, for the purpose of surveying or valuing such lands, on giving for the first time twenty-four hours, and afterwards from time to time twelve hours' previous notice in writing to the owners or occupiers thereof. Power to Postmaster-General to enter lands for the purpose of surveying.

6.—(1.) The Postmaster-General may divert, alter, and stop up any street, roadway, or passage, within the limits of the property already acquired by him for the purposes of a head post office in the city of Liverpool and in the town of Leeds respectively, or within the limits of any of the lands shown on the deposited plans, so soon as such lands are acquired by him: And in particular so soon as the Postmaster-General has purchased or acquired the lands situate in the parish and city of Liverpool, numbered respectively one, five, eight, and fourteen, on the deposited plans and in the books of reference, he may divert and alter or stop up and close the street known and marked on the deposited plans as Cumberland Street. Diversion, &c. of streets, and extinction of rights of laying pipes and other easements.

(2.) Nevertheless nothing in this Act contained shall authorise the Postmaster-General to stop up the public passage or footway known as Bell Yard in the parish of St. Gregory by St. Paul, in the city of London, but the Postmaster-General may divert or alter such public passage or footway during the progress of, and so far as may be necessary for, any works under the authority of this Act, but no longer.

(3.) All rights of laying down or continuing pipes, sewers, or drains on, through, or under the lands already acquired by the Postmaster-General for the purposes of a head post office in the city of Liverpool and in the town of Leeds respectively, or on, through, or under any of the lands shown on the deposited plans, and all other public or private rights or easements in or relating to such lands or any part thereof shall, as from the date of the acquisition by the Postmaster-General of such lands respectively, be extinguished, and the property in such pipes, sewers, or drains, shall be vested in the Postmaster-General in such capacity and on such trusts as aforesaid.

(4.) Provided that any person may recover from the Postmaster-General such compensation (if any) as he may be entitled to under



A.D. 1893. the provisions of the Lands Clauses Acts for any private rights or private property of which he may be deprived in pursuance of this section, the amount of such compensation to be determined in manner provided by the Lands Clauses Acts, or the Postmaster-General may at his discretion grant rights and easements in lieu of any rights or easements extinguished under this Act, and in substitution for money payments or other considerations, and if any person is dissatisfied with the exercise of such power, he may proceed in the manner prescribed by section sixty-eight of the Lands Clauses Consolidation Act, 1845.

8 & 9 Vict.  
c. 18 ;  
23 & 24 Vict.  
c. 106 ; and  
32 & 33 Vict.  
c. 18.

For protec-  
tion of Com-  
missioners  
of Sewers.

7. When any of the works to be executed by virtue of this Act shall pass over, under, or by the side of, so as to damage or interfere with any sewer, drain, watercourse, defence, or works under the jurisdiction of the Commissioners of Sewers of the city of London, or with any sewers or works to be made or executed by the said Commissioners, such works so to be executed by the Postmaster-General in pursuance of this Act shall be so carried out under the following conditions:—

- (1.) Before commencing such works the Postmaster-General shall give the engineer or surveyor of the said Commissioners twenty-eight days' notice in writing of his intention to commence such works, and with such notice shall be left a plan and section showing the course and inclination of such proposed works :
- (2.) In case the Commissioners of Sewers shall require any alteration to be made therein they shall give before the expiration of the said twenty-eight days written notice of such requirement to the Postmaster-General, and the Postmaster-General shall, subject to the provisions herein-after stated with respect to arbitration, comply therewith :
- (3.) The alterations so required by the said Commissioners shall be executed by or under the superintendence and control of the engineer or surveyor or other officer of the said Commissioners :
- (4.) All reasonable costs, charges, and expenses which the Commissioners may be put to or incur in the execution of such alterations shall be paid to the said Commissioners by the Postmaster-General for the time being :
- (5.) In case of disputes between the Postmaster-General and the said Commissioners of Sewers, either as to the alterations required by such Commissioners, or as to the costs, charges, and expenses of such alterations, or any other matter or thing



relating thereto, the same shall be settled by an arbitrator to be agreed upon by the Postmaster-General and the said Commissioners of Sewers, or failing such agreement by an arbitrator to be appointed by the Board of Trade :

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- (6.) Any works, whether altered or substituted, or any defence connected with such works, whether altered or substituted, shall be as fully and completely under the jurisdiction and control of the said Commissioners as any sewers or works now are.

8. The Postmaster-General shall not break up or disturb any street or place, other than a street or place which he is authorised by this Act to stop up, or the pavement thereof under the control or direction of the Commissioners of Sewers of the City of London, unless at least twenty-eight days' previous notice in writing of his intention so to do, specifying the street, place, or pavement intended to be broken up or disturbed, be given to the engineer or surveyor of such Commissioners, or left for him at his office or at the office of such Commissioners, and the Postmaster-General shall attend to the directions of such engineer or surveyor with a view to secure a free passage of traffic in such streets and places, and to prevent needless injury to the street, and shall not open more of such streets or places at one time than such engineer or surveyor shall in writing authorise, and when the Postmaster-General shall break up or disturb any such street, place, or pavement, he shall so soon as the works affecting it are completed, and at the furthest within three months, or such extended period as may be agreed upon between the Postmaster-General and such Commissioners, from the day on which those works were begun restore the street, place, or pavement to as good a condition as it was in when it was broken up or disturbed, under the superintendence and to the reasonable satisfaction of the engineer or surveyor of the Commissioners, and the Postmaster-General shall save harmless and keep indemnified the said Commissioners and their successors against any expenses consequent on any such works: Provided always, that in the event of difference arising between the Postmaster-General and the Commissioners as to any matter or thing in this clause contained, the same shall be determined by an arbitrator to be mutually agreed upon, or failing such agreement by an arbitrator to be named by the Board of Trade.

For the protection of the streets of the city of London.

9. All lands within the city of London purchased by the Postmaster-General in pursuance of this Act which were at the time of such purchase subject to land tax or poor or other rates shall

Assessments on lands purchased within city of London.



A.D. 1893.

continue liable thereto, but they shall not be assessed to any tax or rate at higher rateable value than that at which they were assessed at the time of the passing of this Act.

For the protection of the Gas Light and Coke Company and the Liverpool United Gaslight Company.

**10.—(1.)** The provisions of this section shall have effect for the protection of the Gas Light and Coke Company and the Liverpool United Gaslight Company respectively, and the expression “the company” in this section shall be deemed to refer to each of the said companies.

(2.) If, in the removal and pulling down of any buildings, or in raising or lowering the ground of any street or way under the powers conferred by this Act, it shall be necessary to raise, sink, or otherwise alter the position relatively to the surface of the ground of any main or service pipe or other apparatus laid down or used by the company, or connected with any house or building for the supply of gas, one month’s notice shall be given to the company previously to the commencement of any such work, which shall be executed to the reasonable satisfaction of the engineer of the company, or, in case of difference, of an engineer to be selected by the Board of Trade, and every such work shall be so executed as to cause as little inconvenience as circumstances will admit to the company, and the Postmaster-General shall make compensation to the company for all loss or damage, if any, which may be occasioned by the execution of the works by this Act authorised, or any or either of them.

For the protection of the Liverpool Electric Supply Company, Limited, and the Kensington and Knightsbridge Electric Lighting Company, Limited.

**11.—(1.)** The provisions of this section shall have effect for the protection of the Liverpool Electric Supply Company, Limited, and the Kensington and Knightsbridge Electric Lighting Company, Limited, respectively, and the expression “the company” in this section shall be deemed to refer to each of the said companies.

(2.) If, in the removal and pulling down of any buildings, or in raising or lowering the ground of any street or way under the powers conferred by this Act, it shall be necessary to raise, sink, or otherwise alter the position relatively to the surface of the ground of any main, service line, box, wire, or other apparatus laid down or used by the company, or connected with any house or building for or in connexion with the supply of electricity, one month’s notice shall be given to the company previously to the commencement of any such work, which shall be executed to the reasonable satisfaction of the engineer of the company, or, in case of difference, of an engineer to be selected by the Board of Trade, and every such work shall be so executed as to cause as little inconvenience as circumstances will admit to the company, and the



Postmaster-General shall make compensation to the company for all loss or damage, if any, which may be occasioned by the execution of the works by this Act authorised, or any or either of them.

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12. Subject to the provisions of this Act with respect to compensation it shall be lawful for the Postmaster-General to pull down and remove all or any buildings erected on any lands already purchased by him for the purposes of a head post office in the city of Liverpool and in the town of Leeds respectively, or on any lands shown on the deposited plans which are purchased by him, and on the lands so purchased to construct buildings and works for the service of the Post Office, and to make such approaches and widening and alteration of thoroughfares, and do all such other things as in his opinion are necessary or expedient for the execution of any of the purposes of this Act: Provided always, that no buildings shall be erected under the authority of this Act on the lands in the parish of Leeds numbered respectively 1 and 2 on the deposited plans and in the books of reference.

Power to pull down buildings on lands purchased and build others.

13. Claims for compensation made on the Postmaster-General under the provisions of this Act or any Act incorporated therewith shall, if the person claiming compensation has no greater interest than as tenant for a year or from year to year in the lands in respect of which compensation is claimed, be determined in manner provided by section one hundred and twenty-one of the Lands Clauses Consolidation Act, 1845.

As to claims for compensation by tenants from year to year: 8 & 9 Vict. c. 18.

14. The Postmaster-General (with the consent of the Treasury) and any local authority may enter into contracts and agreements with reference to the formation, diversion, or alteration of streets and highways within the towns and places to which this Act refers, and with reference to a sale, lease, or exchange of land therein, and may make money payments in respect thereof.

Power to enter into agreements.

15. The limit of time for the compulsory purchase of lands under this Act shall be three years.

Time for compulsory purchase.

16.—(1.) No purchase shall be made by the Postmaster-General under the authority of this Act without the sanction of the Treasury.

Sanction of Treasury required to purchase under this Act.

(2.) Any such sanction may be given either generally or in respect of any particular purchase, contract, or agreement, and a vendor to, or purchaser from, or person contracting with, the Postmaster-General shall not be bound or entitled to inquire whether such sanction has been given.

17. All buildings to be erected in pursuance of this Act shall be exempt from the operation of any Metropolitan or Local Act

Exemption from Buildings Act.

A.D. 1893. relating to the construction or regulation of buildings or of any byelaw made under the same.

Act to be carried out by means of moneys provided by Parliament.

18. All moneys payable by the Postmaster-General with respect to the purchase and acquisition of lands under this Act, and all costs, charges and expenses incurred by the Postmaster-General in or connected with the carrying into effect of the provisions of this Act, shall be paid out of the moneys provided by Parliament.

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